

AGENDA

Meeting of the

CITY COUNCIL OF THE CITY OF TROY

DECEMBER 17, 2007

CONVENING AT 7:30 P.M.

Submitted By
The City Manager

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

TO: The Honorable Mayor and City Council
Troy, Michigan

FROM: Phillip L. Nelson, City Manager

SUBJECT: Background Information and Reports

Ladies and Gentlemen:

This booklet provides a summary of the many reports, communications and recommendations that accompany your Agenda. Also included are suggested or requested resolutions and/or ordinances for your consideration and possible amendment and adoption.

Supporting materials transmitted with this Agenda have been prepared by department directors and staff members. I am indebted to them for their efforts to provide insight and professional advice for your consideration.

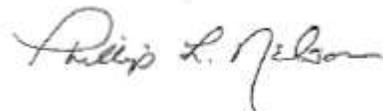
Identified below are goals for the City, which have been advanced by the governing body; and Agenda items submitted for your consideration are on course with these goals.

Goals

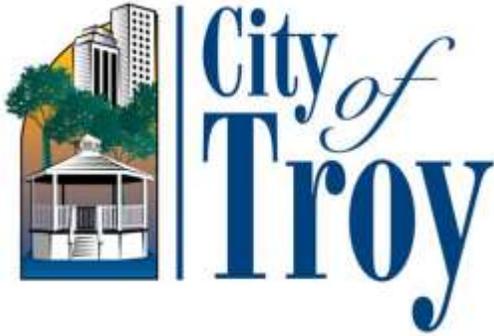
- I. Enhance the livability and safety of the community
- II. Minimize the cost and increase the efficiency and effectiveness of City government
- III. Retain and attract investment while encouraging redevelopment
- IV. Effectively and professionally communicate internally and externally
- V. Maintain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

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

Respectfully submitted,



Phillip L. Nelson, City Manager



CITY COUNCIL

AGENDA

December 17, 2007 – 7:30 PM
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317

CALL TO ORDER: 1

INVOCATION & PLEDGE OF ALLEGIANCE: Pastor Jerry Hines – Woodside Bible Church 1

ROLL CALL 1

CERTIFICATES OF RECOGNITION: 1

- A-1 Presentations: 1
- a) Special Tribute to the City of Troy from State Representative Marty Knollenberg and State Senator John Pappageorge – Safest City in Michigan..... 1
 - b) Service Commendation – David Waller..... 1

CARRYOVER ITEMS: 1

B-1 No Carryover Items 1

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C-2 Request to Consider Granting an Industrial Facilities Exemption Certificate (IFEC) to Seco Tools, Inc., 2805 Bellingham, Troy MI 48083 2

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CALL TO ORDER:**INVOCATION & PLEDGE OF ALLEGIANCE: Pastor Jerry Hines – Woodside Bible Church****ROLL CALL**

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

CERTIFICATES OF RECOGNITION:

A-1 Presentations:

- a) Special Tribute to the City of Troy from State Representative Marty Knollenberg and State Senator John Pappageorge – Safest City in Michigan
- b) Service Commendation – David Waller

CARRYOVER ITEMS:

- B-1 No Carryover Items**

PUBLIC HEARINGS:

- C-1 Request for Establishment of an Industrial Development District (IDD) – Seco Tools, Inc., 2805 Bellingham, Troy MI 48083**

Suggested Resolution

Resolution #2007-12-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **ESTABLISHES** an Industrial Development District (IDD) for Seco Tools, Inc., for property known as 2805 Bellingham, Troy, MI 48083, Parcel # 88-20-26-200-088, in accordance with City Council Policy Resolution #2006-06-238; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to forward a copy of this resolution to the State Tax Commission, Treasury Building, P.O. Box 30471, Lansing, MI 48909-7971.

Yes:

No:

C-2 Request to Consider Granting an Industrial Facilities Exemption Certificate (IFEC) to Seco Tools, Inc., 2805 Bellingham, Troy MI 48083

Suggested Resolution

Resolution #2007-12-

Moved by

Seconded by

WHEREAS, After due notice and proper hearing, the Troy City Council on December 17, 2007 established an Industrial Development District (IDD) for property known as 2805 Bellingham, Troy, MI. 48083, Parcel # 88-20-26-200-088;

WHEREAS, An Application has been submitted by Seco Tools, Inc., for an Industrial Facilities Exemption Certificate (IFEC) for personal property at 2805 Bellingham, Troy, MI. 48083, for twelve (12) years; and

WHEREAS, After due and proper notice by the City Clerk, the City Council, on December 17, 2007, held a Public Hearing giving opportunity for comment by all taxing units as to the possibility that the granting of an Industrial Facilities Exemption Certificate (IFEC) for Seco Tools, Inc., at 2805 Bellingham, Troy, MI. 48083 may have the effect of substantially impeding the operation of the taxing unit, or impairing the financial soundness of the taxing unit;

THEREFORE, BE IT RESOLVED, That Troy City Council has **FOUND THAT THE GRANTING** of an Industrial Facilities Exemption Certificate (IFEC) for Seco Tools, Inc., at 2805 Bellingham, Troy, MI. 48083 shall not substantially impede the operation of the City of Troy or the other taxing units, **NOR HAS IT BEEN FOUND THAT THE GRANTING** of the Industrial Facilities Exemption Certificate (IFEC) will impair the financial soundness of the City of Troy, or the other taxing units which levy taxes on said property; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the application for an Industrial Facilities Exemption Certificate (IFEC) for Seco Tools, Inc., at 2805 Bellingham, Troy, MI, 48083, Parcel #88-20-26-200-088, for personal property for a term of twelve (12) years, **CONTINGENT** upon the execution of a Letter of Agreement between the City of Troy and Seco Tools, Inc., in accordance with Public Act 198 of 1974, as amended; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to execute the Letter of Agreement between the City of Troy and Seco Tools, Inc., a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **AUTHORIZES** the City Clerk to complete the Application and transmit same to the State Tax Commission, Treasury Building, P.O. Box 30471, Lansing, MI. 48909-7971.

Yes:

No:

C-3 Rezoning Application – Proposed Rite Aid Pharmacy Development, North Side of Long Lake, East Side of Rochester Road, Section 11 – B-1 to B-2 (File Number Z-729)

Suggested Resolution

Resolution #2007-12-

Moved by

Seconded by

WHEREAS, The City is in receipt of a rezoning request, from B-1 to B-2, File Number Z-729, as demonstrated by the Ordinance to amend Chapter 39 of the Code of the City of Troy;

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

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

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

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

Yes:

No:

POSTPONED ITEMS:

D-1 Alcohol Sales on Golf Courses

Pending Resolution

Resolution

Moved by Beltramini

Seconded by Eisenbacher

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

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

Yes:

No:

D-2 Appointments to Boards and Committees

(b) City Council Appointments

Suggested Resolution

Resolution #2007-12-

Moved by

Seconded by

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

Advisory Committee for Persons with Disabilities

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

_____ Unexpired Term 11/01/09

_____ Unexpired Term 11/01/09

_____ Unexpired Term 11/01/09

_____ **(Alternate)** Term Expires 11/01/09

_____ Term Expires 11/01/10

_____ Term Expires 11/01/10

Charter Revision Committee

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

_____ Unexpired Term 04/30/09

Ethnic Issues Advisory Board

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

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

Yes:

No:

PUBLIC COMMENT: Limited to Items Not on the Agenda

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

REGULAR BUSINESS:

Persons interested in addressing the City Council on items, which appear on the printed Agenda, will be allowed to do so at the time the item is discussed upon recognition by the Chair in accordance with the Rules of Procedure of the City Council, Article 16, during the Public Comment section under item 10“E” of the agenda. Other than asking questions for the purposes of gaining insight or clarification, Council shall not interrupt or debate with members of the public during their comments. Once discussion is brought back to the Council table, persons from the audience will be permitted to speak only by invitation by Council, through the Chair. Council requests that if you do have a question or concern, to bring it to the attention of the appropriate department(s) whenever possible. If you feel that the matter has not been resolved satisfactorily, you are encouraged to bring it to the attention of the City Manager, and if still not resolved satisfactorily, to the Mayor and Council.

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

E-1 Appointments to Boards and Committees: a) Mayoral Appointments: Planning Commission

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

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

(a) Mayoral Appointments

Suggested Resolution

Resolution #2007-12-

Moved by

Seconded by

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

Planning Commission

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

Unexpired Term 12/31/08

Term Expires 12/31/10

Yes:

No:

E-2 Bid Waiver – Purchase of Additional In-Car Video SystemsSuggested Resolution

Resolution #2007-12-

Moved by

Seconded by

WHEREAS, On Monday, October 16, 2006, Troy City Council approved a contract to purchase digital in-car video systems from International Police Technologies at an estimated cost of \$291,000.00 (CC Resolution #2006-10-392 – Item F-2);

WHEREAS, Additional digital in-car video systems are needed to replace outdated technology to complete the final phase of the project; and

WHEREAS, International Police Technologies has offered General Services Administration (GSA) contract pricing contained in GSA-FSS Contract GS-07-9906H for the equipment;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and **APPROVES** a contract to purchase twelve (12) additional digital in-car video systems including hardware and software from International Police Technologies for an estimated total cost of \$67,068.00.

Yes:

No:

E-3 Traffic Committee Recommendations – November 28, 2007Suggested Resolution

Resolution #2007-12-

Moved by

Seconded by

- (a) **Installation of NO PARKING/STOPPING/STANDING Signs on the East Side of Jack Street between the driveway of 2187 Lancer and the corner of Jack and Lancer Drive, and on Lancer between 2175 Lancer and Jack**

RESOLVED, That Traffic Control Order No. _____ be **ISSUED** for the installation of two signs indicating “NO PARKING/ STOPPING/STANDING 8:00 a.m. to 3:30 p.m. School Days Only” on the east side of Jack Street between the driveway of 2187 Lancer and the corner of Jack and Lancer Drive, and on Lancer between 2175 Lancer and Jack.

- (b) **Removal of YIELD Signs on Scone at High Oaks and Installation of YIELD Signs on High Oaks at Scone**

RESOLVED, That Traffic Control Order #86-15-SS be **RESCINDED** to allow removal of YIELD signs on Scone at High Oaks; and

BE IT FURTHER RESOLVED, That Traffic Control Order No. _____ be **ISSUED** for the installation of YIELD signs on High Oaks at Scone.

(c) Installation of NO STOPPING/STANDING/PARKING Signs along Northfield Parkway between Durand and Long Lake

RESOLVED, That Traffic Control Order No. _____ be **ISSUED** for the installation of NO STOPPING/STANDING/PARKING signs along Northfield Parkway between Durand and Long Lake.

(d) Installation of Pavement Markings on Northfield Parkway

RESOLVED, That Traffic Control Order No. _____ be **ISSUED** for the pavement markings on Northfield Parkway to facilitate two through lanes and one center two-way left turn lane in the vicinity of Troy High School.

(e) Establishment of Fire Lanes at 1101 Rochester Road

RESOLVED, That Traffic Control Order No. _____ be **ISSUED** for the establishment of fire lanes at 1101 Rochester Road, as shown in the attached sketch.

Yes:
No:

E-4 Addendum #1 to Charnwood Hills Phase 1 Chip Seal Contract 07-4 for Charnwood Phase 2 Chip Seal

Suggested Resolution
Resolution #2007-12-
Moved by
Seconded by

RESOLVED, That Troy City Council hereby **AWARDS** Addendum #1 to Contract No. 07-4, Charnwood Hills Phase 1 Chip Seal, to Pavement Recycling, Inc., 210 S. Blacks Corners Rd., Imlay City, MI 48444, at an estimated total cost of \$233,600.00 for Phase 2 Charnwood Chip Seal; and

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon submission of proper contract and bid documents, including bonds, insurance certificates and all specified requirements, and if additional work is required, Troy City Council hereby **AUTHORIZES** such additional work in an amount not to exceed 25% of the total project cost.

Yes:
No:

E-5 Rejection of Bids for Contract 07-9 – Weir Control Structure Project – Section 4Suggested Resolution

Resolution #2007-12-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **REJECTS** all bids for contract No. 07-9, Section 4 Weir Control Structure Project, opened November 27, 2007 due to all bids exceeding the engineer's estimate.

Yes:

No:

E-6 Proposed City of Troy Precinct Boundary Alterations and RelocationsSuggested Resolution

Resolution #2007-12-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **APPROVES** the City of Troy alterations of precinct boundaries and relocation polling locations as follows:

PCT #	BOUNDARY DESCRIPTION	POLLING LOCATION
1	Section 1	Evanswood Church of God 2601 E. Square Lake
2	Section 2 in the Troy School District	Kensington Community Church 1825 E. Square Lake
3	Sections 2, 3 and 4 in the Avondale School District	Woodside Bible Church 6600 Rochester
4	Sections 3, 4 and 5 in the Troy School District	St. Elizabeth Ann Seton Catholic Church 280 E. Square Lake
5	Sections 5 and 6 in the Avondale School District	Woodside Bible Church 6600 Rochester
6	Section 6 in the Troy School District	Nature Center 6685 Coolidge Hwy.
7	Section 7 in the Troy School District and Section 8 west of Coolidge Highway	St. Stephen Episcopal Church 5500 Adams
8	Section 8 east of Coolidge Highway	Northfield Hills Baptist Church 1800 W. Long Lake
9	Sections 9 & 10	St. Elizabeth Ann Seton Catholic Church 280 E. Square Lake
10	Section 11	Kensington Community Church 1825 E. Square Lake

PCT #	BOUNDARY DESCRIPTION	POLLING LOCATION
11	Section 12 north of Highbury, east of Harbor, north of Willard, north and east of English	Evanswood Church of God 2601 E. Square Lake
12	Section 12 south of Highbury, west of Harbor, south of Willard, south and west of English	Fire & Police Training Center 4850 John R
13	Section 13	Bethesda Romanian Pentecostal Church 2075 E. Long Lake
14	Section 14	St. Anastasia Catholic Church 4571 John R
15	Section 15	St. Lucy Catholic Croatian Church 200 E. Wattles
16	Section 16 east of I-75 and Section 21 east of I-75	First Presbyterian Church 4328 Livernois
17	Section 16 west of I-75 and Section 17	St. Nicholas Greek Orthodox Church 760 W. Wattles
18	Section 18 in the Troy School District	St. Stephen Episcopal Church 5500 Adams
19	Sections 19 and 30 in the Troy School District	St. Alan Catholic Church 3077 Gloucester
20	Section 20 and Section 21 west of I-75	St. Nicholas Greek Orthodox Church 760 W. Wattles
21	Section 22	St. Lucy Catholic Croatian Church 200 E. Wattles
22	Section 23	St. Anastasia Catholic Church 4571 John R
23	Section 24	St. Joseph Chaldean Catholic Church 2442 E. Big Beaver
24	Sections 25 and 26 in the Warren Consolidated School District	St. George Antiochian Orthodox Church 2160 E. Maple
25	Sections 35 and 36 in the Warren Consolidated School District	St. George Antiochian Orthodox Church 2160 E. Maple
26	Sections 26, 27, 34 and 35 south of I-75 in the Troy School District	Troy Community Center 3179 Livernois
27	Section 28 and Sections 25, 26, and 27 north of I-75 and south of E. Big Beaver in Sections in the Troy School District	Troy Community Center 3179 Livernois
28	Sections 29 and 32 in the Troy School District	St. Alan Catholic Church 3077 Gloucester
29	Sections 18, 19, 30, and 31 in the Birmingham School District	North Hills Christian Reformed Church 3150 N. Adams
30	Section 35 in the Royal Oak School District and the Section 36 in the Lamphere School District	Troy Community Center 3179 Livernois
31	Sections 6, 7, and 18 in the Bloomfield Hills School District	Nature Center 6685 Coolidge Hwy.

Yes:

No:

E-7 Limousine Permit Revocation Appeal – Nautical Mile TransportationSuggested Resolution

Resolution #2007-12-

Moved by

Seconded by

a. Proposed Resolution to Confirm Revocation

WHEREAS, Based on the recommendation of the Troy Police Department, on October 26, 2007, the City Clerk revoked Nautical Mile Transportation's limousine vehicle permits, which are numbered 2007-031 through 2007-036;

WHEREAS, Michael Saad, the owner of Nautical Mile Transportation, has appealed the Clerk's revocation to the City Council of the City of Troy; and

WHEREAS, Pursuant to Troy Code of Ordinances Chapter 59, Licenses, City Council has the authority to review the decision to revoke any permit issued by the City;

THEREFORE, BE IT RESOLVED, That Troy City Council, after providing due process, and considering statements from Michael Saad, Representatives from the Troy Police Department, and other persons, hereby **AFFIRMS** the City Clerk's revocation of the limousine vehicle permits and **FINDS** that the Clerk's action was supported by cause; specifically, Nautical Mile Transportation has violated Troy Code of Ordinances Chapter 65 section 65.502 (fraudulent application/improper use of permit), and has engaged in an act that is unlawful, irregular or fraudulent in nature; and

THEREFORE, BE IT FINALLY RESOLVED, That Troy City Council hereby **CONFIRMS** the revocation of the limousine vehicle permits, which are numbered 2007-031 through 2007-036, and held by Nautical Mile Transportation.

OR

b. Proposed Resolution to Reinstate Limousine Permit for One Vehicle Owned by Michael Saad

WHEREAS, Based on the recommendation of the Troy Police Department, on October 26, 2007, the City Clerk revoked six limousine vehicle permits held by Nautical Mile Transportation, which are numbered 2007-031 through 2007-036;

WHEREAS, Michael Saad, the owner of Nautical Mile Transportation, has appealed the Clerk's revocation to the City Council of the City of Troy; and

WHEREAS, Pursuant to Troy Code of Ordinances Chapter 59, Licenses, City Council has the authority to review the decision to revoke any permit issued by the City;

THEREFORE, BE IT RESOLVED, That Troy City Council, after holding a hearing and considering statements from Michael Saad, Representatives from the Troy Police Department, and other persons, hereby **CONFIRMS** the revocation of the limousine vehicle permits, which were held by Nautical Mile Transportation; and

THEREFORE, BE IT FINALLY RESOLVED, That Troy City Council hereby **REINSTATES** Nautical Mile Transportation's limousine vehicle permit (Number 2007-031) for **ONLY** that vehicle, described as a 2006 black Lincoln Town Car, VIN Number: 1LNHM82V06YG49236, which is owned by Michael Saad.

Yes:

No:

E-8 Goodman Investments, LLC

Suggested Resolution

Resolution #2007-12-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **APPROVES** the attached First Amendment to the Consent Order and Judgment between GOODMAN INVESTMENTS, LLC, Successor Plaintiff to HARVEY S. FINK, and the CITY OF TROY concerning the property located at 2095 E. Big Beaver Rd., in the City of Troy, Parcel Number 88-20-24-352-045, and **AUTHORIZES** the Mayor and City Clerk and City Attorney to execute the document on behalf of the City of Troy.

Yes:

No:

CONSENT AGENDA:

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

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

Suggested Resolution

Resolution #2007-12-

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 (F) items, as printed.

Yes:

No:

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

F-2 Approval of City Council Minutes

Suggested Resolution

Resolution #2007-12-

RESOLVED, That the Minutes of the 7:30 PM Regular City Council Meeting of December 3, 2007 be **APPROVED** as submitted.

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

F-4 Standard Purchasing Resolutions

- a) **Standard Purchasing Resolution 1: Award to Low Bidder – Contract 07-8 – Square Lake, Livernois to Rochester and John R at Mt. Vernon Water Main Replacement – Project No. 06.503.5 and 07.503.5**

Suggested Resolution

Resolution #2007-12-

RESOLVED, That Troy City Council hereby **AWARDS** Contract No. 07-8, Square Lake, Livernois to Rochester and John R at Mt. Vernon Water Main Replacement to Bricco Excavating Co., LLC, 21201 Meyers Road, Oak Park, MI 48237-3201 at an estimated total cost of \$590,444.70; and

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon submission of proper contract and bid documents, including bonds, insurance certificates and all specified requirements, and if additional work is required, Troy City Council hereby **AUTHORIZES** such additional work in an amount not to exceed 10% of the total project cost.

- b) **Standard Purchasing Resolution 8: Best Value Award – Architectural Services for the Troy Museum and Historic Village**

Suggested Resolution

Resolution #2007-12-

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide architectural services for the Troy Museum and Historic Village to the highest rated bidder, Hopkins Burns Design Studio of Ann Arbor, MI, as a result of a best value process at an estimated cost of \$219,265.00 to be funded by monies received from the Troy Historical Society, at prices as

listed on the tabulation opened October 8, 2007, 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 consultant submission of properly executed proposal and contract documents, including insurance certificates and all other specified requirements.

c) Standard Purchasing Resolution 4: US Communities Cooperative Purchasing Program – Landscape Structures, Inc.

Suggested Resolution
Resolution #2007-12-

RESOLVED, That Troy City Council **APPROVES** a contract to purchase and install four natural climbing boulders and engineered wood fiber through the US Communities Cooperative Purchasing Program Contract #040377 with Landscape Structures, Inc. for an estimated total cost of \$52,570.00.

BE IT FURTHER RESOLVED, That the contract is **CONTINGENT** upon contractor submission of proper insurance certificate(s) and any other specified requirements.

d) Standard Purchasing Resolution 3: Exercise Renewal Option – Audit Services

Suggested Resolution
Resolution #2007-12-

WHEREAS, On April 18, 2005, a three-year contract to provide Audit Services with an option to renew for three additional years was awarded to The Rehmann Group of Saginaw, MI, the vendor selected by Troy City Council as a result of a best value process (Resolution #2005-04-182); and

WHEREAS, The Rehmann Group has agreed to exercise the option to renew for three additional years under the same pricing structure, terms, and conditions;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES** the option to renew the contract for three additional years with The Rehmann Group to provide Audit Services through December 31, 2010, for an estimated total cost of \$67,568.00, under the same pricing structure, terms, and conditions as the original contract, in accordance with contract requirements.

e) Standard Purchasing Resolution 4: Award – Oakland County Cooperative Purchasing Agreement – Fleet Vehicles

Suggested Resolution
Resolution #2007-12-

RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase two (2) 2008 Dodge Chargers from Golling Chrysler Jeep Dodge, Inc. of Bloomfield Hills, MI, through the Oakland County Cooperative Purchasing Agreement at an estimated total cost of \$44,504.00.

F-5 Acceptance of Fireman's Fund Insurance Company Grant

Suggested Resolution
Resolution #2007-12-

RESOLVED, That Troy City Council hereby **AUTHORIZES** the Troy Fire Department to receive a Heritage Rewards Grant from Fireman's Fund Insurance Company for the purchase of public education program materials; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AMENDS** the Fire Department equipment budget due to the grant award in the amount of \$6,237.00.

F-6 Municipal Credit and Community Credit Agreement

Suggested Resolution
Resolution #2007-12-

RESOLVED, That Troy City Council hereby **APPROVES** the transfer of Municipal Credit funds in the amount of \$76,084.00 and Community Credit funds in the amount of \$106,432.00 to Troy Medi-Go Plus for the operation of transportation service for senior citizens and persons with disabilities and **AUTHORIZES** the Mayor and City Clerk to execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-7 Request for Approval of Purchase Agreement for John R Road Improvements, Square Lake Road to South Boulevard, Project No. 02.204.5 – Parcel #33 –Sidwell #88-20-02-427-007 – Kinette A. Bayliss

Suggested Resolution
Resolution #2007-12-

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for Public Purposes between Kinette A. Bayliss, owner of property having Sidwell #88-20-02-427-007, and the City of Troy, for the acquisition of right-of-way for John R Road Improvements, Square Lake Road to South Boulevard in the amount of \$12,400.00, plus closing costs; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Real Estate and Development Department to expend the necessary closing costs to complete this purchase according to the agreement; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to record the Warranty Deed with the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-8 Request for Approval of Purchase Agreement for John R Road Improvements, Square Lake Road to South Boulevard, Project No. 02.204.5 – Parcel #68B – Sidwell #88-20-01-151-047 – Mark and Elizabeth Abro

Suggested Resolution

Resolution #2007-12-

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for Public Purposes between Mark and Elizabeth Abro, owners of property having Sidwell #88-20-01-151-047, and the City of Troy, for the acquisition of right-of-way for John R Road Improvements, Square Lake Road to South Boulevard in the amount of \$14,400.00, plus closing costs; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Real Estate and Development Department to expend the necessary closing costs to complete this purchase according to the agreement; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to record the Warranty Deed with the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-9 Request for Acceptance of a Warranty Deed for Right-of-Way and a Permanent Easement for Water Main, Section 21 – Sidwell #88-20-21-426-012 – ESC Associates, LLC

Suggested Resolution

Resolution #2007-12-

RESOLVED, That Troy City Council hereby **ACCEPTS** the Warranty Deed and Permanent Easement for water main from ESC Associates, LLC owner of the property having Sidwell #88-20-21-426-012; and

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

F-10 Request for Acceptance of a Warranty Deed for Right-of-Way and a Permanent Easement for Water Main, Section 21 – Sidwell #88-20-21-426-009 – Livernois Properties, LLC

Suggested Resolution

Resolution #2007-12-

RESOLVED, That Troy City Council hereby **ACCEPTS** the Warranty Deed and Permanent Easement for water main from Livernois Properties, LLC owner of the property having Sidwell #88-20-21-426-009; and

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

F-11 Request for Acceptance of Regrading and Temporary Construction Permit, John R Road Improvements, Square Lake Road to South Boulevard – Project No. 02.204.5 – Parcel #76 – Sidwell #88-20-01-108-018 – Hana Rrapi

Suggested Resolution
Resolution #2007-12-

RESOLVED, That Troy City Council hereby **ACCEPTS** the Regrading and Temporary Construction Permit in the amount of \$500.00 from Hana Rrapi, owner of property having Sidwell #88-20-01-108-018; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AGREES** to pay Hana Rrapi an amount not to exceed \$500.00 for permission to use land for construction; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to record the Regrading and Temporary Construction Permit with the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-12 Allocation of 2008 Tri-Party Program Funds for County Road Improvements in Troy

Suggested Resolution
Resolution #2007-12-

RESOLVED, That Troy City Council hereby **APPROVES** the use of 2008 Tri-Party program funding allocation of \$544,591.00, as required, for the Livernois, Maple to Big Beaver reconstruction project; Dequindre, Long Lake to South Boulevard right-of-way phase; and concrete slab replacements on County roads, all at an estimated cost to the City of Troy not to exceed \$181,530.00.

F-13 Kocenda v. Troy et. al.

Suggested Resolution
Resolution #2007-12-

RESOLVED, That Troy City Council hereby **AUTHORIZES** and **DIRECTS** the City Attorney to represent the City of Troy and its employees in any and all claims for damages in the matter of *David Kocenda v City of Troy, et al*, Oakland County Circuit Court case number 2007-085524-CZ; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the City Attorney to pay necessary costs and expenses and to retain any necessary expert witnesses to adequately represent the City and its employees.

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings: None Submitted

G-2 Green Memorandums: None Submitted

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

H-1 No Council Referrals Advanced

COUNCIL COMMENTS:

I-1 No Council Comments Advanced

REPORTS:

J-1 Minutes – Boards and Committees:

- a) Historic District Study Committee/Final – September 4, 2007
 - b) Youth Council/Final – September 26, 2007
 - c) Election Commission/Final – October 1, 2007
 - d) Historic District Study Committee/Final – October 2, 2007
 - e) Advisory Committee for Senior Citizens/Final – November 1, 2007
 - f) Historic District Study Committee/Final – November 6, 2007
 - g) Planning Commission/Final – November 13, 2007
 - h) Board of Zoning Appeals/Draft – November 20, 2007
 - i) Planning Commission Special/Study/Draft – November 27, 2007
 - j) Youth Council/Draft – November 28, 2007
 - k) Planning Commission Special/Study/Draft – December 4, 2007
 - l) Advisory Committee for Senior Citizens/Draft – December 6, 2007
 - m) Election Commission/Draft – December 7, 2007
-

J-2 Department Reports:

- a) Building Department – Permits Issued During the Month of November, 2007
 - b) City of Troy Monthly Financial Report – November 30, 2007
-

J-3 Letters of Appreciation:

- a) Letter of Thanks to Mayor Schilling from Bob Ottaway, President Bloomfield Woods Condominium Association Regarding the Assistance Received from the Troy Fire Department
 - b) Letter of Appreciation to Chief Nelson from Thomas Burke Regarding the Outstanding Service Provided by Lt. Janusz Bora
 - c) Letter of Thanks to Chief Craft from Beatrice Smits Regarding the Compassion and Support Received from the Troy Police Department and Legal Staff
 - d) Letter of Thanks to Bill Huotari from Tim and Anna Backers Regarding the Assistance from Jennifer Lawson and the Engineering Staff during the Widening of Crooks Road
-

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

J-5 Calendar

J-6 Communication from Alexia Gallaher, NFL Youth Football Fund Regarding a Grant of \$1,000.00 to Troy Parks and Recreation for the 2007 NFL Local Agency Grant Program

J-7 Communication from Parks and Recreation Director Carol Anderson Regarding the Re-greening of Troy Program

J-8 Communication from Parks and Recreation Director Carol Anderson Regarding Civic Center Priority Task Force Development Update

STUDY ITEMS:

K-1 No Study Items Submitted

PUBLIC COMMENT: Address of "K" Items

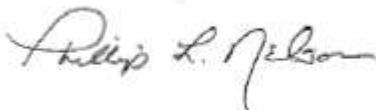
Persons interested in addressing the City Council on items, which appear on the printed Agenda, will be allowed to do so at the time the item is discussed upon recognition by the Chair in accordance with the Rules of Procedure of the City Council, Article 16, during the Public Comment section under item 18 of the agenda. Other than asking questions for the purposes of gaining insight or clarification, Council shall not interrupt or debate with members of the public during their comments. Once discussion is brought back to the Council table, persons from the audience will be permitted to speak only by invitation by Council, through the Chair. City Council requests that if you do have a question or concern, to bring it to the attention of the appropriate department(s) whenever possible. If you feel that the matter has not been resolved satisfactorily, you are encouraged to bring it to the attention of the City Manager, and if still not resolved satisfactorily, to the Mayor and Council.

CLOSED SESSION:

L-1 Closed Session: No Closed Session Requested

ADJOURNMENT

Respectfully submitted,



Phillip L. Nelson, City Manager

FUTURE CITY COUNCIL PUBLIC HEARINGS:

SCHEDULED CITY COUNCIL MEETINGS:

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

From: on behalf of agenda
Subject: FW: 12.17.07 - Presentation of a Special Tribute to the City of Troy - Safest City In Michigan - by State Representative Knollenberg and Senator Pappageorge

From: Beth L Tashnick
Sent: Wednesday, December 05, 2007 12:05 PM
To: agenda
Subject: 12.17.07 - Presentation of a Special Tribute to the City of Troy - Safest City In Michigan - by State Representative Knollenberg and Senator Pappageorge

(Agenda Text only- no back-up)

Special Tribute to the City of Troy from State Representative Marty Knollenberg and State Senator John Pappageorge – Safest City in Michigan

Service Commendation

WHEREAS, the Mayor and City Council of the City of Troy wish to express on behalf of the City, their appreciation to

DAVID WALLER

In recognition of outstanding service to the community, and

WHEREAS, He has at all times furthered those ideals that contribute to a better community.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council, being the duly elected voice of the citizens of Troy, express the City's appreciation and recognition for this distinguished citizen's service since **January 18, 1993 through 2007** as a member of the

PLANNING COMMISSION

BE IT FURTHER RESOLVED, that a copy of this resolution be presented as a lasting expression of the City's gratitude and appreciation for his contribution to the betterment of the City of Troy, Michigan.

Presented this 10th Day of February 2007.



**CITY COUNCIL
AGENDA
December 17, 2007
Back-Up Documentation
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317**

CARRYOVER ITEMS:

B-1 No Carryover Items

**There is no back-up documentation on this
Agenda item at the time of publication.**



CITY COUNCIL ACTION REPORT

October 17, 2007

TO: Phillip L. Nelson, City Manager

FROM: John M. Lamerato, Assistant City Manager-Finance/Administration
Brian Murphy, Assistant City Manager - Services
Nino Licari, City Assessor

SUBJECT: Public Hearing for Establishment of an Industrial Development District (IDD) for Seco Tools, Inc., 2805 Bellingham, Troy MI 48083

Background:

- Seco Tools, Inc., is currently located in Warren. They are a subsidiary of Seco Tools AB, a Swedish company. Their intent is to move their North American headquarters, including the Technical Training Center, the NAFTA warehouse, and all of the sales and administrative operations into a new 81,000 square foot building that they will have a long term lease for, on Bellingham, in Troy. In conjunction with Michigan Economic Development Corporation grants, they are seeking (and MEDC requires) a local match to facilitate their ability to stay in Michigan, and more particularly, Troy.

Our requested local match is for an Industrial Facilities Exemption Certificate (IFEC) to be issued by the City of Troy (application attached). This is according to Public Act 198 of 1974 (as amended) and local City policy. As you will recall, this amounts to an approximate 50% reduction in personal property taxes that they would pay, over a twelve (12) year period. This percentage is not inclusive of State Education Tax (6.00 Mill) or School Operating Tax (18.00 mills). These taxes have been exempted on Personal Property of Industrial companies by the new Michigan Business Tax of 2007. The reduction in millage rates is for locally levied millages only.

In order to grant the IFEC, an Industrial Development District (IDD) must first be established. This District sets the boundaries wherein the exemption may exist.

The IDD and the IFEC do require separate Public Hearings, unless the local unit has delineated all areas where IDD's may locate, in advance. Council's policy is to set the district as each application is received. For this reason, the bulk of the information for this application is presented with the District public hearing.

Financial Considerations:

- The estimated amount of investment in personal property is \$6,014,028 for the project. Over a twelve (12) year life, the estimated total taxes are \$219,057.46, of which \$84,746.00 would be City taxes.

A 50% abatement amounts to a savings of \$109,528.73 in total taxes, of which \$42,373.00 would be saved on City taxes. This is the financial cost to all taxing authorities.

Legal Considerations:

- The application meets all requirements of Public Act 198 of 1974 (as amended), the Plant Rehabilitation and Industrial Development Districts legislation.

Policy Considerations:

- The application is in compliance with the amended tax abatement policy of the City Council of the City of Troy (Resolution #2006-06-238, attached).

City Council Goal II, "Retain and attract investment while encouraging redevelopment" is met with this re-location. Seco Tools will be occupying a new 81,000 square foot building in the SmartZone.

Since both legal and policy considerations are met, staff would recommend establishing the District.

Options:

- City Council has the option to establish an Industrial Development district, or not. If Council does not establish a District, then no Exemption can be granted. A public hearing is still necessary to deny the exemption.

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of P.A. 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form or would like to request an informational packet, call (517) 373-3272.

To be completed by Clerk of Local Government Unit	
Signature of Clerk	▶ Date received by Local Unit
STC Use Only	
▶ Application Number	▶ Date Received by STC

APPLICANT INFORMATION

All boxes must be completed.

▶ 1a. Company Name (Applicant must be the occupant/operator of the facility) Seco Tools Inc.	▶ 1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 3335	
▶ 1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) Bellingham Drive	▶ 1d. City/Township/Village (indicate which) Troy	▶ 1e. County Oakland
▶ 2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(1)) <input type="checkbox"/> Research and Development (Sec. 2(9))	▶ 3a. School District where facility is located Troy	▶ 3b. School Code 63150
		4. Amount of years requested for exemption (1-12 Years) 12

5. Thoroughly describe the project for which exemption is sought: Real Property (Type of Improvements to Land, Building, Size of Addition); Personal Property (Explain New, Used, Transferred from Out-of-State, etc.) and Proposed Use of Facility. (Please attach additional page(s) if more room is needed).

See Attached

6a. Cost of land and building improvements (excluding cost of land)	N/A → ▶ \$8,472,300.00
* Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	Real Property Costs
6b. Cost of machinery, equipment, furniture and fixtures	▶ \$6,014,028.00
* Attach itemized listing with month, day and year of beginning of installation plus total costs	Personal Property Costs
6c. Total Project Costs	\$ 6,014,028.00 ▶ \$14,486,328.00
* Round Costs to Nearest Dollar	Total of Real & Personal Costs

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

	<u>Begin Date (M/D/Y)</u>	<u>End Date (M/D/Y)</u>		
Real Property Improvements ▶	10/31/07	8/1/08	▶ <input type="checkbox"/> Owned <input checked="" type="checkbox"/> Leased	N/A
Personal Property Improvements ▶	7/1/08	9/1/10	▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased	

▶ 8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. Yes No

▶ 9. No. of existing jobs at this facility that will be retained as a result of this project. 135	▶ 10. No. of new jobs at this facility expected to create within 2 years of completion. 15
---	--

11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of valuation for the entire plant rehabilitation district and obsolescence statement for property. The SEV data below must be as of December 31 of the year prior to the rehabilitation.

a. SEV of Real Property (excluding land)	
b. SEV of Personal Property (excluding inventory)	
c. Total SEV	

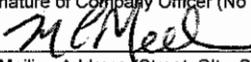
▶ 12a. Check the type of District the facility is located in:
 Industrial Development District Plant Rehabilitation District

▶ 12b. Date district was established by local government unit (contact local unit)	▶ 12c. Is this application for a speculative building (Sec. 3(8))? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--	---

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name M. L. Neel	13b. Telephone Number (586) 497-5003	13c. Fax Number (586) 497-5688	13d. E-mail Address mneel@secotools.com
14a. Name of Contact Person M. L. Neel	14b. Telephone Number (586) 497-5003	14c. Fax Number (586) 497-5688	14d. E-mail Address mneel@secotools.com
▶ 15a. Name of Company Officer (No Authorized Agents) Michael L. Neel			
15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number (586) 497-5688	15d. Date 10/10/07
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 11177 E 8 Mile Rd, Warren, MI 48089		15f. Telephone Number (586) 497-5003	15g. E-mail Address mneel@secotools.com

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit <input type="checkbox"/> Abatement Approved for _____ Years (1-12) After Completion <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Denied (Include Resolution Denying)	16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input type="checkbox"/> 2. Resolution establishing district <input type="checkbox"/> 3. Resolution approving/denying application. <input type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input type="checkbox"/> 6. Building Permit for real improvements if project has already begun <input type="checkbox"/> 7. Equipment List with dates of beginning of installation <input type="checkbox"/> 8. Form 3222 (if applicable) <input type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing. <input type="checkbox"/> 3. List of taxing authorities notified for district and application action. <input type="checkbox"/> 4. Lease Agreement showing applicants tax liability.	
16c. LUCI Code	16d. School Code
17. Name of Local Government Body	▶ 18. Date of Resolution Approving/Denying this Application

Attached hereto is an original and one copy of the application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

State Tax Commission
Michigan Department of Treasury
P.O. Box 30471
Lansing, MI 48909-7971

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

PROJECT DESCRIPTION

RELOCATION OF SECO TOOLS INC. NAFTA HEADQUARTERS

Seco Tools Inc. (Seco) plans to relocate the North American Headquarters of Seco Tools AB (a Swedish company) from its current location in Warren, Michigan to Troy, Michigan. Seco's headquarters consists of its Technical Training Center, its NAFTA warehouse, and all of its sales and administrative operations related to the NAFTA business. Today its headquarters operation employs over 135 employees which is expected to grow to approximately 150 employees during the next five years. It is Seco's intention to have Cunningham-Limp, as its developer, build a new 81,000 sq. ft. building on Bellingham Drive in the Automation Alley Technology Park and Seco will lease this new facility on a long-term basis (10 years with an option to renew for another 10 years). Seco feels that this area is very suitable to the high tech image that it wants to project to its NAFTA customers, distributors, and employees.

In connection with this relocation, Seco is requesting an industrial facilities tax exemption related to the personal property associated with this project. It is estimated that over \$6,000,000 in new personal property will ultimately be acquired, over \$5,000,000 being procured in 2008.

SECO TOOLS INC.

PROPOSED NEW NAFTA HEADQUARTERS AND TECHNICAL CENTER
TROY, MICHIGAN

PROJECTED REAL PROPERTY

Amounts in dollars

	<u>Amount</u>	<u>Timing</u>
<u>Shell and Core (excluding land)</u>	<u>7,920,167</u>	Aug-08
<u>Projected Improvements:</u>		
Cabling (data & voice)	262,071	Aug-08
Dedicated power PDU (computers)	136,151	Aug-08
Dedicated Liebert Cooling (computers)	68,469	Aug-08
Computer room infrastructure cabling	51,942	Aug-08
Specialty lighting & electrical	30,000	Aug-08
Compressed air piping	3,500	Aug-08
	<hr/>	
<u>Total Projected Improvements</u>	<u>552,133</u>	

N/A MF 10/16/07

SECO TOOLS INC.

PROPOSED NAFTA HEADQUARTERS AND TECHNICAL CENTER TROY, MICHIGAN

PROJECTED PERSONAL PROPERTY

Amounts in dollars

	<u>Projected Cost</u>	<u>Beginning Installation</u>
General Building Support		
Security and life safety system	100,000	7/1/2008
Office furniture and modular construction	1,500,000	7/1/2008
Audio and video equipment	225,000	7/1/2008
Interior and exterior signage package	65,300	7/1/2008
Kitchen equipment and appliances	25,000	7/1/2008
Subtotal	<u>1,915,300</u>	
Warehouse		
Automated warehouse retrieval system	1,000,000	7/1/2008
Compactor	35,000	7/1/2008
RF technology	27,500	7/1/2008
Compressor	15,000	7/1/2008
Subtotal	<u>1,077,500</u>	
Network and Telecommunications		
Wireless connectivity equipment	35,500	7/1/2008
WAN equipment	38,000	7/1/2008
Network backbone (electronics Cisco chassis)	516,703	7/1/2008
Telephones and switch gear	431,025	7/1/2008
Subtotal	<u>1,021,228</u>	
Technical Center Machines		
Multi-Tasking Turning / Milling (1)	500,000	7/1/2008
5 Axis/High Speed Machine	500,000	7/1/2008
5 Axis/High Speed Machine	500,000	9/1/2009
5 Axis/High Speed Machine	500,000	9/1/2010
Subtotal	<u>2,000,000</u>	
<u>Total Projected Personal Property</u>	<u>6,014,028</u>	



October 2, 2007

Mr. Brian P. Murphy
Assistant City Manager
Economic Development Services
City of Troy, Michigan 48084

Dear Brian:

We appreciate the time that you and Pam Valentik spent with both Kurt Nordlund and me some weeks ago discussing our proposed plans to relocate the North American Headquarters of Seco Tools AB to Troy, Michigan. As noted during the meeting, our headquarters operation consists of our Technical Training Center, our NAFTA warehouse, and all Seco's sales and administrative operations related to the NAFTA business. Today our headquarters employs approximately 140 employees which we expect to grow to approximately 160 employees in the next five years. It is our intention to build our headquarters on Bellingham Avenue of the Automation Alley Technology Park, an area that we find to be very suitable to the high tech image that we want to project to our NAFTA customers, distributors, and employees.

We have been working with the Michigan Economic Development Corporation and Oakland County to determine if there are any incentives that maybe available to assist in solidifying the economics for remaining in Michigan and moving to Troy. Initially we were pursuing a Michigan Economic Growth Authority Employment Tax Credit, but after several discussions with the MEDC, it appears that pursuing a property tax abatement related to personal property would be a better alternative. In a letter dated August 22, 2007 (attached) Governor Granholm noted that the City of Troy has indicated that this project would qualify for personal property tax abatement.

To begin this process, Seco Tools Inc. is requesting an IFT abatement from the City of Troy related to this project. A summary of the anticipated capital investment is attached. Within the next week, it is anticipated that Form 1012 will be completed and submitted. Should additional information be required, please contact me at 586-497-5003.

We appreciate any assistance the City of Troy can offer and we are excited about relocating the NAFTA headquarters of Seco Tools AB to the City of Troy.

Sincerely,


Michael L. Neel
Secretary - Treasurer



STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

JOHN D. CHERRY, JR.
LT. GOVERNOR

August 22, 2007

Mr. Jonas Jordberg, Senior Vice President
Technology and Research and Development
Mr. Paul Lofgren, Senior Vice President
Marketing
Seco Tools AB
SE-73782 Fagersta
SWEDEN

Dear Messers Jordberg and Lofgren:

Thank you for giving the State of Michigan the opportunity to work with Seco Tools AB on your company's potential expansion in Troy. For your initial consideration, a summary follows of the incentives available in Michigan. We will work to tailor the final incentive package to meet your company's specific needs.

Michigan Economic Growth Authority (MEGA) Employment Tax Credit: For projects creating high-paying skilled jobs, Michigan can provide a revenue stream to the company to offset some of its annual operating expenses. For a tool and die company, this program requires the creation of at least 25 new jobs over 5 years with an average wage of 3 times the federal minimum wage. Assuming 25 new jobs and a \$19 million investment, the value of this incentive could be up to \$652,000 over 7 years.

Property Tax Abatements: Local property taxes on new investments in plants, machinery, and equipment can be reduced by local units of government by up to one-half for up to 12 years. The City of Troy has indicated that your project would qualify for a personal property tax abatement. Using the figures you provided of \$6 million of equipment value and assuming a 7 year tax abatement is provided by the local community, the property tax abatement is estimated to be worth up to \$124,000 on your personal property.

Michigan Business Tax: Recent changes to the state's business tax will provide reductions in personal property tax and business operating tax. The Michigan Business Tax will replace the Single Business Tax effective January 1, 2008. We anticipate that you will benefit from this new tax structure, as the apportionment factors are favorable to Michigan manufacturers. Additionally, the new MBT provides companies with several new tax credits that could reduce the combined tax liability under the income and net worth taxes.

- **Compensation Credit & Investment Tax Credit:** As part of the new Michigan Business Tax, companies are allowed to claim a compensation credit equal to .37% of the compensation paid in Michigan. Based on 25 new jobs at an average annual wage of \$90,000, the compensation credit for the new jobs is estimated to be worth \$62,000 over 7 years. In addition, the MBT makes available an investment tax credit (ITC) equal to 2.9% of the cost of new net capital assets located in Michigan. The ITC applies to purchases of depreciable real and personal property located in the state. Based on the timing of the investment and assuming a \$19 million investment, we estimate the ITC to be worth \$179,000.
- **Personal Property Tax Credit:** In addition to the property tax abatement savings, Michigan offers manufacturers a personal property tax credit equal to 35% of the taxes paid on industrial personal property. Also, manufacturers are exempt from paying the 6-mill State Education Tax and the 18-mill local school property tax, in effect realizing a personal property tax reduction of 65%. This is a refundable credit. Based on Seco Tool's \$6 million investment in machinery and equipment, the value of the personal property tax credit is estimated at \$317,000.
- **Machinery & Equipment Sales Tax Exemption:** Michigan offers broad exemptions for manufacturing business investment. Purchases of manufacturing machinery and equipment, as well as qualified pollution control equipment, are exempt from the Michigan 6% sales tax. Based on the information you provided, we estimate savings to Seco Tools at \$300,000.

In summary, the total potential value of your incentive package may be up to \$1,634,000. Proposed incentives are dependent on availability of funds each year through the legislative budget process. This amount is contingent upon your project meeting program requirements and being subject to an application review process.

The State of Michigan has the resources to custom design a site location and incentive package to best meet the requirements of your company. Please contact Ms. Martina Schlagwein at (517) 241-2880 with any questions you may have. I am looking forward to your company's expansion and thank you for your ongoing commitment to Michigan.

Sincerely,



Jennifer Granholm
Governor

JMG:JE

cc: Kurt Nordlund
Michael Neel

Applicant Name

Fiscal Statement (to be completed by local unit)

	YES	NO
Is this project:		
Real Property?	<input type="checkbox"/>	<input type="checkbox"/>
Personal Property?	<input type="checkbox"/>	<input type="checkbox"/>
Both Real and Personal Property - New Facility?	<input type="checkbox"/>	<input type="checkbox"/>
Both Real and Personal Property - Rehabilitation Facility?	<input type="checkbox"/>	<input type="checkbox"/>
Both New and Replacement Facility?	<input type="checkbox"/>	<input type="checkbox"/>

Estimated Project Investment (not assessed value):

Real Property	Personal Property	Total
---------------	-------------------	-------

	YES	NO	REMARKS
1. A. Has the proper local authority reviewed the plan?	<input type="checkbox"/>	<input type="checkbox"/>	
B. Is the project located in a certified industrial park?	<input type="checkbox"/>	<input type="checkbox"/>	
C. Is this a renovation or expansion of an existing building?	<input type="checkbox"/>	<input type="checkbox"/>	
2. Will this project require improvement of your road service?	<input type="checkbox"/>	<input type="checkbox"/>	
3. Will this project require improvement of your sanitary sewer services?	<input type="checkbox"/>	<input type="checkbox"/>	
4. Will this project require improvement of your storm sewer services?	<input type="checkbox"/>	<input type="checkbox"/>	
5. Will this project require improvement of your water services?	<input type="checkbox"/>	<input type="checkbox"/>	
6. Will this project require additional police personnel, police equipment or a need for new police building expansion?	<input type="checkbox"/>	<input type="checkbox"/>	
7. Will this project require the need for additional fire personnel, additional or specialized fire equipment or the need for a new fire building?	<input type="checkbox"/>	<input type="checkbox"/>	
8. Will this project require other costs?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Are costs of infrastructure elements to be provided through Local Development Finance Authority or Tax Increment Finance Authority Bonds?	<input type="checkbox"/>	<input type="checkbox"/>	

If you answered yes to any of questions 2 through 8, the appropriate sections of the Supplement to Fiscal Statement form must be completed and accompany the IFT application. Call (517) 373-3272 to obtain that form.

LOCAL UNIT CERTIFICATION

This is to certify that the following has been provided as accurately as possible.

Signature	Name and Title of Local Governmental Unit Official
-----------	--



November 5, 2007

Mr. Leger A (Nino) Licari
City Assessor
500 W. Big Beaver Road
Troy, Michigan 48084-5254

Dear Nino:

For your information, attached is a copy of an acknowledgment letter signed by Kurt Nordlund, President Seco Tools Inc., as requested by James C. Epolito, President and CEO, Michigan Economic Development Corporation, related to their support for Seco Tools Inc.'s NAFTA headquarters being relocated to a new facility on Bellingham Drive in Troy.

As mentioned previously, we appreciate any assistance the City of Troy can offer and we are excited about relocating the NAFTA headquarters of Seco Tools AB to the City of Troy.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Neel", written over a horizontal line.

Michael L. Neel
Secretary - Treasurer

SECO TOOLS INC.

11177 E. Eight Mile Road
Warren, MI 48089
USA

Phone: 586-497-5000
Fax: 586-497-5602
Web: www.secotools.com

Technical Support
Phone: 1-800-TEC-TEAM

Customer Service
Phone: 586-497-5077
Fax: 586-497-5624



MICHIGAN ECONOMIC DEVELOPMENT CORPORATION

October 30, 2007

300 N. WASHINGTON SQ.
LANSING, MI 48913

CUSTOMER
ASSISTANCE CENTER
517 373 9808

WWW.MICHIGAN.ORG

Mr. Kurt Nordlund
President
SECO Tools Inc.
11177 East Eight Mile Road
Warren, Michigan 48089

Dear Mr. Nordlund:

SECO Tools Inc.'s proposed project is very important to the State of Michigan and the City of Troy. The Michigan Economic Development Corporation (MEDC) would like to take this opportunity to summarize the support and commitment we are willing to provide to SECO Tools Inc., if you decide to expand your business in Michigan.

MICHIGAN BUSINESS TAX (MBT): Recent changes to the state's business tax will provide reductions in personal property tax and business operating tax. The Michigan Business Tax (MBT) will replace the Single Business Tax (SBT) effective January 1, 2008. The new MBT provides qualifying taxpayers with several new tax credits to reduce the combined tax liability under the income and net worth taxes. Some of the credits that may be available are outlined below.

MBT COMPENSATION CREDIT & INVESTMENT TAX CREDIT (ITC): As part of the new Michigan Business Tax, companies are allowed to claim a compensation credit equal to .37 percent of the compensation paid in Michigan. Based on the retention of 120 jobs and the creation of 25 new jobs over the next three years with an average wage of \$90,000, the value of the compensation credit could be \$639,000 over 12 years. In addition, the MBT makes available an investment tax credit (ITC) equal to 2.9 percent of the cost of net new capital assets located in Michigan. The ITC applies to purchases of depreciable real and personal property located in the state. Based on the timing of your investment of \$19 million, we estimate that your ITC could be worth \$551,000. You should consult with your tax preparer to confirm the actual value of your ITC.

PROPERTY TAX ABATEMENT (PA 198): The City of Troy is eligible to grant a property tax abatement of 50 percent of the state and local operating mills for a negotiated period of time. Using the figures you provided of \$6 million of equipment value and assuming a 12-year tax abatement is provided by the local community, the property tax abatement is estimated to be worth up to \$340,000. As part of Michigan's overall tax reform package, following the term of the

EXECUTIVE COMMITTEE

MATTHEW P. CULLEN

Chair
General Motors

PHILIP H. POWER

Vice-Chair
The Center for Michigan, Inc.

JAMES C. EPOLITO

President & CEO

RICHARD E. BLOUSE JR., CCE

Detroit Regional Chamber

JOHN W. BROWN

Stryker Corporation

DR. DAVID E. COLE

Center for
Automotive Research

KEITH W. COOLEY

Michigan Department of Labor &
Economic Growth

JOANN CRARY

Saginaw Futura Inc.

DR. HAIFA FAKHOURI

Arab American and
Chaldean Council

STEVEN K. HAMP

Ford Motor Company

HAYDEN H. HARRIS

EDF Ventures

PAUL HILLEGONDS

DTE Energy Company

GEORGE JACKSON JR.

Detroit Economic Growth
Corporation

MICHAEL J. JANDERNOA

Bridge Street Capital
Partners, LLC.

BIRGIT M. KLOHS

The Right Place, Inc.

F. THOMAS LEWAND

Bodman LLP

DR. IRVIN D. REID

Wayne State University

MICHAEL B. STAEBLER

Pepper Hamilton LLP

DENNIS R. TOFFOLO

Oakland County

PETER S. WALTERS

Guardian Industries Corp.

Kurt Nordlund
SECO Tools Inc.
Page 2
October 30, 2007

abatement, SECO will receive commercial personal property tax relief. Commercial personal property is exempt from 12 of 24 education mills for an average reduction of 23 percent.

STATE EDUCATION TAX ABATEMENT: Additionally, the State of Michigan offers an abatement of the entire six-mill state education tax on new real and personal property worth up to \$110,000 over the same term as the local property tax abatement. When applying for your local property tax abatement, a copy of this counter-signed letter must be attached to your "Application for Industrial Facilities Tax Exemption Certificate".

WORKFORCE RECRUITMENT: The MEDC workforce development consultant will coordinate the recruitment of your new employees through a number of programs, some of which will be available to you through local agencies. These organizations will undertake an assessment of your employment needs and recruit and screen potential employees who will then be referred to your company for a final hiring determination. Coordination with local schools, training organizations and other community contacts can be arranged. Access to an electronic database describing the skills of potential workers is available.

LOCAL AGENCY COORDINATION: Business development managers with the MEDC have developed close working relationships with economic development agencies, local governments, utility companies, and other public and private organizations engaged in economic development throughout the state. Your business development manager will coordinate your contacts with local leaders and provide ongoing assistance to your business and the local community to facilitate your site location process.

We want to attract your proposed expansion, which requires an investment of \$19 million, and will retain 120 jobs and create 25 new jobs in the next three years. The total value of this economic development package is up to \$1,640,000 in state and local resources.

Proposed incentives are dependent on availability of funds each year through the legislative budget process. This amount is contingent upon your project: (1) meeting program requirements; (2) being subject to an application review process; and (3) providing five working days notice to the MEDC in advance of any public announcement of your project locating in Michigan. Acceptance of this offer must be received by the MEDC by January 25, 2008, otherwise, the incentives and services in this letter will be subject to renegotiation.

Kurt Nordlund
SECO Tools Inc.
Page 3
October 30, 2007

We look forward to your company's continued growth in the City of Troy. If you have questions or concerns, please contact Ms. Martina Schlagwein at 586.915.6150. Ms. Schlagwein will coordinate all aspects of your company's expansion process in Michigan.

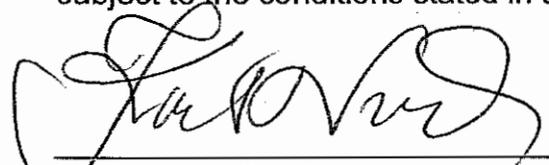
Sincerely,



James C. Epolito
President and CEO

cc: Maureen Krauss
Martina Schlagwein
Penny Launstein

The undersigned agrees to accept the above incentives and services of the MEDC subject to the conditions stated in this letter.



Mr. Kurt Nordlund
SECO Tools Inc.

1/11 07
Date

Incentive/Tax Savings Summary
 SECO Tools Inc.
 City of Troy

	Local Tax Savings	State Tax Savings	Total
MBT - Compensation Tax Credit		\$ 639,000	\$ 639,000
MBT - Investment Tax Credit		\$ 551,000	\$ 551,000
Property Tax (PA 198)	\$ 340,000		\$ 340,000
State Education Tax		\$ 110,000	\$ 110,000
EXPECTED SAVINGS	\$ 340,000	\$ 1,300,000	\$ 1,640,000
TOTAL SAVINGS*			\$ 1,640,000

* Cost Savings are estimates based on job creation, investment, and other information provided by the client.

**City of Troy - Assessing Department
Seco Tools, Inc.
Estimate of Total Taxes and Tax Savings for IFEC Application**

Market Value	6,014,028	5,513,059	4,594,584	3,446,397	2,298,058	1,340,917	670,727	279,626	93,283	23,349	3,899	326	0
50% of Value	3,007,014	2,756,530	2,297,292	1,723,199	1,149,029	670,458	335,363	139,813	46,642	11,674	1,950	163	0
Year	1	2	3	4	5	6	7	8	9	10	11	12	
Depreciation	0.9167	0.8334	0.7501	0.6668	0.5835	0.5002	0.4169	0.3336	0.2503	0.1670	0.0837	0.0004	
Faxable Value	2,756,530	2,297,292	1,723,199	1,149,029	670,458	335,363	139,813	46,642	11,674	1,950	163	0	
Taxes	Taxes	Taxes	Taxes	Taxes	Taxes	Taxes	Taxes	Taxes	Taxes	Taxes	Taxes	Taxes	Taxes
	100% of Millage												
Trans	0.59500	\$1,640.14	\$1,366.89	\$1,025.30	\$683.67	\$398.92	\$199.54	\$83.19	\$27.75	\$6.95	\$1.16	\$0.10	\$0.00
County	4.64610	\$12,807.11	\$10,673.45	\$8,006.15	\$5,338.50	\$3,115.02	\$1,558.13	\$649.58	\$216.70	\$54.24	\$9.06	\$0.76	\$0.00
Int Schools	3.36900	\$9,286.75	\$7,739.58	\$5,805.46	\$3,871.08	\$2,258.77	\$1,129.84	\$471.03	\$157.14	\$39.33	\$6.57	\$0.55	\$0.00
Comm Coll	1.58440	\$4,367.45	\$3,639.83	\$2,730.24	\$1,820.52	\$1,062.27	\$531.35	\$221.52	\$73.90	\$18.50	\$3.09	\$0.26	\$0.00
State Ed	0.00000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
School Op	0.00000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sch Debt	4.13000	\$11,384.47	\$9,487.82	\$7,116.81	\$4,745.49	\$2,768.99	\$1,385.05	\$577.43	\$192.63	\$48.22	\$8.05	\$0.67	\$0.00
Admin	0.38310	\$1,056.03	\$880.09	\$660.16	\$440.19	\$256.85	\$128.48	\$53.56	\$17.87	\$4.47	\$0.75	\$0.06	\$0.00
City	9.28000	\$25,580.60	\$21,318.87	\$15,991.28	\$10,662.99	\$6,221.85	\$3,112.17	\$1,297.46	\$432.83	\$108.34	\$18.09	\$1.51	\$0.00
Total	23.98760	\$66,122.53	\$55,106.52	\$41,335.40	\$27,562.44	\$16,082.69	\$8,044.56	\$3,353.78	\$1,118.82	\$280.04	\$46.77	\$3.91	\$0.00
Total 12 Years		\$219,057.46											
Total City 12 Yr		\$84,746.00											

50% Total 12 Yr	\$109,528.73	Net Total Taxes Abated
50% Total City 12	\$42,373.00	Net Total City Taxes Abated

F-5 Amending the Personal Property Tax Abatement for Manufacturing and Headquarter Companies

Resolution #2006-06-238

Moved by Beltramini

Seconded by Fleming

WHEREAS, The City of Troy has the economic objective of (a) increasing employment opportunities, (b) diversifying and stabilizing the industrial base of the community, (c) reducing economic obsolescence of the industrial base, (d) providing homogenous industrial areas, (e) encouraging industrial expansion, (f) providing for improved public facilities in industrial areas, and (g) encouraging attractive, viable industrial sites, and

WHEREAS, The Industrial Facilities Tax Act (P.A. 1974 No. 198), as amended, empowers cities to establish Industrial Development Districts (IDD) and to grant tax exemptions for certain industrial properties which meet certain criteria established by the Act;

THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that the following criteria are to be met, applied or measured by the City Manager or his designees in the review of areas and locations to be considered for designation as Industrial Development Districts (IDD) by the City Council:

- 1) That the tax exemption shall not apply to real property except those building improvements which are uniquely required to support the personal property to be abated; and
- 2) That the tax exemption shall not apply to leasehold improvements or building improvements except those uniquely required to support personal property to be abated; and
- 3) That said abatement of taxes shall cease at such time as applicant fails to prove by factual evidence that such personal property is being used in compliance with the basic guidelines established above.
- 4) The applicant would document that they are Michigan Economic Growth Authority (MEGA) eligible, would be filling vacant Troy space, or will retain or expand the number of jobs in Troy.

BE IT FINALLY RESOLVED, That the term of abatement for any and all property meeting the aforementioned criteria **SHALL NOT** exceed 12 years, it being the **INTENT OF THE CITY COUNCIL TO APPROVE** various lengths of abatements to the extent provided by laws of the State of Michigan.

Yes: Fleming, Lambert, Schilling, Beltramini

No: Howrylak

Absent: Broomfield, Stine

MOTION CARRIED

Seco Tools Legal Description

88-20-26-200-088

T2N, R11E, SEC 26

OAKLAND COUNTY CONDOMINIUM PLAN NO 1623

THE AUTOMATION ALLEY TECHNOLOGY PARK TROY CONDO

UNIT 2

L32860 P101

4-23-04 FR 083

E BIG BEAVER

E BIG BEAVER

BELLINGHAM

20-1522⁵⁵

1600
20-26-200-089

1600

20-26-200-088²

2735
20-26-200-087¹

2710



October 16, 2007

To: State Tax Commission
P.O. Box 30471
Lansing, MI 48909-7971

From: Leger (Nino) Licari, Assessor

Re: Affidavit of Application Fees For IFEC

This affidavit attests that no payment of any kind has been made or promised in exchange for favorable consideration of an exemption certificate application by the City of Troy, in regards to the application of Seco Tools, Inc., 2805 Bellingham, Troy, Michigan 48083.

Signed, Leger (Nino) Licari, City Assessor

Dated

Signed,

Dated

**CITY OF TROY
INDUSTRIAL FACILITIES EXEMPTION
CERTIFICATE LETTER OF AGREEMENT**

This agreement between **Seco Tools, Inc.**, (“Company”) and the **City of Troy**, is for the purpose of fulfilling the requirements of Public Act 198, as amended in Public Act 334, Section 22.

In consideration of approval of an Industrial Facilities Exemption Certificate (IFEC), **Seco Tools, Inc.**, understands that through its investment of \$ 6,014,028.00 and its qualification for Michigan Economic Development Corporation incentives, and the **City of Troy**, by its investment of the Industrial Facilities Exemption Certificate, are mutually investing in and benefiting from this economic development project, and furthermore, agree to the following:

- 1.) The length of time for which the abatement is approved is ___ years after either completion of construction of the facilities, or December 31, 2022, whichever is sooner.
- 2.) At the end of two (2) years or no later than December 31, 2010, **Seco Tools, Inc.**, will report to the Assessing Department of the City of Troy the actual cost of this project and indicate any differences and the reason for any differences in the cost or scope of the project as compared to the IFEC application submitted by the Company.
- 3.) **Seco Tools, Inc.**, agrees to remain within the City of Troy for the period of the Industrial Facilities Tax (IFT) abatement in order to retain the benefits of the IFT, unless permission for relocation is granted by the **City Council of the City of Troy**.

Seco Tools, Inc., further understands that if it chooses to leave the City of Troy without permission for relocation prior to the end of the term of the IFT, the **City Council of the City of Troy** has the right to recapture from the Company the total amount of taxes abated by the IFT.

- 4.) **Seco Tools, Inc.**, understands that the City of Troy may reduce the term of the IFEC, revoke the IFEC and/or recover from the Company, the amount of taxes which were abated if the project has not been completed, expenditures made, as represented by the Company, in Section 12’C of its application, by sending a copy of this Agreement along with a copy of the City Council Resolution authorizing such action to the State Tax Commission.

- 5.) **Seco Tools, Inc.**, agrees that it will operate the Project in accordance with all applicable Federal, State and Local laws or regulations, including but not limited to zoning, outside storage, industrial waste disposal, air and water quality, noise control, other environmental regulations, and all of the terms and conditions of the Consent Judgment governing the parcel.
- 6.) By execution of the Agreement, it is understood that the Company's investment in the Project, and the City of Troy's investment in the granting of the IFEC is to encourage economic growth within the City of Troy.

The City of Troy acknowledges that in some instances economic conditions may prevent the Company from complying fully with this Agreement, and the terms of the Application. The City of Troy will give the Company an opportunity to explain the reasons for any variations from the representations contained in the Application and will evaluate the Company's situation prior to taking any action authorized by Paragraph 4 and 5 of this Letter of Agreement.

- 7.) This Agreement constitutes the entire Agreement between the parties and there are no other remedies for breach of this Agreement other than as specified in this Agreement or as provided for in Public Act 198.

This agreement may only be altered upon mutual consent of both parties.

CITY OF TROY
INDUSTRIAL FACILITIES EXEMPTION
CERTIFICATE LETTER OF AGREEMENT
(Signature page)

Signed: _____ (date) _____

Name:

Title:

Signed: _____ (date) _____
Louise E. Schilling , Mayor
City of Troy
500 W Big Beaver
Troy, MI 48084-5285

Signed: _____ (date) _____
Tonni L. Bartholomew
City Clerk

AFFIDAVIT OF MAILING & PUBLISHING

State of Michigan

County of Oakland

City of Troy

RE: NOTICE OF PUBLIC HEARING – City Council – Monday, December 17, 2007 at 7:30 PM – For the Establishment of an Industrial Development District (IDD) – 2805 Bellingham - Section 26

I hereby certify that the attached notice was e-mailed to the Somerset Gazette Newspapers on Tuesday, November 13, 2007 and mailed by first class mail to the attached list, on Tuesday, November 13, 2007.



Barbara A. Pallotta, CMC
Deputy City Clerk

PUBLISHED: Monday, November 19, 2007

CITY OF TROY
PUBLIC HEARING

A Public Hearing will be held by and before the City Council of the City of Troy at City Hall, 500 W. Big Beaver, Troy, Michigan on Monday, December 17, 2007 at 7:30 P.M. to consider the request from Seco Tools, Inc., for the establishment of an Industrial Development District (IDD) at the following location:

T2N, R11, E, of Section 26
2805 Bellingham, Troy, Michigan 48083,
Parcel # 88-20-26-200-088

You may express your comments regarding this matter by writing to this office, or by attending the Public Hearing.

Tonni L. Bartholomew, MMC
City Clerk

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

**TROY SCHOOL DISTRICT
MICHAEL ADAMCZYK
4400 LIVERNOIS
TROY MI 48098-4799**

**OAKLAND COMMUNITY COLLEGE
CLARENCE E BRANTLEY
2480 OPDYKE
BLOOMFIELD HILLS MI 48304-2266**

**OAKLAND INTERMEDIATE SCHOOLS
2111 PONTIAC LAKE
WATERFORD MI 48328**

**OAKLAND COUNTY PTA
PATRICK DOHANY
1200 N TELEGRAPH Dept 479
PONTIAC MI 48341-0479**

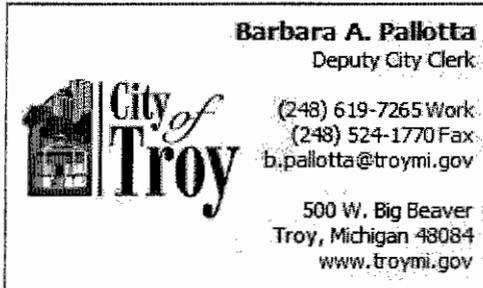
**OAKLAND COUNTY EQUALIZATION
DAVID HIEBER
250 ELIZABETH LAKE RD 1000 W
PONTIAC MI 48341**

**SECO TOOLS, INC
MICHAEL L NEEL
11177 E 8 MILE RD
WARREN MI 48089**

Barbara A Pallotta

From: Barbara A Pallotta
Sent: Tuesday, November 13, 2007 11:43 AM
To: editor@troy-somersetgazette.com
Subject: PUBLISH: November 19, 2007 20071217 IDD-Seco Tools
Attachments: Barbara A Pallotta.vcf; 20071217 IDD-Seco Tools.doc

Hi Cindy & Patti - Please publish the attached notice in the November 19th, 2007 edition of the Gazette and confirm receipt. .. Thx!



AFFIDAVIT OF MAILING & PUBLISHING

State of Michigan

County of Oakland

City of Troy

RE: NOTICE OF PUBLIC HEARING – City Council – Monday, December 17, 2007 at 7:30 PM – For the Granting of an Industrial Facilities Exemption Certificate (IFEC) – 2805 Bellingham - Section 26

I hereby certify that the attached notice was e-mailed to the Somerset Gazette Newspapers on Tuesday, November 13, 2007 and mailed by first class mail to the attached list, on Tuesday, November 13, 2007.



Barbara A. Pallotta, CMC
Deputy City Clerk

PUBLISHED: Monday, November 19, 2007

CITY OF TROY
PUBLIC HEARING

A Public Hearing will be held by and before the City Council of the City of Troy at City Hall, 500 W. Big Beaver, Troy, Michigan on Monday, December 17, 2007 at 7:30 P.M. to consider the request from Seco Tools Inc., for the granting of an Industrial Facilities Exemption Certificate (IFEC) for a period not to exceed 12 years, beginning December 31, 2008, for personal property located at:

T2N, R11, E, of Section 26
2805 Bellingham, Troy, Michigan 48083,
Parcel # 88-20-26-200-088

You may express your comments regarding this matter by writing to this office, or by attending the Public Hearing.

Tonni L. Bartholomew, MMC
City Clerk

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Hi Cindy & Patti - Please publish the attached notice in the November 19th, 2007 edition of the Gazette & confirm receipt of this e-mail. Thx! ~Barb



Barbara A. Pallotta
Deputy City Clerk
(248) 619-7265 Work
(248) 524-1770 Fax
b.pallotta@troymi.gov
500 W. Big Beaver
Troy, Michigan 48084
www.troymi.gov



CITY COUNCIL ACTION REPORT

October 17, 2007

TO: Phillip L. Nelson, City Manager

FROM: John M. Lamerato, Assistant City Manager-Finance/Administration
Brian Murphy, Assistant City Manager - Services
Nino Licari, City Assessor

SUBJECT: Public Hearing to consider granting an Industrial Facilities Exemption Certificate (IFEC) to Seco Tools, Inc., 2805 Bellingham, Troy MI 48083

Background:

- Seco Tools, Inc., is currently located in Warren. In conjunction with Michigan Economic Development Corporation (MEDC) grants, they are seeking (and MEDC requires) a local match to facilitate their ability to stay in Michigan, and more particularly, Troy.

Our requested local match is for an Industrial Facilities Exemption Certificate (IFEC) to be issued by the City of Troy. This is according to Public Act 198 of 1974 (as amended) and local City policy.

Financial Considerations:

- The estimated amount of investment in personal property is \$6,014,028 for the project. Over a twelve (12) year life, the estimated total taxes are \$219,057.46, of which \$84,746.00 would be City taxes.

A 50% abatement amounts to a savings of \$109,528.73 in total taxes, of which \$42,373.00 would be saved on City taxes. This is the financial cost to all taxing authorities.

Legal Considerations:

- The application meets all requirements of Public Act 198 of 1974 (as amended), the Plant Rehabilitation and Industrial Development Districts legislation.

Policy Considerations:

- The application is in compliance with the newly amended tax abatement policy of the City Council of the City of Troy (Resolution #2006-06-238, attached).

City Council Goal II, “Retain and attract investment while encouraging redevelopment” is met with this expansion.

Since both legal and policy considerations are met, staff would recommend establishing the District.

Options:

- City Council has the option of granting the Industrial Facilities Exemption Certificate for any period of one (1) to twelve (12) years, or not at all.

This is a well-established company, with many opportunities to expand, and staff recommends that the Exemption be granted for the full twelve (12) years.

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TROY MI 48098-4799**

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CITY COUNCIL ACTION REPORT

DATE: December 10, 2007

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Public Hearing – Rezoning Application – Proposed Rite Aid Pharmacy Development, North side of Long Lake, East side of Rochester Road, Section 11 – B-1 to B-2 (File Number Z-729)

Background:

- The Planning Commission recommended approval of the request to rezone the parcel to B-2 at the November 13, 2007 Regular meeting.
- The parcel is classified on the Future Land Use Plan as Community Service Area. The Community Service Area classification has a primary correlation with the B-2 zoning district. The application therefore is consistent with the Future Land Use Plan.
- Parcel 1 (1047 – 1055 E. Long Lake) is approximately 0.67 acres in size and Parcel 2 (5016-5024 Rochester) is approximately 0.68 acres in size for a total of approximately 1.35 acres. Small retail centers currently sit on Parcel 1 and Parcel 2. The applicant proposes to assemble Parcels 1 and 2 along with Parcel 3 which is approximately 1.01 acres in size and located immediately south and west of the proposed rezoning and is currently developed as a gasoline service station. The stated intent is to construct a Rite Aid Pharmacy including a drive-up window. The total size of the assembled parcel will be approximately 2.36 acres.
- The applicant decided that Parcel 3 shall remain zoned H-S Highway Service classification to permit the gasoline service station to continue. If the proposed future development is not approved, the gasoline service station will remain a conforming use. A pharmacy with drive-up window is a use permitted in both the H-S Highway Service and B-2 Community Business zoning districts.
- The application is consistent with the general character of the area and compatible with adjacent zoning districts and land uses.

Financial Considerations:

- There are no financial considerations for this item.

Legal Considerations:

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

Policy Considerations:

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

Options:

- City Council can approve or deny the rezoning application.

Attachments:

1. Maps.
2. Planning Commission report dated October 22, 2007.
3. Minutes from the November 13, 2007 Planning Commission Regular meeting.
4. Public comment.

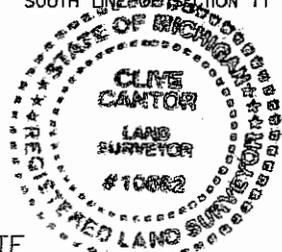
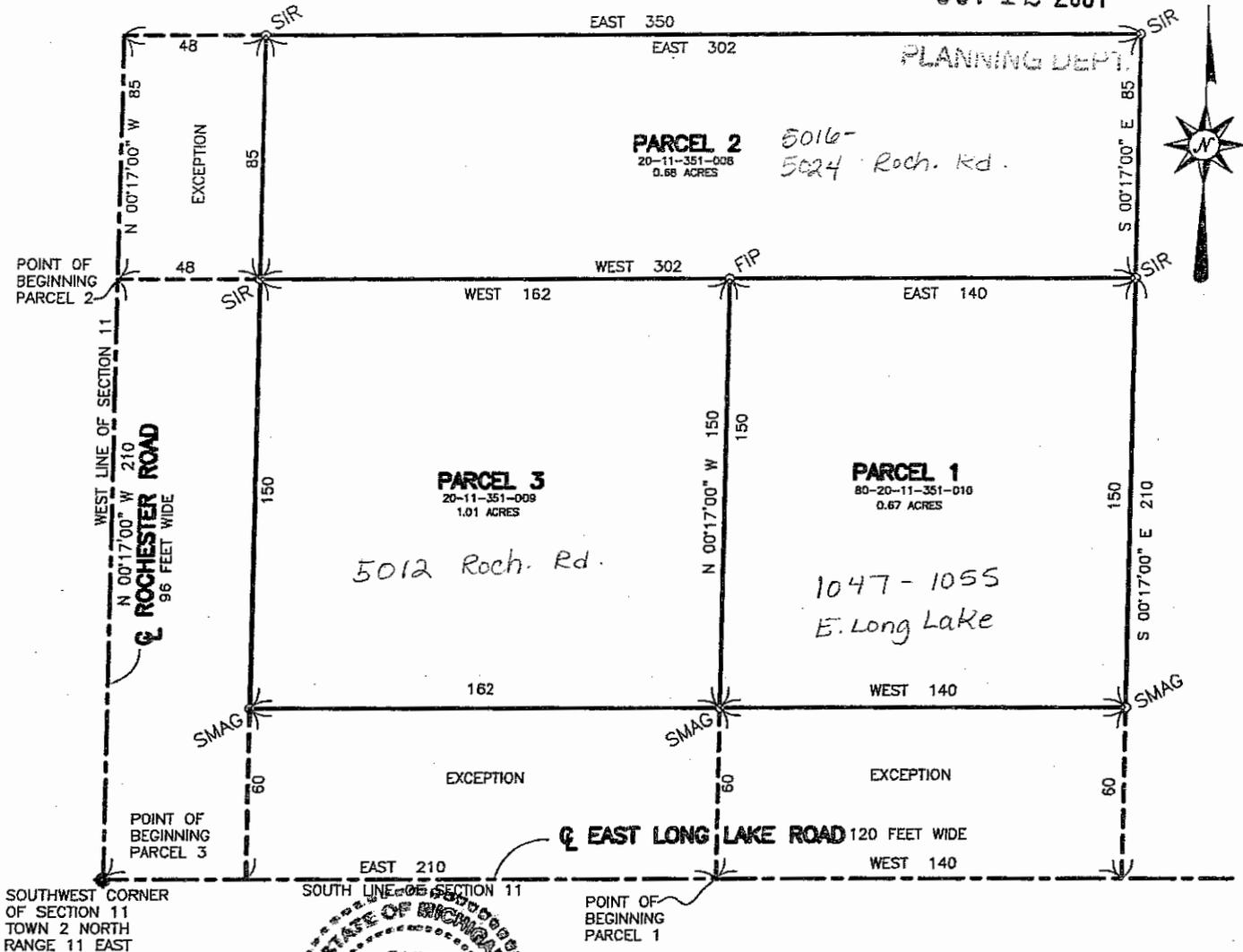
Prepared by RBS/MFM

cc: Applicant
File /Z 729

REC'D

CERTIFIED SURVEY

OCT 12 2007



LEGEND
 SIR - SET IRON ROD
 SMAG - SET MAGNAIL

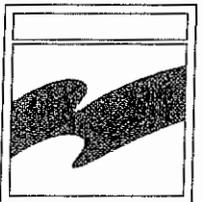
SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PARCEL OF LAND DESCRIBED AND DELINEATED HEREON, THAT SAID PLAT IS A TRUE REPRESENTATION OF THE SURVEY PERFORMED, THAT SAID SURVEY WAS PERFORMED WITH AN ERROR OF CLOSURE NO GREATER THAN 1 IN 5,000 AND THAT SAID SURVEY IS IN COMPLIANCE WITH SECTION 3, ACT No. 132, OF PUBLIC ACTS OF 1970, AS AMENDED.

Clive Cantor

CLIVE CANTOR, PS No. 10682

HENNESSEY



ENGINEERS, INC.

ENGINEERING THE FUTURE

2674 WEST JEFFERSON AVENUE
 SUITE 200
 TRENTON, MI 48183
 (734) 692-3300
 FAX (734) 692-3203

TITLE: ROCHESTER & LONG LAKE RD.
 CITY OF TROY,
 OAKLAND COUNTY, MICHIGAN

FILE NAME: 51525 SURVCERT

DRAWN BY: JGE

APPROVED:

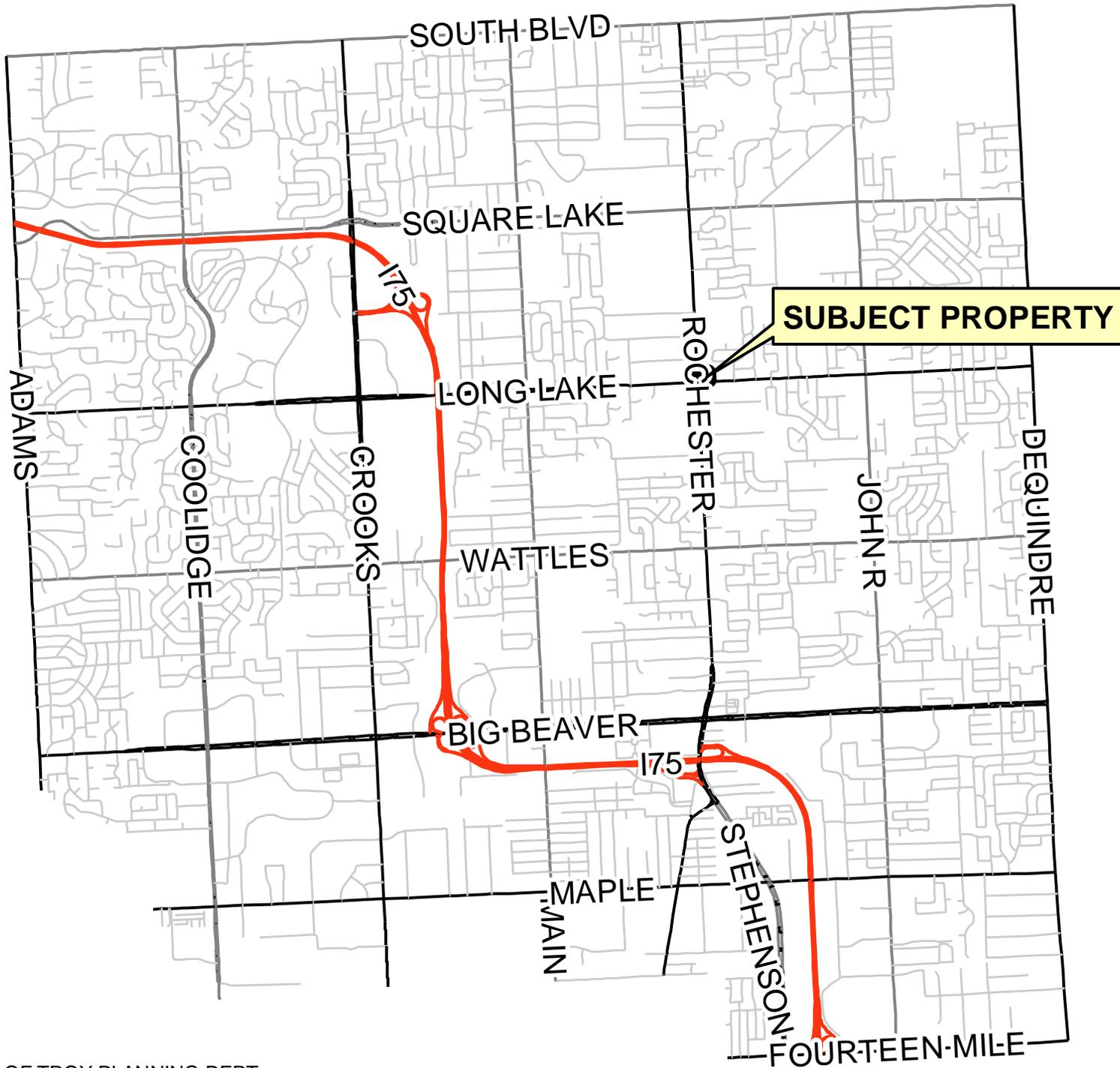
PROJECT No.: 51525

SCALE: 1" = 60'

DATE: 11 OCT, 2007

DRAWING No.: 1 OF 4

CITY OF TROY



REZONING REQUEST
PROPOSED RITE AID DEVELOPMENT
FROM B-1 TO B-2
N SIDE LONG LAKE, E SIDE ROCHESTER RD.
SEC. 11 (Z-729)

SUBJECT PARCEL

ROCHESTER

E LONG LAKE



REZONING REQUEST
PROPOSED RITE AID DEVELOPMENT
FROM B-1 TO B-2
N SIDE LONG LAKE, E SIDE ROCHESTER RD.
SEC. 11 (Z-729)

R-1C

B-1

B-2

SUBJECT PARCEL

ROCHESTER

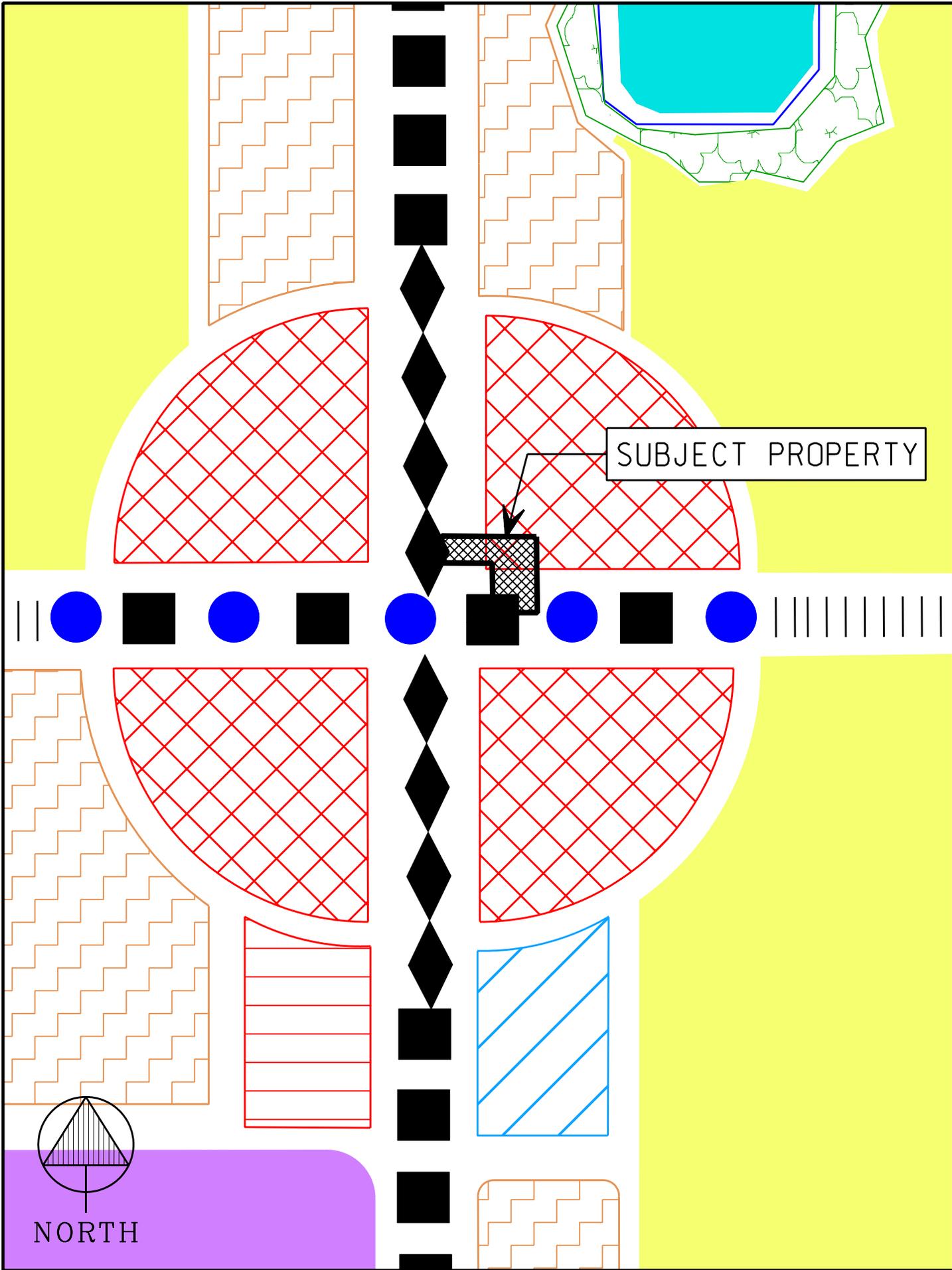
H-S

E LONG LAKE

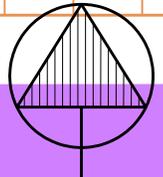
B-3

O-1





SUBJECT PROPERTY



NORTH

DATE: October 22, 2007

TO: Planning Commission

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

SUBJECT: PUBLIC HEARING – REZONING APPLICATION – Proposed Rite Aid Pharmacy Development, North side of Long Lake, East side of Rochester Road, Section 11 – B-1 to B-2 (Z-729)

GENERAL INFORMATION

Name of Owner / Applicant:

The owner is Arkon Jonna of A. F. Jonna Development Co. The applicant is John Hennessey of Hennessey Engineers Inc.

Location of Subject Property:

The property is located on the north side of Long Lake Road and the east side of Rochester Road, in Section 11.

Size of Subject Property:

Parcel 1 (1047 – 1055 E. Long Lake) is approximately 0.67 acres in size and Parcel 2 (5016-5024 Rochester) is approximately 0.68 acres in size for a total of approximately 1.35 acres.

Current Use of Subject Property:

Small retail centers currently sit on Parcel 1 and Parcel 2.

Current Zoning Classification:

B-1 Local Business.

Proposed Zoning of Subject Parcel:

B-2 Community Business.

Proposed Uses and Buildings on Subject Parcel:

The applicant proposes to assemble Parcels 1 and 2 along with Parcel 3 which is approximately 1.01 acres in size and located immediately south and west of the proposed rezoning and is currently developed as a gasoline service station. The stated intent is to construct a Rite Aid Pharmacy including a drive-up window. The total size of the assembled parcel will be approximately 2.36 acres.

The applicant decided that Parcel 3 shall remain zoned H-S Highway Service classification to permit the gasoline service station to continue. If the proposed future development is not approved, the gasoline service station will remain a conforming use. A pharmacy with drive-up window is a use permitted in both the H-S Highway Service and B-2 Community Business zoning districts.

Zoning Classification of Adjacent Parcels:

North: B-1 Local Business.

South: H-S Highway Service, B-3 General Business and O-1 Low Rise Office.

East: B-2 Community Business.

West: H-S Highway Service, B-2 Community Business and O-1 Low Rise Office.

Current Use of Adjacent Parcels:

North: Father & Son Construction.

South: Gas Station, Belle Tire & Bank.

East: Shopping Center.

West: Gas Station, Bank & Shopping Center.

ANALYSIS

Range of Uses Permitted in Proposed B-2 Zoning District and Potential Build-out Scenario:

PRINCIPAL USES PERMITTED:

Any retail business or service establishment permitted in B-1 Districts as Principal Uses Permitted and Uses Permitted Subject to Special Conditions,

Any retail business whose principal activity is the sale of merchandise in an enclosed building, except for those limited to or first permitted in the B-3 General Business District.

Any service establishment of a showroom or workshop nature, of an electrician, decorator, dressmaker, tailor, baker, painter, upholsterer; or an establishment doing radio or home appliance repair, photographic studios and reproduction and similar service establishments that require a retail adjunct.

Business establishments which perform services on the premises, such as but not limited to: banks, credit unions, savings and loan associations, loan companies, insurance offices, travel services, and real estate offices.

Private clubs, fraternal organization, and lodge halls.

Restaurants, or other places serving food or beverage, except those having the character of a drive-in or open front store.

Theaters, assembly halls, concert halls or similar places of assembly, when conducted completely within enclosed buildings.

Business schools and colleges or private schools operated for profit, not including nursery schools.

Other uses similar to the above uses.

Accessory structures and uses customarily incident to the above permitted uses.

USES PERMITTED SUBJECT TO SPECIAL CONDITIONS:

Drive-up Windows or Service Facilities, as Accessory to Principal Uses within B-2 Districts, Apart from Restaurants

Outside seating areas, of twenty (20) seats or less, for restaurants or other food service establishments

USES PERMITTED SUBJECT TO SPECIAL USE APPROVAL

Drive-Up Windows or Service Facilities, as an Accessory to Restaurants Permitted Within this District

Bowling alley, billiard hall, indoor archery range, indoor skating, rinks, indoor tennis courts, athletic or health clubs, or similar forms of indoor commercial recreation, when the subject uses are located at least 100 feet from any Residential District.

Open air business uses when developed as uses subordinate to primary uses and structures within the B-2 District as follows:

- A. Retail sales of plant material not grown on the site, and sales of lawn furniture, playground equipment and garden supplies.
- B. Recreational space providing shuffleboard, miniature golf, tennis, or similar outdoor recreation, when part of a planned development.
- C. Outdoor driver training and testing areas on or abutting the site of a driving school.

Outside seating areas, in excess of twenty (20) seats, for restaurants, or other food service establishments

Facilities within a retail establishment for installation, in vehicles, of items sold at retail at that location.

Vehicular and Non-motorized Access:

The parcels front on Rochester Road and Long Lake Road.

Potential Storm Water and Utility Issues:

The applicant will have to provide on-site storm water detention and all other utilities.

Natural Features and Floodplains:

The Natural Features Map indicates there are no significant natural features located on the property.

Compliance with Future Land Use Plan:

The parcel is classified on the Future Land Use Plan as Community Service Area. The Community Service Area classification has a primary correlation with the B-2 zoning district and a secondary correlation with the B-3, B-1 and O-1 zoning districts. The application therefore is consistent with the intent of the Future Land Use Plan.

Compliance with Location Standards of the B-2 District:

There are no Location Standards for the B-2 General Commercial District.

CITY MANAGEMENT RECOMMENDATION

The rezoning application is consistent with the intent of the Future Land Use Plan and compatible with abutting zoning districts and uses.

City Management recommends approval of the rezoning request.

cc: Applicant
File / Z 729

G:\REZONING REQUESTS\Z-729 Rite Aid Development Sec 11\PC Report Z-729 11 13 07.doc

REZONING REQUEST

6. **PUBLIC HEARING – REZONING APPLICATION (Z 729)** – Proposed Rite Aid Pharmacy Development, North side of Long Lake, East side of Rochester Road, Section 11 – B-1 (Local Business) District to B-2 (Community Business) District

Mr. Savidant presented a summary of the Planning Department report on the proposed rezoning, and reported it is the recommendation of City Management to approve the rezoning request. Mr. Savidant announced that a letter of opposition was distributed to the members prior to the beginning of tonight's meeting.

Ms. Troshynski asked which direction the store would face.

Chair Schultz asked the Assistant City Attorney to address discussion of site plan issues at the time a rezoning request is considered.

Ms. Lancaster said members are not to consider site plan issues during the approval process of a rezoning request, but consideration should be given to all applicable uses in a specific zoning district. She indicated the developer would not be bound by any commitments made relating to the site plan.

The petitioner was present.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2007-11-165

Moved by: Hutson

Seconded by: Vleck

RESOLVED, That the Planning Commission hereby recommends to the City Council that the B-1 to B-2 rezoning request, located on the north side of Long Lake Road, east of Rochester Road, within Section 11, being approximately 1.35 acres in size, be granted.

Yes: All present (8)

MOTION CARRIED

Z 121
PC 11-1307 #6

Thomas Achard
1136 Mayberry Dr.
Troy, MI 48085

12 November 2007

Planning Department
City of Troy

Re: Planning File No.: Z-729 Proposed Rite Aid Development

As other activities may keep me from attending the public hearing, I would like to have my concerns heard by the Planning Commission.

I understand zoning regulations are put in place to provide for orderly business activities and that business's have the right to request changes to better suit proposed business activities, but I also understand that zoning regulations provide some level of protection for surrounding residents. I request that the Planning Commission deny the proposed zoning change as this would adversely affect the aesthetics, property value, and general feeling of security for my home and family. The businesses behind my house have received zoning variations which have already reduced the value of my home, influenced a neighbor to move and directly resulted in activities which caused my wife to summon the police.

My home is directly affected since the property with the few remaining trees is visible through my patio door.

My first concern with the proposed zoning change is the reduction in green space as a buffer to the residences. Properties adjacent to the north and south borders of the Rochester portion of this property were given zoning variations to reduce setback to the rear of their properties. This resulted in the loss of all of the buffering trees on their properties. This was a significant change for the view from my home – this reduces my property value as well as increasing noise and light pollution to my bedroom windows. The few remaining trees in this area would be in the middle of the Rite Aid property and would most certainly be cut down. I would like to see the city require planting of mature trees along the entire existing grass areas forming the East and North boundaries of the Rite Aid property.

My second concern is that Rite Aid may operate 24 hours a day. Even if they currently have no intention of 24 hour operation, they may do so in the future. Currently all the businesses, including the gas station, close at night. A 24 hour Rite Aid would greatly increase the noise, traffic, light, and people in the area throughout the night. My wife has, on several occasions, called the police because people were hanging around closed businesses in the middle of the night. On two occasions these turned out to be non-uniformed "security" personnel in unmarked cars watching storage containers for Honey Baked Ham (next week the Planning Commission will review another request by Honey Baked Ham for this zoning variation request). These people parked their car facing directly at my wife's bedroom window while I was away on a business trip. On other occasions people hop the wall from the businesses into our property. This greatly reduces my family's sense of security. We do not need more reasons for people to hang around the back of our house in the middle of the night.

The third concern is that there will almost certainly be all night flood lights visible to our bedroom windows. We currently have far too many lights. Trees would help but not eliminate this situation. Proper aiming and shielding would also help but is not done on the existing businesses.

My fourth concern is increased traffic. During rush hour times, mile long backups are the norm on both Rochester and Long Lake. We do not need another pharmacy adding to the traffic at this location. One mile east and one mile west are two other pharmacies. There is also available property on the northwest corner of Rochester and Long Lake in a larger shopping center which would be much better equipped for handling a pharmacy. When we moved to Troy there was a pharmacy at that location.

In summary please maintain the existing zoning requirements to help protect property values, aesthetics, and security of the homes nearby. If it is impossible to do this, please require a sufficient buffer zone of trees, proper alignment and shielding of outdoor lights and a prohibition against a 24 hour operation.

Thank you for your consideration.

Paula P Bratto

From: tom a [t_achard@yahoo.com]
Sent: Monday, November 12, 2007 11:16 PM
To: Paula P Bratto
Subject: Planning File No Z-729 Proposed Rite Aid development
Attachments: 2554464676-07-NV12 zoning change.doc

Hello

Attached is a Word file listing my objections to the proposed zoning variation request.

Please consider my objections at your Novemebt 13th meeting.

Thank you

Tom Achard
1136 Mayberry Dr.
t_achard@yahoo.com

Be a better pen pal.

Text or chat with friends inside Yahoo! Mail. See how. <http://overview.mail.yahoo.com/>

Paula P Bratto

From: Irvin J. Swider [irvins@future-products.com]
Sent: Friday, November 30, 2007 2:45 PM
To: Paula P Bratto
Subject: Rite Aid zoning

We look forward to the new Rite Aid development at Long Lake / Rochester. Meadowbrook Plaza, Irv Swider

Irvin J. Swider
President
Future Products Tool Corporation
Phone: 248 588-1060
Fax: 248 588-7303
Email: irvins@future-products.com

No virus found in this outgoing message.

Checked by AVG Free Edition.

Version: 7.5.503 / Virus Database: 269.16.11/1161 - Release Date: 11/30/2007 12:12 PM



CITY COUNCIL ACTION REPORT

October 26, 2007

TO: Phillip L. Nelson, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance and Administration
Carol K. Anderson, Parks and Recreation Director

SUBJECT: Alcohol Sales on Golf Course(s)

Background:

- Chapter 30, Section 10C of the City Code prohibits the sale of alcohol on the golf course(s).
- Previously, the food service providers at both golf courses have informally inquired about the possibility of allowing alcohol sales on the golf course.
- Attached is correspondence from Gordie Kosch, Sanctuary Lake food service provider, formally requesting the City permit the sale of alcohol on the Sanctuary Lake course.
- Golfers are allowed to buy two beers in the restaurant(s) and take onto the golf course.

Financial Considerations:

- As the Sanctuary Lake food Contractor pays a percentage of sales over \$125,000, there is the potential for additional revenue to the City by allowing alcohol to be sold at Sanctuary Lake Golf Course.
- Although direct revenue from the sales will not be increased at Sylvan Glen since the Contractor pays rent, allowing alcohol sales on the course would enable the contractor to increase revenue and remain a viable business.
- There is interest from many golfers for this service and, if allowed, could result in additional golf rounds.

Legal Considerations:

- Chapter 30 of the City Code will need to be revised to allow sales on the golf course proper.
- If approved, addendums to the agreements with the food service providers at both golf courses would be prepared and forwarded to the City Council for approval.

Policy Considerations:

- Allowing the sale of alcohol on the golf course(s) helps to attract and retain investment. (Goal 3)

October 26, 2007

To: Phillip L. Nelson, City Manager
RE: Alcohol Sales on Golf Course(s)

Options:

- City Council can direct staff to pursue options to allow alcohol to be sold on the golf course and to prepare addendums to the agreements with Kosch and Camp Ticonderoga to allow alcohol sales on the golf course(s).
- City Council can take no action.

Where legal review is necessary:

Approved as to Form and Legality:

Lori Grigg Bluhm, City Attorney

9/18/07

Carol Anderson
City of Troy
Director of Parks and Recreation
3179 Livernois
Troy, MI 48083

Dear Carol,

After a season of operations at Sanctuary Lake we are pleased to communicate that it was a successful year of transition and customer appreciation. So many of our guests shared their happiness over the many improvements of the operation, from the interior renovations, to the patio clean up and window panels, to the expanded menu and services.

One opportunity for an additional point of customer appreciation would be the inclusion of beer sales on the golf course. As you know, the City of Troy created an addendum to the State of Michigan Liquor Control Commission Licenses at Sanctuary Lake and Sylvan Glen not allowing beer sales on the course. If there was (is) one point of contention by many of our golfers, it is that restriction of beer sales, if we heard the complaint once, we heard it a hundred times. And perhaps more discerning is fact that we lost many golf outing groups because once they learned we could not service their group with beer on the course they said they would just go someplace else.

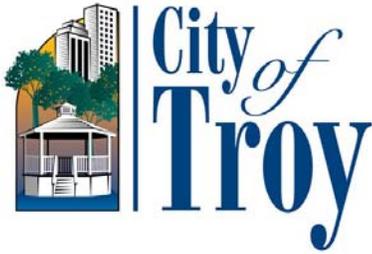
Locally and in the State of Michigan the vast majority, about 85% of public courses do allow beer sales on the course, so this puts us at a competitive disadvantage. Our agreement with the City of Troy does pay a percentage of sales, so by approving this ability to allow the golf courses to sell beer on the course would make for happier golfers (most of which are Troy residents), and would provide the city with more revenue.

Since the Michigan Liquor Control Commission does not restrict golf course beer sales in this regard, this would not require an intervention with the MLCC.

Carol we would like this to be presented to the city council for review and consideration. I would appreciate the opportunity to discuss this and hopefully gain council's approval.

Sincerely,

Gordie Kosch
President
Kosch Catering & Corporate Dining



CITY COUNCIL REPORT

November 6, 2007

TO: Phillip L. Nelson, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance and Administration
Carol K. Anderson, Parks and Recreation Director

SUBJECT: Parks and Recreation Advisory Board Action – Alcohol Sales at the Golf Courses

At the November 1, 2007 meeting of the Parks and Recreation Advisory Board the following action was taken:

Resolution #PR-2007-11-21

Moved by: Fejes
Seconded by: Redpath

RESOLVED, That the Parks and Recreation Advisory Board recommends that the City Council direct staff to pursue options which would allow alcohol sales on the golf courses and further that the City Council direct staff to prepare addendums to the existing food service agreements at both courses allowing alcohol sales on the golf course proper.

Yes: 3 Krent, Fejes, Redpath
No: None
Abstained: 3 Zikakis, Kaltsounis, Noce
MOTION FAILED



Parks and Recreation

October 26, 2007

TO: Liquor Advisory Board

FROM: John M. Lamerato, Assistant City Manager/Finance and Administration
Carol K. Anderson, Parks and Recreation Director

SUBJECT: Alcohol Sales on Golf Course(s)

Background:

- The City does not allow the sale of alcohol on the golf course at Sanctuary Lake or Sylvan Glen Golf Course. (Chapter 30, Section 10C City Code)
- Both food service vendors have liquor licenses.
- Golfers are able to buy two beers at a time to take onto the course to consume while playing golf.
- Both courses have outside seating where alcohol is served.
- In the past, the food service providers at both golf courses have informally inquired about the possibility of allowing alcohol sales on the golf course.
- Gordie Kosch, Sanctuary Lake food service provider, has formally requested the City permit the sale of alcohol on the Sanctuary Lake course.
- If alcohol sales are allowed on the golf courses, Chapter 30 of the city code must be revised and adopted and addendums to the agreements with the vendors must be approved.

This request was placed on the City Council agenda on November 12, 2007. At the meeting, the City Council postponed action until December 17, 2007 so the Liquor Advisory Board can review the request for input and advice.

I would respectfully request this item be placed on the December 10, 2007 agenda.

Carol K Anderson

From: Cynthia A Stewart
Sent: Monday, November 19, 2007 9:28 AM
To: Phillip L. Nelson
Cc: Carol K Anderson
Subject: FW: Alcoholic Beverages on the Troy Golf Courses

From: Cathy Killian [mailto:onekillian@comcast.net]
Sent: Saturday, November 17, 2007 11:52 AM
To: Louise Schilling; dave@lambert.net; rbeltram@wideopenwest.com; cristinabroomfield@yahoo.com; david@eisenbacher.org; Wade Fleming; Mfhowryl@umich.edu; Mary Kerwin
Cc: Cynthia A Stewart
Subject: Alcoholic Beverages on the Troy Golf Courses

My name is Cathy Killian and my husband, Michael and I have lived in Troy for 30 years. We are in support of beer being sold on the golf courses in Troy. Our son started playing golf when he was 8. At the age of 10 he and his friend who was also 10 at the time were good enough to be partnered with adults and the boys usually won. These two boys grew up playing Sylvan Glenn and went on to be captain's of their high school golf team, Athens and Troy. They had no problem when the men they were paired to play with started out the course with a couple of beers. Our son and his friend have played on public and private golf courses all over Michigan and in Florida where beer was served on the course and the boys were never offered any. They have played in many golf fund raiser events and again no one offered them beer.

My husband and I see no problem with beer being offered on the golf course. We do not golf but as parents of a child that golfed at a young age, beer on the course will not harm our children at all.

Sincerely,
Michael and Cathy Killian

A regular meeting of the Liquor Advisory Committee was held on Monday, December 10, 2007 in the Lower Level Conference Room of Troy City Hall, 500 West Big Beaver Road. Chairman Max K. Ehlert called the meeting to order at 7:00 p.m.

ROLL CALL:

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

ABSENT: Clark Yuan, Student Representative

Resolution to Approve Minutes of November 12, 2007 Meeting

Resolution #LC2007-12-028
Moved by Allemon
Seconded by Payne

RESOLVED, that the Minutes of the November 12, 2007 meeting of the Liquor Advisory Committee be approved.

Yes: 7
No: 0
Absent: None

Agenda Items

1. Gordie Kosch, Sanctuary Lake food service provider, has formally requested the City permit the sale of alcohol on the Sanctuary Lake Golf Course. This request was placed on the City Council agenda on November 12, 2007. At the meeting, the City Council postponed action until December 17, 2007 so the Liquor Advisory Board can review the request for input and advice.

Present to answer questions from the Committee was Carol Anderson, Director of Parks & Recreation.

Mrs. Anderson informed the Committee that the current City Ordinance prohibits the sale of alcoholic beverages on our municipal golf courses, but consumption is allowed. A survey of the metropolitan Detroit municipal courses indicated that most establishments allow a beverage cart.

The contractor, Gordie Kosch, would like to provide a beverage cart at Sanctuary Lake Golf Course. His liquor license does not prohibit this activity.

Sergeant Cantlon advised the Committee that the Police Department’s enforcement of the beverage cart would be the same as any other licensee. The Department would enforce the licensee’s responsibilities and likely set up a decoy situation.

Resolution #LC2007-12-029

Moved by Hall

Seconded by Ukrainec

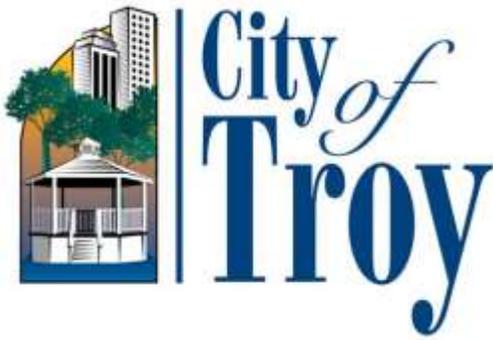
RESOLVED, that the Liquor Advisory Committee is recommending to City Council that Chapter 30 of the Troy City Code be amended to allow a beverage cart on municipal golf courses for the sale of beverages under 21% alcohol by volume.

Yes: 6
No: 1 - Allemon
Absent: None

The meeting adjourned at 7:42 p.m.

Max K. Ehlert, Chairman

Patricia A. Gladysz, Secretary II



**CITY COUNCIL
AGENDA
December 17, 2007
Back-Up Documentation
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317**

D-2 **POSTPONED** Appointments to Boards and Committees: b) City Council Appointments: Advisory Committee for Persons with Disabilities; Charter Revision Committee; Ethnic Issues Advisory Board

**There is no back-up documentation on this
Agenda item at the time of publication.**



**CITY COUNCIL
AGENDA
December 17, 2007
Back-Up Documentation
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317**

**E-1 Appointments to Boards and Committees: a) Mayoral Appointments:
Planning Commission**

**There is no back-up documentation on this
Agenda item at the time of publication.**



CITY COUNCIL ACTION REPORT

December 4, 2007

TO: Phillip L. Nelson, City Manager

FROM: Susan A. Leirstein, Purchasing Director
Charles T. Craft, Chief of Police

SUBJECT: Bid Waiver – Purchase of Additional In-Car Video Systems

Background

- On October 16, 2006, City Council authorized the purchase and installation of in-car digital cameras and associated hardware and software. (CC Resolution #2006-10-392 – Item F2). The background behind the project has essentially remained the same, but in way of review the following is offered:
 - The new digital cameras have replaced outdated technology and captures evidence in all types of cases thereby reducing civil liability.
 - Police departments, City management and risk organizations highly recommend the use of in-car recording systems.
 - The new systems are more reliable and have reduced staff time in management of the system in all aspects.
 - Prior to purchase, an evaluation was conducted on many different systems. It was determined that the VisionHawk system, manufactured by International Police Technologies, best fit the department's needs.

Financial Considerations

- Funding for the final phase of the project is available in the Police Communications capital account #401325.7980.050.
- International Police Technologies (IPT) holds a Federal GSA contract (GS-07F-9906H) for the equipment.
- Approval to utilize the GSA Schedule for this purchase authorized by the State of Michigan Department of Management and Budget through the 1122 Counterdrug Program.

December 4, 2007

To: Phillip L. Nelson, City Manager
Re: Bid Waiver – In-Car Video System

Legal Considerations

- IPT is a GSA contract holder and is extending federal pricing. Therefore, City management requests a bid waiver.

Policy Considerations

- The purchase of the VisionHawk in-car recording system will increase the Police Departments' efficiency through digital technology (Goals #2 – “Minimize cost and increase efficiency of City government” and #4 – “Effectively and professionally communicate internally and externally”).
- In addition, the system provides excellent evidence on a variety of criminal cases most notably, drunk driving and enables the department to reduce civil liability (Goal #1 – “Enhance the livability and safety of the community”).

Options

- City management recommends that formal bidding procedures be waived and City Council authorizes the purchase of twelve (12) in-car video systems from International Police Technologies at an estimated cost of \$67,068.00 using GSA-FSS Contract GS-07F-9906H pricing.



1122 PROGRAM



PROCUREMENT REQUEST FORM

*Please type information

LOCAL LAW ENFORCEMENT AGENCY

Date November 28, 2007

LEA City of Troy Police Department	Purchasing Contact Susan Leirstein
Address 500 W. Big Beaver Road	City/State/Zip Code Troy, MI 48084
Phone Number (248) 524-3454	Fax Number (248) 524-9023
E-Mail Address craftct@troyml.gov	

VENDOR NAME International Police Technologies	VENDOR ADDRESS 4150 S. 87th East Ave Tulsa OK 74145
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Item Description	Quantity	Unit	Unit Price	Dollar Amount	Comparable retail price	Savings
Visionhawk digital camera	12	1	\$5,589.00	\$67,068	\$68,988.	\$1,920
Total Dollar Amount of Purchases				\$67,068	\$68,988	\$1,920

Purchase Authorized by: Title Signature	Date
SPOC Approval <i>Vernon J. Shuler</i>	Date 11-29-07

DODAAC # ALEABT AA973 Fax back to (517) 335-0046

Will be used for the City of Troy's drug enforcement program

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

E-5 Approval of Request for Recognition as a Nonprofit Organization Status from Richard K. Gauthier, President – Christmas in Action of Oakland County, Inc.

Resolution #2006-10-390
Moved by Stine
Seconded by Fleming

RESOLVED, That Troy City Council hereby **APPROVES** the request from Christmas in Action of Oakland County, Inc., asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license.

Yes: All-7

PUBLIC COMMENT: Limited to Items Not on the Agenda

REGULAR BUSINESS:

F-1 Appointments to Boards and Committees: a) Mayoral Appointments: No appointments b) City Council Appointments: Advisory Committee for Persons with Disabilities

(b) City Council Appointments

Resolution #2006-10-391
Moved by Broomfield
Seconded by Lambert

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 with Disabilities

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

O. Carlene Geier Term Expires 11/01/09

Yes: All-7

F-2 Bid Waiver – Purchase of In-Car Video System

Resolution #2006-10-392
Moved by Lambert
Seconded by Beltramini



WHEREAS, Digital in-car video systems are a proven method of evidence gathering and liability protection;

WHEREAS, Digital in-car video systems will reduce the amount of time needed to manage, review and duplicate recordings; and

WHEREAS, International Police Technologies has offered GSA contract pricing contained in GSA-FSS Contract GS-07F-9906H for the equipment;

THEREFORE, BE IT RESOLVED, That formal bidding procedures are hereby **WAIVED** and a contract to purchase digital in-car video systems including hardware, software, installation and training from International Police Technologies is hereby **APPROVED** for an estimated total cost of \$291,000.00.

Yes: All-7

F-3 Papadelis v. City of Troy

(a) Authorization to File an Application for Leave to Appeal to Michigan Supreme Court

Resolution #2006-10-393a
Moved by Stine
Seconded by Beltramini

RESOLVED, That the City Attorney is hereby **AUTHORIZED AND DIRECTED** to file an application for leave to appeal the decision of the Michigan Court of Appeals In *Papadelis, et al. v Troy, et al.*, Court of Appeals docket number 268920, to the Michigan Supreme Court.

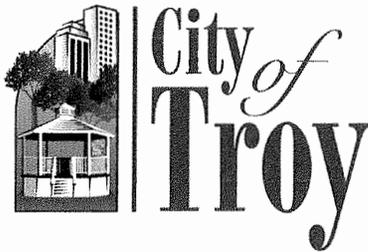
Yes: All-7

(b) Authorization to Request Assistance from the Michigan Municipal League Legal Defense Fund

Resolution #2006-10-393b
Moved by Stine
Seconded by Beltramini

WHEREAS, The City of Troy was involved in litigation with Gust Papadelis, Niki Papadelis, Telly's Greenhouse and Garden Center, Inc., and Telly's Nursery (plaintiffs) involving the use of their residentially zoned property in connection with a nursery and greenhouse business;

WHEREAS, The Oakland County Circuit Court granted a declaratory judgment in the case, holding that the aforesaid use of the residential property was protected under the Michigan Right to Farm Act and precluding the City of Troy from enforcement of its zoning ordinance provisions against plaintiffs, which include the provisions prohibiting expansion of a nonconforming use, and the provisions establishing a minimum size requirement for residential parcels to be used for agricultural purposes;



CITY COUNCIL ACTION REPORT

October 9, 2006

TO: Phillip L. Nelson, City Manager

FROM: Jeanette Bennett, Purchasing Director
Gert Paraskevin, Information Technology Director
Charles T. Craft, Chief of Police

SUBJECT: Bid Waiver – Purchase of In-Car Video System

Background:

- Approximately seven years ago the police department purchased an analog, 8mm format, in-car audio-video system. All patrol, animal control, and road patrol Police Service Aide units are equipped with recording units. The system has proven effective. It provides excellent evidence on a variety of criminal cases (most notably, drunk driving cases) and enables the department to reduce civil liability.
- The MML, MMRMA, International Association of Chiefs of Police (IACP), Police Executive Research Forum (PERF) all highly recommend the use of in-car recording systems.
- Due to age and constant use, the current system is failing. Recording units work sporadically and audio quality is poor. Cars are often out of service due to camera failure and we have lost valuable evidence due to camera/recorder malfunctions. A considerable amount of staff time is spent repairing the system as well as processing and copying tapes.
- Department research determined that the system should be replaced with a digital system. The upgrade to digital technology allows for easier and quicker access to recordings, recording review via the City network, and wireless transfer of the recorded data to a server. The digital system not only provides a much higher quality recording, but also reduces the staff time required to process and copy tapes.
- Over 10 different digital in-car systems were reviewed. It was determined that the VisionHawk system, manufactured by International Police Technologies, best fits the department's needs and had the highest quality and reliability. Research included demonstrations by the various manufacturers of both the in-car equipment and the management software, interview of users of the various systems, and site visits. The VisionHawk system was found to be more user friendly, easier to learn and manage, and had the highest level of customer satisfaction. VisionHawk offers technology and features not available on other systems: such as, the capability to simultaneously record audio transmissions from multiple transmitters, and the ability for officers to monitor the audio transmissions of other officers.

October 9, 2006

To: Phillip Nelson, City Manager
Re: Bid Waiver – Purchase of In-Car Video System

Financial Considerations:

- Funding for this project will be available from Police Communications A/C#401325.7980.050, Uniform Patrol #401315.7978.010, and Police Administration Drug Enforcement #401305.7978.065. Upon purchase of the system, the MMRMA will reimburse the City of Troy \$25,000.00.
- International Police Technologies (IPT) holds a Federal GSA contract (GS-07F-9906H) for the equipment.
- Approval to utilize the GSA Schedule for this purchase authorized by the State of Michigan Department of Management and Budget through the 1122 Counterdrug Program.

Legal Considerations:

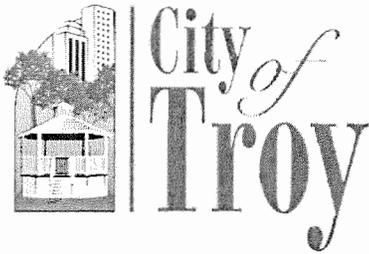
- Since Federal bidding regulations are different than the City's, each time GSA pricing is offered, City management requests a bid waiver if federal pricing is being extended by the contract holder. In this case, IPT is the GSA contract holder.

Policy Considerations:

- The purchase of the VisionHawk in-car recording system will increase the Police Department's efficiency through digital technology (Goals #1 – "Minimize cost and increase efficiency of City government and #3 – Effectively and professionally communicate internally and externally"), and provides excellent evidence on a variety of criminal cases (most notably, drunk driving cases) and enables the department to reduce civil liability (Goal #6 - "Protect life and property").

Options:

- City management recommends that a formal bid procedure is waived, and that the City Council authorize the purchase of a digital in-car video system from International Police Technologies (IPT) at an estimated total cost of approximately \$291,000.00 using GSA-FSS Contract GS-07F-9906H pricing. This cost includes the in-car units, server, associated software, wireless transfer equipment, installation, and training.



CITY COUNCIL ACTION REPORT

December 10, 2007

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Traffic Committee Recommendations
November 28, 2007

Background:

The Traffic Committee considered these items at the November 28, 2007 meeting and made the following recommendations (minutes attached):

- Recommend installing two signs indicating “NO PARKING/ STOPPING/STANDING 8:00 a.m. to 3:30 p.m. School Days Only” on the east side of Jack Street between the driveway of 2187 Lancer and the corner of Jack and Lancer Drive, and on Lancer between 2175 Lancer and Jack (Item 3).
- Recommend rescinding Traffic Control Order #86-15-SS to allow removal of YIELD signs on Scone at High Oaks, and issuing a new Traffic Control Order for installation of YIELD signs on High Oaks at Scone (Item 4).
- Recommend installing NO STOPPING/STANDING/PARKING signs along Northfield Parkway between Durand and Long Lake (Item 5).
- To recommend also installing pavement markings on Northfield Parkway as shown in the diagram, to facilitate two through lanes and one center two-way left turn lane in the vicinity of Troy High School (Item 5).
- Recommend that fire lanes be established at 1101 Rochester Road as shown in the attached sketch.

Financial Considerations:

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

Policy Considerations:

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

Options:

- Council can approve or deny the recommendations.

A regular meeting of the Troy Traffic Committee was held Wednesday, November 28, 2007 in the City Council Boardroom at Troy City Hall. Pete Ziegenfelder called the meeting to order at 7:30 p.m.

1. Roll Call

PRESENT: Sara Binkowski
John Diefenbaker
Ted Halsey
Jan Hubbell
Pete Ziegenfelder

ABSENT: Richard Kilmer
Gordon Schepke

Also present: Bill Smith, 825 Kirts
Julie Daniels, 2043 Lancer
Robert MacFarlane, 6895 High Oaks
Suzanne Briolat, 4715 Tipton
Tom Briolat, 4715 Tipton
Mark Dziatczak, Principal, Troy High School
and John Abraham, Traffic Engineer
Lt. Scott McWilliams, Police Department
Lt. David Livingston, Police Department
Lt. Robert Matlick, Fire Department
Lt. Eric Caloia, Fire Department

RESOLUTION #2007-11-69

Moved by Halsey
Seconded by Diefenbaker

To excuse Mr. Kilmer and Mr. Schepke.

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

2. Minutes – October 17, 2007

RESOLUTION ##2007-11-70

Moved by Binkowski
Seconded by Hubbell

To approve the October 17, 2007 minutes as printed.

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

REGULAR BUSINESS

3. Install Traffic Control Devices around Schroeder Elementary School

Julie Daniels requests traffic control devices to make the intersection of Jack and Lancer safer for students. She reports that parents are parking too close to the corner and the student crossing guards cannot see over these vehicles to properly give the 'ok' to cross students. Cars seem to accelerate up hill on Lancer Dr. toward the school and ultimately go too fast around this intersection. She reports that this has become very dangerous especially during gray, rainy days when both the drivers and crossing guards have difficulty seeing. She hopes to make the intersection of Jack and Lancer Dr. a bit safer for students crossing these streets with the following recommendations:

- 1) Add two 'No Parking, No Stopping, No Standing' signs on the east side of Jack street between 2187 Lancer and the corner of Jack and Lancer Dr.
- 2) Add two 'No Parking, No Stopping, No Standing' signs on the south side of Lancer Dr. between 2175 Lancer Dr. and the corner of Jack and Lancer Dr.

The intersection of Jack and Lancer was converted into an all-way STOP-controlled intersection earlier this year. Since the concerns are on school days during arrival and dismissal times, time limits could be considered on the requested signs.



- 3) If possible, she would like to see some paint on the pavement highlighting the above two recommendations (yellow curb etc.). It should be noted that the City does not paint curbs to indicate parking restrictions.
- 4) Paint 'STOP' on the pavement next to the stop signs at the corners of Jack and Lancer Dr. These STOP signs are fairly new and for whatever reason, many cars are not stopping or even yielding. This occurs both during school months and summer months when people are driving to the Beachwood swim club. This may be a good place for increased police enforcement. Laying down paint may help, but poses a maintenance concern, and also may not be visible in winter months due to snow.

Ms. Daniels was at the meeting and presented the item.

Mr. Halsey noted that parking is already prohibited on the north side of Lancer.

Bill Smith, Principal of Schroeder School, was at the meeting and confirmed the traffic concerns. He agreed that the parking restrictions could help alleviate some concerns. He said that the school population has grown by 80-90 kids in the last three years. There have been no accidents yet, but he feels the situation is dangerous for the children where parked cars obstruct vision

Dr. Abraham pointed out that residents at 2187 and 2175 Lancer would have no place to park on the street if signs were to be installed there. Since one side of Lancer is already marked "No Parking" (fire hydrant side), and the concern is during school arrival and dismissal times, it may be appropriate to consider parking restrictions during these times on school days only. The Traffic Engineer will work with the school principal to decide the timings for the restriction.

RESOLUTION #2007-11-71

Moved by Hubbell

Seconded by Diefenbaker

Recommend installing two signs indicating "NO PARKING/NO STOPPING/ NO STANDING 8:00 a.m. to 3:30 p.m. School Days Only" on the east side of Jack Street between the driveway of 2187 Lancer and the corner of Jack and Lancer Drive, and on Lancer between 2175 Lancer and Jack.

YES: All-5

NO: None

ABSENT: 2 (Kilmer, Schepke)

MOTION CARRIED

Lt. McWilliams asked Mr. Smith to notify the parents ahead of time to warn them that the Police Department will be stepping up enforcement to ensure compliance.

Mr. McFarlane mentioned that there is a bump in the road which causes northbound and southbound vehicles to bottom out at times. There is a “bump” sign.

RESOLUTION #2007-11-72

Moved by Hubbell

Seconded by Halsey

Recommend rescinding Traffic Control Order #86-15-SS to allow removal of YIELD signs on Scone at High Oaks, and issuing a new Traffic Control Order for installation of YIELD signs on High Oaks at Scone.

YES: All-5

NO: None

ABSENT: 2 (Kilmer, Schepke)

MOTION CARRIED

5. Review of Traffic Conditions near Troy High School

The Troy Police Department and the Troy School District requested the traffic engineer to review traffic at Troy High School for traffic concerns during arrival and dismissal times. Following is a summary of our observations:

Background: City staff and the Traffic Committee have discussed traffic conditions at Troy High on several occasions in the past. One of the suggestions from these discussions was the installation of a “parents only” drop off drive on Northfield Parkway, south of the main drive. The drop-off area was constructed and opened at the beginning of this school year. The drop-off ramp is one-way and provides for two lanes in the drop-off area and allows for right-only operations exiting the drop-off area onto southbound Northfield Parkway.

Observations of arrival and dismissal time traffic at the school indicate that there is high congestion in the area during these times. In the morning, motorists exiting the drop-off area proceed south and have to stop at the 4-way STOP sign at Durand/Wintergreen on Northfield Parkway. Delays at the intersection cause a backup from Durand to the drop-off area. This leads to backups from the drop-off area onto Northfield Parkway. The concerns seem to be concentrated for about 7-10 minutes just before the morning bell when parents are dropping off kids at the drop off area. Some of the concerns associated with this include:

- Parents dropping off kids on through lanes of Northfield Parkway, kids then walking between cars across Northfield Parkway to get to the school.
- Multiple lanes stopped and letting off kids at the drop-off area. However, the school employee on site helps maintain order in the drop off area by directing traffic.
- When northbound traffic headed to the drop off area waited to make left turns, there were many motorists (through traffic) who drove around these vehicles, going over the curb etc., presenting a hazard. Northfield Parkway is marked as two lanes (one northbound and one southbound) and such passing maneuvers are illegal.

The stopped cars may also be encouraging parents who are stopped behind the left turn vehicles to let their kids off on Northfield parkway.

In the afternoon the congestion was not as critical; parents were able to pick up their kids and leave. The STOP-controlled intersection causes the traffic to flow at speeds between 5-10 mph with average delays of around four minutes.

Some suggestions to improve safety in the area are:

- 1) Post NO PARKING/ STANDING/ STOPPING signs on Northfield parkway between Durand and Long Lake so that parents drop their kids off in the drop-off area rather than on Northfield Parkway.
- 2) Northfield Parkway is around 36 feet wide and so could be marked as 3 lanes; with one through lane in each direction and one two-way center left turn lane. This could be achieved with pavement markings and signs that indicate the beginning of the center left turn lane near the south driveway (exit) of the drop-off lane and end it north of the last driveway on the east side of Northfield parkway south of Long Lake, as shown in the drawing.

This would create an exclusive left turn lane for vehicles turning onto the drop off area and leave the through lane open for through traffic, and may also discourage parents from stopping by the curb to let their kids off on Northfield Parkway.

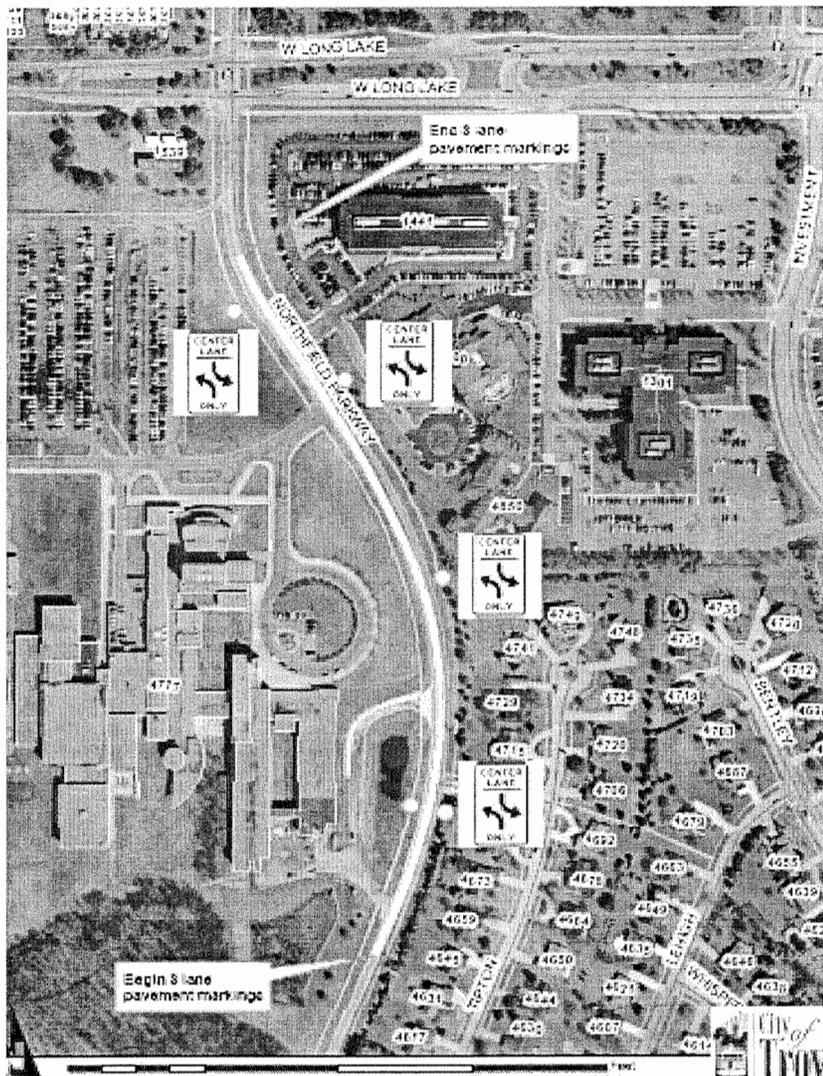
Mark Dziatczak said the traffic engineer and the police have been very responsive and helpful with the traffic issues at Troy High School. The most dangerous thing he sees is parents stopping in the traffic lane on northbound Northfield and letting out their passengers, who then have to cross traffic to get to school. For much of the year it is dark at school opening time, and it's very hazardous to try to cross through the busy traffic. He has tried to get parents to cooperate and end this practice, with little result. The main problem is that everyone arrives within the 5-10 minutes just before school starts.

Tom Briolet sees a potential for conflict between northbound and southbound traffic with a center turn lane. He suggested prohibiting left turns altogether, and making all drivers approach from Long Lake and discharging students on the west side of the road, closest to the school. He also thinks that the extra lane will bring traffic up to or on his front yard as drivers try to squeeze by.

Mr. Dziatczak said before the parking lot configuration changes a few years ago, drivers stopping in the southbound lane to drop off students would back traffic up onto Long Lake Road.

Lt. McWilliams said the improvements provide a good system, but it only takes one or two cars stopping on the roadway to mess up the traffic flow.

The committee wants to try posting the signs first, with the possibility of bringing the issue up again in the future, if necessary, for establishment of the new left turn lane.



RESOLUTION #2007-11-73

Moved by Binkowski
 Seconded by Hubbell

Recommend installing NO STOPPING/STANDING/PARKING signs along Northfield Parkway between Durand and Long Lake.

- YES: 4
 - NO: 1 (Diefenbaker)
 - ABSENT: 2 (Kilmer, Schepke)
- MOTION CARRIED

Mr. Diefenbaker voted “no” because he feels the pavement markings and new left-turn lane are also necessary immediately.

RESOLUTION #2007-11-74

Moved by Diefenbaker

Seconded by Binkowski

Recommend also installing pavement markings on Northfield Parkway as shown in the diagram, to facilitate two through lanes and one center two-way left turn lane in the vicinity of Troy High School.

YES: All-5

NO: None

ABSENT: 2 (Kilmer, Schepke)

MOTION CARRIED

6. Establish Fire Lanes at 1101 Rochester Road

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).

Lt. Matlick pointed out that the business in question is actually located on Gable, with the address of 1101 Rochester Road.

RESOLUTION #2007-11-75

Moved by Diefenbaker

Seconded by Hubbell

Recommend that the fire lanes/tow away zones shown in the attached sketch be established at 1101 Rochester Road.

YES: All-5

NO: None

ABSENT: 2 (Kilmer, Schepke)

MOTION CARRIED

7. Visitors' Time

No one else wished to address the committee.

8. Other Business

Tonight's meeting will be the last for Lt. McWilliams, as he is retiring after the first of the year. The committee thanked him for his valuable assistance in the past. Lt. David Livingston will be the new police liaison to the Traffic Committee.

Lt. McWilliams told the committee about the Police Department's "quick clearance" policy" to get vehicles out off the road after crashes and breakdowns, to help prevent traffic backups and congestion.

In October the committee voted to cancel the December meeting. The next meeting is scheduled for January 16, 2008.

9. **Adjourn**

The meeting adjourned at 8:45 p.m.

Pete Ziegenfelder, Chair

Laurel Nottage, Recording Secretary



Location Scone at High Oaks

Requirement of Order:

Installation of a yield sign on Scone at High Oaks as recommended by the Traffic Committee.

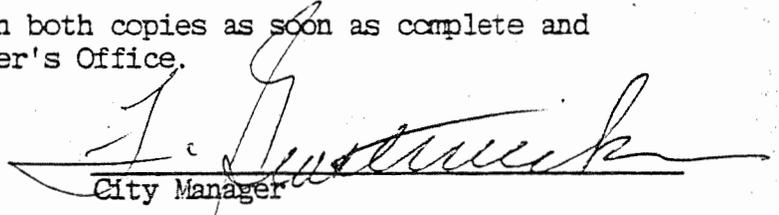
Date of Council Approval 12/8/86

Work Order Sent to DPW 12/12/86

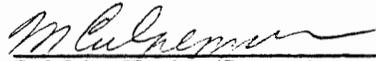
2 copies to DPW (this form shall also be work order)

Install signs _____

Note installation date on both copies as soon as complete and return (1) copy to Manager's Office.


City Manager

Manager's Office will forward copies to Police Department and City Clerk after installation.

Date Installed 11-16-86 
Public Works Superintendent
TA

Copies to:

Police Department 1-5-87
Date

City Clerk 1-5-87
Date

Traffic/Transportation Engineer 1-5-87
Date

OK
2-2-87
RFB

John K Abraham

From: Cynthia A Stewart
Sent: Wednesday, November 28, 2007 4:48 PM
To: John K Abraham
Subject: FW: Traffic Committee Meeting of 11/28

From: Delzer, Kirk [mailto:KDelzer@IDS-TROY.COM]
Sent: Wednesday, November 28, 2007 10:08 AM
To: Cynthia A Stewart
Subject: Traffic Committee Meeting of 11/28

My name is Kirk Delzer, my wife, Marilyn and I reside at 6875 Houghten, Troy, 48098, phone is 248.828.8212.

We received a notice of the 11/28 committee meeting in yesterday's mail and unfortunately, due to a previous commitment, neither of us can attend this evening's meeting to provide input on item #4, STOP sign at High Oaks and Scone. Therefore, I am responding in the hopes this can be forwarded to the committee.

Currently, yield signs are posted at the intersection and we believe they provide adequate instruction to drivers who are paying attention, can read and understand the rules of the road.

Currently, traffic on High Oaks has the right-of-way. The proposal calls for stop signs on High Oaks at Scone. My observation tells me that the Scone traffic typically exceeds the speed limits and that IF stop signs were to be installed, they should be on Scone at High Oaks. Personally, both my wife and I are against the proposal. Would we move if stop signs were installed? No.

Quite frankly, we are more bothered by the new traffic signal light installed at High Oaks and South Boulevard. This light could be a flashing light 98% of the time and provide as much OR BETTER control as it now does. As it currently operates, the excessive delays of waiting to exit the subdivision (Turn left onto S Blvd) simply aggravate drivers and more importantly, WASTE GAS! I have spent several minutes, on many occasions, waiting to make a turn when there is ABSOLUTELY no traffic from either direction on S Blvd. While I wait, I just think about the thousands of dollars that were spent to install this signal. That really calms me down!

I have to assume that the vast number of accidents at this intersection was the reason this signal was installed although I know the real reason it was installed was in response to the cross-walk created across S Blvd. How about letting the light be in flashing mode 100% of the time and if a pedestrian wants to cross, let them activate the walk signal.

Enough of that. I hope my input helps. I appreciate the challenges the committee deals with on a constant basis. Thanks for listening.

Respectfully,

Kirk Delzer

John K Abraham

From: Cynthia A Stewart
Sent: Tuesday, November 27, 2007 6:09 PM
To: John K Abraham
Subject: FW: stop sign @ High Oaks and Scone

From: Jill Alonso [mailto:jalonso@wowway.com]
Sent: Tuesday, November 27, 2007 6:03 PM
To: Cynthia A Stewart
Subject: stop sign @ High Oaks and Scone

Hi,

I received a letter regarding the proposed stop sign near my home. I live on the Southeast corner of Scone and High Oaks across the street from Bob McFarland. We have resided here for over 10 years. I also believe that a stop sign is warranted. However, I believe it should be on Scone rather than High Oaks. It has been my experience that traffic often fails to yield when traveling east & west on Scone. Although there is a yield sign, people often don't yield. A stop sign would encourage traffic to slow down. Although you may have only one accident reported since 2000, there have been many "near misses". Most traffic heading south (from South Blvd) on High Oaks turns on Scone. Those cars have to slow down to turn anyway. I continually notice the east-west traffic speeding thru the intersection and failing to yield. Many of those cars seem to be "cut-through" traffic from Crooks to Livernois. The number of cars that pass my home seems to have increased w/ the opening of the Scone going east, past Fredmoor.

Please contact me if you need additional information. (248)828-4005 I have two young girls, and often don't allow them to play in the front yard during rush hour b/c of the excessive speeds thru the intersection.

Thanks,
Jill Alonso

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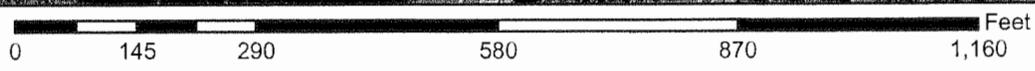
WILONG LAKE

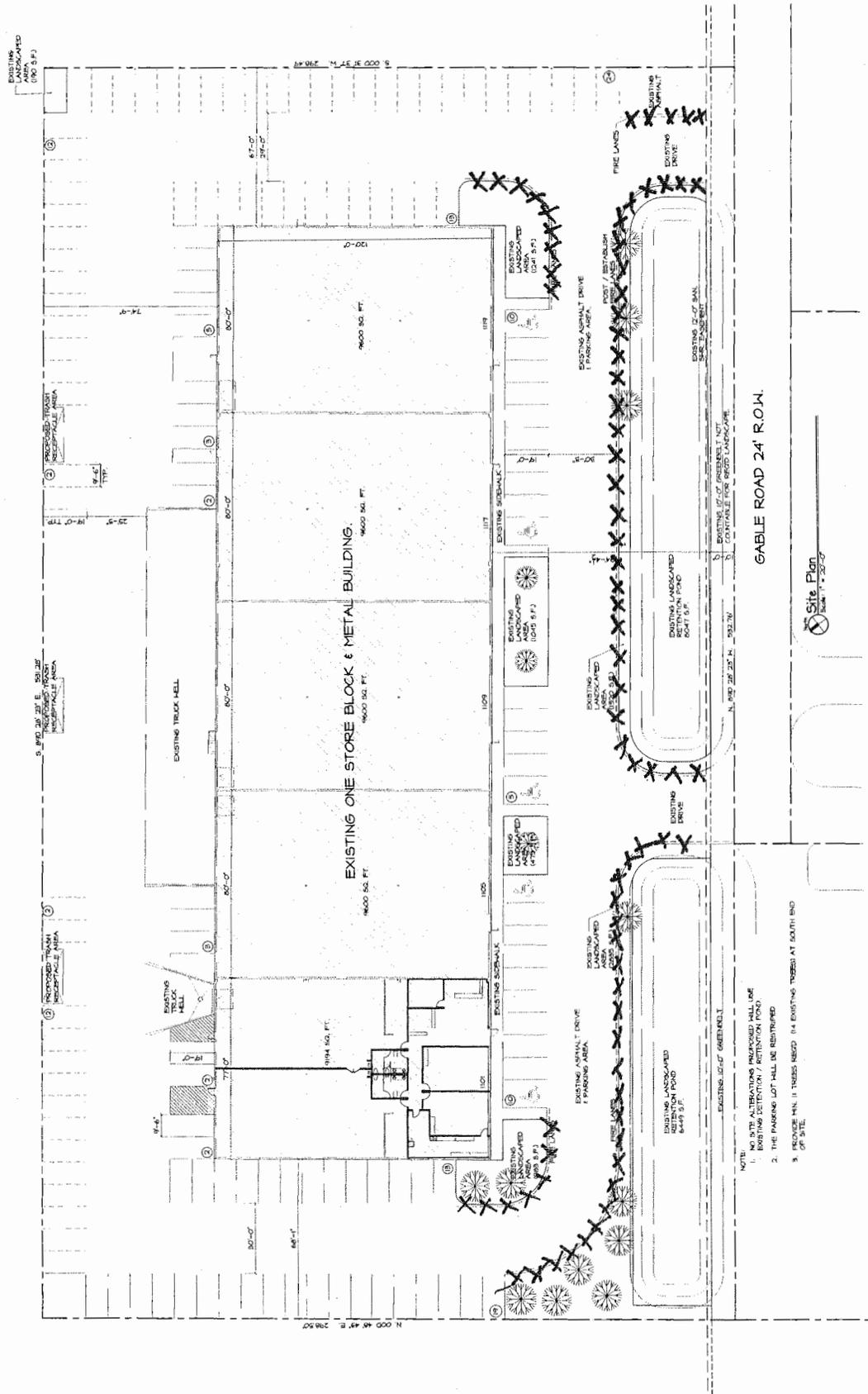
WILONG LAKE

End 3 lane pavement markings



Begin 3 lane pavement markings





1101 Rochester
*** → FIRE LANES.

- NOTE:
1. ALL UTILITY ALTERATIONS PROPOSED SHALL USE EXISTING DETENTION / RETENTION POND.
 2. THE PARKING LOT SHALL BE RESTORED.
 3. PROVIDE MIN. 11 TREES NEAR 114 EXISTING TREES AT SOUTH END OF SITE.

Site Plan
Scale: 1" = 20'-0"

GABLE ROAD 24' ROW

EXISTING LOT 1 GREENBELT

EXISTING LOT 2 GREENBELT

EXISTING LOT 3 GREENBELT

EXISTING LOT 4 GREENBELT

EXISTING LOT 5 GREENBELT

EXISTING LOT 6 GREENBELT

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EXISTING LOT 100 GREENBELT



City of
Troy

Fire Department

500 West Big Beaver Road

Troy, Michigan 48084

Phone: 248-524-3419

Fax: 248-689-7520

October 11, 2007

Levine Group
43902 Woodward Ste. 260
Bloomfield Hills, MI 48302-5020

To Whom It May Concern:

Re: 1101 Rochester

The Troy Fire Department has surveyed the above captioned property for the establishment of fire lanes. This action is pursuant to Chapter 1076 of the Troy City Code, and was recommended by the Fire Department and the Traffic Committee.

This letter is to notify you that the installation and maintenance of the fire lane signs is the obligation of the property owner. The fire lane signs are to be installed and maintained in compliance with the criteria as set forth in the Michigan Manual of Uniform Traffic Control Devices.

Some of the criteria as set forth in the Michigan Manual of Uniform Traffic Control Devices are as follows:

1. Signs shall be red on white background and shall read,
"No Parking, Standing, Stopping – Fire Lane – Tow Away Zone"
2. Spaced no further than 100 feet apart.
3. Installed at right angle or 90°.
4. Seven (7) feet from the bottom of sign to grade.
5. Double faced where possibility exists for left wheel to curb parking.

You may purchase the signs at a location of your choice. However, they must accommodate the regulations. For your convenience, the attachment provides you with four companies at which you may purchase the regulatory signs. Ask about installation; most sign companies will install them for you.

It is the requirement of the Troy Fire Department that compliance be attained **within 30 days**. A diagram of your property and fire lane sign placement is attached for your reference.

If you have any questions concerning this notice, please contact the Troy Fire Department at 248-524-3419. Thank you for your cooperation in this matter.

The Traffic Committee meets on every third Wednesday of the month. The next meeting is scheduled for October 17, 2007 in the Lower Level Conference Room at City Hall at 7:30 p.m. If you have no problems with the posting of the signs, you need not attend this meeting. Please call 248 524-3379 to verify the date of the meeting.

Protectively,

TROY FIRE DEPARTMENT

Robert Matlick
Lieutenant

cc: Laurel Nottage
Engineering

RECEIVED

OCT 11 2007

ENGINEERING



CITY COUNCIL ACTION REPORT

December 7, 2007

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Asst. City Manger/Economic Development Services
 Susan A. Leirstein, Purchasing Director
 Steven J. Vandette, City Engineer *SV* *Doll*

SUBJECT: Addendum #1 to Charnwood Hills Phase 1 Chip Seal Contract 07-4 for Charnwood Phase 2 Chip Seal

Background:

- Bids were received and publicly read on June 28, 2007. The low bid of \$147,176 was submitted by Pavement Recycling, Inc., 210 S. Blacks Corners Rd., Imlay City, MI 48444.
- The Engineer's estimate at the time of bidding was \$164,720. The low bid was \$17,544 or 10.6% below the Engineer's estimate.
- The work performed was 24,400 square yards of double chip seal treatment and road base crushing and shaping within the Charnwood Phase I sanitary sewer project area.
- Pavement Recycling has offered to extend their unit prices for chip seal work in the Charnwood Phase 2 sewer area, which is currently under construction. The Phase 2 chip seal work would be done late next spring following cleanup and restoration work by the sewer contractor.
- Due to significant variations in the profile of the existing pavement caused by the sewer work and the age of the existing chip seal, a contingency of 25% for re-profiling and chip sealing the existing roadways is appropriate.

Financial Considerations:

- Funds for this work are included in the 2007/08 Sewer Fund account number 535.7973.044031. The budgeted amount includes funds for engineering, construction, inspection and contingencies.

Legal Considerations:

- Work will be included in Contract 07-4. All insurance, bonds and any other contractual obligations will be consistent with Contract 07-4.

Policy Considerations:

- Enhance the livability and safety of the community (Goal I).

Policy Considerations:

- Retain and attract investment while encouraging redevelopment (Goal III).
- Maintain relevance of public infrastructure to meet changing public needs (Goal V).

Options:

- It is recommended that City Council approve Addendum #1 for additional work by Pavement Recycling, Inc. to apply chip seal to all roads in the Charnwood Phase 2 sanitary sewer project area located west of Beach Road. The estimated total cost is \$233,600.00.
- In addition, we are requesting authorization to approve additional work, if needed, not to exceed 25% of the original project cost.

PRI Pavement Recycling Inc.

210 S. BLACKS CORNERS ROAD - IMLAY CITY, MI. 48444

PHONE: (810) 724-8200

FAX: (810) 724-8233

Pavement Recycling: In-Place

Asphalt Pulverizing

Base Stabilizing

- Asphalt
- Cement
- Lime

October 10, 2007

Attn: Steven Vandette, P.E., City Engineer
City of Troy Engineering Department
500 W. Big Beaver
Troy, MI. 48084

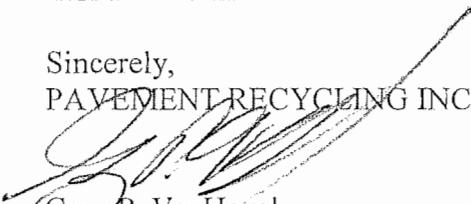
Dear Mr. Vandette,

As you are aware, prices have been rising rapidly for the last few years, this is especially the case for asphalt products used for road building.

In an effort to contain any possible price increases to the City of Troy for the 2008 construction season, Pavement Recycling Inc. would like to offer to extend the prices for Charnwood Hills Phase I Chip Seal Contract # 07-04 for the Charnwood Hills Phase II work. Our suppliers have guaranteed to hold their prices for the 2008 season for this project if Pavement Recycling Inc. provides a purchase order for materials before December 31, 2007.

Thank you for your consideration in this matter and if you have any questions please do not hesitate to call.

Sincerely,
PAVEMENT RECYCLING INC.


Gary P. VanHevel
President

RECEIVED

OCT 15 2007

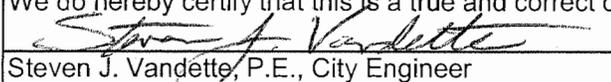
ENGINEERING

CONTRACT EXTENSION
 CHARNWOOD HILLS PHASE II CHIP SEAL
 CITY OF TROY
 OAKLAND COUNTY, MICHIGAN

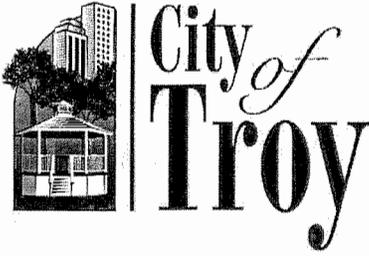
Pavement Recycling Inc
 210 S. Blacks Corners Rd.
 Imlay City, MI 48444

Item	Quantity	Unit Price	Total Cost
1. Base Crushing and Shaping	40000 SYD	\$2.59	\$103,600.00
2. Seal, Double Chip w/Natural Aggregate	40000 SYD	\$3.08	\$123,200.00
3. Aggregate Base	20 TON	\$50.00	\$1,000.00
4. Soil Erosion Control	0 INCD	\$0.00	\$0.00
5. Maintaining Traffic	1 LSUM	\$11,000.00	\$11,000.00
6. Restoration	0 INCD	\$0.00	\$0.00
Total Amount of Bid -			\$238,800.00
<u>Alternate 1</u>			
Seal, Double Chip w/Slag Aggregate	40000 SYD	\$2.95	\$118,000.00
Total Amount of Bid w/Alternate 1 -			\$233,600.00

We do hereby certify that this is a true and correct calculation of extended prices for Phase II Charnwood.



Steven J. Vandette, P.E., City Engineer
 City of Troy



CITY COUNCIL ACTION REPORT

December 10, 2007

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Asst City Manager/Economic Development Services
 Susan A. Leirstein, Purchasing Director
 Steven J. Vandette, P.E., City Engineer

SUBJECT: Rejection of Bids for Contract 07-9
 Section 4 Weir Control Structure Project

Background:

- Bids were received and publicly read on November 27, 2007. The low bid of \$419,283.57 was submitted by Dan's Excavating, Inc., 12955 23 Mile Road, Shelby Township, MI 48315.
- One bid was rejected as the bidder did not include the required Addendum No. 1 with their bid.
- The bids ranged from a \$419,283.57 to \$583,843.09; a spread of nearly \$165,000 and all bids exceeded the engineer's estimate.
- The engineer's estimate at the time of bidding was \$362,017.50. The low bid was \$57,266.07 or 15.8% over the estimate.
- Although not mandatory, an on-site pre-bid meeting held on November 17, 2007 was attended by only 1 of 4 bidders. The low bidder did not attend this meeting. Poor attendance may have contributed to higher prices due to a lack knowledge and understanding of the project site. The Engineering Department would like to make this a mandatory meeting.
- The Engineering Department would also like to re-evaluate the scope of the work and work items to see if any adjustments should be made to more clearly define these items, to assure that all needed work items are included in the bid document and to assure that the unit cost estimates accurately reflect the scope of each work item.

Legal Considerations:

- The City is asserting its right to reject any and all bids as stated in the Instructions to Bidders.

Policy Considerations:

- There are no policy considerations related to this action.

Options:

- It is recommended that all bids be rejected due to all bids exceeding the engineer's estimate.

Bid Tabulation
Contract 07-9
Section 4 Weir Control Structure Project
Bids Due: November 27, 2007

City of Troy
Oakland County, Michigan

Dan's Excavating, Inc.	\$419,283.57
Faust Corporation	\$450,790.00
E.C. Korneffel Co.	\$491,738.00
Hardman Construction, Inc.	\$583,843.09

Engineer's Estimate \$362,017.50



CITY COUNCIL REPORT

E-06

Date December 12, 2007

TO: Phillip L. Nelson, City Manager

FROM: Tonni L. Bartholomew, City Clerk

SUBJECT: **Proposed City of Troy Precinct Boundary Alterations & Relocations**

Background:

- The City Clerk's Office has reviewed City precincts and polling locations and recommends that City Council approve the proposed precinct boundary alterations and polling relocations. The Election Commission was provided a copy of this memorandum at their meeting held on Friday, December 7, 2007. Attached is a copy of the Election Commission minutes recommending approval of the proposed changes to City Council.

The City Clerk's office has reviewed precincts boundaries and polling locations to determine compliancy with State Statute requirements, County Commissioner Districts and school districts due to 2005 School Reconsolidation Legislation wherein the City Clerk's office coordinates and/or administers the school district elections as individual districts and as a conglomeration of districts on ballots along with federal, state and local candidates and propositions causing a need for multiple ballot styles within several of the City of Troy precincts. Throughout the review, consideration was given in regard to the impact this legislation has on the current polling locations in terms of servicing the voters and the polling locations ability to effectively administer elections.

The major factor in the boundary decision-making process is the elimination of multiple ballot styles. Multiple ballot styles within precincts add to the cost of elections due to additional ballot coding and printing expenses. It also warrants noting that multiple ballot styles in precincts contribute to longer lines, voter and Election Inspector confusion and increases the potential of incorrect ballot issuing to voters. The various precinct splits added 11 multiple ballot styles to the November 2007 Regular Election for a total of 28 ballot styles for 17 precincts. Reorganized precincts would have reduced that number to 16 ballot styles for 17 precincts. The only remaining ballot style issue upon adoption of the proposed boundary alterations and precinct relocations will be tied to the new Precinct 31 for the Bloomfield School District located at the Nature Center where a precinct split is required when the County Commissioner District is on the ballot. This situation will impact a total of 36 voters.

Precinct and polling location size were also very important factors in the drawing of precinct boundaries. The significance of the location size is tied to our ability to continue the practice of consolidating precincts for elections that do not contain state or federal offices/questions. School district boundaries have been utilized as definitive precinct boundaries in the proposed resolution and are permissible under Election Law. Precinct

numbers were sustained where possible and the precinct numbering pattern continued to follow section numbers as closely as possible. The numbering of precincts with splits and combinations was accomplished by allowing the portion of the precinct with the largest number of voters to retain the precinct number. Precinct 31 is the exception to the numbering system as there was not a number available for reassignment in that section.

- Polling locations were also addressed by the Clerk's Office. There are concerns with several polling locations in respect to parking constraints, and/or location or the size of the rooms available within the facility. To address these issues, the Clerk's office recently met with the administrative staff of Woodside Bible Church to discuss the possibility of becoming a polling location. The Woodside facility can easily accommodate two precincts that would encompass all Troy voters in the Avondale School District. We are expecting to receive a decision from Woodside soon. If we are unable to relocate the Avondale School District voters to Woodside, we would then retain Faith Apostolic Church as a polling location and transfer all Avondale School District voters to that location.

Precincts 12 and 13 have also been a concern since their relocation from the Fire & Police Training Center to Bethesda Romanian Pentecostal Church. While the facility serves as a valuable election partner, it cannot accommodate the number of voters registered in these two precincts. This situation becomes especially evident during a high voter turnout election such as the upcoming Presidential Election in November. For that reason, we are requesting to relocate Precinct 12, the smaller of the two precincts, back to the Fire and Police Training Center.

In addition to the two new locations listed above, a number of voters will be relocated within existing precincts. The relocation of these voters is directly related to segregating school districts by creating stand alone precincts. As a result, the Troy Community Center will house a third precinct, Precinct 30, which will combine 630 voters from the Royal Oak and Lamphere School Districts.

The overall result of the proposed City of Troy precinct and boundary alterations, and relocations amount to the addition of one precinct (Precinct 31), the establishment of two new polling locations (Woodside Bible Church and the Fire & Police Training Center), the elimination of one current polling location (Faith Apostolic Church) and the relocation of voters within in twelve current precincts (Precincts 2, 3, 4, 5, 6, 7, 12, 18, 19, 24, 29 and 30). If Woodside Bible Church is unable to serve as a polling location, the overall result would be the addition of one precinct (Precinct 31), the establishment of one new polling location (Fire & Police Training Center) and the relocation of voters within twelve current precincts (Precincts 2, 3, 4, 5, 6, 7, 12, 18, 19, 24, 29 and 30).

City Management recommends that the City precinct boundaries and polling locations be changed as indicated on the attached precinct map including the addition of two new polling locations effective with the May 6, 2008 Regular Election. This May election currently is slated to be utilized only by the Warren Consolidated School District. Therefore, most affected voters will be notified of the relocation immediately following the January 15, 2008 Primary Election.

All voters relocated to a new polling location will receive a new voter identification card. Additionally, new precinct maps will be posted at the Library, Community Center and City Hall. Several news releases will be prepared and sent to all local newspapers, Cable TV and Troy Today. All existing polling locations will distribute flyers to voters at the Primary Election on January 15, 2008 advising them of their new location.

- Notification will also be posted at current and former locations during the 2008 election cycle to notify voters that might inadvertently report to their former voting location. Maps and copies of the new precinct boundary details and polling locations will be forwarded to the Secretary of State and Oakland County upon adoption.

Financial Considerations:

- The one-time cost for printing and mailing new voter identification cards to voters is estimated at \$6,000.00. Additionally, there will be costs associated with the new Precinct 31 for even-year August and November elections. The reoccurring costs will be for ballots, coding, inspectors and miscellaneous supplies. One-time expenditures for approximately \$15,000.00 will be needed for additional equipment and supplies. It should be noted that additional polling locations are not required for non-federal and state elections due to the ability to consolidate precincts which will result in the same number of precincts as currently permitted during these types of elections.

Legal Considerations:

- There are no known policy considerations.

Policy Considerations:

- There are no known policy considerations.

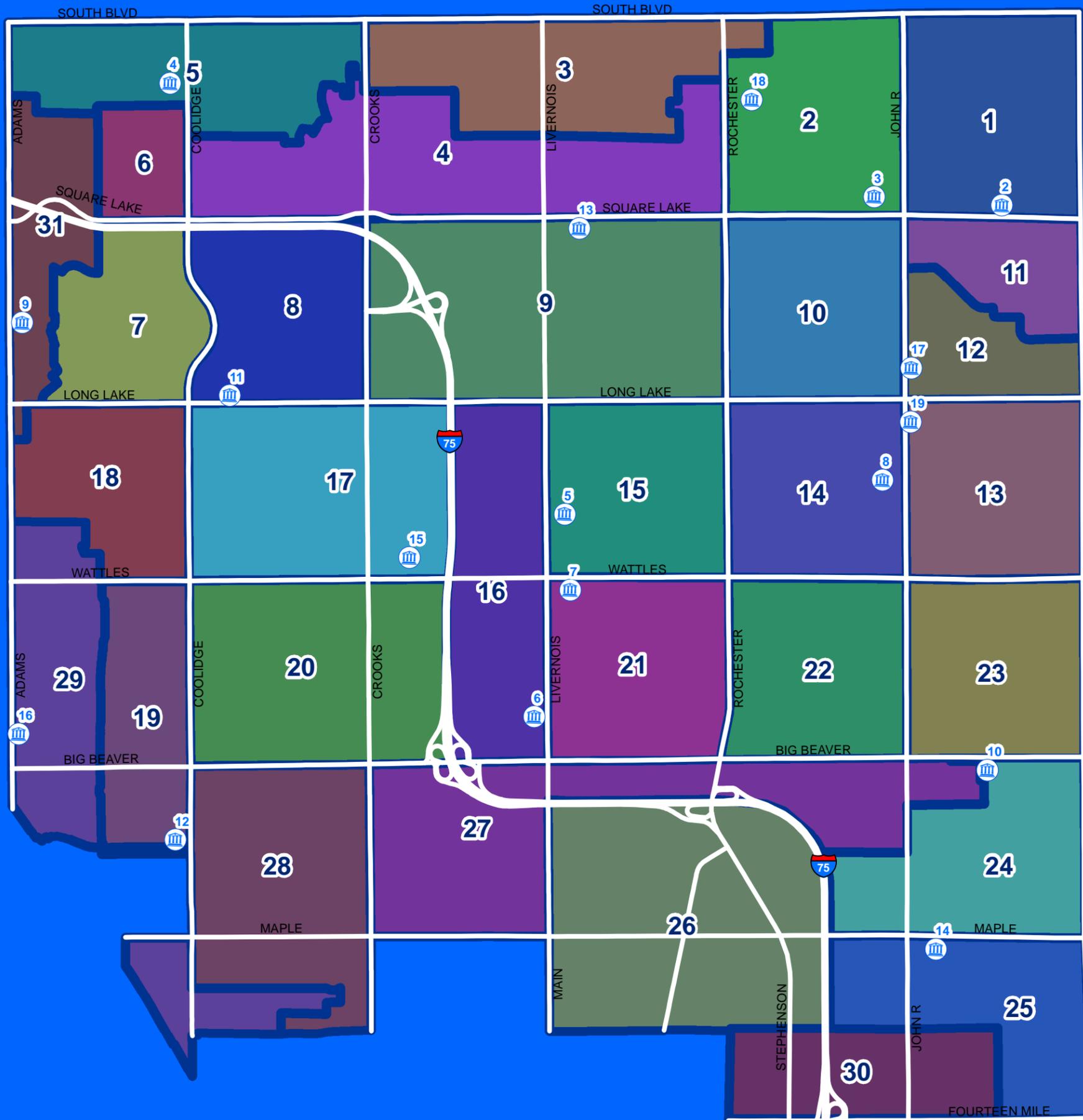
Options:

- Adopt the proposed new precinct boundaries and polling location resolution or continue to utilize existing precincts with multiple school districts and ballot styles within precincts.



City of
Troy

Voting Precinct Map



PRECINCT	ADDRESS	LOCATION	MAP ID
1	2601 E SQUARE LAKE	EVANSWOOD CHURCH OF GOD	2
2	1825 E SQUARE LAKE	KENSINGTON COMMUNITY CHURCH	3
3	6660 ROCHESTER	WOODSIDE BIBLE CHURCH	18
4	280 E SQUARE LAKE	ST ELIZABETH ANN SETON CATHOLIC CHURCH	13
5	6660 ROCHESTER	WOODSIDE BIBLE CHURCH	18
6	6685 COOLIDGE HWY.	TROY NATURE CENTER	4
7	5500 ADAMS	ST STEPHEN EPISCOPAL CHURCH	9
8	1800 W LONG LAKE	NORTHFIELD HILLS BAPTIST CHURCH	11
9	280 E SQUARE LAKE	ST ELIZABETH ANN SETON CATHOLIC CHURCH	13
10	1825 E SQUARE LAKE	KENSINGTON COMMUNITY CHURCH	3
11	2601 E SQUARE LAKE	EVANSWOOD CHURCH OF GOD	2
12	4850 JOHN R	POLICE & FIRE TRAINING CENTER	12
13	2075 E LONG LAKE	BETHESDA ROMANIAN PENTECOSTAL CHURCH	17
14	4571 JOHN R	ST ANASTASIA CATHOLIC CHURCH	8
15	200 E WATTLES	ST LUCY CROATIAN CHURCH	7
16	4328 LIVERNOIS	FIRST PRESBYTERIAN CHURCH	16
17	760 W WATTLES	ST NICHOLAS GREEK ORTHODOX CHURCH	15
18	5500 ADAMS	ST STEPHEN EPISCOPAL CHURCH	9
19	2345 COOLIDGE	ST ALAN CATHOLIC CHURCH	12
20	760 W WATTLES	ST NICHOLAS GREEK ORTHODOX CHURCH	15
21	200 E WATTLES	ST LUCY CROATIAN CHURCH	7
22	4571 JOHN R	ST ANASTASIA CATHOLIC CHURCH	8
23	2442 E BIG BEAVER	ST JOSEPH CHALDEAN CATHOLIC CHURCH	10
24	2160 E MAPLE	ST GEORGE ANTIOCHIAN ORTHODOX CHURCH	14
25	2160 E MAPLE	ST GEORGE ANTIOCHIAN ORTHODOX CHURCH	14
26	3179 LIVERNOIS	TROY COMMUNITY CENTER	6
27	3179 LIVERNOIS	TROY COMMUNITY CENTER	6
28	2345 COOLIDGE	ST ALAN CATHOLIC CHURCH	12
29	3150 N ADAMS	NORTH HILLS CHRISTIAN REFORMED CHURCH	16
30	3179 LIVERNOIS	TROY COMMUNITY CENTER	6
31	6685 COOLIDGE HWY.	TROY NATURE CENTER	4

A meeting of the Troy Election Commission was held Friday, December 7, 2007, at City Hall, 500 W. Big Beaver Road. City Clerk Bartholomew called the Meeting to order at 7:35 AM.

ROLL CALL:

PRESENT: David Anderson, City Clerk
Tonni Bartholomew
ABSENT: Timothy Dewan

Minutes: Regular Meeting of October 1, 2007

Resolution #EC-2007-12-011
Moved by Anderson
Seconded by Bartholomew

RESOLVED, That the Minutes of Monday, October 1, 2007, are **APPROVED** as submitted.

Yes: Anderson, Bartholomew
No: None
Absent: Dewan

MOTION CARRIED

**Approval of Election Inspector Assignments – Tuesday, January 15, 2008
Presidential Primary Election**

Resolution #EC-2007-12-012
Moved by Anderson
Seconded by Bartholomew

RESOLVED, That Election Inspectors be appointed for the Tuesday, January 15, 2008 Presidential Primary Election, as presented by the City Clerk, are hereby **APPROVED**.

Yes: Anderson, Bartholomew
No: None
Absent: Dewan

MOTION CARRIED

Approval of Proposed Precinct Alterations and Relocations

Resolution #EC-2007-12-013
Moved by Anderson
Seconded by Bartholomew

RESOLVED, That the Election Commission hereby **RECOMMENDS** the City of Troy alterations of precinct boundaries and relocation polling locations to the City Council for adoption as follows:

PCT #	BOUNDARY DESCRIPTION	POLLING LOCATION
1	Section 1	Evanswood Church of God 2601 E. Square Lake
2	Section 2 in the Troy School District	Kensington Community Church 1825 E. Square Lake
3	Sections 2, 3 and 4 in the Avondale School District	Woodside Bible Church 6600 Rochester
4	Sections 3, 4 and 5 in the Troy School District	St. Elizabeth Ann Seton Catholic Church 280 E. Square Lake
5	Sections 5 and 6 in the Avondale School District	Woodside Bible Church 6600 Rochester
6	Section 6 in the Troy School District	Nature Center 6685 Coolidge Hwy.
7	Section 7 in the Troy School District and Section 8 west of Coolidge Highway	St. Stephen Episcopal Church 5500 Adams
8	Section 8 east of Coolidge Highway	Northfield Hills Baptist Church 1800 W. Long Lake
9	Sections 9 & 10	St. Elizabeth Ann Seton Catholic Church 280 E. Square Lake
10	Section 11	Kensington Community Church 1825 E. Square Lake
11	Section 12 north of Highbury, east of Harbor, north of Willard, north and east of English	Evanswood Church of God 2601 E. Square Lake
12	Section 12 south of Highbury, west of Harbor, south of Willard, south and west of English	Fire & Police Training Center 4850 John R
13	Section 13	Bethesda Romanian Pentecostal Church 2075 E. Long Lake
14	Section 14	St. Anastasia Catholic Church 4571 John R
15	Section 15	St. Lucy Catholic Croatian Church 200 E. Wattles
16	Section 16 east of I-75 and Section 21 east of I-75	First Presbyterian Church 4328 Livernois
17	Section 16 west of I-75 and Section 17	St. Nicholas Greek Orthodox Church 760 W. Wattles
18	Section 18 in the Troy School District	St. Stephen Episcopal Church 5500 Adams
19	Sections 19 and 30 in the Troy	St. Alan Catholic Church

PCT #	BOUNDARY DESCRIPTION	POLLING LOCATION
	School District	3077 Gloucester
20	Section 20 and Section 21 west of I-75	St. Nicholas Greek Orthodox Church 760 W. Wattles
21	Section 22	St. Lucy Catholic Croatian Church 200 E. Wattles
22	Section 23	St. Anastasia Catholic Church 4571 John R
23	Section 24	St. Joseph Chaldean Catholic Church 2442 E. Big Beaver
24	Sections 25 and 26 in the Warren Consolidated School District and Lamphere School District	St. George Antiochian Orthodox Church 2160 E. Maple
25	Sections 35 and 36 in the Warren Consolidated School District	St. George Antiochian Orthodox Church 2160 E. Maple
26	Sections 26, 27, 34 and 35 south of I-75 in the Troy School District	Troy Community Center 3179 Livernois
27	Section 28 and Sections 25, 26, and 27 north of I-75 and south of E. Big Beaver in Sections in the Troy School District	Troy Community Center 3179 Livernois
28	Sections 29 and 32 in the Troy School District	St. Alan Catholic Church 3077 Gloucester
29	Sections 18, 19, 30, and 31 in the Birmingham School District	North Hills Christian Reformed Church 3150 N. Adams
30	Section 35 in the Royal Oak School District and the Lamphere School District	Troy Community Center 3179 Livernois
31	Sections 6, 7, and 18 in the Bloomfield Hills School District	Nature Center 6685 Coolidge Hwy.

Yes: Anderson, Bartholomew

No: None

Absent: Dewan

MOTION CARRIED

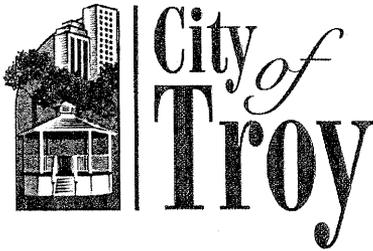
Adjournment:

The meeting was adjourned at 7:41 AM.

Tonni L. Bartholomew, MMC
City Clerk

**DISTRIBUTION OF VOTERS
WITHIN THE CITY OF TROY**

CURRENT Pct.#	PROPOSED Pct. #	SCHOOL DISTRICTS						COUNTY COMMISSIONER DISTRICTS				CURRENT	PROPOSED	
		Troy	Avondale	Birmingham	Bloomfield	Royal Oak	Warren Con	District #13	District #19	District #20	District #24	POLLING LOCATION	POLLING LOCATION	
1	1	1143						1143				Evanswood	Evanswood	
2	2	2083						2083				Kensington	Kensington	
2	3		42					42				Kensington	Woodside OR Faith Apostolic	
3			828					828				St. Elizabeth Ann Seton		
4				879					879			Faith Apostolic		
3	4	540						540				St. Elizabeth Ann Seton	St. Elizabeth Ann Seton	
4		1169						1169				Faith Apostolic		
5			867						867			Faith Apostolic		
6	6	514						514				Nature Center	Nature Center	
5	5		974					974				Faith Apostolic	Woodside OR Faith Apostolic	
6				407					407			Nature Center		
6	31				227			227				Nature Center	Nature Center	
7					480			480				St. Stephen		
18						36					36	St. Stephen		
7	7	1681						1681				St. Stephen	St. Stephen	
18	18	1536								1536		St. Stephen	St. Stephen	
19	19	945								945		North Hills Christian	St. Alan	
29		533								533		St. Alan		
8	8	1794						1794				Northfield Hills Baptist	Northfield Hills Baptist	
9	9	2116						2116				St. Elizabeth Ann Seton	St. Elizabeth Ann Seton	
10	10	1791						1791				Kensington	Kensington	
11	11	1736							1736			Evanswood	Evanswood	
12	12	1317							1317			Bethesda	Fire & Police Training	
13	13	2638							2638			Bethesda	Bethesda	
14	14	1722							1722			St. Anastasia	St. Anastasia	
15	15	1683							1683			St. Lucy	St. Lucy	
16	16	1428							1428			First Presbyterian	First Presbyterian	
17	17	2169							2169			St. Nicholas	St. Nicholas	
18	29			182						182		St. Stephen	North Hills Christian	
19				1240						1240		North Hills Christian		
29					859						859			St. Alan
20	20	2038							2038			St. Nicholas	St. Nicholas	
21	21	1331							1331			St. Lucy	St. Lucy	
22	22	2332							2332			St. Anastasia	St. Anastasia	
23	23	2194							2194			St. Joseph	St. Joseph	
24	24						1272				1272	St. Joseph	St. George	
30								1704				1704		St. George
25	25										1783	St. George	St. George	
30	26	53									53	St. George	Community Center	
26		2480										2480		Community Center
24	27	332									332	St. Joseph	Community Center	
27		1131							1131			Community Center		
28	28	1510							1510			St. Alan	St. Alan	
30	30						630					630	St. George	Community Ctr-New Pct.
TOTAL VOTERS		42806	3130	2281	743	630	4759	17535	23229	5331	8254	54349	54349	



CITY COUNCIL ACTION REPORT

December 11, 2007

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Limousine Permit Revocation Appeal: Nautical Mile Transportation

Background:

- On Time Service submitted an Application for a Limousine Permit in March of 2007. The manager of the company, Gino Accettola, could not pass the background investigation due to an extensive criminal history, including several felony fraud convictions. On May 15, 2007 the application was denied.
- After On Time's application was denied, Michael Saad, d/b/a Nautical Mile Transportation, inquired about obtaining a Limousine Permit. Mr. Saad submitted an application for a limousine vehicle permit (one vehicle) and an application for limousine driver's permit on August 23, 2007. Those permits were approved and issued on September 17th.
- On October 9th Mr. Saad applied for approval of an additional five vehicles. When Mr. Saad requested permits for these additional five vehicles, he stated in submitted documentation that these vehicles were being operated by Nautical Mile. The request was granted administratively.
- On October 16th, Police Officer Kirk Linton responded to the Troy Marriott on a complaint of Robert Frost, another limousine operator. Mr. Frost informed the police that there were limousines being operated at the Marriott, and none of the drivers of these limousines were licensed. When P.O. Linton arrived at the Marriott, he observed three limousines, two were unoccupied. Officer Linton discovered that the driver of the occupied vehicle was unlicensed, and issued him a written warning for failing to obtain the required limousine driver permit. The three vehicles were not Nautical Mile vehicles. Instead, all of the vehicles had the On Time logo.
- Subsequent investigation revealed that the permits for the three On Time vehicles had been issued to Michael Saad / Nautical Mile. Two of the vehicles with the On Time logo are registered to the Accettola family with one being registered to Gino Accettola, and one to his mother Georgean Accettola. These were the same vehicles that were earlier rejected in the On Time limousine application, due to the criminal history of the owner/operator.
- When Mr. Saad applied for the additional five vehicle permits on October 9th, he represented that the limousines would be operated under the name Nautical Mile. Instead they were owned/ operated by Gino Accettola or the Accettola family.
- Upon recommendation by the Police Department, the City Clerk revoked the permits issued to Nautical Mile on October 26th since Nautical Mile violated Troy Code of Ordinances Chapter 65, section 65.502 (fraudulent application/ improper use of a permit), and Chapter 59, section 7.8 (act that is unlawful, irregular or fraudulent in nature).
- In a letter dated November 5th, Mr. Saad requested that Troy City Council reverse the decision of the City Clerk. This is a right that is granted under Troy's limousine ordinance.

- Mr. Saad's request was originally scheduled for the November 19th City Council Agenda, but was pulled after it looked like there could be a satisfactory resolution between the City and Mr. Saad.
- On November 15th, Mr. Saad and his attorney met with City administration to discuss a possible resolution. Specifically, if Mr. Saad could provide documentation to demonstrate that Gino Accettola (who has felony fraud convictions) and/or the Accettola family was not participating in the Nautical Mile business, then the Police Department would recommend the reinstatement of his limousine permits to City Council. Mr. Saad was supposed to submit amended limousine vehicle permit applications, along with proof that he (or Nautical Mile) actually owns/operates the six limousines that were going to be licensed as limousines.
- On or about November 20th, Mr. Saad submitted completed applications for five proposed limousine vehicles. He also presented leases for four of the vehicles to prove that he (or Nautical Mile) operates or controls these limousines.
- The Police Department reviewed the applications and the leases. One of the leases was not valid, since it was not signed by the lessor. In addition, two of the limousines are actually owned by the Accettola family, according to Michigan Secretary of State records. The fourth vehicle is registered to a person named Teresa Stovall, but is leased by Georgean Accettola. Upon information and belief, Teresa Stovall is leasing this fourth limousine from another party. It appears that Michael Saad only owns one of the five limousines that are proposed to be licensed.
- Under Chapter 59, the licensee has the opportunity to appear before City Council for review of the administrative decision to revoke the license.

Financial Considerations:

- There are no financial considerations for the City.

Legal Considerations:

- City Council has the authority to confirm the City Clerk's revocation or to reinstate the Limousine Permit for Mr. Saad/ Nautical Mile.

Policy Considerations:

- The revocation of this limousine permit is consistent with Goal I (Enhance the livability and safety of the community)

Options:

- City Council can confirm the revocation
- City Council can reinstate the Limousine Vehicle Permit(s)

Attachments:

- Police Officer Kirk Linton's Police Reports
- Michael Saad's Original Applications for Limousine Vehicle Permits
- Letter from City Clerk addressed to Michael Saad, dated October 26, 2007
- Letter from Michael Saad, dated November 5, 2007
- Proposed Resolutions

CC: City Clerk, Tonni Bartholomew

Troy PD Follow-Up Report

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

1

Case No. 0700009618
Report No. 0700009618.1
Report Date: 10/16/2007

unSubject: 7349 - Licensing Ord - Other

Case Report Status: **A - Approved**
Agency County: **63 - Oakland**
Agency City/Township: **84 - Troy**

Occurred On: **10/12/2007 1:25:00 PM**
Or Between:

Business Name:
Location: **200 W BIG BEAVER RD**
CSZ: **Troy, MI 48084**

Census/Geo Code:
Jurisdiction:
Grid:
Sector:
Map:
Call Source: **Telephone**

Vehicle Activity:
Dir. Veh. Traveling:
Cross Street:
Means:
Motive:

Entered On: **10/16/2007 3:31:30 PM**
Entered By: **00081 - Linton, Kirk**
Verified On: **10/18/2007 11:56:26 AM**
Verified By: **00569 - Snell, Rebecca**
Approved On: **10/18/2007 11:56:33 AM**
Approved By: **00569 - Snell, Rebecca**

Related Cases:
Disposition: **Active**
Excp. Clear Reason:
Excp. Clear Date:
Reporting Agency: **Troy PD**
Report Type: **Follow-Up Report**
Division: **Patrol**
Notified:
Related Cases:

Reporting Officer: **00081 - Linton, Kirk**
Assisted By:
Agency Assisted:
Call for Service #:

Report Narrative: **Per Sgt Cantlon's direction, writer went to the Troy Marriot Hotel to investigate possible limo's operating with drivers not licensed with the City of Troy. Writer located the three listed vehicles with Troy Vehicle Limo permits #34, 35 and 36 at the rear of the building. Vehicle #36 was occupied by a white male. Writer made contact with listed driver who identified himself as Michael Mattia using Michigan drivers license. Mr. Mattia was unable to produce a Limo drivers license permit. Mr Mattia advised writer that he was in the process of applying for said permit. Writer wrote Mr. Mattia a warning citation #723425 and advised him that no further fares should be attempted until said permits were obtained. Writer noted that all three vehicles had the "ONTIME" Logo on the side and were licensed with the city as "Nautical Mile Trans." Writer notified Sgt Cantlon of same.**

Offense Detail: 7349 - Licensing Ord - Other

Offense Description: **7349 - Licensing Ord - Other**
IBR Code: **90Z - All Other Offenses**
IBR Group: **B**
Crime Against:
Offense File Class: **73000 - MISCELLANEOUS CRIMINAL OFFENSE**

PACC:
Local Code:
Using:
Criminal Activity:
Force Level:
Weapons:

Location Type: **14 - Hotel/Motel/Etc.**
Offense Completed?: **No**
Hate/Bias: **00 - None (No Bias)**
Domestic Violence: **No**

No. Prem. Entered:
Entry Method:
Type Security:
Tools Used:

Property Description Item 1: 3501 - Automobile/Car/Vehicle (not Stolen Or Recovered) 5403 - limo

Item No. 1

Troy PD Follow-Up Report

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

2

Page 2 of 4

Property Category **3501 - Automobile/Car/Vehicle (not Stolen Or Recovered) 5403**
Property Class **03**
IBR Type **03 - Automobiles**
UCR Type **V - Other Vehicle (not Stolen or Recovered)**
Status **I - Information Only**

Count **1**
Value

Manufacturer **ford**
Model **500**
Serial No. **1fajp24147g133641**
License No. **CC63249**
Color **BLK - Black**
Description **limo**
Vehicle Year **2007**
Body Style
State **MI - Michigan**
License Year

Recovered Date/Time

Owner

Disposition

Evidence Tag

Alert(s)

Evidence Recovered By

Evidence Recovered From

Evidence Location

Drug Type

Drug Quantity

Drug Measure

Property Notes **Taxi/Limo - permit # 36, ONTIME logo on side**

Property Description Item 2: 3501 - Automobile/Car/Vehicle (not Stolen Or Recovered) 5403 - limo

Item No. **2**
Property Category **3501 - Automobile/Car/Vehicle (not Stolen Or Recovered) 5403**
Property Class **03**
IBR Type **03 - Automobiles**
UCR Type **V - Other Vehicle (not Stolen or Recovered)**
Status **I - Information Only**

Count **1**
Value

Manufacturer **ford**
Model **500**
Serial No. **1fafp25136g134350**
License No. **CC63445**
Color **BLK - Black**
Description **limo**
Vehicle Year **2006**

Troy PD Follow-Up Report

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

3

Page 3 of 4

Case No. 0700009618
Report No. 0700009618.1
Report Date: 10/16/2007

Body Style

State

MI - Michigan

License Year

Recovered Date/Time

Owner

Disposition

Evidence Tag

Alert(s)

Evidence Recovered By

Evidence Recovered From

Evidence Location

Drug Type

Drug Quantity

Drug Measure

Property Notes taxi/limo - permit # 35 ONTIME logo on side

Property Description Item 3: 3501 - Automobile/Car/Vehicle (not Stolen Or Recovered) 5403 - limo

Item No.

3

Property Category

3501 - Automobile/Car/Vehicle (not Stolen Or Recovered) 5403

Property Class

03

IBR Type

03 - Automobiles

UCR Type

V - Other Vehicle (not Stolen or Recovered)

Status

I - Information Only

Count

1

Value

Manufacturer

pontiac

Model

montana

Serial No.

1gmdx03e0xd312595

License No.

CC63344

Color

BLK - Black

Description

limo

Vehicle Year

1999

Body Style

State

MI - Michigan

License Year

Recovered Date/Time

Owner

Disposition

Evidence Tag

Alert(s)

Evidence Recovered By

Evidence Recovered From

Evidence Location

Drug Type

Drug Quantity

Drug Measure

Troy PD Follow-Up Report

Case No. 0700009618
Report No. 0700009618.1
Report Date: 10/16/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

4

Page 4 of 4

Property Notes taxi/limo permit # 34 ONTIME Logo on side

Troy PD Follow-Up Report

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

1

Page 1 of 1

unSubject: 7349 - Licensing Ord - Other

Case Report Status **A - Approved**
Agency County **63 - Oakland**
Agency City/Township **84 - Troy**
Occurred On **10/12/2007 1:25:00 PM**
Or Between
Business Name
Location **200 W BIG BEAVER RD**
CSZ **Troy, MI 48084**
Census/Geo Code
Jurisdiction
Grid
Sector
Map
Call Source **Telephone**
Vehicle Activity
Dir. Veh. Traveling
Cross Street
Means
Motive

Entered On **10/18/2007 11:24:49 AM**
Entered By **00210 - Cantlon, Robert**
Verified On **10/19/2007 9:03:15 AM**
Verified By **00569 - Snell, Rebecca**
Approved On **10/19/2007 9:03:20 AM**
Approved By **00569 - Snell, Rebecca**
Related Cases
Disposition **Active**
Excp. Clear Reason
Excp. Clear Date
Reporting Agency **Troy PD**
Report Type **Follow-Up Report**
Division **Patrol**
Notified
Related Cases

Reporting Officer **00081 - Linton, Kirk**
Assisted By
Agency Assisted
Call for Service #

Report Narrative **07-38849**

An application of a Limousine Permit had been previously filed by Georgean and Gino Accettola under the name of On Time Limo. That application was denied on May 15, 2007. During follow up investigation the following was discovered:
The vehicle bearing City of Troy permit #36 is a 2007 Ford 500 registered by lease to Teresa Stoval. This vehicle was listed on the original Limousine Permit Application filed in the name of On Time Limo and on 10/12 PO Linton noted that this vehicle bore the logo of On time Limo.
The vehicle bearing City of Troy permit #35 is a 2006 Ford 500 registered to Georgean Accettola and on 10/12 PO Linton noted that this vehicle bore the logo of On Time Limo.
The vehicle bearing City of Troy permit #34 is a 1999 Pontiac Montana mini-van registered to Gino Accettola and on 10/12 PO Linton noted that this vehicle bore the logo of On Time Limo.

Offense Detail: 7349 - Licensing Ord - Other

Offense Description **7349 - Licensing Ord - Other**
IBR Code **90Z - All Other Offenses**
IBR Group **B**
Crime Against
Offense File Class **73000 - MISCELLANEOUS CRIMINAL OFFENSE**
PACC
Local Code
Using
Criminal Activity
Force Level
Weapons

Location Type **18 - Parking Lot/Garage**
Offense Completed? **Yes**
Hate/Bias **00 - None (No Bias)**
Domestic Violence **No**

No. Prem. Entered
Entry Method
Type Security
Tools Used

City of Troy
City Clerk's Office
500 West Big Beaver
Troy, Michigan 48084
(248) 524-3331



City of
Troy

(Send Application & Remittance to Above Address)

APPLICATION FOR LIMOUSINE PERMIT

Date 8/23/07

Fee pursuant to Chapter 60 of the City of Troy Code of Ordinances: \$20.00 per vehicle

Applicant Michael M. SAND JR Age _____
Date of Birth 6-13-62 Drivers License No. 5300603609442
Social Security No. 382-72-4996 Home Phone 586-774-2547
Home Address 22412 LANGE How Long 22 YRS
City, State and Zip ST. CLAIR SHORES MI 48080
Business Name NAUTICAL WALE TRANSPORTATION Business Phone 586-944-5113
Business Address SAME AS ABOVE How Long 3 YRS
City, State and Zip _____

FINANCIAL STATUS

Amount of all unpaid judgments 0
Nature of Transaction or acts causing the judgments _____

EXPERIENCE

Operating Vehicle at Present? BOTH Where ST. CLAIR SHORES GROSSE POINTE
How Long 3 YRS As Owner or Driver _____
Prior Experience _____

Why do you feel this service is a necessity for Troy RESTURANT, BARS, HOTELS, TO ACGH HAVE GOOD POTENTIAL FOR IMPAIRED RIDERS & AIRPORT TRANS.

Number of Vehicles to be Operated 1
Type of Equipment LINCOLN TOWN CAR
Color of Vehicles BLACK Insignia _____
Terminal Location ST. CLAIR SHORES
Dispatch Service Provided by SELF
(If other than the petitioner, attach a letter of consent)
Proposed Service Hours 5 A.M - 3 A.M

I hereby certify that the foregoing information is complete and true
Signed [Signature]

Subscribed and sworn to before me, a Notary Public in and for Macomb County
This 27th Day of AUGUST 2007

Please attach:
- State Issued Certificate of Authority
- Proof of Insurance
- Vehicle Inspection Reports

[Signature]
Notary Public
March 12, 2008
My Commission Expires

APPROVED
DATE: 9/14/07 BY: RC #210

LIMOUSINE INSPECTION

Information required by authority of Public Act 271 of 1990. Failure to supply this information may result in a misdemeanor charge.

Michigan Department
of Transportation
3049E (10/06)

SEE REVERSE FOR INSTRUCTIONS AND DISTRIBUTION.

This report remains the property of the Michigan Department of Transportation.
This inspection does not imply that deficiencies other than those noted may not exist.

DATE OF INSPECTION 01 122 107	TIME STARTED 9:00	TESTING STATION NAME am pm Quick Auto Service	REPAIR FACILITY NUMBER F 1157368
----------------------------------	----------------------	--	-------------------------------------

LIMOUSINE OPERATOR
NAUTICAL MILE TRANS.

BUSINESS ADDRESS Street City State Zip
22412 LANGE ST Clair Shores Mich 48080

VEHICLE INFORMATION

FLEET NO. 002 SEATING CAPACITY: 05 MAKE: LIMCOPLM MODEL: TOWN CAR YEAR: 2006

MILEAGE: 11070 COLOR: BLACK LICENSE NO. AJA2611 VIN NO. 1LWAM82V064649236

INSPECTION

Pass	Fail	Interior of Limousine	Pass	Fail	Exterior of Limousine (Cont.)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	FLOOR Must be free of holes, or openings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	FUEL CAP Fuel cap and fill pipe must be tight and secure.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	SEATS Must be securely fastened to the vehicle. There must be no aisle seats unless they will fold and leave a clear aisle when unoccupied.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	EXHAUST SYSTEM Gas-powered vehicles must discharge at or within six (6) inches of the rear of the vehicle. Diesel powered vehicles must discharge at or within fifteen (15) inches of the rear of the vehicle or to the rear of all doors and windows designed to be opened (except emergency window exits).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	WINDOWS All glass must be free from major damage and made from approved safety glass. Each push-out window must be marked as an emergency exit. There can be no physical obstructions on windows to prevent emergency exit.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ENGINE COMPARTMENT
<input type="checkbox"/>	<input type="checkbox"/>	EMERGENCY DOORS If equipped with emergency doors, each must have decal or lettering indicating that it is an emergency exit. It must also be identified by an operating lamp. All doors must be fully operable and cannot be physically restricted in any way.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BATTERY INSTALLATION Battery must be securely fastened to the vehicle. All connections, terminals and wiring must be protected from heat, damage or shorting.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	EMERGENCY EXIT ACCESS There can be no obstruction blocking aisles or passageways to emergency exits.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	FUEL SYSTEM Fuel system must be free from leaks and protected from heat or damage.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	DRIVER'S SEAT BELT Driver's seat must be equipped with a seat belt.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BELTS Belts must be free from damage, oil contamination and properly adjusted.
<input type="checkbox"/>	<input type="checkbox"/>	EMERGENCY EQUIPMENT Must be equipped with a fire extinguisher with a Underwriter's Laboratory rating of 5 B.C or larger. It must be readily accessible to the driver.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ENGINE AND MOUNTS Engine must be installed securely and mounting points must be free from cracks.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	DRIVER CONTROLS Must have an operable horn, turn signals, windshield defroster and windshield wipers and washers. All door controls must be operable. Mirrors must be in good condition. Vehicles over 10,000 lbs. GVWR must have a right side (passenger side) mirror.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BRAKE RESERVOIRS Hydraulic brake reservoirs must be filled to within 1/4" from top of reservoir.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	BRAKE WARNING DEVICE Hydraulic brake equipped vehicle must have an audible or visual brake warning device that operates in the event of a hydraulic type failure of a partial system. Air brake equipped vehicle must be equipped with a gauge that reads in pounds per square inch, indicating to the driver brake system pressure available for braking, and a low air warning device that will provide a continuous visual signal to the driver when the air pressure in the system drops below one-half of the compressor governor cutout pressure.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	UNDERSIDE OF VEHICLE
<input checked="" type="checkbox"/>	<input type="checkbox"/>	STEERING COLUMN Steering wheel and column must be securely fastened to the vehicle. Steering wheel must not bind when turned from extreme right to left and free-play must be within specification of vehicle manufacturer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	STEERING SYSTEM Vehicle may not have any loose, worn, bent, damaged, or missing parts. Tires may not come into contact with any part of the vehicle when the steering wheel is turned from full right to full left.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	EXTERIOR OF LIMOUSINE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SUSPENSION Suspension system must not have any misaligned, shifted, or cracked springs, shackles, spring hangers or U bolts. Axle positioning parts such as radius rods or bars must not be loose and attaching hardware must be serviceable. Air suspensions must not be deflated or leaking, and air bags or pistons and seats may not be damaged or leaking.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	LIGHTS AND REFLECTORS All lights must operate properly and be of the correct color including backup lights and license plate light. Body reflectors must be in place, in good condition and be of the proper color.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BRAKES All brakes must work properly. Linings and/or pads must be within serviceable limits. Brake drums and/or rotors must not be cracked and must be within serviceable limits. There must be braking action at each wheel when brakes are applied. Brakes must be adjusted to within specifications. Brake hoses, lines, or tubes must not leak when the brakes are applied. Brake hoses, lines, or tubes must not be damaged, chafed, hit or rubbed by any other component on the vehicle. No brake valve may leak when applied and must be mounted securely to prevent damage.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TIRES All steering axle tires must have at least 4/32" of tread. Steering axle tires can not be retreaded, regrooved or recapped. All other tire positions must have at least 2/32" tread depth. No tire may have any serious cuts, bulges, sidewall defects or exposed fabric or cords. Radial and bias tires cannot be mixed on the same axle.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	FRAME Frame must not be cracked, damaged or fatigued. Vehicle bodies mounted to the frame must be secured with proper number of fasteners.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	WHEELS & RIMS Wheels may not have any cracks, unseated lock rings, loose, broken or missing lugs, studs or clamps, bent or cracked rims, or elongated stud holes.	<input type="checkbox"/>	<input type="checkbox"/>	FUEL TANK Fuel tank must be securely mounted and must not leak. All lines and fittings must not leak.
			<input checked="" type="checkbox"/>	<input type="checkbox"/>	DRIVE SHAFT Vehicles over 10,000 lbs must have drive shaft protection that will prevent whipping of the drive shaft in the event of a failure of the shaft or its components.
			<input checked="" type="checkbox"/>	<input type="checkbox"/>	PARKING BRAKE The parking brake must be capable of holding the vehicle under light acceleration when the vehicle is in gear.

I certify that this report is complete and accurate.

INSPECTION RESULT PASS FAIL

I have read and received a copy of this Inspection Report.

MECHANIC (Signature) *[Signature]* TIME COMPLETED 10:00 AM MECHANIC CERTIFICATE NO. M 245955

LIMOUSINE COMPANY OFFICIAL (Signature) *[Signature]* DATE 1-22-07

**CITY OF TROY
LICENSE/REGISTRATION
2007-037
EXP. 12-31-2007**

2007

Background is black
text is white

LIMOUSINE INSPECTION

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Information required by authority of Public Act 271 of 1990. Failure to supply this information may result in a misdemeanor charge.

SEE REVERSE FOR INSTRUCTIONS AND DISTRIBUTION.
 This report remains the property of the Michigan Department of Transportation.
 This inspection does not imply that deficiencies other than those noted may not exist.

Michigan Department
 of Transportation
 3049E (10/06)

DATE OF INSPECTION 01/22/07	TIME STARTED 9:00 am	TESTING STATION NAME Quick Auto Service	REPAIR FACILITY NUMBER F1157368
LIMOUSINE OPERATOR NAUTICAL MILE TRANS.			
BUSINESS ADDRESS 22412 LANGE Street City: Mich. State: Zip: 48080			

FLEET NO. 0102	SEATING CAPACITY: 05	MAKE: LEXUS	MODEL: TOWN CAR	YEAR: 2006
MILEAGE: 1070	COLOR: BLACK	LICENSE NO. AJA26X1	VIN NO. 1LWWM82V064649236	

INSPECTION	
Pass	Fail
INTERIOR OF LIMOUSINE	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
FLOOR Must be free of holes, or openings.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
SEATS Must be securely fastened to the vehicle. There must be no aisle seats unless they will fold and leave a clear aisle when unoccupied.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
WINDOWS All glass must be free from major damage and made from approved safety glass. Each push-out window must be marked as an emergency exit. There can be no physical obstructions on windows to prevent emergency exit.	
<input type="checkbox"/>	<input type="checkbox"/>
EMERGENCY DOORS If equipped with emergency doors, each must have decal or lettering indicating that it is an emergency exit. It must also be identified by an operating lamp. All doors must be fully operable and cannot be physically restricted in any way.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
EMERGENCY EXIT ACCESS There can be no obstruction blocking aisles or passageways to emergency exits.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
DRIVER'S SEAT BELT Driver's seat must be equipped with a seat belt.	
<input type="checkbox"/>	<input type="checkbox"/>
EMERGENCY EQUIPMENT Must be equipped with a fire extinguisher with a Underwriter's Laboratory rating of 5 B:C or larger. It must be readily accessible to the driver.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
DRIVER CONTROLS Must have an operable horn, turn signals, windshield defroster and windshield wipers and washers. All door controls must be operable. Mirrors must be in good condition. Vehicles over 10,000 lbs. GVWR must have a right side (passenger side) mirror.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
BRAKE WARNING DEVICE Hydraulic brake equipped vehicle must have an audible or visual brake warning device that operates in the event of a hydraulic type failure of a partial system. Air brake equipped vehicle must be equipped with a gauge that reads in pounds per square inch, indicating to the driver brake system pressure available for braking, and a low air warning device that will provide a continuous visual signal to the driver when the air pressure in the system drops below one-half of the compressor governor cutout pressure.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
STEERING COLUMN Steering wheel and column must be securely fastened to the vehicle. Steering wheel must not bind when turned from extreme right to left and free-play must be within specification of vehicle manufacturer.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
EXTERIOR OF LIMOUSINE	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
LIGHTS AND REFLECTORS All lights must operate properly and be of the correct color including backup lights and license plate light. Body reflectors must be in place, in good condition and be of the proper color.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
TIRES All steering axle tires must have at least 4/32" of tread. Steering axle tires can not be retreaded, regrooved or recapped. All other tire positions must have at least 2/32" tread depth. No tire may have any serious cuts, bulges, sidewall defects or exposed fabric or cords. Radial and bias tires cannot be mixed on the same axle.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
WHEELS & RIMS Wheels may not have any cracks, unseated lock rings, loose, broken or missing lugs, studs or clamps, bent or cracked rims, or elongated stud holes.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
EXTERIOR OF LIMOUSINE (Cont.)	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
FUEL CAP Fuel cap and fill pipe must be tight and secure.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
EXHAUST SYSTEM Gas-powered vehicles must discharge at or within six (6) inches of the rear of the vehicle. Diesel powered vehicles must discharge at or within fifteen (15) inches of the rear of the vehicle or to the rear of all doors and windows designed to be opened (except emergency window exits).	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
ENGINE COMPARTMENT	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
BATTERY INSTALLATION Battery must be securely fastened to the vehicle. All connections, terminals and wiring must be protected from heat, damage or shorting.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
FUEL SYSTEM Fuel system must be free from leaks and protected from heat or damage.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
BELTS Belts must be free from damage, oil contamination and properly adjusted.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
ENGINE AND MOUNTS Engine must be installed securely and mounting points must be free from cracks.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
BRAKE RESERVOIRS Hydraulic brake reservoirs must be filled to within 1/4" from top of reservoir.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
UNDERSIDE OF VEHICLE	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
STEERING SYSTEM Vehicle may not have any loose, worn, bent, damaged, or missing parts. Tires may not come into contact with any part of the vehicle when the steering wheel is turned from full right to full left.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUSPENSION Suspension system must not have any misaligned, shifted, or cracked springs, shackles, spring hangers or U bolts. Axle positioning parts such as radius rods or bars must not be loose and attaching hardware must be serviceable. Air suspensions must not be deflated or leaking, and air bags or pistons and seats may not be damaged or leaking.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
BRAKES All brakes must work properly. Linings and/or pads must be within serviceable limits. Brake drums and/or rotors must not be cracked and must be within serviceable limits. There must be braking action at each wheel when brakes are applied. Brakes must be adjusted to within specifications. Brake hoses, lines, or tubes must not leak when the brakes are applied. Brake hoses, lines, or tubes must not be damaged, chafed, hit or rubbed by any other component on the vehicle. No brake valve may leak when applied and must be mounted securely to prevent damage.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
FRAME Frame must not be cracked, damaged or fatigued. Vehicle bodies mounted to the frame must be secured with proper number of fasteners.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
FUEL TANK Fuel tank must be securely mounted and must not leak. All lines and fittings must not leak.	
<input type="checkbox"/>	<input type="checkbox"/>
DRIVE SHAFT Vehicles over 10,000 lbs must have drive shaft protection that will prevent whipping of the drive shaft in the event of a failure of the shaft or its components.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>
PARKING BRAKE The parking brake must be capable of holding the vehicle under light acceleration when the vehicle is in gear.	

I certify that this report is complete and accurate.	MECHANIC (Signature) <i>Benz...</i>	TIME COMPLETED 10:00 AM	MECHANIC CERTIFICATE NO. M12459551
INSPECTION RESULT <input checked="" type="checkbox"/> PASS <input type="checkbox"/> FAIL	LIMOUSINE COMPANY OFFICIAL (Signature) <i>...</i>		DATE 1-22-07
I have read and received a copy of this Inspection Report.			

LIMOUSINE INSPECTION

32

Information by authority of Public Act 271 of 1990. Failure to supply this information may result in a misdemeanor charge.

SEE REVERSE FOR INSTRUCTIONS AND DISTRIBUTION.

This report remains the property of the Michigan Department of Transportation. Inspection does not imply that deficiencies other than those noted may not exist.

Department of Transportation (10/06)

INSPECTOR

DATE STARTED: 9-28-07
 TIME: 11:15 am
 TESTING STATION NAME: Mox Motel

REPAIR FACILITY NUMBER: FV195320

OPERATOR

VEHICLE OPERATOR: Nautical Mico Trans

ADDRESS

Street: S.C.5
 City: M. 48060

State: Zip:

VEHICLE INFORMATION

PLATE: 00007
 MAKE: PLYMOUTH
 MODEL: Voyager
 YEAR: 1999
 LICENSE NO.: White
 VIN NO.: 2P4G16P243A1K1435743

INSPECTION

Defect	Item	For	System that fails inspection, circle the part of the description which most closely describes the defect.	Pass	Fail	
INTERIOR OF LIMOUSINE	FLOOR	Must be free of holes, or openings.		<input type="checkbox"/>	<input type="checkbox"/>	
	SEATS	Must be securely fastened to the vehicle. There must be no loose seats unless they are unoccupied.		<input type="checkbox"/>	<input type="checkbox"/>	
	WINDOWS	All glass must be in major damage and made from approved safety glass. Emergency exits must be free of physical obstructions on windows to operate emergency exit.		<input type="checkbox"/>	<input type="checkbox"/>	
	EMERGENCY DOORS	If equipped with emergency exit, each must have decal or lettering indicating its location and operation. All doors must be fully operable and not be restricted in any way.		<input type="checkbox"/>	<input type="checkbox"/>	
	EMERGENCY EXITS	There can be no obstruction blocking aisles or passageways to emergency exits.		<input type="checkbox"/>	<input type="checkbox"/>	
	DRIVER SEAT BELT	Driver's seat must be equipped with a seat belt.		<input type="checkbox"/>	<input type="checkbox"/>	
	EMERGENCY EQUIPMENT	Must be equipped with a fire extinguisher with a Underwriter's Laboratory rating of C or larger. It must be readily accessible to the driver.		<input type="checkbox"/>	<input type="checkbox"/>	
	DRIVER CONTROLS	Must have an operating horn, turn signals, windshield defroster and windshield wipers. All door controls must be in good condition. Vehicles over 10,000 lbs. GVWR must have a right side (passenger side) mirror.		<input type="checkbox"/>	<input type="checkbox"/>	
	BRAKE WARNING LIGHTS	Hydraulic brake warning light must be equipped with a gauge that reads in pounds per square inch (psi) and a low air warning device that will illuminate when the air pressure in the system drops below one-half of the total pressure.		<input type="checkbox"/>	<input type="checkbox"/>	
	STEERING COLUMN	Steering wheel must be securely fastened to the vehicle. Steering column must not bind when turned from free-play must be within specification.		<input type="checkbox"/>	<input type="checkbox"/>	
	EXTERIOR OF LIMOUSINE	LIGHTS AND REFLECTORS	All lights must be properly adjusted and be of the correct color and license plate light. Body reflectors must be in place, in good condition and be of the proper color.	<input type="checkbox"/>	<input type="checkbox"/>	
	TIRES	All tires must have at least 4/32" of tread. Steering axle tires must not be retreaded, regrooved or recapped. All other tires must have at least 1/32" tread depth. No tire may have a cut, bulge, sidewall defect or exposed fabric. Radial and bias tires cannot be mixed on the same axle.		<input type="checkbox"/>	<input type="checkbox"/>	
	WHEELS & RIMS	Wheels may not have any cracks, unseated lock rings, loose, studs or clamps, bent or cracked rims, or		<input type="checkbox"/>	<input type="checkbox"/>	
	EXTERIOR OF LIMOUSINE	FUEL CAP	Fuel cap and filler pipe must be tight and secure.	<input type="checkbox"/>	<input type="checkbox"/>	
	EXTERIOR OF LIMOUSINE	EXHAUST SYSTEM	Gas powered vehicles must discharge at or within six (6) inches of the rear of the vehicle. Diesel powered vehicles must discharge at or within fifteen (15) inches of the rear of the vehicle or to the rear of all doors and windows designed to be opened (except emergency window exits).	<input type="checkbox"/>	<input type="checkbox"/>	
	EXTERIOR OF LIMOUSINE	ENGINE COMPARTMENT	BATTERY INSTALLATION	Battery must be securely fastened to the vehicle. All connections, terminals and wiring must be protected from heat, damage or shorting.	<input type="checkbox"/>	<input type="checkbox"/>
	EXTERIOR OF LIMOUSINE	FUEL SYSTEM	Fuel system must be free from leaks and protected from heat or damage.	<input type="checkbox"/>	<input type="checkbox"/>	
	EXTERIOR OF LIMOUSINE	BELTS	Belts must be free from damage, oil contamination and properly adjusted.	<input type="checkbox"/>	<input type="checkbox"/>	
	EXTERIOR OF LIMOUSINE	ENGINE AIR MOUNTS	Engine must be installed securely and mounting points must be free from cracks.	<input type="checkbox"/>	<input type="checkbox"/>	
	EXTERIOR OF LIMOUSINE	BRAKE RESERVOIRS	Hydraulic brake reservoirs must be filled to within 1/4" from top of reservoir.	<input type="checkbox"/>	<input type="checkbox"/>	
	EXTERIOR OF LIMOUSINE	UNDERCHASSIS OF VEHICLE	STEERING SYSTEM	Vehicle may not have any loose, worn, bent, damaged, or missing parts. Tires may not come into contact with any part of the vehicle when the steering wheel is turned from full right to full left.	<input type="checkbox"/>	<input type="checkbox"/>
	EXTERIOR OF LIMOUSINE	SUSPENSION	Suspension system must not have any misaligned, shifted, or cracked springs, shackles, spring hangers or U bolts. Axle positioning parts such as radius rods or bars must not be loose and attaching hardware must be serviceable. Air suspensions must not be deflated or leaking, and air bags or pistons and seats may not be damaged or leaking.	<input type="checkbox"/>	<input type="checkbox"/>	
	EXTERIOR OF LIMOUSINE	BRAKES	All brakes must work properly. Linings and/or pads must be within serviceable limits. Brake drums and/or rotors must not be cracked and must be within serviceable limits. There must be action at each wheel when brakes are applied. Brakes must be adjusted to within specifications. Brake hoses, lines, or tubes must not leak when the brakes are applied. Brake hoses, lines, or tubes must not be damaged, chafed, hit or rubbed by any of the components of the vehicle. No brake valve may leak when applied and must be mounted securely to prevent damage.	<input type="checkbox"/>	<input type="checkbox"/>	
	EXTERIOR OF LIMOUSINE	FRAME	Frame must not be cracked, damaged or fatigued. Vehicle body must be mounted to the frame must be secured with proper number of fasteners.	<input type="checkbox"/>	<input type="checkbox"/>	
	EXTERIOR OF LIMOUSINE	FUEL TANK	Fuel tank must be securely mounted and must not leak. All lines and fittings must not leak.	<input type="checkbox"/>	<input type="checkbox"/>	
	EXTERIOR OF LIMOUSINE	DRIVE SHAFT	Vehicles over 10,000 lbs. must have drive shaft protection that will prevent whipping of the drive shaft in the event of a failure of the shaft or its components.	<input type="checkbox"/>	<input type="checkbox"/>	
	EXTERIOR OF LIMOUSINE	PARKING BRAKE	The parking brake must be capable of holding the vehicle under acceleration when the vehicle is in gear.	<input type="checkbox"/>	<input type="checkbox"/>	

I certify that this report is complete and accurate. MECHANIC (Signature) [Signature]
 INSPECTION RESULT: PASS FAIL
 TIME COMPLETED: 1:28 AM
 MECHANIC CERTIFICATE NO.: M217362

I have read and received a copy of this report. LIMOUSINE COMPANY OFFICIAL (Signature) [Signature]
 DATE: 9-28-07

LIMOUSINE INSPECTION

33

Information by authority of Public Act 271 of 1990. Failure to supply this information may result in a misdemeanor charge.

SEE REVERSE FOR INSTRUCTIONS AND DISTRIBUTION. This report remains the property of the Michigan Department of Transportation. Inspection does not imply that deficiencies other than those noted may not exist.

INSPECTION DATE: 9-29-07
 TIME STARTED: 11:29 am
 TESTING STATION NAME: MAXX Auto Shop
 REPAIR FACILITY NUMBER: F1145320

OPERATOR: Mils Trans
 ADDRESS: 30875 Garsbrook St, Lansing, MI 48906
 State: MI Zip: 48906

VEHICLE INFORMATION

PLATE: 000016
 MAKE: Chrysler
 MODEL: Town-Country
 YEAR: 1997
 LICENSE NO: RER
 VIN NO: 3C4G1P642L6B0212804

Item	Pass	Fail	Description
INTERIOR OF LIMOUSINE			
FLOOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Must be free of holes, or openings.
SEATS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Must be securely fastened to the vehicle. There must be no loose parts unless they will fold and leave a clear aisle when unfolded.
WINDOWS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	All glass must be free of major damage and made from approved safety glass. Emergency exits must be free of physical obstructions on windows to prevent emergency exit.
EMERGENCY DOORS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If equipped with emergency exit, each must have decal or lettering indicating emergency exit. All doors must be fully operable and not be restricted in any way.
EMERGENCY EXITS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There can be no obstruction blocking aisles or passageways to emergency exits.
DRIVER SEAT BELT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Driver's seat must be equipped with a seat belt.
EMERGENCY EQUIPMENT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Must be equipped with a fire extinguisher with a Underwriter's Laboratory rating of C or larger. It must be readily accessible to the driver.
DRIVER CONTROLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Must have an operating horn, turn signals, windshield defroster and washers. All door controls must be in good condition. Vehicles over 10,000 lbs. GVWR must have a right side (passenger side) mirror.
BRAKE WARNING LIGHT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Hydraulic brake warning light on vehicles must have an audible or visual warning device that operates in the event of a hydraulic system failure. Air brake equipped vehicles must be equipped with a gauge that are inch, indicating to the driver brake air pressure, and a low air warning system pressure device that will provide a continuous visual signal to the driver when the air pressure in the system drops below one-half of the total pressure.
STEERING COLUMN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Steering wheel must be securely fastened to the vehicle. Steering wheel free-play must be within specification.
EXTERIOR OF LIMOUSINE			
LIGHTS AND REFLECTORS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	All lights must be properly aligned and be of the correct color and license plate light. Body reflectors must be in place, in good condition and be of the proper color.
TIRES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	All steering and drive tires must have at least 4/32" of tread. Steering axle tires must not be retreaded, regrooved or recapped. All other tires must have at least 2/32" tread depth. No tire may have any cuts, bulges, sidewall defects or exposed fabric. Radial and bias tires cannot be mixed on the same axle.
WHEELS & RIMS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wheels may not have any cracks, unseated lock rings, loose studs or clamps, bent or cracked rims, or enlarged stud holes.
EXTERIOR OF LIMOUSINE (Cont.)			
FUEL CAP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Fuel cap and filler pipe must be tight and secure.
EXHAUST SYSTEM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Gas powered vehicles must discharge at or within six (6) inches of the rear of the vehicle. Diesel powered vehicles must discharge at or within fifteen (15) inches of the rear of the vehicle or to the rear of all doors and windows assigned to be opened (except emergency window exits).
ENGINE COMPARTMENT BATTERY INSTALLATION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Battery must be securely fastened to the vehicle. All connections, terminals and wiring must be protected from heat, damage or shorting.
FUEL SYSTEM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Fuel system must be free from leaks and protected from heat or damage.
BELTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Belts must be free from damage, oil contamination and properly adjusted.
ENGINE AND TRANSMISSION MOUNTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Engine and transmission mounts must be installed securely and mounting points must be free from cracks.
BRAKE RESERVOIRS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Hydraulic brake reservoirs must be filled to within 1/4" from top of reservoir.
UNDERCHASSIS OF VEHICLE			
STEERING SYSTEM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Vehicle may not have any loose, worn, bent, damaged, or missing parts. Tires may not come into contact with any part of the vehicle when the steering wheel is turned from full right to full left.
SUSPENSION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Suspension system must not have any misaligned, shifted, or cracked springs, shackles, spring hangers or U bolts. Axle positioning parts such as radius rods or bars must not be loose and all clamping hardware must be serviceable. Air suspensions must not be deflated or leaking, and air bags or pistons and seats may not be damaged or leaking.
BRAKES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	All brakes must work properly. Linings and/or pads must be within serviceable limits. Brake drums and/or rotors must not be cracked and must be within serviceable limits. There must be braking action at each wheel when brakes are applied. Brakes must be adjusted to within specifications. Brake hoses, lines, or tubes must not leak when the brakes are applied. Brake hoses, lines, or tubes must not be damaged, chaffed, hit or rubbed by any other component of the vehicle. No brake valve may leak when applied and must be mounted securely to prevent damage.
FRAME	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Frame must not be cracked, damaged or fatigued. Vehicle body must be mounted to the frame must be secured with proper number of fasteners.
FUEL TANK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Fuel tank must be securely mounted and must not leak. All lines and fittings must not leak.
DRIVE SHAFT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Vehicles over 10,000 lbs. must have drive shaft protection that prevent whipping of the drive shaft in the event of a failure of the shaft or its components.
PARKING BRAKE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The parking brake must be capable of holding the vehicle under acceleration when the vehicle is in gear.

MECHANIC SIGNATURE: [Signature]

TIME COMPLETED: 2:28 PM

MECHANIC CERTIFICATE NO.: M217362

DATE: 9-29-07

INSPECTION RESULT: PASS FAIL

LIMOUSINE COMPANY OFFICIAL SIGNATURE: [Signature]

LIMOUSINE INSPECTION

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Information of this report is the property of Public Act 271 of 1990. Failure to supply this information may result in a misdemeanor charge.

SEE REVERSE FOR INSTRUCTIONS AND DISTRIBUTION.

This report remains the property of the Michigan Department of Transportation. Inspection does not imply that deficiencies other than those noted may not exist.

Department of Transportation (10/06)

INSPECTION DATE

OPERATOR

ADDRESS

INSPECTION DATE: 10-3-07

TIME STARTED: 12:18 pm

TESTING STATION NAME: Maxx Auto Shop

REPAIR FACILITY NUMBER

F 145320

STREET

CITY

STATE

ZIP

Street: S.C.S

City: M.

State: MI

Zip: 48066

VEHICLE INFORMATION

YEAR: 07 MAKE: PONTIAC MODEL: MONTANA YEAR: 01999

COLOR: BLUE LICENSE NO. VIN NO: 1G1MAK103200031725915

INSPECTION

Item	For an	Item that falls inspection, circle the part of the description which most closely describes the defect.	Pass	Fail
INTERIOR OF LIMOUSINE (Cont.)				
FLOOR	Must be free of holes, or openings.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
SEATS	Must be securely fastened to the vehicle. There must be no loose parts unless they will fold and leave a clear aisle when unoccupied.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
WINDOWS	All glass must be in major damage and made from approved safety glass. Each emergency exit window must be in good condition and free of physical obstructions on the inside.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
EMERGENCY DOOR	If equipped with emergency exit, each must have decal or lettering indicating its an emergency exit. It must also be identified by an illuminated lamp. All doors must be fully operable and not be restricted in any way.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
EMERGENCY EXIT	There can be no obstruction blocking aisles or passageways to emergency exits.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
DRIVER SEAT BELT	Driver's seat must be equipped with a seat belt.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
EMERGENCY EQUIPMENT	Must be equipped with a fire extinguisher with a Underwriter's Laboratory rating of C or larger. It must be readily accessible to the driver.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
DRIVER CONTROLS	Must have an operable horn, turn signals, windshield defroster and windshield wipers. All door controls must be operable. Mirrors must be in good condition. Vehicles over 10,000 lbs. GVWR must have a right side (passenger side) mirror.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
BRAKE WARNING DEVICE	Hydraulic brake warning device must be equipped with a gauge that reads in pounds per square inch, indicating to the driver brake pressure. A continuous visual signal to the driver when the air pressure in the system drops below one-half of the total pressure.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
STEERING COLUMN	Steering wheel must be securely fastened to the vehicle. Steering column must not bind when turned from extreme right to extreme left. Free-play must be within specification.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
EXTERIOR OF LIMOUSINE				
LIGHTS AND REFLECTORS	All lights must be properly adjusted and be of the correct color including backing plates and license plate light. Body reflectors must be in place, in good condition and be of the proper color.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
TIRES	All steering and drive tires must have at least 4/32" of tread. Steering axle tires must not be retreaded, regrooved or recapped. All other tires must have at least 2/32" tread depth. No tire may have a serious cut, bulge, sidewall defect or exposed fabric. Radial and bias tires cannot be mixed on the same axle.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
WHEELS & RIMS	Wheels may not have any cracks, unseated lock rings, loose, broken or missing studs or clamps, bent or cracked rims, or elongated studs.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
EXTERIOR OF LIMOUSINE (Cont.)				
FUEL CAP	Fuel cap and filler pipe must be tight and secure.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
EXHAUST SYSTEM	Gas powered vehicles must discharge at or within six (6) inches of the rear of the vehicle. Diesel powered vehicles must discharge at or within fifteen (15) inches of the rear of the vehicle or to the rear of all doors and windows designed to be opened (except emergency window exits).		<input checked="" type="checkbox"/>	<input type="checkbox"/>
ENGINE COMPARTMENT				
BATTERY INSTALLATION	Battery must be securely fastened to the vehicle. All connections, terminals and wiring must be protected from heat, damage or shorting.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
FUEL SYSTEM	Fuel system must be free from leaks and protected from heat or damage.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
BELTS	Belts must be free from damage, oil contamination and properly adjusted.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
ENGINE AIR MOUNTS	Engine must be installed securely and mounting points must be free from cracks.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
BRAKE RESERVOIRS	Hydraulic brake reservoirs must be filled to within 1/4" from top of reservoir.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
UNDERBODY OF VEHICLE				
STEERING SYSTEM	Vehicle may not have any loose, worn, bent, damaged, or missing parts. Tires may not come into contact with any part of the vehicle when the steering wheel is turned from full right to full left.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUSPENSION	Suspension system must not have any misaligned, shifted, or cracked springs, shackles, spring hangers or U bolts. Axle positioning parts such as radius rods or bars must not be loose and attaching hardware must be serviceable. Air suspensions must not be deflated or leaking, and air bags or pistons and seats may not be damaged or leaking.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
BRAKES	All brakes must work properly. Linings and/or pads must be within serviceable limits. Brake drums and/or rotors must not be cracked and must be within serviceable limits. There must be braking action at each wheel when brakes are applied. Brakes must be adjusted to within specifications. Brake hoses, lines, or tubes must not leak when the brakes are applied. Brake hoses, lines, or tubes must not be damaged, chaffed, hit or rubbed by any other component of the vehicle. No brake valve may leak when applied and must be mounted securely to prevent damage.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
FRAME	Frame must not be cracked, damaged or fatigued. Vehicle bodies mounted to the frame must be secured with proper number of fasteners.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
FUEL TANK	Fuel tank must be securely mounted and must not leak. All lines and fittings must not leak.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
DRIVE SHAFT	Vehicles over 10,000 lbs. must have drive shaft protection that will prevent whipping of the drive shaft in the event of a failure of the shaft or its components.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
PARKING BRAKE	The parking brake must be capable of holding the vehicle under acceleration when the vehicle is in gear.		<input checked="" type="checkbox"/>	<input type="checkbox"/>

I certify that this report is complete and accurate.

MECHANIC (Signature): *[Signature]* TIME COMPLETED: 3:10

MECHANIC CERTIFICATE NO.: M217362

DATE: 10-3-07

LIMOUSINE COMPANY OFFICIAL (Signature): *[Signature]*

LIMOUSINE INSPECTION

35

Information is provided by authority of Public Act 271 of 1990. Failure to supply this information may result in a misdemeanor charge.

SEE REVERSE FOR INSTRUCTIONS AND DISTRIBUTION.

This report remains the property of the Michigan Department of Transportation. Inspection does not imply that deficiencies other than those noted may not exist.

Department of Transportation (10/06)

INSPECTION DATE: 10-5-07

TIME STARTED: 10:04 am

TESTING STATION NAME: NADAY AUTO SHOP

REPAIR FACILITY NUMBER: F1145330

OPERATOR: Nathaniel Mico

ADDRESS: 30875 Groesbeck Ave, S.C.S. MI 48080

Street: 22412 Langbe

City: 48080

State: MI

Zip: 48080

VEHICLE INFORMATION

PLATE: 00004

MAKE: FORD

MODEL: F-500

YEAR: 0006

LICENSE NO: BLK

VIN NO: 3R5A1P251B16113H1510

INSPECTION

Item	Description	Pass	Fail
INTERIOR OF LIMOUSINE			
FLOOR	Must be free of holes, or openings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SEATS	Must be securely fastened to the vehicle. There must be no aisle seats unless they will fold and leave a clear aisle when unoccupied.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
WINDOWS	All glass must be free of major damage and made from approved safety glasses. Emergency exit windows must be marked as an emergency exit and be free of physical obstructions on windows to prevent emergency exit.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
EMERGENCY DOORS	If equipped with emergency doors, each must have decal or lettering indicating it is an emergency exit. It must also be identified by an emergency lamp. All doors must be fully operable and cannot be restricted in any way.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
EMERGENCY EXITS	There can be no obstruction blocking aisles or passageways to emergency exits.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DRIVER SEAT BELT	Driver's seat must be equipped with a seat belt.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
EMERGENCY EQUIPMENT	Must be equipped with a fire extinguisher with a Underwriter's Laboratory rating of C or larger. It must be readily accessible to the driver.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DRIVER CONTROLS	Must have an operating horn, turn signals, windshield defroster and windshield wipers. All door controls must be operable. Mirror must be in good condition. Vehicles over 10,000 lbs. GVWR must have a right side (passenger side) mirror.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BRAKE WARNING LIGHT	Hydraulic brake warning light on vehicles must have an audible or visual brake warning light at the driver's seat. Air brake equipped vehicles must be equipped with a gauge that reads in pounds per square inch, indicating to the driver brake system pressure. A continuous visual signal to the driver when the air pressure in the system drops below one-half of the compressed air pressure.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
STEERING COLUMN	Steering wheel must be securely fastened to the vehicle. Steering column must not bind when turned from extreme right to extreme left. Free-play must be within specification.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
EXTERIOR OF LIMOUSINE			
LIGHTS AND REFLECTORS	All lights must be properly adjusted and be of the correct color including backup lights and license plate light. Body reflectors must be in place, in good condition and be of the proper color.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
TIRES	All tires must have at least 4/32" of tread. Steering axle tires must not be retreaded, regrooved or recapped. All other tires must have at least 3/32" tread depth. No tire may have any serious cuts, bulges, sidewall defects or exposed fabric. Radial and bias tires cannot be mixed on the same axle.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
WHEELS & RIMS	Wheels and rims must be free of any cracks, unseated lock rings, loose, studs or clamps, bent or cracked rims, or other damage.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
EXTERIOR OF LIMOUSINE (Cont.)			
FUEL CAP	Fuel cap and filler pipe must be tight and secure.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
EXHAUST SYSTEM	Gas powered vehicles must discharge at or within six (6) inches of the rear of the vehicle. Diesel powered vehicles must discharge at or within fifteen (15) inches of the rear of the vehicle or to the rear of all doors and windows designed to be opened (except emergency window exits).	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ENGINE COMPARTMENT BATTERY INSTALLATION	Battery must be securely fastened to the vehicle. All connections, terminals and wiring must be protected from heat, damage or shorting.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FUEL SYSTEM	Fuel system must be free from leaks and protected from heat or damage.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BELTS	Belts must be free from damage, oil contamination and properly adjusted.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ENGINE MOUNTS	Engine must be installed securely and mounting points must be free from cracks.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BRAKE RESERVOIRS	Hydraulic brake reservoirs must be filled to within 1/4" from top of reservoir.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
UNDERBODY OF VEHICLE			
STEERING SYSTEM	Vehicle may not have any loose, worn, bent, damaged, or missing parts. Tires may not come into contact with any part of the vehicle when the steering wheel is turned from full right to full left.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUSPENSION	Suspension system must not have any misaligned, shifted, or cracked springs, shackles, spring hangers or U bolts. Axle positioning parts such as radius rods or bars must not be loose and attaching hardware must be serviceable. Air suspensions must not be deflated or leaking, and air bags or pistons and seats may not be damaged or leaking.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BRAKES	All brakes must work properly. Linings and/or pads must be within serviceable limits. Brake drums and/or rotors must not be cracked and must be within serviceable limits. There must be braking action at each wheel when brakes are applied. Brakes must be adjusted to within specifications. Brake hoses, lines, or tubes must not leak when the brakes are applied. Brake hoses, lines, or tubes must not be damaged, chafed, hit or rubbed by any other component of the vehicle. No brake valve may leak when applied and must be mounted securely to prevent damage.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FRAME	Frame must not be cracked, damaged or fatigued. Vehicle body must be mounted to the frame must be secured with proper number of fasteners.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FUEL TANK	Fuel tank must be securely mounted and must not leak. All lines and fittings must not leak.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DRIVE SHAFT	Vehicle over 10,000 lbs. must have drive shaft protection that prevents whipping of the drive shaft in the event of a failure of the shaft or its components.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PARKING BRAKE	The parking brake must be capable of holding the vehicle under acceleration when the vehicle is in gear.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Verify that this report is complete and accurate.

MECHANIC SIGNATURE: [Signature]

TIME COMPLETED: 12:48 PM

MECHANIC CERTIFICATE NO.: M2117362

DATE: 10-5-07

INSPECTION RESULT: PASS FAIL

LIMOUSINE COMPANY OFFICIAL SIGNATURE: [Signature]

LIMOUSINE INSPECTION

Information required by authority of Public Act 271 of 1990. Failure to supply this information may result in a misdemeanor charge.

36

SEE REVERSE FOR INSTRUCTIONS AND DISTRIBUTION.

Michigan Department of Transportation
3049E (10/06)

This report remains the property of the Michigan Department of Transportation.
This inspection does not imply that deficiencies other than those noted may not exist.

DATE OF INSPECTION 10/8/07	TIME STARTED 3:51 am	TESTING STATION NAME HRRXP AUTO SHOP	REPAIR FACILITY NUMBER F1145320
LIMOUSINE OPERATOR Nautical Mile Transportation	30875	Brooksbeek	RSVL MI
BUSINESS ADDRESS 22412 LANGIE	Street S.C.S MI 48080	City	State MI Zip 48066

VEHICLE INFORMATION

FLEET NO. 00802	SEATING CAPACITY 05	MAKE: FORD	MODEL: F800	YEAR: 07
MILEAGE 60000	COLOR: BK	LICENSE NO.	VIN NO. 2FAFP12414761336411	

INSPECTION

Check the Pass, Fail or N/A box for each item. For any item that fails inspection, circle the part of the description which most closely describes the defect.

Pass	Fail	Interior of Limousine	Pass	Fail	Exterior of Limousine (Cont.)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	FLOOR Must be free of holes, or openings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	FUEL CAP Fuel cap and fill pipe must be tight and secure.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	SEATS Must be securely fastened to the vehicle. There must be no aisle seats unless they will fold and leave a clear aisle when unoccupied.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	EXHAUST SYSTEM Gas powered vehicles must discharge at or within six (6) inches of the rear of the vehicle. Diesel powered vehicles must discharge at or within fifteen (15) inches of the rear of the vehicle or to the rear of all doors and windows designed to be opened (except emergency window exits).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	WINDOWS All glass must be free from major damage and made from approved safety glass. Each push-out window must be marked as an emergency exit. There can be no physical obstructions on windows to prevent emergency exit.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ENGINE COMPARTMENT
<input checked="" type="checkbox"/>	<input type="checkbox"/>	EMERGENCY DOORS If equipped with emergency doors, each must have decal or lettering indicating that it is an emergency exit. It must also be identified by an operating lamp. All doors must be fully operable and cannot be physically restricted in any way.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BATTERY INSTALLATION Battery must be securely fastened to the vehicle. All connections, terminals and wiring must be protected from heat, damage or shorting.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	EMERGENCY EXIT ACCESS There can be no obstruction blocking aisles or passageways to emergency exits.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	FUEL SYSTEM Fuel system must be free from leaks and protected from heat or damage.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	DRIVER'S SEAT BELT Driver's seat must be equipped with a seat belt.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BELTS Belts must be free from damage, oil contamination and properly adjusted.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	EMERGENCY EQUIPMENT Must be equipped with a fire extinguisher with a Underwriter's Laboratory rating of 5 B:C or larger. It must be readily accessible to the driver.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ENGINE AND MOUNTS Engine must be installed securely and mounting points must be free from cracks.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	DRIVER CONTROLS Must have an operable horn, turn signals, windshield defroster and windshield wipers and washers. All door controls must be operable. Mirrors must be in good condition. Vehicles over 10,000 lbs. GVWR must have a right side (passenger side) mirror.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BRAKE RESERVOIRS Hydraulic brake reservoirs must be filled to within 1/4" from top of reservoir.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	BRAKE WARNING DEVICE Hydraulic brake equipped vehicle must have an audible or visual brake warning device that operates in the event of a hydraulic type failure of a partial system. Air brake equipped vehicle must be equipped with a gauge that reads in pounds per square inch, indicating to the driver brake system pressure available for braking, and a low air warning device that will provide a continuous visual signal to the driver when the air pressure in the system drops below one-half of the compressor governor cutout pressure.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	UNDERSIDE OF VEHICLE
<input checked="" type="checkbox"/>	<input type="checkbox"/>	STEERING COLUMN Steering wheel and column must be securely fastened to the vehicle. Steering wheel must not bind when turned from extreme right to left and free-play must be within specification of vehicle manufacturer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	STEERING SYSTEM Vehicle may not have any loose, worn, bent, damaged, or missing parts. Tires may not come into contact with any part of the vehicle when the steering wheel is turned from full right to full left.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	EXTERIOR OF LIMOUSINE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SUSPENSION Suspension system must not have any misaligned, shifted, or cracked springs, shackles, spring hangers or U bolts. Axle positioning parts such as radius rods or bars must not be loose and attaching hardware must be serviceable. Air suspensions must not be deflated or leaking, and air bags or pistons and seats may not be damaged or leaking.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	LIGHTS AND REFLECTORS All lights must operate properly and be of the correct color including backup lights and license plate light. Body reflectors must be in place, in good condition and be of the proper color.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BRAKES All brakes must work properly. Linings and/or pads must be within serviceable limits. Brake drums and/or rotors must not be cracked and must be within serviceable limits. There must be braking action at each wheel when brakes are applied. Brakes must be adjusted to within specifications. Brake hoses, lines, or tubes must not leak when the brakes are applied. Brake hoses, lines, or tubes must not be damaged, chafed, hit or rubbed by any other component on the vehicle. No brake valve may leak when applied and must be mounted securely to prevent damage.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TIRES All steering axle tires must have at least 4/32" of tread. Steering axle tires can not be retreaded, regrooved or recapped. All other tire positions must have at least 2/32" tread depth. No tire may have any serious cuts, bulges, sidewall defects or exposed fabric or cords. Radial and bias tires cannot be mixed on the same axle.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	FRAME Frame must not be cracked, damaged or fatigued. Vehicle bodies mounted to the frame must be secured with proper number of fasteners.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	WHEELS & RIMS Wheels may not have any cracks, unseated lock rings, loose, broken or missing lugs, studs or clamps, bent or cracked rims, or elongated stud holes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	FUEL TANK Fuel tank must be securely mounted and must not leak. All lines and fittings must not leak.
			<input checked="" type="checkbox"/>	<input type="checkbox"/>	DRIVE SHAFT Vehicles over 10,000 lbs. must have drive shaft protection that will prevent whipping of the drive shaft in the event of a failure of the shaft or its components.
			<input checked="" type="checkbox"/>	<input type="checkbox"/>	PARKING BRAKE The parking brake must be capable of holding the vehicle under light acceleration when the vehicle is in gear.

I certify that this report is complete and accurate.

MECHANIC (Signature)

TIME COMPLETED

MECHANIC CERTIFICATE NO.

INSPECTION RESULT PASS FAIL

LIMOUSINE COMPANY OFFICIAL (Signature)

6:05 pm

M12173621

I have read and received a copy of this Inspection Report.

DATE

10-8-07



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

Michael Saad
Nautical Mile Transportation
22412 Lange
St. Clair Shores, MI 48080

October 26, 2007

Dear Mr. Saad,

On September 17, 2007, you submitted to the City Clerk's Office an Application for Limousine Permit. Subsequently, that application was approved and you applied for an additional 5 vehicle stickers, which were also approved.

It has come to the attention of the Troy Police Department that stickers approved for Nautical Mile Transportation have been affixed to vehicles owned by a company called On Time Limousine. On Time Limousine was previously denied for Limousine Permits in the City of Troy.

The transfer of these stickers is in violation of Chapter 65, Section 65.502 and Chapter 59, Section 7.8(2)(4) of the City of Troy City Code. Therefore, the City Clerk's Office has hereby revoked the Limousine Permits issued to Nautical Mile Transportation.

Please notify the drivers working for Nautical Mile Transportation that their applications will not be approved. The City Clerk's Office will be sending each driver a letter denying the applications.

Return the vehicle stickers to the City Clerk's Office immediately at the address below either in person or through the mail:

City Clerk's Office
500 W. Big Beaver Rd.
Troy, MI 48084

Thank you in advance for your cooperation.

Sincerely,

Tonni L. Bartholomew, MMC
City Clerk

Cc: Troy City Manager
Troy City Attorney
Troy Police Department

NAUTICAL MILE TRANSPORTATION

21319 Sunnydale

St. Clair Shores Mi 48081

Phone 586 944 5113

Fax 586 203 8434

nmsjrt@yahoo.com

RECEIVED

NOV 06 2007

**CITY OF TROY
CITY MANAGER'S OFFICE**

November 5, 2007

To Whom It May Concern:

I am writing this letter in request to be added to the agenda for the November 12, 2007 council meeting. My company was previously approved for a City of Troy taxi/limo permit, and then revoked shortly thereafter without notice from the clerks office. I am writing this letter to appeal to council for the Permit and approval of license as directed by Troy Police Dept.

Thank you, Michael Saad Jr. owner

December 12, 2007

Anthony Urbani
Urban and Marshall P.C.
25235 Gratiot Ave
Roseville, MI 48066

Re: Revocation of Nautical Mile Transportation's Limousine Vehicle Permits

Dear Mr. Urbani:

This letter is a follow up to our telephone conversation of Friday December 7, 2007. As you know, the City Clerk revoked Nautical Mile Transportation's limousine vehicle permits after the Troy Police investigation of your client. The Police Department found that Mr. Saad allowed Gino Accettola and his company, On Time Service, to use Mr. Saad's permits. The Troy City Clerk had previously denied Mr. Accettola's own request for a limousine vehicle permit, due to his several felony fraud convictions. Your client's business association with Gino Accettola and/or On Time Service, and the deliberate circumvention of the City of Troy limousine licensing procedure to facilitate Mr. Accettola's limousine business is unacceptable.

After discussing this matter with you and also your client, the City was willing to provide your client with the opportunity to prove that Gino Accettola was not involved in the operation of the Nautical Mile business before this matter was presented to the Troy City Council for its decision on the limousine license revocation. Unfortunately, although both you and your client were apprised of the City's requirements, there has not been a satisfactory resolution as of Monday's deadline. Your client did send some leases which were intended to demonstrate Nautical Mile's control over the vehicles. Unfortunately, one of these leases was unsigned, one of the leases was for a car owned by Gino Accettola, and one was for a car that was already being leased by another individual, and likely had a lease provision that prohibited commercial use. The City is still very concerned that Gino Accettola, a felon with fraud convictions, is involved in the operation of Nautical Mile Transportation.

Please advise your client that his "due process" hearing on his limousine license revocation is scheduled for December 17th, 2007 at 7:30 p.m., before the Troy City Council. The Troy City Council will have the attached memorandum, written by Sgt. Robert Cantlon, for their information. Mr. Saad will be given the opportunity to call witnesses, present evidence, and argument if he desires. Sgt. Cantlon and Police

Officer Kirk Linton will also be present at this meeting to present the factual basis for the limousine license revocation.

If you have any questions concerning the above, please feel free to call.

Very truly yours,

Christopher J. Forsyth
Assistant City Attorney

cc: Philip Nelson, City Manager
Sgt. Robert Cantlon, Troy Police Dept.

CJF/sc

Enc.



TO: Members of the Troy City Council
FROM: Lori Grigg Bluhm, City Attorney
DATE: December 17, 2007
SUBJECT: Goodman Investments, LLC

Grace Christian Learning Center, located at 2051 E. Big Beaver Road, is looking to expand as of January 7, 2008. Since the approval process for the planned expansion could take some time, the owners have pursued an interim solution with the owners of the property to the east, InPro, located at 2095 E. Big Beaver Rd., which is owned by Goodman Investments, LLC.. Grace Christian Learning Center proposes to create a temporary space in the InPro building for up to 60 children. There are no proposed exterior changes for the building, and no modification to the site plan that was previously approved. However, there is a 1988 Consent Order and Judgment that limits the uses of the property at 2095 E. Big Beaver Road, Troy, MI to those uses that were permitted in the O-1 (business office) zoning district provisions of 1988. Childcare and daycare was not a permitted use in the O-1 zoning district as of 1988, the date of the Consent Order and Judgment, and therefore an amendment would be required to facilitate the interim expansion of Grace Christian Learning Center.

A proposed amendment to the Consent Judgment is attached for your review and consideration. This amendment is limited to adding childcare and daycare as a permitted use for the Property. If Council approves the language, then Grace Christian Learning Center would still need to comply with all other provisions in the Consent Order and Judgment, as well as all local, state, and federal laws. They would also need to obtain approval from the State of Michigan for the proposed temporary expansion.

Please let me know if you have any questions or concerns about the proposed First Amendment to the Consent Order and Judgment.

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

GOODMAN INVESTMENTS, LLC,
Successor to HARVEY S. FINK,

Plaintiff,

vs.

Case No. 84-275186 CH

CITY OF TROY,

Defendant.

_____/

Goodman Investments, LLC
David W. Goodman, In Pro Per
2095 E. Big Beaver Rd.
Troy, MI 48083
(248) 526-3270

Lori Grigg Bluhm (P46908)
Attorney for Defendant City of Troy
500 W. Big Beaver Rd.
Troy, MI 48084
(248) 524-3320

_____ /

FIRST AMENDMENT TO CONSENT ORDER AND JUDGMENT

At a session of said Court held at the
Courthouse, in the City of Pontiac, Oakland
County Michigan, on: _____

PRESENT: HONORABLE _____
Circuit Court Judge

WHEREAS, a Consent Order and Judgment was entered with this Court on January 6, 1988, governing the property located at 2095 E. Big Beaver Road in the City of Troy, Parcel Number 88-20-24-352-045 (Property); and

WHEREAS, Goodman Investments LLC acquired the property subsequent to the entry of the Consent Judgment, and now is the Successor in Interest/ Successor Plaintiff; and

WHEREAS, Paragraph 1 of the Consent Order and Judgment allows the Property to be used for all purposes permitted under the City of Troy's O-1 (office) zoning classification as of the date the Consent Order and Judgment was entered; and

WHEREAS, Daycare was not a use that was permitted under the City of Troy's O-1 zoning classification in 1988; and

WHEREAS, the successor Plaintiffs have been approached with a proposed Daycare use for a portion of the Property, and have therefore requested an Amendment to the Consent Order and Judgment to list Daycare as a permitted use for the Property; and

WHEREAS, the proposed Daycare use does would not require a site plan amendment, or modification to the exterior of the building, since any such modification would be required to be reviewed by the City of Troy Planning Commission, as well as approved by the Troy City Council; and

WHEREAS, the City Council of the City of Troy does not object to amending the Consent Order and Judgment to enumerate Daycare as a permitted use for the Property, as long as there is compliance with all remaining terms and conditions of the

Consent Order and Judgment, as well as compliance with other applicable City, State, and/or Federal laws or appropriate variances have been granted;

NOW THEREFORE, pursuant to stipulations of the parties, who have had the opportunity to discuss this matter with legal counsel, and this Court being advised of the foregoing,

IT IS HEREBY ORDERED that all terms and conditions set out in the January 6, 1988 Consent Order and Judgment, which is incorporated herein by reference, shall remain in effect, unless expressly modified by this First Amendment to the Consent Order and Judgment (Amendment).

IT IS FURTHER ORDERED that Paragraph One of the January 6, 1988 Consent Order and Judgment shall be amended to read as follows, with the amended language indicated in italics:

1. The Land may be used for all purposes now permitted under the O-1 (Office Building) zoning classification under Chapter 39, Article XXV, Section 25.00.00, et. seq., of the Troy City Code of 1988, as well as *Childcare centers, nursery schools, or day nurseries (not including dormitories), as set forth in Chapter 39, Article XXIV, Section 24.30.07 of the current City of Troy ordinances*, in accordance with the terms and conditions of this consent order and judgment and the sketch of the Land attached as Exhibit "B." *Special use approval shall not be required for Childcare centers, nursery schools or day nurseries, as long as the site plan is not modified and the building is consistent with the approved site plan.*

IT IS FURTHER ORDERED that a certified copy of this Amendment to the Consent Order and Judgment shall be recorded in the Oakland County Register of Deeds against the Property, and the terms and conditions of this consent order and judgment shall be covenants running with the land and shall be binding upon and inure to the benefit of the successors and assigns of the parties.

IT IS FURTHER ORDERED that this Court shall retain jurisdiction over this action.

CIRCUIT COURT JUDGE

Dated: _____

Approved as to form and content:

GOODMAN INVESTMENTS, LLC

David Goodman, Manager
Goodman Investments, LLC
In Pro Per

Dated: _____

CITY OF TROY

By: _____
LOUISE SCHILLING, Mayor

By: _____
TONNI BARTHOLOMEW, City Clerk

By: _____
LORI GRIGG BLUHM, (P46908)
City Attorney

Dated: _____

A Regular Meeting of the Troy City Council was held Monday, December 3, 2007, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:33 PM.

Father William Sinatra of St. Alan Catholic Church gave the Invocation and the Pledge of Allegiance to the Flag was given.

ROLL CALL

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

CERTIFICATES OF RECOGNITION:

A-1 Presentations:

- a. On behalf of the City of Troy employee's *Casual for a Cause* program, Carol Anderson, Parks & Recreation Director, presented a check in the amount of \$417.67 to Wayne Reif of Troy People Concerned.
- b. Mayor Schilling presented graduates of *Citizens Academy Class X* Certificates of Completion.
- c. On behalf of the City of Troy, Mayor Schilling presented a proclamation to Bud and Shirley Black recognizing the occasion of their 50th Wedding Anniversary.
- d. Mayor Schilling presented the *100 Best Fleets in North America* Award to Sam Lamerato and the City of Troy's Fleet Division in recognition of the Fleet Division's ranking of #2.

CARRYOVER ITEMS:

B-1 No Carryover Items

PUBLIC HEARINGS:

C-1 No Public Hearings

POSTPONED ITEMS:

D-1 Council Appointment to the Cable Advisory Committee

Resolution #2007-12-333
 Moved by Howrylak
 Seconded by Broomfield

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

Cable Advisory Committee

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

W. Kent Voigt

Unexpired Term 02/28/09

Yes: All-7

D-2 Zoning Ordinance Text Amendment (File No: ZOTA 214) – Article X, Group Child Care Homes in the R-1A through R-1E Districts

Resolution #2007-12-334

Moved by Beltrami

Seconded by Broomfield

WHEREAS, On March 27, 2006, the Troy City Council recommended that Group Child Care Homes (with 7-12 children) be permitted by right in residential districts, subject to special conditions, and directed by City Administration to prepare proposed ordinance language;

WHEREAS, On September 11, 2006, the Troy City Council postponed this matter until the first regular meeting in December 2007, or until the State of Michigan Department of Labor and Economic Growth, Bureau of Construction Codes (BCC) had clarified the applicable regulations for Group Child Care Homes;

WHEREAS, The State of Michigan Department of Human Services (MDHS) is responsible for the licensing of such Group Child Care Homes; and the BCC is responsible for the administration of the Building Code provisions that are applicable to Group Child Care Homes;

WHEREAS, As allowed by MCL 125.1508a, the City of Troy is the designated enforcement entity for all of the Building Code Provisions within the municipal boundaries of the City of Troy, and as part of the local designation, is required under State Statute to comply with and enforce all of the Building Code regulations;

WHEREAS, MDHS and BCC have been meeting since this item was brought to their attention by the City of Troy, and have attempted to sort out the differing requirements between the two sets of regulations governing Group Child Care Homes;

WHEREAS, MDHS and BCC have made progress in resolving the differing requirements governing Group Child Care Homes, but have not yet reached a final resolution; and

WHEREAS, The City of Troy has no authority to pass an ordinance that would supersede State of Michigan laws or regulations, and the passage of an ordinance in violation of the current Building Code regulations would result in violation of State law and could result in the loss of authority to administer building code provisions within the City of Troy, and/or could expose the City of Troy to liability;

NOW, THEREFORE, BE IT RESOLVED that the City of Troy City Council hereby **POSTPONES** any action on Group Child Day Care Homes until such time as the State of Michigan MDHS and BCC have reached a final resolution on the differing requirements governing Group Child Care Homes.

Yes: All-7

PUBLIC COMMENT: Limited to Items Not on the Agenda

REGULAR BUSINESS:

E-1 **Appointments to Boards and Committees: a) Mayoral Appointments: Planning Commission b) City Council Appointments: Employee Retirement System Board of Trustees & Retiree Health Care Benefits Plan & Trust and Municipal Building Authority**

(a) Mayoral Appointments

Resolution #2007-12-335
Moved by Schilling
Seconded by Howrylak

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

Planning Commission

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

Mark Vleck Term Expires 12/31/10

Wayne Wright Term Expires 12/31/10

Yes: All-7

(b) City Council Appointments

Resolution to Postpone City Council Appointments

Resolution
Moved by Beltramini
Seconded by Kerwin

RESOLVED, That Troy City Council hereby **POSTPONES** City Council appointments to the Advisory Committee for Persons with Disabilities and the Charter Revision Committee until the Regular City Council meeting scheduled for Monday, December 17, 2007.

Vote on Resolution to Amend Resolution to Postpone

Resolution #2007-12-336
Moved by Howrylak
Seconded by Kerwin

RESOLVED, That Troy City Council hereby **AMENDS** resolution to *Postpone City Council Appointments* by **INSERTING** "Ethnic Issues Advisory Board".

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

MOTION CARRIED

Vote on Resolution to Postpone as Amended

Resolution #2007-12-337
Moved by Beltramini
Seconded by Kerwin

RESOLVED, That Troy City Council hereby **POSTPONES** City Council appointments to the Advisory Committee for Persons with Disabilities, the Charter Revision Committee and the Ethnic Issues Advisory Board until the Regular City Council meeting scheduled for Monday, December 17, 2007.

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

MOTION CARRIED

Vote on City Council Appointment to the Municipal Building Authority

Resolution #2007-12-338
Moved by Howrylak
Seconded by *None

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

Municipal Building Authority

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

Michael J. Chaffee

Unexpired Term 01/31/09

Yes: All-7

*Pursuant to Robert's Rules of Order, Section 4 The Handling of a Motion, Article 30 "If a motion is considered and adopted without having been seconded-even in a case where there was no reason for the chair to overlook this requirement-the absence of a second does not affect the validity of the motion's adoption."

Vote on City Council Appointment to the Employee Retirement System Board of Trustees & Retiree Health Care Benefits Plan & Trust

Resolution #2007-12-339
Moved by Beltramini
Seconded by Schilling

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

Appointed by Council (Defined Benefit Retiree Rep) – 3 Year Term

William Need (Ex-Officio) Term Expires 12/31/10

Yes: All-7

E-2 Bid Waiver – Contract Extension – Alarm Installation, Monitoring and Maintenance

Resolution #2007-12-340
Moved by Beltramini
Seconded by Fleming

WHEREAS, On July 25, 1994, Troy City Council approved a five (5) year contract to provide alarm installation, monitoring, and maintenance with an option to renew for an additional two (2) year period to Vigilante Security, Inc. as the result of a 1994 RFP process (Resolution #94-624), and extended yearly administratively under the same prices, terms and conditions; and

WHEREAS, Vigilante Security, Inc. has offered to extend their contract under the same prices, terms, and conditions with the exception of the call-out hourly rate, whose increase was incorporated into the previous contract extension, and included any changes to alarm installations required;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** a contract to provide Alarm Installation, Monitoring, and Maintenance with Vigilante Security, Inc. of Lathrup Village, MI, under the prices, terms, and conditions as outlined in Attachment I, with pricing reviewed annually and adjustments allowed in accordance with the Consumer Price Index (CPI) for the Detroit-Ann Arbor area.

Yes: All-7

E-3 Sole Source – Lifeguard and CPR Supplies for the Troy Family Aquatic Center and Troy Community Center

Resolution #2007-12-341
Moved by Eisenbacher
Seconded by Howrylak

WHEREAS, The American Red Cross is the sole known provider of Red Cross training supplies in Michigan; and

WHEREAS, The American Red Cross has been providing training supplies for lifeguard and CPR programs and classes at the Troy Family Aquatic Center and Troy Community Center since 2005;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase American Red Cross training supplies for the Troy Family Aquatic Center, Troy Community Center, and Troy Parks and Recreation staff from the sole known provider in Michigan, the American Red Cross at an estimated total cost of \$28,000.00, expiring December 31, 2008.

Yes: All-7

E-4 Reconsideration of Resolution #2007-09-278 (Item F-3) – Bid Waiver – Replacement of Two Police Canines

Resolution #2007-12-342

Moved by Howrylak

Seconded by Beltramini

RESOLVED, That Troy City Council hereby **RECONSIDERS** Resolution #2007-09-278, Moved by Howrylak and Seconded by Lambert, as it appears below:

WHEREAS, Two police canines are coming out of service due to age and health issues by December 2007;

WHEREAS, The Troy Police Department has had a long and successful relationship with the Oakland Police Academy K9 Training Center, in which all dogs are given an extensive physical exam and guaranteed for placement;

WHEREAS, The Academy ensures the canines will have the proper temperament, drives necessary for police work, appropriate sociability, and ability to be properly trained; and

WHEREAS, One replacement dog will be pre-trained, the other “green” or non-trained, to be trained by an experienced handler in the Troy Police Department;

*THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and a contract to purchase two police canines from Oakland Police Academy of Auburn Hills, MI, is hereby **APPROVED** at an estimated cost of \$15,500.00.*

Yes: All-6

No: None

Absent: Fleming

Yes: All-7

Vote on Resolution to Amend Reconsidered Resolution #2007-09-278 by Substitution

Resolution #2007-12-343
Moved by Howrylak
Seconded by Broomfield

RESOLVED, That Troy City Council hereby **AMENDS** Resolution #2007-09-278, *Bid Waiver – Replacement of Two Police Canines* by **STRIKING** it in its entirety and **SUBSTITUTING** it with the following:

WHEREAS, Two police canines are coming out of service due to age and health issues by December 2007;

WHEREAS, The Troy Police Department has had a long and successful relationship with the Oakland Police Academy K9 Training Center, and White Collar K9 who is the overseer of this K9 program;

WHEREAS, The Academy and White Collar K9 ensure the canines will have the proper temperament, drives necessary for police work, appropriate sociability, and ability to be properly trained; and

WHEREAS, One replacement dog will be pre-trained, the other “green” or non-trained, to be trained by an experienced handler in the Troy Police Department;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and **APPROVES** contracts to purchase two police canines from Oakland Police Academy of Auburn Hills, MI, and White Collar K9 at an estimated cost of \$3,500.00 and \$12,000.00 respectively.

Yes: All-7

Vote on Reconsidered Resolution #2007-09-278 as Amended by Substitution

Resolution #2007-09-278
Moved by Howrylak
Seconded by Lambert

WHEREAS, Two police canines are coming out of service due to age and health issues by December 2007;

WHEREAS, The Troy Police Department has had a long and successful relationship with the Oakland Police Academy K9 Training Center, and White Collar K9 who is the overseer of this K9 program;

WHEREAS, The Academy and White Collar K9 ensure the canines will have the proper temperament, drives necessary for police work, appropriate sociability, and ability to be properly trained; and

WHEREAS, One replacement dog will be pre-trained, the other "green" or non-trained, to be trained by an experienced handler in the Troy Police Department;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and **APPROVES** contracts to purchase two police canines from Oakland Police Academy of Auburn Hills, MI, and White Collar K9 at an estimated cost of \$3,500.00 and \$12,000.00 respectively.

Yes: All-7

E-5 Contract Award: Qualification Based Selection (QBS) – Integrated Financial System

Resolution #2007-12-344

Moved by Beltrami

Seconded by Fleming

RESOLVED, That Troy City Council hereby **AWARDS** a contract to purchase an Integrated Financial Software solution from New World Systems of Troy, MI, the firm with the highest score as a result of a qualification based selection process, at prices contained in the tabulation and proposal documents opened November 19, 2007, a copy of which shall be **ATTACHED** to the original Minutes of this meeting for an estimated total five-year cost of \$462,495.00, with optional software/services contained in the Request for Proposal negotiated at the time the City is ready to implement those applications; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the necessary purchases of server hardware and third party software utilizing approved purchasing procedures, with Crystal Report Server software being bought directly from the manufacturer, Business Objects of San Jose, CA, all for an estimated total cost of \$55,610.00; and

BE IT FURTHER RESOLVED, That ongoing software maintenance/support **WILL CONTINUE** annually and **BE ADJUSTED** each year after 2013, based upon verifiable increases in labor by using the consumer price index inflation calculator or CPI computation for the published Urban – CPI for the Detroit/Ann Arbor area between the base year of 2013 and the subsequent year, whichever CPI computation is lower, and to **BE CONTINUED** in future years using the same method;

BE IT FINALLY RESOLVED, That the award is **CONTINGENT** upon the company's submission of proper contract and proposal documents, including insurance certificates and all other specified requirements from which, the Mayor and City Clerk are hereby **AUTHORIZED** to execute the contract when in acceptable form.

Yes: All-7

CONSENT AGENDA:

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

Resolution #2007-12-345
Moved by Beltramini
Seconded by Eisenbacher

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Items F-2 and F-14, which **SHALL BE CONSIDERED** after Consent Agenda (F) items, as printed.

Yes: All-7

F-3 City of Troy Proclamation:

Resolution #2007-12-345-F-3

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

- a) Bud and Shirley Black – 50th Wedding Anniversary

F-4 Standard Purchasing Resolutions

- a) **Standard Purchasing Resolution 1: Award to Low Bidder – Home Chore Lawn and Yard Services**

Resolution #2007-12-345-F-4a

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide for seasonal requirements of lawn and yard services for the Home Chore Program with an option to renew for one (1) additional year to the low total bidder, Zimmerman Lawn and Snow of Roseville, MI, at unit prices contained in the bid tabulation opened October 18, 2007, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with a contract expiration of December 31, 2008; and

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

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

Resolution #2007-12-345-F-4b

RESOLVED, That Troy City Council hereby **APPROVES** contracts to purchase one (1) 2008 Ford Escape Hybrid FWD from Signature Ford, L-M Jeep of Owosso, MI, and one (1) 2008

Ford Taurus from Varsity Ford of Ann Arbor, MI, through the Macomb County Cooperative Purchasing Agreement at an estimated total cost of \$23,235.00 and \$18,411.00 respectively.

F-5 Purchase Agreement, John R Road Improvements, Long Lake Road to Square Lake Road – Project No. 02.203.5 – Parcel #17 – Sidwell #88-20-11-226-036 – 19 John R Company

Resolution #2007-12-345-F-5

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for Public Purposes between 19 John R Company, owners of property having Sidwell #88-20-11-226-036, and the City of Troy, for the acquisition of right-of-way for John R Road Improvements, Square Lake Road to South Boulevard in the amount of \$26,200.00, plus closing costs; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Real Estate and Development Department to expend the necessary closing costs to complete this purchase according to the agreement; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to record the Warranty Deed with the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-6 Approval of Purchase Agreement, John R Road Improvements, Long Lake Road to Square Lake Road – Project No. 02.203.5 – Parcel #11 – Sidwell #88-20-11-226-007 – Wattles Square, Inc.

Resolution #2007-12-345-F-6

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for Public Purposes between Wattles Square, Inc., owners of property having Sidwell #88-20-11-226-007, and the City of Troy, for the acquisition of right-of-way for John R Road Improvements, Square Lake Road to South Boulevard in the amount of \$20,150.00, plus closing costs; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Real Estate and Development Department to expend the necessary closing costs to complete this purchase according to the agreement; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to record the Warranty Deed with the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-7 Approval of Purchase Agreement, John R Road Improvements, Long Lake Road to Square Lake Road – Project No. 02.203.5 – Parcel #12 – Sidwell #88-20-11-226-006 – Garrett Family Limited Partnership

Resolution #2007-12-345-F-7

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty of Public Purposes between Garrett Family Limited Partnership, owners of property having Sidwell #88-20-11-226-006, and the City of Troy, for the acquisition of right-of-way for John R Road Improvements, Square Lake Road to South Boulevard in the amount of \$20,050.00, plus closing costs; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Real Estate and Development Department to expend the necessary closing costs to complete this purchase according to the agreement; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to record the Warranty Deed with the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-8 Private Agreement for 1-800-Mini-Storage – Project No. 07.927.3

Resolution #2007-12-345-F-8

RESOLVED, That Troy City Council hereby **APPROVES** the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and West Maple Ventures, LLC, for the installation of water main, concrete approach, underground detention system, and sanitary sewer lead connection on the site and in the adjacent right of way, and **AUTHORIZES** the Mayor and City Clerk to execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-9 Application for New SDM License for Wal-Mart

(a) New License

Resolution #2007-12-345-F-9a

RESOLVED, That Troy City Council hereby **CONSIDERS** for **APPROVAL** the request from Wal-Mart Stores East, 2001 W. Maple, Troy 48084, for a new SDM license with 2 direct connections; and

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

(b) Agreement

Resolution #2007-12-345-F-9b

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

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** an agreement with Wal-Mart Stores East, 2001 W. Maple, Troy 48084, Oakland County, for a new SDM license with 2 direct connections, and **AUTHORIZES** the Mayor and City Clerk to execute the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-10 Application for Transfer of B-Hotel License to Hospitality Ventures Management, Inc. and RBHV Troy, LLC (Co-Licensees)

(a) New License

Resolution #2007-12-345-F-10a

RESOLVED, That Troy City Council hereby **CONSIDERS** for **APPROVAL** the request from Hospitality Ventures Management, Inc. and RBHV Troy, LLC to transfer ownership of 2007 B-Hotel licensed business with dance permit, official permit (food), outdoor service (1 area) 3 bars and 251 rooms, located at 850 Tower, from DJPONT/JPM Troy Leasing, LLC, Felcor/JPM Troy Hotel, LLC, and Promus Hotels, Inc.; and

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

(b) Agreement

Resolution #2007-12-345-F-10b

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

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** an agreement with Hospitality Ventures Management, Inc. and RBHV Troy, LLC to transfer ownership of 2007 B-Hotel licensed business with dance permit, official permit (food), outdoor service (1 area) 3 bars and 251 rooms, located at 850 Tower, from DJPONT/JPM Troy Leasing, LLC, Felcor/JPM Troy Hotel, LLC, and Promus Hotels, Inc., and **AUTHORIZES** the Mayor and City Clerk to execute the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-11 Private Agreement for Rochester Professional Building – Project No. 06.935.3

Resolution #2007-12-345-F-11

RESOLVED, That Troy City Council hereby **APPROVES** the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Rochester Professional Building LLC, for the installation of sanitary sewer, storm sewer, detention, sidewalks, paving and soil erosion on the site and in the adjacent right of way, and **AUTHORIZES** the Mayor and City Clerk to execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

**F-12 Approval of the Sale of City-Owned Surplus Parcel to Tepel Land LLC, Section 26
– Sidwell #88-20-26-477-042**

Resolution #2007-12-345-F-12

RESOLVED, That City Council hereby **APPROVES** the Agreement to Purchase Realty between the City of Troy, owner of the property having Sidwell #88-20-26-477-042, and Tepel Land, LLC, for the acquisition of City-owned property in the amount of \$18,400.00, the appraised value, as outlined in the Agreement to Purchase; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Real Estate and Development Department to expend the necessary closing costs to complete this purchase according to the Agreement; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to record the Warranty Deed with the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-13 Approval of Purchase Agreement – 1660 East Square Lake Road – Sidwell #88-20-11-201-022 – Kensington Community Church

Resolution #2007-12-345-F-13

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for Public Purposes between Kensington Community Church, owners of property having Sidwell #88-20-11-201-022, and the City of Troy, for the acquisition of parkland in the amount of \$230,000.00; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Real Estate and Development Department to expend the necessary closing costs to complete this purchase according to the agreement; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to record the Warranty Deed with the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-15 Traffic Signal Maintenance Agreement – Big Beaver and Cunningham

Resolution #2007-12-345-F-15

WHEREAS, Per the Traffic Signal Maintenance agreement for the signal at Big Beaver and Cunningham, Kmart Corp. paid traffic signal maintenance costs for the signal;

WHEREAS, Kmart Corp. moved out of the City in 2006; and

WHEREAS, Cunningham is a City Road and Big Beaver is under the jurisdiction of the Road Commission for Oakland County;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the cost agreement with the Road Commission for Oakland County and the City for the maintenance of the traffic signal at Big Beaver and Cunningham for sharing costs at 33-1/3% City and 66-2/3% Road Commission for Oakland County, and **AUTHORIZES** the Mayor and City Clerk to execute the agreement, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-16 Traffic Signal Maintenance Agreement – Rochester Road and Woodside Bible Church

Resolution #2007-12-345-F-16

WHEREAS, The Troy City Council approved a traffic signal at the intersection of Rochester Road and Woodside Bible Church in March 2007, with cost of installation and maintenance to be paid by Woodside Bible Church; and

WHEREAS, The Road Commission for Oakland County requests a signed Traffic Signal Maintenance Agreement;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the Traffic Signal Maintenance Agreement between Woodside Bible Church, the Road Commission for Oakland County and the City of Troy and **AUTHORIZES** the Mayor and City Clerk to execute the agreement, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-17 Steamers Café Contract

Resolution #2007-12-345-F-17

WHEREAS, On December 19, 2005, Troy City Council awarded a two-year contract for the operation of the Library café by Zeyn Francis of Troy, Michigan expiring December 31, 2007, which may be extended under the same terms and conditions, if approved by City Council and agreed to by the Café operators (Resolution #2005-12-554a); and

WHEREAS, Zeyn Francis has agreed to extend the monthly rent of \$750.00 for a period of one-year under new terms and conditions to expire December 31, 2008;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** a one-year contract for Library Café Services to Zeyn Francis of Troy, Michigan based upon new terms and conditions listed in the amended Agreement, and **AUTHORIZES** the Mayor and City Clerk to execute the agreement once in acceptable form, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

F-14 Sanctuary Lake Golf Course Deficit Elimination Plan

Resolution #2007-12-346

Moved by Fleming

Seconded by Eisenbacher

RESOLVED, That the Troy City Council hereby **APPROVES** and **ADOPTS** the Sanctuary Lake Golf Course Deficit Elimination Plan presented to this meeting.

Yes: All-7

F-2 Approval of City Council Minutes

Resolution #2007-11-347
Moved by Beltramini
Seconded by Broomfield

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

Yes: All-7

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings:

- a) Rezoning Application – Proposed Rite Aid Pharmacy Development, North Side of Long Lake, East Side of Rochester Road, Section 11 – B-1 to B-2 (File Number Z-729) – December 17, 2007

Noted and Filed

G-2 Green Memorandums: None Submitted

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

H-1 No Council Referrals Advanced

COUNCIL COMMENTS:

Council Member Beltramini distributed copies of *Empty Houses* and an additional Michigan Municipal League publication offering tips on avoiding foreclosures with additional guidelines on what communities can do to address this problem.

Council Member Kerwin discussed an article from the *City & County* magazine publication in regard to saving gas. Council Member Kerwin asked whether there is movement toward using natural gas for vehicles in the City of Troy.

City Manager Phillip Nelson replied that the use of natural gas, as well as propane, has been around for quite some time and that the city is currently researching different options for vehicles. Mr. Nelson added that the city is also looking at maintenance costs in the long run and consequently, it will take some time to assemble all of the information before a report can be submitted to City Council.

Council Member Kerwin advised that almost 1,000 people attended the *Hanging of the Greens* event at the Historic Museum and encouraged the public to visit.

Council Member Kerwin invited the public to attend the annual *Tree Lighting Ceremony* at 7:30 pm in front of City Hall.

REPORTS:

J-1 Minutes – Boards and Committees:

- a) Liquor Advisory Committee/Final – September 17, 2007
- b) Downtown Development Authority/Draft – September 19, 2007
- c) Employees’ Retirement System Board of Trustees/Final – October 10, 2007
- d) Library Advisory Board/Final – October 11, 2007
- e) Board of Zoning Appeals/Final – October 16, 2007
- f) Planning Commission Special/Study/Final – October 23, 2007
- g) Building Code Board of Appeals/Draft – November 7, 2007
- h) Liquor Advisory Committee/Draft – November 12, 2007
- i) Planning Commission/Draft – November 13, 2007
- j) Employees’ Retirement System Board of Trustees/Draft – November 14, 2007

Noted and Filed

J-2 Department Reports:

- a) Purchasing Department – BidNet On-Line Auction and Mid-Thumb Auctioneering Services – October 2007

Noted and Filed

J-3 Letters of Appreciation:

- a) Letter of Appreciation to Chief Craft from Jim and Susan Werpetinski Regarding the Police Presence on Election Day and the Community Outreach Programs

Noted and Filed

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

J-5 Calendar

STUDY ITEMS:

K-1 No Study Items Submitted

PUBLIC COMMENT: Address of “K” Items

CLOSED SESSION:

L-1 Closed Session: No Closed Session Requested

The meeting **ADJOURNED** at 9:00 PM.

Louise E. Schilling, Mayor

Tonni L. Bartholomew, MMC
City Clerk



**CITY COUNCIL
AGENDA
December 17, 2007
Back-Up Documentation
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317**

F-3 No Proposed City of Troy Proclamations

**There is no back-up documentation on this
Agenda item at the time of publication.**



CITY COUNCIL ACTION REPORT

December 7, 2007

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Asst. City Manager/Economic Development Services
Steven J. Vandette, City Engineer *SV*

SUBJECT: Agenda Item – Standard Purchasing Resolution #1: Award to Low Bidder
Contract 07-8 – Square Lake, Livernois to Rochester and John R at Mt.
Vernon Water Main Replacement
Project No. 06.503.5 and 07.503.5

Background:

- Bids were received and publicly read on December 6, 2007. The low bid of \$590,444.70, as submitted by Bricco Excavating Co., LLC, can be seen in the attached tabulation of bids.
- The Engineer's estimate at the time of bidding was \$760,000. The low bid is therefore \$169,555.30 or 22.30% below the Engineer's estimate.
- Division 1 work will include the abandoning and replacing of the existing water main on Square Lake Road between Livernois and Rochester Roads in Section 3. This work is scheduled to start in January of 2008 and be complete by June 1, 2008.
- Division 2 work will include the abandoning and replacing of the existing water main on John R Road at Mt. Vernon in Section 13. The work schedule is the same as Division 1.
- Division 3 work will include the abandoning and grouting of an existing 36" culvert at 6116 Elmoor Street. This work is part of a larger project that the DPW completed this past fall which included the re-routing of an existing agricultural ditch due to the poor condition of the above referenced culvert and its proximity to the existing driveway and garage. The work schedule is the same as Division 1.

Financial Considerations:

- Funds for Division 1 work are included in the 2007/08 Water Fund, account number 555.7972.065035. Funds for Division 2 work are included in the 2007/08 Water Fund, account number 555.7972.075035. Funds for Division 3 work are included in the Drains Fund, account number 401516.7989.1000. The budgeted amount includes funds for construction, inspection and contingencies.

Legal Considerations:

- Work was competitively bid and publicly opened with twelve (12) bidders responding.
- Award is contingent upon submission of proper proposal and bid documents, including insurance certificates, bonds and all specified requirements.

Policy Considerations:

- Enhance the livability and safety of the community (Goal I)
- Retain and attract investment while encouraging redevelopment (Goal III)
- Maintain relevance of public infrastructure to meet changing public needs (Goal V)

Options:

- It is recommended that City Council award a contract for the Square Lake, Livernois to Rochester and John R at Mt. Vernon Water Main Replacement to Bricco Excavating Co., LLC, 21201 Meyers Road, Oak Park, MI 48237-3201 for their low total bid amount of \$590,444.70. In addition, we are requesting authorization to approve additional work, if needed, not to exceed 10% of the original project cost.

Prepared by: Antonio Cicchetti, PE

G:\Contracts\Contracts - 2007\07-08 Sq. Lk. Livernois to Rochester & John R @ Mt. Vernon\Correspondence\Bid Award.doc

BID TABULATION
 CONTRACT 07-8
 Square Lake, Livernois to Rochester and John R @ Mt. Vernon Water Main
 Replacement
 CITY OF TROY
 OAKLAND COUNTY, MICHIGAN

Bids Due: December 6, 2007
 Project # 06.503.5

	DIVISION 1 (Square Lake Rd.)	DIVISION 2 (John R Rd. at Mt. Vernon)	DIVISION 3 (Elmoor Street)	TOTAL AMOUNT OF BID
Bricco Excavating Co., LLC	\$518,861.10 *	\$65,583.60	\$6,000.00	\$590,444.70 *
Fontana Construction, Inc.	\$625,581.32	\$55,106.64	\$6,140.00	\$686,827.96
Pamar Enterprises, Inc.	\$645,432.30	\$63,275.80	\$6,440.00	\$715,148.10
F.D.M. Contracting, Inc.	\$645,351.35	\$69,819.40 *	\$9,640.00	\$724,810.75 *
Tyger Excavating, Inc.	\$645,777.00	\$78,348.00	\$10,600.00	\$734,725.00
ADJ Excavating, Inc.	\$676,086.35 *	\$61,889.50 *	\$8,390.00	\$746,365.85 *
Posen Construction, Inc.	\$724,349.84	\$60,197.16	\$7,780.30	\$792,327.30
Peter A. Basile Sons, Inc.	\$720,896.26	\$87,832.75	\$15,140.00	\$823,869.01
DiPonio Contracting	\$752,172.60	\$72,706.00	\$6,190.00	\$831,068.60 *
Six-S, Inc.	\$765,380.90	\$73,120.50	\$9,460.00	\$847,961.40
Troelsen Excavating Co.	\$790,808.00	\$70,390.00	\$10,900.00	\$872,098.00
C & P Construction Co., Inc.	\$875,338.40	\$72,860.00	\$10,890.00	\$959,088.40

* Corrected by Engineer



CITY COUNCIL ACTION REPORT

December 6, 2007

TO: Phillip L. Nelson, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance & Administration
Susan A. Leirstein, Purchasing Director
Cathleen Russ, Library Director
Loraine Campbell, Museum Manager

SUBJECT: Standard Purchasing Resolution 8: Best Value Award —
Architectural Services for the Troy Museum & Historic Village

Background

- On January 23, 2006, City Council approved Resolution #2006-01-022-E6, an agreement with the Troy Historical Society that delineated the process for the City of Troy and the Troy Historical Society to work together during a five-year capital fund raising campaign to expand the Troy Museum and Historic Village.
- Covenant 5 of the agreement stated that the Troy Historical Society would select an architect/site planner guided by The City of Troy's guidelines for best value selection procedures, from respondents to their Requests for Qualifications/Proposals.
- On September 25, 2007, twenty-two (22) firms attended a pre-bid meeting at the Troy Museum and were provided access to the Niles-Barnard House.
- On October 8, 2007, Requests for Qualifications/Proposals were received and opened to provide site plan and architectural services for the expansion of the Troy Museum & Historic Village.
- 207 vendors were notified via the MITN system, with eleven (11) bidders responding, five (5) of which did not meet the minimum pass/fail requirements.
- Five (5) committee members, consisting of Mark Stimac, Building and Zoning Director, Loraine Campbell, Museum Manager, Ward Randol and John Lavender, co-chairs of the Troy Historical Society Heritage Campaign, and Terry Navratil, Historical Commission, reviewed and evaluated the remaining six (6) RFQ/RFPs.
- The top three (3) firms were interviewed by the full committee on Friday, November 9, 2007.
- Based on the scoring criteria of 40% Proposal Score, 40% Price Score and 20% Interview Score, the committee recommends awarding the contract to the highest rated bidder, Hopkins Burns Design Studio.

December 6, 2007

To: Phillip L. Nelson, City Manager

Re: Best Value Award – Architectural Services for the Troy Museum & Historic Village

Financial Considerations

- Funds are available through the Troy Historical Society Heritage Campaign to pay for the site plan and architectural services and will be transferred to the City of Troy Capital Projects Fund to cover the costs in the Museum Capital Account for Land Improvements - #401804.7971.010.

Legal Considerations

- RFQ / RFP 07-27, Architectural Services for the Troy Museum & Historic Village was competitively bid and opened with eleven (11) bidders responding.
- All bidders were given the opportunity to respond with their level of interest to provide architectural services for the Troy Museum & Historic Village expansion.
- The contract award is contingent on the recommended bidder's submission of proper contract and supplemental documents, including insurance certificates, and all other specified requirements.

Policy Considerations

- Enhance the livability and safety of the community (Goal I)
- Minimize the cost and increase the efficiency and effectiveness of City government (Goal II)
- Maintain relevance of public infrastructure to meet changing public needs (Goal V)

Options

- City management recommends awarding a contract to perform the Architectural Services for the Troy Museum & Historic Village to the highest rated bidder, Hopkins Burns Design Studio, of Ann Arbor, Michigan, as a result of a best value process, for an estimated total cost of \$219,265.00



EXECUTIVE SUMMARY

Architectural Services for the Troy Museum and Historic Village

STATISTICS:

- ◆ **Two-hundred and seven (207) firms were notified via the MITN e-procurement website**
- ◆ **Eleven (11) proposals were received**
- ◆ **Six (6) firms met the pass/fail criteria**
- ◆ **Three (3) firms were interviewed**
- ◆ **Hopkins Burns Design Studio received the highest score as a result of a best value process**

The following three firms received the indicated final scores as a result of the interview, proposal and pricing selection criteria. Only these three top rated firms were invited to participate in an interview.

Firm	SCORE
Hopkins Burns Design Studio	87
Ekocite Architecture	73
John Dziurman Architects LTD	62

REQUEST FOR PROPOSALS - FIRMS ELIMINATED FROM FURTHER CONSIDERATION (BASED ON PASS/FAIL MINIMUM REQUIREMENTS AND INSURANCE REQUIREMENTS)

- George J. Hartman Architects, PC
- Hobbs & Black Architects
- Moody Nolan, Inc.
- Frank McCormick & Khalaf, LLC Architects
- Luckenback/Ziegelman Architects PLLC

Attachments:

- ✓ Weighted Final Scoring Including Proposal, Interview and Price Scoring
- ✓ Evaluation Process
- ✓ Original Tabulation



WEIGHTED FINAL SCORING

Architectural Services for the Troy Museum and Historic Village

Final Score Calculation:

$$\begin{array}{r}
 20\% \times \text{Interview Score} \\
 40\% \times \text{Proposal Score} \\
 40\% \times \text{Price Score} \\
 \hline
 100\% \qquad \qquad \qquad = \text{Final Weighted Score}
 \end{array}$$

In order to equate the price to the weighted evaluation process scoring, the prices had to be converted into a score with the base of 100. **NOTE:** For the proposal and price evaluations, vendors are listed in the order of their cost proposal from lowest to highest. For the summary and final scores the vendors are listed in order of rating from highest to lowest. For the interview evaluation the vendors are listed in the order they were interviewed.

Weighted Average Score for Proposals: 40%

Raters:	1	2	3	4	5	Average	Final Weighted Score (x .40)
Vendors:							
Ekocite Architecture	41	30	76	42	61	50	50 x .40 = 20
Hopkins Burns Design Studio	100	89	89	97	94	94	94 x .40 = 38
Ehresman Associates Inc.	38	56	78	64	65	60	60 x .40 = 24
John Dziurman Architects LTD	62	70	92	77	60	72	72 x .40 = 29
Hamilton Anderson	37	53	88	64	53	59	59 x .40 = 24
THA Architects Engineers	85	88	85	83	94	87	87 x .40 = 35

Weighted Average Score for Price: 40%

RATERS	Weighted Criteria - Difference in Costs {1-(Proposal price - lowest price)/low price} x available points	Final Weighted Score (x .40)
Vendors:		
Ekocite Architecture	{1-(177,000.00-177,000.00)/177,000.00} x 100 = 100	100 x .40 = 40
Hopkins Burns Design Studio	{1-(219,265.00-177,000.00)/177,000.00} x 100 = 76	76 x .40 = 30
Ehresman Associates Inc.	{1-(253,600.00-177,000.00)/177,000.00} x 100 = 57	57 x .40 = 23
John Dziurman Architects LTD	{1-(265,500.00-177,000.00)/177,000.00} x 100 = 50	50 x .40 = 20
Hamilton Anderson	{1-(282,815.00-177,000.00)/177,000.00} x 100 = 40	40 x .40 = 16
THA Architects Engineers	{1-(422,000.00-177,000.00)/177,000.00} x 100 = 0	0 x .40 = 0

Summary: Proposal and Price Scores

VENDORS:	Hopkins Burns Design Studio	Ekocite Architecture	John Dziurman Architects LTD	Ehresman Associates Inc	Hamilton Anderson	THA Architects Engineers
Proposal Score	38	20	29	24	24	35
Price Score	30	40	20	23	16	0
SCORE	68	60	49	47	40	35

Only the top three rated firms were invited to participate in an interview.
(Maximum # of points - 20 -)



Weighted Average Score for Interview: 20%

RATERS	1	2	3	4	5	Average	Final Weighted Score (x .20)
Vendors:							
John Dziurman Architects LTD	66	74	84	50	63	67	67 x .20 = 13
Ekocite Architecture	76	67	87	30	72	66	66 x .20 = 13
Hopkins Burns Design Studio	94	91	93	96	93	93	93 x .20 = 19

FINAL SCORE:

VENDORS:	Hopkins Burns Design Studio	Ekocite Architecture	John Dziurman Architects LTD	Ehresman Associates Inc	Hamilton Anderson	THA Architects Engineers
Proposal Score	38	20	29	24	24	35
Price Score	30	40	20	23	16	0
Interview Score	19	13	13	N/A	N/A	N/A
FINAL SCORE	87	73	62	47	40	35

**HIGHEST RATED VENDOR - RECOMMENDED AWARD



SELECTION PROCESS

CRITERIA FOR SELECTION

The identified Committee will review the proposals. The City of Troy and Troy Historical Society reserve the right to award this proposal to the firm considered the most qualified based upon a combination of factors including but not limited to the following:

- A. Compliance with qualifications criteria
- B. Completeness of the proposal
- C. Financial strength and capacity of the firm
- D. Correlation of the proposals submitted to the needs of the City of Troy
- E. Any other factors which may be deemed to be in the City's best interest
- F. Evaluation Process

Phase 1: Minimum Qualifications Evaluation

Firms will be required to meet minimum established criteria in order to go to the second phase of the process.

Phase 2: Evaluation of Proposals

Each Committee member will independently use a weighted score sheet to evaluate the proposals; each Committee Member will calculate a weighted score. The scores of the Committee Members will be averaged into one score for each firm for this phase of the process.

Phase 3: Interview Score – Optional-

The City and the Historical Society, at their option, will invite at least the top three (3) rated firms to participate in an interview. If less than three (3) candidates remain in the process, all will be interviewed. Each Committee Member will independently use a weighted score sheet to evaluate the Interview; each Committee Member will calculate a weighted score. The scores of the Committee Members will be averaged into one score for each firm for this phase of the process. Those being interviewed may be supplied with further instructions and requests prior to the interview. Persons representing the firm at the interview must be the personnel who will be assigned to this project.

Phase 4: Price

Points for price will be calculated as follows:

$$\text{FORMULA: } \{1 - (\text{Proposal Price} - \text{Low Price}) / \text{low price}\} \times \text{available points}$$

Phase 5: Final Scoring and Selection

The firm with the highest final weighted score will be recommended to the Troy City Council for Award.

40% Proposal Score (100 point base)
40% Price Score (100 point base)
20% Interview Score (100 point base)
100%

Note: The City of Troy reserves the right to change the order or eliminate an evaluation phase if deemed in the City's best interest to do so.

FIRM NAME:		Ekocite Architecture	Hopkins Burns Design Studio	Ehresman Associates Inc.
PROPOSAL: TO PROVIDE ARCHITECTURAL SERVICES TO CONDUCT DESIGN SERVICES FOR THE TROY MUSEUM AND HISTORIC VILLAGE EXPANSION PROJECT.				
VENDOR QUESTIONNAIRE:	(Yes or No)	Yes	Yes	Yes
SEVEN (7) COPIES	(Yes or No)	Yes	Yes	Yes
INSURANCE:	Can Meet	XX	XX	XX
	Cannot Meet			
	Signed Y or N	Yes	Yes	Yes
PROPOSAL: Schedule of Values		NOT TO EXCEED	NOT TO EXCEED	NOT TO EXCEED
Cost for Scope of Work as Stated:				
Phase I	Not to Exceed:	\$ 20,000.00	\$ 31,370.00	\$ 8,400.00
Phase II	Not to Exceed:	\$ 14,000.00	\$ 11,275.00	\$ 8,400.00
Phase III	Not to Exceed:	\$ 16,000.00	\$ 11,275.00	\$ 7,000.00
Phase IV	Not to Exceed:	\$ 13,000.00	\$ 11,275.00	\$ 9,800.00
Phase V	Not to Exceed:	\$ 112,000.00	\$ 134,070.00	\$ 218,000.00
Project Total	Not to Exceed:	\$ 175,000.00	\$ 199,265.00	\$ 251,600.00
Reimb Estd Exps	Not to Exceed:	\$ 2,000.00	\$ 20,000.00	\$ 2,000.00
COMPLETE FOR THE SUM OF:		\$ 177,000.00	\$ 219,265.00	\$ 253,600.00
SCHEDULE OF VALUES:	(Hourly Rates)	UNIT PRICE	UNIT PRICE	UNIT PRICE
SERVICES:				
		A - 100 Hr	SHA - 150 Hr	Planning & Design
		S & MEP E - 165 Hr	SA - 120 - 140 Hr	16,800 to 33,600
		C E - 146 Hr	A & LA - 75 - 100 Hr	TA - 48 Hr
		LEED - 110 Hr	IA & ILA - 50 - 75 Hr	AD - 62 Hr
			SEE & SLP - 140 Hr	LAD - 72 hr
ADDITIONAL SERVICES:				
		Soil Boring by owner	IEE - 65 - 85Hr	PA - 79 Hr
			SSE - 165 Hr / EE 85-110 Hr	SA - 84 Hr
			ME 90-110 Hr/CE 100-120/Hr	Const. Docs - 5%
			IME 70-90 Hr/Clerical 40-50/Hr	Constr.Phase - 1.25%
REIMBURSEABLES:				
		Cost plus 10%	Est Amount \$20,000	Photos - \$1.00 /picture
				Mileage - .40/mile
				Delivery - Cost + 50%
			Attached to Bid	Copies - .15 cent ea
SITE INSPECTION	Y or N	Yes	No	Yes
	DATE	9/25/2007	Unable to make site visit	9/25/2007
			however visited prior to	
AIA DOCUMENT B431-1993	Y or N	Yes	Yes	Yes
CONTRACT FORMS:	Y or N	Yes	Yes	Yes
Legal Status & Non-Collusion				
COMPLETION DATE:	Can meet	XX	XX	XX
	Cannot meet			
TERMS:		Blank	Blank	Blank
EXCEPTIONS:		Blank	Letter from Carrier re:	None
			areas of uninsurability	
ACKNOWLEDGEMENT:	Y or N	Yes	Yes	Yes
ADDENDUM #1	Y or N	Yes	Yes	Yes

DMS:

- George J. Hartman Architects, PC - Did not include Insurance Certificate (\$300,000.00)
- Hobbs & Black Architects - Did not meet insurance requirements (\$375,525.00)
- Moody Nolan, Inc. - Did not meet Insurance Requirements (\$283,450.00)
- Frank McCormick & Khalaf, LLC Architects - Did not meet pass/fail requirements (\$260,000.00)
- Luckenbach/Ziegelman Architects PLLC - Did not meet pass/fail requirements (\$261,000.00)

NO BIDS:

- Quinn Evans Architects
- Fishbeck, Thompson, Carr & Huber, Inc.
- Lorri D. Sipes
- Yamasaki Associates, Inc.

Susan Leirstein CPPB
Purchasing Director

ATTEST:

William Boardman
Yvonne Ranzinger
Linda Bockstanz

FIRM NAME:		John Dziurman Architects LTD	Hamilton Anderson	THA Architects Engineers
PROPOSAL: TO PROVIDE ARCHITECTURAL SERVICES TO CONDUCT DESIGN SERVICES FOR THE TROY MUSEUM AND HISTORIC VILLAGE EXPANSION PROJECT.				
VENDOR QUESTIONNAIRE:	(Yes or No)	Yes	Yes	Yes
SEVEN (7) COPIES	(Yes or No)	Yes	Yes	Yes
INSURANCE:	Can Meet	XX	XX	XX
	Cannot Meet			
	Signed Y or N	Yes	Yes	Yes
PROPOSAL: Schedule of Values		NOT TO EXCEED	NOT TO EXCEED	NOT TO EXCEED
Cost for Scope of Work as Stated:				
Phase I	Not to Exceed:	\$ 20,000.00	\$ 53,655.00	\$ 26,250.00
Phase II	Not to Exceed:	\$ 22,500.00	\$ 36,398.00	\$ 28,000.00
Phase III	Not to Exceed:	\$ 24,000.00	\$ 27,598.00	\$ 24,500.00
Phase IV	Not to Exceed:	\$ 25,000.00	\$ 30,298.00	\$ 26,250.00
Phase V	Not to Exceed:	\$ 150,000.00	\$ 126,366.00	\$ 315,000.00
Project Total	Not to Exceed:	\$ 241,500.00	\$ 274,315.00	\$ 420,000.00
Reimb Estd Exps	Not to Exceed:	\$ 24,000.00	\$ 8,500.00	\$ 2,000.00
COMPLETE FOR THE SUM OF:		\$ 265,500.00	\$ 282,815.00	\$ 422,000.00
SCHEDULE OF VALUES:	(Hourly Rates)	UNIT PRICE	UNIT PRICE	UNIT PRICE
SERVICES:		P - 130 Hr	P - 165 - 185 Hr	PM - 111.05 Hr
		T1 - 90 Hr	ASP - 135 - 155 Hr	PA - 95.76 Hr
		T2 - 80 Hr	PM - 120 - 130 Hr	E - 119.54 Hr
		T3 - 70 Hr	ALD-105-130 Hr/ALAD 75-105/Hr	A CAD - 72.94 Hr
		T4 - 60 Hr C -50 Hr	JLDL - 65 - 75 Hr	E CAD - 62.40 Hr
ADDITIONAL SERVICES:		Blank	SID - 100 - 120 Hr	CA - 94.64 Hr
			I D - 75 - 100 Hr	PMA - 49.05 Hr
			JID - 65 - 75 Hr	
			SP - 80 - 105 Hr	
REIMBURSEABLES:		Expense of Postage	PI - 65 - 85 Hr	Postage for mailings
		Copies, Drawings, etc	SGD - 90-05 Hr/GRD 70-90 Hr	No charge for Mileage
		Travel - .45 per mile	SAS - 90 - 125 Hr	and Phone
		Expenses - 15%	Ad Sp - 55 - 65 Hr	
SITE INSPECTION	Y or N	Yes	Attached to Bid Yes	Yes
	DATE	9/25/2007	9/25/2007	9/25/2007
AIA DOCUMENT B431-1993	Y or N	Yes	Yes	Yes
CONTRACT FORMS:	Y or N	Yes	Yes	Yes
	Legal Status & Non-Collusion			
COMPLETION DATE:	Can meet	XX	XX	XX
	Cannot meet			
TERMS:		As stated in RFP	Net 30 Days	Lump Sum
EXCEPTIONS:		Idemnif provision as stated is a potential problem-see attached	None	As noted on Fee
				Clarification
ACKNOWLEDGEMENT:	Y or N	Yes	Yes	Yes
ADDENDUM #1	Y or N	Yes	No	Yes



CITY COUNCIL ACTION REPORT

December 10, 2007

TO: Phillip L. Nelson, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance and Administration
Susan A. Leirstein, Purchasing Director
Carol K. Anderson, Parks and Recreation Director

SUBJECT: Standard Purchasing Resolution 4: US Communities Cooperative
Purchasing Program – Landscape Structures, Inc.

Background

- Landscape Structures Inc. participates in the US Communities Government Purchasing Alliance Program with a contract award for Playground Equipment.
- The equipment being purchased is four natural climbing boulders that will be installed in the grassy area between the entrance of the nature center building and the parking lot.
- The natural climbing boulders will allow families both adults and children, to engage in environmental and outdoor recreation through physical activity that is safe, fun and educational. The climbing boulders also blend naturally into the nature center's surroundings providing a natural playground. There are fossils embedded in the boulders that can be used for educational programs as well.
- The four natural climbing boulders are made from glass fiber reinforced concrete that will last for many years.
- The boulders are geared for children ages five through twelve, primary users of the nature center.

Financial Considerations

- Funding for the climbing boulders is available in the Park Development capital account for the Nature Center - #401770.7974.080.

Legal Considerations

- There are no legal considerations associated with this item.

December 10, 2007

To: Phillip L. Nelson, City Manager

Re: US Communities Cooperative Purchasing Program – Landscape Structures, Inc.

Policy Considerations

- Minimize the cost and increase the efficiency and effectiveness of City Government. (Goal II)
- Maintain relevance of public infrastructure to meet changing public needs. (Goal V)

Options

- City management and the Parks and Recreation department request authorization to purchase four climbing boulders along with installation and engineered wood fiber from Landscape Structures, Inc. through the US Communities Government Purchasing Alliance Program for an estimated cost of \$52,570.00.

Prepared by: Stacey Yankee, Nature Center Manager



CITY COUNCIL ACTION REPORT

December 10, 2007

TO: Phillip L. Nelson, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance & Administration
Susan A. Leirstein, Purchasing Director
James A. Nash, Financial Services Director

SUBJECT: Standard Purchasing Resolution 3 – Exercise Renewal Option –
Audit Services

Background

- On April 18, 2005, a three-year contract to provide Audit Services for the fiscal years ended June 30, 2005, 2006, and 2007 with an option to renew for three additional years was awarded to The Rehmann Group of Saginaw, MI, the vendor selected by Troy City Council as a result of a best value process. (Council Resolution #2005-04-182).
- A letter is attached from The Rehmann Group indicating their agreement to renew the contract through December 31, 2010, under the same pricing structure, terms and conditions as the original contract.
- Audits have been completed on time and the staff assigned has been proficient and knowledgeable, particularly with regards to recent changes in governmental accounting standards.
- The City continues to receive the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association of the United States and Canada.
- Due to the best value process used in evaluating the request for proposal, a market survey was not done; since the City utilizes a selection process in which price is not the only factor under review.

Financial Considerations

- Funds are available in the various operating accounts for Finance, DDA, Block Grant Administration, and Brownfield Redevelopment.

Legal Considerations

- RFQ/RFP 04-60, Audit Services was competitively bid and opened with three bidders responding.

December 10, 2007

To: Phillip L. Nelson, City Manager
Re: Exercise Renewal Option – Audit Services

Policy Considerations

- The option to renew will support Goal II, minimize the cost and increase the efficiency and effectiveness of City government.

Option

- City management recommends the Troy City Council exercise the option to renew for three additional years with The Rehmann Group for an estimated total cost of \$67,568.00, under the same pricing structure, terms and conditions, to expire December 31, 2010, in accordance with contract requirements.

500 W. Big Beaver
Troy, MI 48084
(248) 524-3300

The City of Tomorrow...



...Today

November 29, 2007

Mr. Gerald Desloover, Vice President
The Rehmann Group
5800 Gratiot Road
Saginaw, MI 48603
FAX: (775) 249-3804

Dear Mr. Desloover:

The City of Troy entered into a contract with the Rehmann Group to provide audit services of the City's financial statements for the fiscal years of June 30th, 2005, 2006 and 2007 expiring December 31, 2007 with an option to renew for three (3) additional fiscal years. It is now time to establish your firm's interest in exercising the option to renew.

The request for proposal (that is an integral component of the contract) referred to the option as follows:

"...The successful provider will have the option of holding the labor rate constant or submitting new prices based upon verifiable increases in labor by using the Consumer Price Index Inflation (CPI) Calculator or CPI computation for the published Urban-CPI for the Detroit/Ann Arbor Area between the base year of June 2005 and the subsequent year whichever CPI computation is lower and deemed to be in the City's best interest. Any adjustment made in subsequent years will be calculated using the same method for June of the current year with your base year of June in the year the contract was last adjusted."

Please fax this letter back to the City of Troy Purchasing Department indicating if your company desires to exercise the option to renew until December 31, 2010. The fax number is (248) 619-7608. A request by City staff to determine the successful bidder's interest in exercising the option to renew the contract in no way obligates the City. The renewal may not be exercised without a favorable market survey, Troy City Council approval and a blanket purchase order issued.

If you have any questions please call the Purchasing Department at (248) 680-7291.

CHECK ONE:

The Rehmann Group is interested in exercising the option to renew the Contract under the same terms and conditions:

The Rehmann Group is not interested in exercising the option to renew the contract:

[Signature]
Signed: Authorized Company Representative

Date: 11-29-07

Thank you,

Susan Leirstein, C.P.P.B.
Purchasing Director

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon contractor submission of proper contract and proposal documents, including insurance certificates and all other specified requirements."

Yes: Lambert, Stine, Beltramini, Broomfield, Eisenbacher, Howrylak
No: Schilling

MOTION CARRIED

Vote on Resolution as Amended by Substitution

Resolution #2005-04-182
Moved by Howrylak
Seconded by Eisenbacher



WHEREAS, The Troy City Council does not wish to retain Doeren Mayhew to provide auditing services for another contract period since the firm has been engaged as the City's auditors since 1991; and

WHEREAS, The Rehmann Group is the next most qualified firm as the result of a Best Value Process.

NOW, THEREFORE, BE IT RESOLVED, That, a three-year contract to provide Audit Services for years 2005, 2006, and 2007 with an option to renew for three additional years is hereby **AWARDED** to The Rehmann Group, at an estimated annual cost of \$63,820.00, as outlined in the tabulation opened February 4, 2005, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

Yes: Stine, Beltramini, Broomfield, Eisenbacher, Howrylak, Lambert
No: Schilling

MOTION CARRIED

CONSENT AGENDA:

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

Resolution #2005-04-183
Moved by Lambert
Seconded by Broomfield

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

April 7, 2005

TO: John Szerlag, City Manager

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

SUBJECT: Best Value Process Award – Audit Services

This memo will focus on the process used in the selection of an auditing firm, Government Finance Officers Association (GFOA) Recommended Practice for Audit Procurement, as well as the history of auditor selection of the City of Troy.

PROCESS

The Request for Proposal (RFP) included a detailed description of the process that would be followed in the selection of an auditor. The "Selection Process" (copy attached) was followed and the award recommendation made within the parameters of the stated process. The standard deviation method was the **stated method** for scoring the pricing phase.

During the discussion of this item at the January 24, 2005 City Council meeting, City Council was informed of the process being used and the short list of auditing firms asked to participate in the process, based on their experience in governmental auditing and membership and involvement in the Michigan Government Finance Officers Association. The list included the firms of Doeren Mayhew, Plante & Moran, Pricewaterhouse Coopers, Rehmann Robson, and Wolinsky and Company. Two additional firms that were mentioned at the meeting (KPMG and Virchow, Krause & Company) were also sent a notice of RFP availability. If elimination of the current auditors from consideration was desired, Doeren Mayhew should have been eliminated from the process at that time.

At the City Council meeting of January 24, 2005, Resolution #2005-01-051 was passed (copy attached) that directed City Staff to continue the review process for Request for Qualifications in the selection of auditing services and submit to City Council the summary of their findings and recommendations no less than two weeks before a decision is expected. The recommendation appeared on the March 7, 2005 Council agenda as a Green Memo.

The March 21, 2005 City Council agenda contained City Management's recommendation to award the contract to Doeren Mayhew, the highest scoring respondent, as a result of a best value process.

GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA) RECOMMENDED PRACTICE FOR AUDIT PROCUREMENT

The following bullet points were taken from the GFOA Recommended Practice – Audit Procurement:

- “Governmental entities should enter into multiyear agreements of at least five years in duration when obtaining the services of independent auditors. Such multiyear agreements can take a variety of different forms (e.g., a series of single-year contracts), consistent with applicable legal requirements. Such agreements allow for greater continuity and help to minimize the potential for disruption in connection with the independent audit. Multiyear agreements can also help to reduce audit costs by allowing auditors to recover certain “start-up” costs over several years, rather than over a single year”.
- “Governmental entities should undertake a full-scale competitive process for the selection of independent auditors at the end of the term of each audit contract, consistent with applicable legal requirements. Ideally, auditor independence would be enhanced by a policy requiring that the independent auditor be replaced at the end of the audit contract, as is often the case in the private sector. **Unfortunately, the frequent lack of competition among audit firms fully qualified to perform public-sector audits could make a policy of mandatory auditor rotation counterproductive. In such cases, it is recommended that a governmental entity actively seek the participation of all qualified firms, including the current auditors, assuming that the past performance of the current auditors has proven satisfactory**”.

These points were taken into consideration when we developed the process to select an audit firm.

HISTORY OF AUDIT SELECTION – CITY OF TROY

- 1991 – Following an RFP process City Council awarded Doeren Mayhew a four-year contract, as they were the lowest priced acceptable bidder. City Management's recommendation at the time was to remain with Derderian, Kann, Seyferth & Salucci.
- 1995 – Five-year extension granted to Doeren Mayhew by City Council, based on City Management recommendation. Reasons given were to provide a smoother transition with the upcoming change in financial software and myself being new to the job.

- 1999 – **City Council** granted a five-year extension to Doeren Mayhew, on their own volition. City Management was prepared to go out for RFP's after the 1999 audit as evidenced by attached letter to Doeren Mayhew. City Council requested that City Management prepare a contract extension for five years, which was approved by City Council.

SUMMARY

City Management was charged with recommending an audit firm to City Council based upon a process that was approved by City Council. City Council had two weeks to review the recommendation before a formal vote would be taken. City Management did not receive any correspondence from City Council until the afternoon of March 21, 2005, the date of the meeting. City Management supplied City Council with the requested information which included a copy of all RFPs and rating sheets the night of the meeting.

Our recommendation is based upon the results of three staff members independently rating the two firms under consideration using the process and weighting methods approved by City Council. The ultimate selection of auditors, as well as other professional service providers, rests with City Council. It is professional staff's responsibility to judge, evaluate and then make a recommendation of a suitable firm to perform the work to City Council.

The City of Troy is not alone in having the same auditing firm for a number of consecutive years. The following information has been gathered on the time-span of current auditors from comparable cities:

Farmington Hills – 30+ years

Novi – 26+ years

Southfield – 24 years

Sterling Heights – 18 years

Both of the firms that were under consideration have the necessary expertise to perform the audit for the City of Troy. Based on the selection process approved by City Council on January 24, 2005, Doeren Mayhew is the recommended choice of auditors.

EVALUATION PROCESS:

AUDIT SERVICES

SELECTION PROCESS

Page 1 of 2

CRITERIA FOR SELECTION

The City Committee reviewed the proposals using the following criteria:

- A. Compliance with qualifications criteria
- B. Completeness of the proposal
- C. Correlation of the proposals submitted to the needs of the City of Troy
- D. Any other factors which may be deemed to be in the City's best interest
- E. Evaluation Process

Phase 1: Qualifications Evaluation.

A designated member of the Committee reviewed all responses and determined if that company met the minimum established criteria. A standardized form was used for all firms. (Evaluation Criteria Sheet attached)

Phase 2: Weighted Evaluation Process.

Those firms that passed the initial pass/ fail phase, were **independently** rated by each member of the Evaluation Committee using a standardized weighted score sheet. The rating forms were turned into Purchasing who then calculated the weighted scores for the final score indicated on the Executive Summary. The scores of the three Committee Members were averaged into one score for each bidder for this phase of the process.

Phase 3: Oral Presentation

Both firms were invited to interview with the Evaluation Committee. A scripted format was used to ensure fairness to both firms. Each Committee member completed his or her Interview Form **independently** without discussion. The forms were turned into Purchasing to calculate the scores for the final score reported on the Executive Summary. The scores of the three Committee Members were averaged into one score for each bidder for this phase of the process.

Phase 4: "Other" Points

The Committee decided to eliminate this phase of the process therefore no "Other" points were awarded.

Phase 5: Price

Points for price will be calculated as follows:

CALCULATIONS:

1. The proposals shall be arranged from lowest proposal to highest proposal
2. High Proposal (-) Low Proposal = Range
3. A mean or average will be calculated from the data, as well as the variance and standard deviation. This information will be used to compare and interpret the measures of location and variability within the population. Points will be given based upon the number of standard deviations that the bid price is from the mean or average or similar process depending upon the population.

**AUDIT SERVICES
SELECTION PROCESS**

Page 2 of 2

Phase 6: Final Scoring and Selection

The highest final weighted score will be the firm recommended to the Troy City Council for Award.

40% x Price Score (100 pt. Base) =
30% x Evaluation Score (100 pt. Base) =
20% x Oral Presentation Score (100 pt. Base) =
~~10% x Other (100 pt. Base) =~~
100% 90% Final Weighted Score

Note: The City of Troy reserved the right to change the order or eliminate an evaluation phase if deemed in the City's best interest to do so.

WHEREAS, The land and house will become the property of the City of Troy.

NOW THEREFORE BE IT RESOLVED, That the Agreement to Purchase between Danny E. Lee and Diane M. Lee, and the City of Troy, having Sidwell #88-20-16-478-026 for the acquisition of their property at 109 Lange, is hereby **APPROVED** in the amount of \$290,000.00, plus closing costs.

Yes: All-5
No: None
Absent: Schilling, Broomfield

The meeting **RECESSED** at 8:57 PM.

The meeting **RECONVENED** at 9:11 PM.

F-10 Standard Purchasing Resolution 8: Best Value Process Award – Audit Services

Resolution
Moved by Howrylak
Seconded by Eisenbacher

WHEREAS, The City Council of the City of Troy desires to utilize the services of a new auditor after fourteen years with Doeren Mayhew.

RESOLVED, That a three (3) year contract to provide audit services for years 2005, 2006 and 2007 with an option to renew for three (3) additional years is hereby **AWARDED** to the Rehmann Group as a result of the Best Value process at an estimated cost of \$63,820.00, as outlined in the tabulation opened February 4, 2005; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

Resolution to Postpone

Resolution
Moved by Beltramini
Seconded by Lambert

RESOLVED, That Standard Purchasing Resolution 8: Best Value Process Award – Audit Services be **POSTPONED** until the Regular City Council Meeting scheduled for Monday, April 4, 2005.

Vote on Resolution to Amend Proposed Postponement Resolution

Resolution #2005-03-134
Moved by Howrylak

Seconded by Lambert

RESOLVED, That the Resolution to Postpone be **AMENDED** by **STRIKING** "April 4, 2005" and **INSERTING** "April 18, 2005".

Yes: All-5
No: None
Absent: Schilling, Broomfield

Vote on Resolution to Postpone as Amended

Resolution #2005-03-135
Moved by Beltramini
Seconded by Lambert

RESOLVED, That Standard Purchasing Resolution 8: Best Value Process Award – Audit Services be **POSTPONED** until the Regular City Council Meeting scheduled for Monday, April 18, 2005.

Yes: All-5
No: None
Absent: Schilling, Broomfield

F-11 Labor Attorney Fees and Agreement

Resolution #2005-03-136
Moved by Lambert
Seconded by Eisenbacher

WHEREAS, Craig Lange, Roumell, Lange and Cholack has provided the City of Troy with excellent outside labor counsel for many years and has requested a rate increase from \$145.00 to \$155.00 per hour; and

WHEREAS, The City Attorney has determined that the rate charged by Lange & Cholack is reasonable; and

WHEREAS, It is the determination of the City Manager and City Council of the City of Troy that no benefit would result to the City to solicit sealed proposals;

NOW, THEREFORE, BE IT RESOLVED, That the Agreement for Labor Council Services, and rate charge of \$155.00 per hour requested by Craig Lange, Roumell, Lange & Cholack, is hereby **APPROVED** effective March 1, 2005.

Yes: All-5
No: None
Absent: Schilling, Broomfield

specifications, soil borings and to obtain the necessary permits for the proposed Sylvan Glen Golf Course Streambank Stabilization Project at a cost not to exceed \$75,000.

Yes: All-7

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings:

- a) Preliminary Site Plan Review and Amended Consent Order and Judgment (SP 883-C) – Heartland Health Care, Southeast Corner of South Boulevard and Livernois, Section 3 – O-1 and R-1B – February 7, 2005

Noted and Filed

G-2 Green Memorandums:

- a) Summary of Phase I Findings for Water System Feasibility Study
- b) Voter Identification Cards and Absentee Voter Applications
- c) Recommendation to Reject Proposal for Nature Center Exhibits and Fabrication
- d) Recreation Pass Fee Recommendations for 2005
- e) Sanctuary Lake Maintenance Operation

Noted and Filed

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

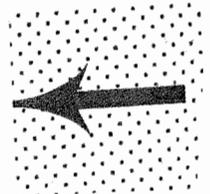
H-1 No Referrals Advanced

COUNCIL COMMENTS:

I-1 No Council Comments Advanced

Resolution Regarding the Selection of Auditing Services

Resolution
Moved by Beltramini
Seconded by Stine



RESOLVED, That City Staff **CONTINUE** the review process for Request for Qualifications (RFQ's) in the selection of auditing services and submit to City Council the summary of their findings and recommendations no less than two weeks before a decision is expected.

Vote on Resolution to Call the Question

Resolution #2005-01-050
Moved by Schilling
Seconded by Beltramini

RESOLVED, That the **QUESTION BE CALLED** for the resolution regarding the selection of auditing services.

Yes: Schilling, Beltramini, Broomfield, Eisenbacher
 No: Howrylak, Lambert, Stine

MOTION CARRIED

Vote on Resolution Regarding the Selection of Auditing Services

Resolution #2005-01-051
 Moved by Beltramini
 Seconded by Stine

RESOLVED, That City Staff **CONTINUE** the review process for Request for Qualifications (RFQ's) in the selection of auditing services and submit to City Council the summary of their findings and recommendations no less than two weeks before a decision is expected.

Yes: Beltramini, Broomfield, Eisenbacher, Lambert, Stine, Schilling
 No: Howrylak

MOTION CARRIED

REPORTS:

J-1 Minutes – Boards and Committees:

- a) Building Code Board of Appeals/Final – December 1, 2004
- b) Parks and Recreation Advisory Board/Final – December 7, 2004
- c) Employees' Retirement System Board of Trustees/Final – December 8, 2004
- d) Planning Commission/Final – December 14, 2004
- e) Building Code Board of Appeals/Draft – January 5, 2005
- f) Library Board/Draft – January 13, 2005

Noted and Filed

J-2 Department Reports:

- a) Travel Expense Report – Mayor Louise Schilling – National League of Cities Conference
- b) Building and Zoning Department Permits Issued During the Year 2004
- c) Building and Zoning Department Permits Issued During the Month of December, 2004
- d) Building and Zoning Department Permits Issued July Through December, 2004
- e) December 31, 2004 Quarterly Financial Report
- f) 2004 Fourth Quarter Litigation Report

Noted and Filed

J-3 Letters of Appreciation:

- a) Letter to Chief Craft from St. Joseph Catholic Chaldean Church Thanking the Troy Police Department for Assistance with Traffic Control During Christmas Services
- b) Certificate of Appreciation Thanking Sergeant Don Ostrowski from the Michigan Public Purchasing Officers Association for His Presentation on Emergency Preparedness

Noted and Filed

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

March 2, 2005

TO: John Szerlag, City Manager

FROM: John M. Lamerato, ACM / Finance & Administration
Jeanette Bennett, Purchasing Director
James A. Nash, Financial Services Director

SUBJECT: **Agenda Item** - Standard Purchasing Resolution 8: Best Value Process
Award – Audit Services

RECOMMENDATION

On February 4, 2005, three (3) proposals were received to provide audit services for the fiscal years ending June 30th 2005, 2006, and 2007, with a three (3) year option to renew. City management recommends that a contract be awarded to Doeren Mayhew of Troy, Michigan, the highest scoring respondent, as a result of a best value process for an estimated annual cost of \$55,695.00. The award is contingent upon vendor submission of proper contract and proposal documents, including insurance certificates and all specified requirements.

SELECTION PROCESS

The best value approach leading to this award recommendation is based upon the vendor offering the best combination of a variety of factors. Three staff members independently evaluated proposals of the bidders meeting minimum requirements. The Staff Committee reviewed the firms using pass/ fail criteria, weighted criteria, scripted interviews, and pricing. References were contacted and asked scripted questions. These factors are documented in the attached Executive Summary.

SUMMARY

After completing the evaluation process, Doeren Mayhew received the highest weighted score from the committee. Accordingly, it is the recommendation of the committee to award the audit services contract to Doeren Mayhew.

BUDGET

Funds for the audit are available in the various operating accounts for Finance, DDA, Block Grant Administration, and Brownfield Redevelopment.



**EXECUTIVE SUMMARY
AUDIT SERVICES**

STATISTICS:

- ◆ 7 Request for Proposals or Notices were sent by email or fax
- ◆ 3 responses were received
- ◆ Doeren Mayhew was rated the most qualified firm by receiving the highest score

FINAL SCORING:

The *final score* for each qualified Short-listed bidder from Phase 2 will be determined as follows:

40% x Price Score (100 pt. Base)	=
30% x Evaluation Score (100 pt. Base)	=
20% x Oral Presentation Score (100 pt. Base)	=
10% x Other (100 pt. Base)	=
100 90% Final Weighted Score	

The following bidders submitted a proposal and received the indicated final scores:

COMPANY	SCORE
Doeren Mayhew	66
The Rehmann Group	51

BIDDER NOT MEETING SPECIFICATIONS:

Virchow, Krause & Company, LLP was disqualified for the following:

- ✓ VK&C did not have Michigan governmental experience listed
- ✓ The only Michigan staff listed did not have municipal experience
- ✓ VK&C made an assumption in their RFP that the City would supply draft financial statements. This assumption was in conflict with a specification requiring preparation, editing, and printing of reports

REASONS FOR NO BID RESPONSES:

PriceWaterhouseCoopers LLP respectfully declined to bid but requested to remain on our bid list.

Plante Moran, PLLC expressed numerous reasons for not bidding, which include: 1) Troy was not upset with the current auditing firm and probably would stay with them; 2) large emphasis on fee; 3) for the effort, they probably would not get it; 4) they are a premier firm and could not receive enough points to make that apparent; 5) they are very busy at audit time but could do the work if requested.

Wolinski & Company, CPA, PC, during the process, Ms. Houghton mentioned that they would not be submitting a RFP because, since the Enron scandal, regulatory agencies are trying to crack down on firms and require them to separate consulting from CPA services. Wolinski & Co. does more consulting.

KPMG – did not respond to voicemail – earlier had refused to provide email address.

Attachments:

- Evaluation Process
- Weighted Scoring Summary

EVALUATION PROCESS:

AUDIT SERVICES

SELECTION PROCESS

Page 1 of 2

CRITERIA FOR SELECTION

The City Committee reviewed the proposals using the following criteria:

- A. Compliance with qualifications criteria
- B. Completeness of the proposal
- C. Correlation of the proposals submitted to the needs of the City of Troy
- D. Any other factors which may be deemed to be in the City's best interest
- E. Evaluation Process

Phase 1: Qualifications Evaluation.

A designated member of the Committee reviewed all responses and determined if that company met the minimum established criteria. A standardized form was used for all firms. (Evaluation Criteria Sheet attached)

Phase 2: Weighted Evaluation Process.

Those firms that passed the initial pass/ fail phase, were *independently* rated by each member of the Evaluation Committee using a standardized weighted score sheet. The rating forms were turned into Purchasing who then calculated the weighted scores for the final score indicated on the Executive Summary. The scores of the three Committee Members were averaged into one score for each bidder for this phase of the process.

Phase 3: Oral Presentation

Both firms were invited to interview with the Evaluation Committee. A scripted format was used to ensure fairness to both firms. Each Committee member completed his or her Interview Form *independently* without discussion. The forms were turned into Purchasing to calculate the scores for the final score reported on the Executive Summary. The scores of the three Committee Members were averaged into one score for each bidder for this phase of the process.

Phase 4: "Other" Points

The Committee decided to eliminate this phase of the process therefore no "Other" points were awarded.

Phase 5: Price

Points for price will be calculated as follows:

CALCULATIONS:

1. The proposals shall be arranged from lowest proposal to highest proposal
2. High Proposal (-) Low Proposal = Range
3. A mean or average will be calculated from the data, as well as the variance and standard deviation. This information will be used to compare and interpret the measures of location and variability within the population. Points will be given based upon the number of standard deviations that the bid price is from the mean or average or similar process depending upon the population.

**AUDIT SERVICES
SELECTION PROCESS**

Page 2 of 2

Phase 6: Final Scoring and Selection

The highest final weighted score will be the firm recommended to the Troy City Council for Award.

40% x Price Score (100 pt. Base) =
30% x Evaluation Score (100 pt. Base) =
20% x Oral Presentation Score (100 pt. Base) =
~~10% x Other (100 pt. Base) =~~
100% 90% Final Weighted Score

Note: The City of Troy reserved the right to change the order or eliminate an evaluation phase if deemed in the City's best interest to do so.



**WEIGHTED RATING
AUDIT SERVICES**

WEIGHTED EVALUATION – Rating Non-Mandatory Requirements:

Raters:	1	2	3	AVERAGE
Vendors:				
1. Doeren Mayhew	82	61	65	69.34 = 69
2. The Rehman Group	91	82	64	79.0

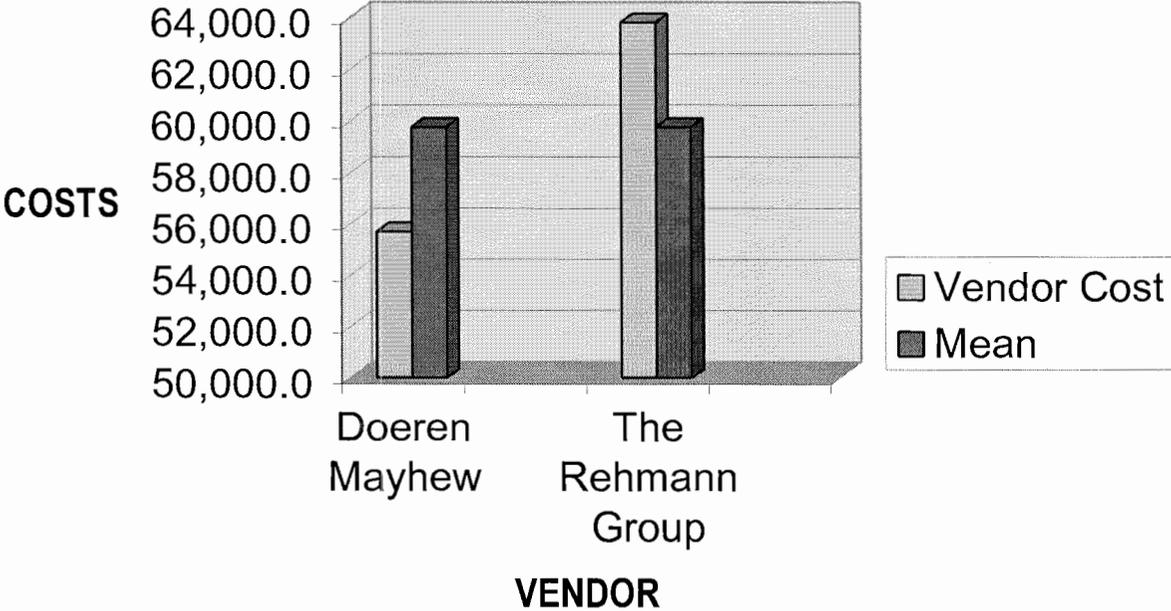
INTERVIEW SCORING:

Raters:	1	2	3	AVERAGE
Vendors:				
1. Doeren Mayhew	59	83	79	73.67 = 74
2. The Rehman Group	85	93	76	84.67 = 85

FINAL SCORING:

	Score Price Score 40% of Total	Score Weighted Score 30% of Total	Score Interview Score 20% of Total	FINAL SCORE Max. = 90
Categories:	Price	Weighted	Interview	
1. Doeren Mayhew	75 x .40 = 30	69 x .30 = 20.7= 21	74 x .20 = 14.8 = 15	66
2. The Rehman Group	25 x .40 = 10	79 x .30 = 23.7= 24	85 x .20 = 17	51

AUDIT SERVICES



**AUDIT SERVICES
ANALYSIS**

VENDOR	COST	MEAN	DIFFERENCE	D2	VARIANCE	STANDARD DEVIATION	POINTS
Doeren Mayhew	55,695.0	59,758	4,062.50	16503906.25		-1	75
						0 (Mean)	50
The Rehmann Group	63,820.0	59,758	(4,062.50)	16503906.25		+1	25
	\$ 119,515.0			33,007,813	16503906.25	4062.50	

Opening Date -- 2-4-05
 Date Prepared -- 2/24/05

CITY OF TROY
 REQUEST FOR PROPOSAL
 AUDIT SERVICES

VENDOR NAME:

DOEREN MAYHEW

THE REHMANN GROUP

PROPOSAL: Audit Services for the City of Troy for fiscal years 2005, 2006, 2007 ending June 30th with an Option to Renew for three additional fiscal years

FIRM QUESTIONNAIRE:	Y or N	YES	YES
PROPOSAL A: City of Troy Audit			
All-Inclusive Maximum Price for 2005 Audit			
Annual Cost:		\$ 45,840.00	\$ 57,000.00
Staff - Hours & Hourly Rates	Y or N	YES	YES
Federal Programs - Annual Cost:		\$ 3,585.000	INCLUDED
Out of Pocket Expenses:		None	None
PROPOSAL B: Downtown Development			
All-Inclusive Maximum Price - DDA Audits for 2005			
Annual Cost:		\$ 2,345.00	\$ 3,070.00
Out of Pocket Expenses:		None	None
Staff - Hours & Hourly Rate	Y or N	YES	YES
PROPOSAL C: Brownfield Redevelopment			
All-Inclusive Maximum Price - BRA Audits for 2005			
Annual Cost:		\$ 1,950.00	\$ 1,800.00
Staff - Hours & Hourly Rate	Y or N	YES	YES
Out of Pocket Expenses:		None	None
PROPOSAL D: Local Development Authority			
All-Inclusive Maximum Price - Smart Zone Audits for 2005			
Annual Cost:		\$ 1,975.00	\$ 1,950.00
Staff - Hours & Hourly Rate	Y or N	YES	YES
Out of Pocket Expenses:		None	None
ESTIMATED GRAND TOTAL:		\$ 55,695.00	\$ 63,820.00
INSURANCE:	Can Meet	YES	YES
	Cannot Meet		
TERMS:		BLANK	BLANK
EXCEPTIONS:		BLANK	BLANK
ACKNOWLEDGEMENT:	Y or N	YES	YES

DMS:

Virchow, Krause & Company, LLP (\$45,000)

Reasons: No Michigan municipal experience listed; and draft financial statements are not available, but the responsibility of the auditor.

NO BIDS:

PriceWaterhouseCoopers

ATTEST:

Aileen Bittner
 Laura Fitzpatrick
 Jeanette Bennett

2005
 Jeanette Bennett
 Purchasing Director



RE: RFP-COT 04-60
Audit Services

February 14, 2005

Mr. John Knepel, CPA
Virchow, Krause & Company, LLP
115 S. 84th Street, Suite 400
Milwaukee, WI 53214

Dear Mr. Knepel,

On behalf of the City of Troy, I would like to thank you for participating in the Request for Proposal for Audit Services. At this time we would like to notify you that during Phase I of the Selection Process (Qualifications Evaluation), the Selection Committee eliminated your firm from further consideration for the following reasons:

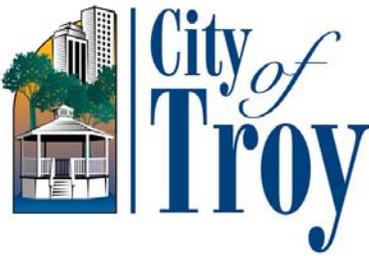
1. Question 3 requests a list of governmental audit clients. Question 5 requests information on the staff assigned to the City of Troy account. Although your company has municipal references, they are all in Wisconsin. Correspondingly, staff with municipal experience assigned to the City account is located in Wisconsin. The only listed Michigan staff member assigned to the City's account does not have any municipal experience indicated. The Selection Committee was specifically looking for firms with Michigan audit experience for the following reasons:
 - ✓ Act 51 Highway Tax receipts, expenditures, reporting requirements
 - ✓ DDA, Brownfield Redevelopment, and LDFA (SmartZone) statutes
 - ✓ Deficit fund balance reporting issues
 - ✓ State Construction Code Act
 - ✓ Allowable Investments

2. Question 11 requests information on your firm's Audit Approach. In your proposal, you state "Our proposal and estimated hours schedule are prepared under the assumption that City's records will be ready to be audited... **In addition, draft financial statements will be available.**" This assumption does not comply with the intent of the Report Preparation specification included in the document on page 4 of 16 of the Request for Qualifications/ Proposal, under Section V, Item B. Report Preparation: "Report preparation, editing, and printing shall be the responsibility of the auditor".

If you have any questions concerning the Request for Proposal, the process, or would like further information, please call the Purchasing Department for assistance at (248) 680-7291.

Sincerely,

Jeanette Bennett
Purchasing Director



CITY COUNCIL ACTION REPORT

November 27, 2007

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Standard Purchasing Resolution 4: Award – Oakland County Cooperative Purchasing Agreement – Fleet Vehicles

Background:

- Golling Chrysler Jeep Dodge, Inc. is the low total bidder in the Oakland County cooperative bid.
- The vehicles being purchased are replacement vehicles for those sold at auction.

Financial Considerations:

- Funds are available in the Public Works Fleet Division capital account # 565.7981.

	<u>BUDGET</u>	<u>UNIT COST</u>	<u>ESTIMATED TOTAL</u>
(2) Dodge Charger W/Police Package	\$ 48,000.00	\$22,252.00	\$ 44,504.00
ESTIMATED TOTAL	\$ 48,000.00		\$ 44,504.00

Legal Considerations:

- There are no legal considerations associated with this item.

Policy Considerations:

- The vehicles are used on a daily basis to assure proper and proactive Police protection and service (Goal I & V).
- The purchase of the Police vehicles would assure the safety and welfare of citizens and businesses and also reduce the liability for the City. (Goal I & V).

Options:

- City management and the Public Works Fleet Division recommend awarding a contract to provide two (2) 2008 Dodge Chargers from Golling Chrysler Jeep Dodge, Inc. of Bloomfield Hills, MI, through the Oakland County purchasing agreement at an estimated total cost of \$44,504.00.



CITY COUNCIL ACTION REPORT

December 3, 2007

TO: Phillip L. Nelson, City Manager
FROM: William S. Nelson, Fire Chief
SUBJECT: Acceptance of Fireman's Fund Insurance Company Grant

Background:

- The Fireman's Insurance Company provides grants to fire departments in conjunction with their local sales agencies.
- The Troy Fire Department received notification that it has been awarded a grant in the amount of \$6,237.00.
- This grant may be used equipment, training, and educational programs.
-

Financial Considerations:

- There is no match requirement for this grant.
- The fire department proposes to use the grant funding to update public education programs,

Legal Considerations:

- The City Attorney has reviewed the grant award documents and approved the grant compliance agreement for form and content.

Policy Considerations:

Approving this project addresses the following goals:

- Enhance the livability and safety of the community. (Goal I)
- Minimize the cost and increase the efficiency and effectiveness of city government. (Goal II)

Options:

- Approve the resolution to accept the grant from Fireman's Fund Insurance Company.

William S Nelson

From: SJohnso6@FFIC.COM
Sent: Tuesday, November 13, 2007 1:48 PM
To: William S Nelson
Subject: Fw: Heritage Grant - Application/Compliance Form (Troy Fire Department)
Attachments: Compliance Agreement.doc; Instructions for Online Application.doc

Stephanie M. Johnson
Community Relations Manager
Fireman's Fund Insurance Company
500 N. Akard St., Suite 800
Dallas, TX 75201

Tele: (214) 220.4195
Cell: (469) 426.6773
Fax: (888) 859.9086
sjohnso6@ffic.com

----- Forwarded by Stephanie M Johnson/FFIC on 11/13/2007 12:47 PM -----

Stephanie M Johnson/FFIC

To nelsonws@troymic.gov

cc Mandy Wilburn/FFIC@FFIC

Subject Heritage Grant - Application/Compliance Form (Troy Fire Department)

11/13/2007 11:52 AM

Congratulations!

Oakland Insurance Agency and Fireman's Fund Insurance Company would like to direct a Heritage Rewards Grant in the amount of \$6,237 to the Troy Fire Department.

Since 2004, Fireman's Fund Heritage Rewards program (a social mission) has provided over \$14 million in grants for equipment, training and educational programs to fire departments across the country (**the Heritage Grant does not cover fire fighter memorials, fire department personnel, brick/mortar buildings or debt retirement**). Fireman's Fund Heritage gives our independent agents and employees the opportunity to direct grants to local fire departments of their choice. Oakland Insurance Agency was instrumental in directing this specific grant to your fire department.

In order to begin the grant process, please copy and paste the listed URL link http://www.cybergrants.com/pls/cybergrants/ao_login.login?x_gm_id=1838&x_proposal_type_id=4109 into the internet browser and hit the enter key. Once you've pasted the link you will have access to the online heritage grant application (**reference online instructions below when completing the application**).

In addition to the grant, in order to complete the check process you must read and sign the compliance agreement attached below. Once you have signed the agreement, please fax the compliance form only to the attention of Mandy Wilburn at (866) 631-9054 and mail the original document to the following address:

Mandy Wilburn
Fireman's Fund Insurance Co.
3301 Rider Trail South, 3rd Floor
Earth City, MO 63045

Once the forms have been completed, I will work with you or a designated contact within your fire department to begin planning a media event to include a check presentation as well as invited dignitaries of your choice from your city (not mandatory), firefighters and representatives from Fireman's Fund and Oakland Insurance Agency.

In the meantime if you have questions and will need to speak with me directly please do not hesitate to contact me at
(214) 220-4195.

For additional information regarding Fireman's Fund Heritage program. <http://www.firemansfund.com>

Stephanie M. Johnson
Community Relations Manager
Fireman's Fund Insurance Company
500 N. Akard St., Suite 800
Dallas, TX 75201

Tele: (214) 220.4195
Cell: (469) 426.6773
Fax: (888) 859.9086
sjohnso6@ffic.com

Please Note:

The information in this E-mail message, and any files transmitted with it, is confidential and may be legally privileged. It is intended only for the use of the individual(s) named above. If you are the intended recipient, be aware that your use of any confidential or personal information may be restricted by state and federal privacy laws. If you, the reader of this message, are not the intended recipient, you are hereby notified that you should not further disseminate, distribute, or forward this E-mail message. If you have received this E-mail in error, please notify the sender and delete the material from any computer. Thank you.



Grant Compliance Agreement

This agreement is made and entered into by and between Fireman's Fund Insurance Company (Fireman's Fund®) of Novato, CA, and

_____ (Department/District) ("the Department") located at (street address)

Whereas, it is intended that the Department will utilize a grant award or donation received from Fireman's Fund® for the specific purpose outlined in the Department's grant application and/or approved by Fireman's Fund. Fireman's Fund reserves the right to communicate with and visit the Department on an ongoing basis to ensure that the funding is utilized for the express purpose intended. The Department is required to apply a grant or donation from Fireman's Fund within 90 days of receipt of funds or obtain an extension from Fireman's Fund. Additionally, the Department must supply Fireman's Fund with a copy of the paid invoice within 30 days of purchases utilizing funding from a Fireman's Fund HeritageSM grant or donation. Invoice copies should be sent to **Fireman's Fund attn: MANDY WILBURN, 3301 Rider Trail South, 3rd Floor, Earth City, MO 63045. (Fax # 866-631-9054)**

The Department must notify Fireman's Fund within 60 days of receipt of funds if it decides to purchase a different quantity of items than what was awarded by Fireman's Fund, or if it chooses to apply funds differently than originally intended or approved by Fireman's Fund. Unused funds must be returned to Fireman's Fund.

If the Department plans to use funds for any purpose other than originally outlined and approved by Fireman's Fund, the Department must first obtain approval from Fireman's Fund. In the event that the grant funding is not utilized for the purpose(s) approved by Fireman's Fund and/or outlined in the original grant application and Fireman's Fund is not notified of any changes to the original request, Fireman's Fund reserves the right to revoke the grant funding or donation, request the return of the full grant/donation amount, and eliminate the Department from consideration for future funding through the Fireman's Fund Heritage program.

It is the intention of Fireman's Fund to promote the grant and Fireman's Fund will work with the Department on promotional efforts to ensure that they are mutually beneficial. If the Department is awarded a grant or donation, Fireman's Fund expects the Department to participate in a check presentation ceremony that is scheduled mutually, but held within three months after the check is received and/or when the equipment arrives. Fireman's Fund reserves the right to film and/or photograph the award presentation and publicize the request and award in all internal and external marketing and communications activities related to the Fireman's Fund Heritage program. Fireman's Fund will provide stickers to the Department which indicate that the equipment was purchased with a grant from Fireman's Fund and the stickers are to be placed on the equipment purchased with funds granted by Fireman's Fund, as well as an electronic logo for printed materials. For large donations such as fire safety houses, Fireman's Fund has the right to assist the Department with design and signage on the equipment and may provide additional funding for this purpose. Fireman's Fund invites your department to contact us to discuss any additional marketing or public relations assistance we can provide on your behalf.

Finally, as a way to demonstrate the overall impact of this grant program, Fireman's Fund asks that the Department provide documentation demonstrating the effect the funding has had on operations. This can be documented via E-mail, letter, photos, video, or however the department sees fit. We request that this impact be documented and shared with Fireman's Fund within six months of the receipt of the grant or donation or as special calls occur and the grant funds helped make a difference.

By signing this agreement, Department agrees to carry out the aforementioned activities as planned.

Agreed to and Accepted:

Department: _____

By: (X) _____

Date: _____

Print Name and Title: _____

Dept. Tax/Fed ID #: _____

Make Grant Checks Payable to: _____

**Send Check to:
(No PO Boxes)** _____

If check is being mailed directly to a vendor:

Vendor Name: _____

Contact Name: _____

Tax ID Number: _____

**Street Address (NO
PO Boxes) for check
to be sent:** _____

PLEASE PRINT LEGIBLY



CITY COUNCIL ACTION REPORT

September 4, 2007

TO: Phillip L. Nelson, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance & Administration
Carol Anderson, Director of Parks and Recreation

SUBJECT: Municipal Credit and Community Credit Agreement

Background:

- Municipal credits are state-authorized funds that are given directly to the Suburban Mobility Authority for Regional Transportation (SMART) to be divided among every city, township and village in Oakland, Wayne and Macomb Counties on a per capita basis. Community credits are a direct result of the SMART millage that provides opt-in communities with additional funds.
- Troy's municipal and community credit dollars have been used to support the community based Troy Medi-Go Plus service. Medi-Go Plus provided over 11,000 rides to 603 unique senior and disabled riders in 2006.

Financial Considerations:

- There is neither expense nor financial implications to the City for this program.

Legal Considerations:

- There is no change to format and content of previous agreements with Medi-Go.

Policy Considerations:

- These funds must be used for local public transportation. Medi-Go provides door-to-door service and wheelchair accessible vehicles. For these reasons, Medi-Go is well suited for our frail elderly and disabled population. (Goal #1)

Options:

- The City can transfer Municipal Credit funds in the amount of \$76,084 and Community Credit funds in the amount of \$106,432 to Troy Medi-Go Plus for the operation of transportation service for senior citizens and persons with disabilities.

Where legal review is necessary:

Approved as to Form and Legality:

Lori Grigg Bluhm, City Attorney

MUNICIPAL CREDIT and COMMUNITY CREDIT CONTRACT FOR FY - 2008

I, _____, on behalf of the City of Troy apply to SMART for our Municipal and Community Credits for the period July 1, 2007 to June 30, 2008, and agree that the Municipal and Community Credits Master Agreement, which is incorporated herein by reference, will form part of this agreement. Specific terms, conditions, and budgetary projections are set forth in Exhibits A and B as necessary.

Our community agrees to use the \$76,084 in **Municipal Credit** funds available to us as follows:

- (1) Transfer of \$ _____ to _____
TRANSFeree COMMUNITY
At the cost of \$ _____
 - (2) Transportation program operated/administered by the community
(Includes Charters, Van/Bus Program, Taxi Reimbursement)
At the cost of \$ _____
 - (3) Transportation service purchased from SMART
(Includes SMART Tickets/Passes, Shuttle Service, Dial-A-Ride)
At the cost of \$ _____
- Total \$ 76,084**

Our community agrees to use the \$106,432 in **Community Credit** funds available to us as follows:

- (1) Transfer of \$ _____ To _____
TRANSFeree COMMUNITY
At the cost of \$ _____
- (2) Transportation program operated/administered by the community
(Includes Charters, Van/Bus Program, Taxi Reimbursement)
At the cost of \$ _____
- (3) Transportation service purchased from SMART
(Includes SMART Tickets/Passes, Shuttle Service, Dial-A-Ride)

At the cost of \$ _____

(4) Capital Purchases

At the cost of \$ _____

Total \$ 10,643.2 _____

Capital purchases permitted with Community Credits are subject to applicable state and federal regulations, and SMART procurement guidelines. When advantageous, SMART may make procurements directly. Reimbursement for purchases made by a community requires presentation of proper documentation to support the purchase.

City of Troy

By: _____

Dated _____

Its: _____

For the Suburban Mobility Authority for
Regional Transportation

Dated _____

By: _____

Hayes Jones
General Manager



CITY COUNCIL ACTION REPORT

December 6, 2007

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Economic Development Services
 Steven J. Vandette, City Engineer
 Patricia A. Petitto, Real Estate Consultant, Greenstar & Associates, LLC *PRP*

SUBJECT: Request for Approval of Purchase Agreement
 John R Road Improvements, Square Lake Road to South Boulevard
 Project No. 02.204.5 – Parcel #33 – Sidwell #88-20-02-427-007 – Kinette A. Bayliss

Background:

- In connection with the proposed improvements to John R Road, from Square Lake Road to South Boulevard, the Real Estate & Development Department received a Purchase Agreement from Kinette A. Bayliss. This parcel is located on the west side of John R Road, between Square Lake and Atkins in the southeast ¼ of Section 2.

Financial Considerations:

- An appraisal was prepared by Andrew Reed, State Certified Appraiser and reviewed by Kimberly Harper, Deputy Assessor and State Licensed Appraiser, and Larysa Figol, Limited Real Estate Appraiser. Staff believes that \$12,400, plus closing costs for the acquisition of the property described in the purchase agreement is a justifiable amount for this acquisition.
- Eighty percent of these costs will be reimbursed from Federal funds. Funds for the City of Troy's share are included in the 2007-08 Major Road fund, account number 401479.7989.022045.

Legal Considerations:

- The format and content of the purchase agreement is consistent with documents previously accepted by City Council.

Policy Considerations:

- The purpose of this project is to relieve congestion, improve safety and improve the flow of traffic. (Goals I and V)

Options:

- City Management recommends that City Council approve the attached Purchase Agreement from Kinette A. Bayliss so that the City can proceed with the acquisition of this right-of-way.

PAP\G\MEMOS TO MAYOR & CC\Abro Purchase Agreement

CITY OF TROY
AGREEMENT TO PURCHASE REALTY
FOR PUBLIC PURPOSES

The CITY OF TROY (the "Buyer"), agrees to purchase from Kinette A. Bayliss, survivor of herself and Elerious L. King and Prisilla B. King, husband and wife, whose death certificates are attached (the "Sellers"), the following described premises (the "Property"):

SEE ATTACHED EXHIBIT "A"

for a public project within the City of Troy and to pay the sum of Twelve Thousand, Four Hundred and no/100 Dollars (\$12,400.00) under the following terms and conditions:

1. Seller shall assist Buyer in obtaining all releases necessary to remove all encumbrances from the property so as to vest a marketable title in Buyer.
2. Seller shall pay all taxes, prorated to the date of closing, including all special assessments, now due or which may become a lien on the property prior to the conveyance.
3. Seller shall deliver the Warranty Deed upon payment of the purchase money by check drawn upon the account of the City of Troy.
4. Buyer shall, at its own expense, provide title insurance information, and the Seller shall disclose any encumbrances against the property.
5. This Agreement is binding upon the parties and closing shall occur within ninety (90) days of the date that all liens have been released and encumbrances have been extinguished to the satisfaction of the Buyer, unless extended by agreement of the parties in writing. It is further understood and agreed that this period of time is for the preparation and authorization of purchase money.
6. Buyer shall notify the Seller immediately of any deficiencies encumbering marketable title, and Seller shall then proceed to remove the deficiencies. If the Seller fails to remove the deficiencies in marketable title to Buyer's approval, the Buyer shall have the option of proceeding under the terms of this Agreement to take title in a deficient condition or to render the Agreement null and void, and any deposit tendered to the Seller shall be returned immediately to the Buyer upon demand.
7. The City of Troy's sum paid for the property being acquired represents the property being free of all environmental contamination. Although the City of Troy will not withhold or place in escrow any portion of this sum, the City reserves its rights to bring Federal and/or State and/or local cost recovery actions against the present owners and any other potentially responsible parties, arising out of a release of hazardous substances at the property.
8. Seller acknowledges that this offer to purchase is subject to final approval by Troy City Council.
9. Seller grants to Buyer temporary possession and use of the property commencing on this date and continuing to the date of closing in order that the Buyer may proceed with the public project.

10. Additional conditions, if any:
A curb cut for vehicle access will be placed where the existing culvert is located.

SELLER HEREBY ACKNOWLEDGES THAT NO PROMISES WERE MADE EXCEPT AS CONTAINED IN THIS AGREEMENT.

IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures this 10TH day of DECEMBER, 2007.

In presence of:

George J. Ballard II

Anna M. [Signature]

CITY OF TROY (BUYER)

Patricia A. Pettit

SELLER:

Henette A. Bayliss
Henette A. Bayliss

EXHIBIT "A"

Section 2, John R Widening Project

Parcel: 88-20-02-427-007

Parcel #33

PARENT PARCEL #33 DESCRIPTION:

T2N, R11E, SEC 2, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS PART OF SOUTHEAST 1/4 BEGINNING AT A POINT DISTANT SOUTH 460 FT FROM EAST 1/4 CORNER, THENCE SOUTH 114.95 FT, THENCE S 84°23'00" W 718.80 FT, THENCE N 38°37'00" W 136.41 FT, THENCE N 84°23'00" E 804.34 FT TO BEGINNING, THE EAST 33 FEET OF WHICH IS CURRENTLY BEING USED FOR ROADWAY PURPOSES. CONTAINING 2.00 ACRES.

REMAINDER PARCEL DESCRIPTION:

T2N, R11E, SEC 2, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS PART OF SOUTHEAST 1/4 BEGINNING AT A POINT DISTANT SOUTH 460 FT & S 84°23'00" W 60.29 FROM EAST 1/4 CORNER, THENCE SOUTH 114.95 FT, THENCE S 84°23'00" W 658.51 FT, THENCE N 38°37'00" W 136.41 FT, THENCE N 84°23'00" E 744.05 FT TO BEGINNING. CONTAINING 1.84 ACRES.

PROPOSED FEE RIGHT OF WAY ACQUISITION:

T2N, R11E, SEC 2, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS PART OF SOUTHEAST 1/4 BEGINNING AT A POINT DISTANT SOUTH 460 FT FROM EAST 1/4 CORNER, THENCE SOUTH 114.95 FT, THENCE S 84°23'00" W 60.29 FT, THENCE NORTH 114.95 FT, THENCE N 84°23'00" E 60.29 FT TO THE POINT OF BEGINNING, ALSO KNOWN AS R.O.W. PARCEL #33, THE EAST 33 FEET OF WHICH IS CURRENTLY BEING USED FOR ROADWAY PURPOSES. CONTAINING 6,897 SQUARE FEET; 0.16 ACRES (GROSS) OR 3,104 SQUARE FEET; 0.07 ACRES (NET).

N38°37'00"W
136.41'

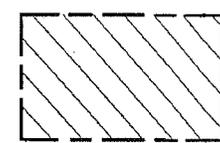
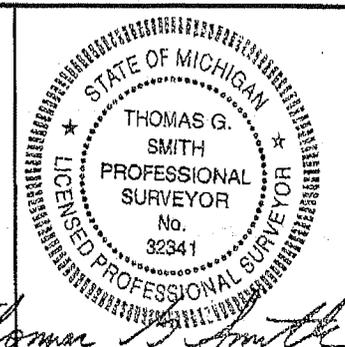
S84°23'00"W 658.51'

S84°23'00"W 718.80'

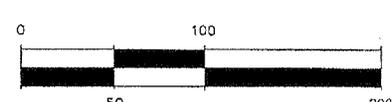
N84°23'00"E 804.34'

N84°23'00"E 744.05'

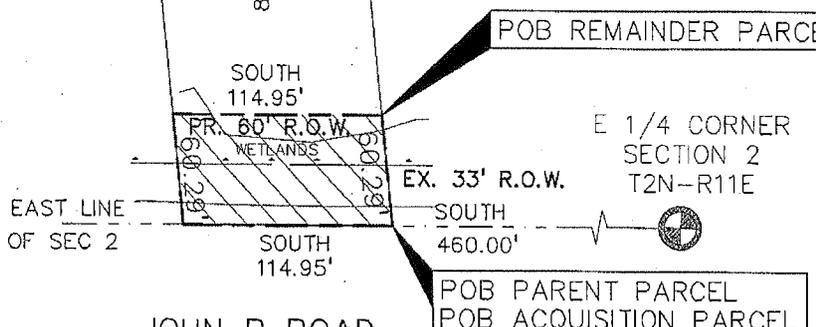
PARCEL 33
88-20-02-427-007



Right-of-Way Acquisition
Gross Area=6,897 sf; 0.16 AC
Net Area=3,104 sf; 0.07 AC



GRAPHIC SCALE
1" = 100'



PARCEL 33

ORCHARD, HILTZ & McCLIMENT, INC.
34000 Plymouth Road
Livonia, MI, 48150 (734)522-6711



500 W. Big Beaver Rd.
Troy, Michigan 48064
(248) 524-3594
www.ci.troy.mi.us

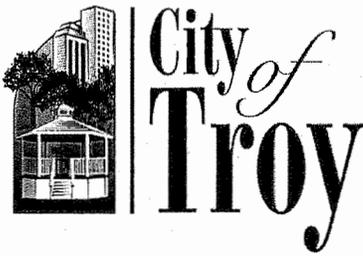
88-20-02-427-007
Right-of-Way
Acquisition Sketch

JOHN R ROAD
(120' WIDE)

POB PARENT PARCEL
POB ACQUISITION PARCEL

3-05 DATE	1 REV.	SCALE: 1" = 100'	DRAWN BY: JRV	CHECK BY: GWC	FILE P33-SEC2 ROW
CONTRACT No.		1-27-06		2-17-06	
STEVEN J. VANDETTE CITY ENGINEER		SHEET No. 1 of 2	JOB No. 2002-234		

Document Prepared by
Professional Engineering
Associates, Inc.



CITY COUNCIL ACTION REPORT

December 11, 2007

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Economic Development Services
 Steven J. Vandette, City Engineer
 Patricia A. Petitto, Real Estate Consultant, Greenstar & Associates, LLC *PAP*

SUBJECT: Request for Approval of Purchase Agreement
 John R Road Improvements, Square Lake Road to South Boulevard
 Project No. 02.204.5 – Parcel #68B – Sidwell #88-20-01-151-047
 Mark and Elizabeth Abro

Background:

- In connection with the proposed improvements to John R Road, from Square Lake Road to South Boulevard, the Real Estate & Development Department received a Purchase Agreement from Mark and Elizabeth Abro. This parcel is located on the east side of John R Road, between Lakeside Street and Alfred Street in the northwest $\frac{1}{4}$ of Section 1.

Financial Considerations:

- An appraisal was prepared by Andrew Reed, State Certified Appraiser and reviewed by Kimberly Harper, Deputy Assessor and State Licensed Appraiser, and Larysa Figol, Limited Real Estate Appraiser. Staff believes that \$14,400, plus closing costs for the acquisition of the property described in the purchase agreement is a justifiable amount for this acquisition.
- Eighty percent of these costs will be reimbursed from Federal funds. Funds for the City of Troy's share are included in the 2007-08 Major Road fund, account number 401479.7989.022045.

Legal Considerations:

- The format and content of the purchase agreement is consistent with documents previously accepted by City Council.

Policy Considerations:

- The purpose of this project is to relieve congestion, improve safety and improve the flow of traffic. (Goals I and V)

Options:

- City Management recommends that City Council approve the attached Purchase Agreement from Mark and Elizabeth Abro so that the City can proceed with the acquisition of this right-of-way.

PAP\G\MEMOS TO MAYOR & CC\Abro Purchase Agreement

CITY OF TROY
AGREEMENT TO PURCHASE REALTY
FOR PUBLIC PURPOSES

The CITY OF TROY (the "Buyer"), agrees to purchase from Mark Abro and Elizabeth Abro, husband and wife (the "Sellers"), the following described premises (the "Property"):

SEE ATTACHED EXHIBIT "A"

for a public project within the City of Troy and to pay the sum of Fourteen Thousand, Four Hundred and no/100 Dollars (\$14,400) under the following terms and conditions:

1. Seller shall assist Buyer in obtaining all releases necessary to remove all encumbrances from the property so as to vest a marketable title in Buyer.
2. Seller shall pay all taxes, prorated to the date of closing, including all special assessments, now due or which may become a lien on the property prior to the conveyance.
3. Seller shall deliver the Warranty Deed upon payment of the purchase money by check drawn upon the account of the City of Troy.
4. Buyer shall, at its own expense, provide title insurance information, and the Seller shall disclose any encumbrances against the property.
5. This Agreement is binding upon the parties and closing shall occur within ninety (90) days of the date that all liens have been released and encumbrances have been extinguished to the satisfaction of the Buyer, unless extended by agreement of the parties in writing. It is further understood and agreed that this period of time is for the preparation and authorization of purchase money.
6. Buyer shall notify the Seller immediately of any deficiencies encumbering marketable title, and Seller shall then proceed to remove the deficiencies. If the Seller fails to remove the deficiencies in marketable title to Buyer's approval, the Buyer shall have the option of proceeding under the terms of this Agreement to take title in a deficient condition or to render the Agreement null and void, and any deposit tendered to the Seller shall be returned immediately to the Buyer upon demand.
7. The City of Troy's sum paid for the property being acquired represents the property being free of all environmental contamination. Although the City of Troy will not withhold or place in escrow any portion of this sum, the City reserves its rights to bring Federal and/or State and/or local cost recovery actions against the present owners and any other potentially responsible parties, arising out of a release of hazardous substances at the property.
8. Seller acknowledges that this offer to purchase is subject to final approval by Troy City Council.
9. Seller grants to Buyer temporary possession and use of the property commencing on this date and continuing to the date of closing in order that the Buyer may proceed with the public project.
10. Additional conditions, if any:

SELLER HEREBY ACKNOWLEDGES THAT NO PROMISES WERE MADE EXCEPT AS CONTAINED IN THIS AGREEMENT.

IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures this 11th day of Decemberth, 2007.

In presence of:

CITY OF TROY (BUYER)

George Ballard II
James Parsons

Patricia A. Pettit

SELLER:

Amulya Alvo
Elizabeth Alvo

Exhibit "A"

Section 1, John R Widening Project
Parcel: 88-20-01-151-047
Parcel #68

PARENT PARCEL #68 DESCRIPTION (REVISED FROM SECTION LINE):

T2N, R11E, SEC 1 PART OF THE NORTHWEST 1/4, ALSO PART OF LOT 5 OF "TROY LAKE ESTATES", AS RECORDED IN L. 232, P. 25-29 OF OAKLAND COUNTY, MICHIGAN RECORDS; BEGINNING AT A POINT DISTANT SOUTH 2810.51 FT FROM THE NORTHWEST SECTION CORNER, THENCE S 89°58'31" E 175 FT; THENCE S 61°08'10" E, 85.88 FT TO TRAVERSE POINT "B", THENCE S 61°08'10" E ±5 FT TO THE SHORE OF TROY LAKE; THENCE SOUTHERLY ±42 FT ALONG THE SHORELINE OF TROY LAKE; THENCE N 89°58'31" W ±6 TO TRAVERSE POINT "C", LOCATED S 09°46'16" W 44.21 FT FROM SAID TRAVERSE POINT "B", THENCE N 89°58'31" W 242.71 FT, THENCE NORTH 85 FT TO THE POINT OF BEGINNING. CONTAINING 0.454 ACRES MORE OR LESS.

PROPOSED RIGHT OF WAY ACQUISITION:

T2N, R11E, SEC 1 PART OF THE NORTHWEST 1/4, CITY OF TROY, OAKLAND COUNTY, MICHIGAN; BEGINNING AT A POINT DISTANT SOUTH 2810.51 FT FROM THE NORTHWEST SECTION CORNER, THENCE S 89°58'31" E 60.00 FT; THENCE SOUTH 85 FT; THENCE N 89°58'31" W 60.00 FT; THENCE NORTH 85 FT TO THE POINT OF BEGINNING. CONTAINING 5,100 SQUARE FEET OR 0.117 ACRES MORE OR LESS.

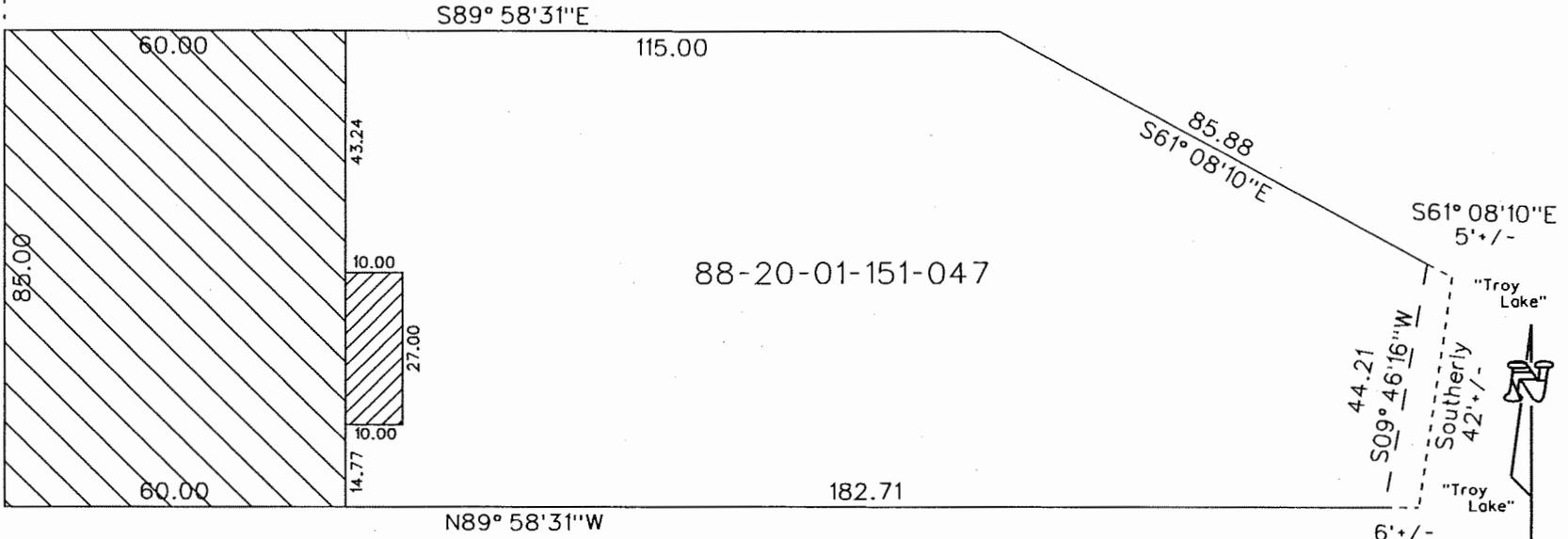
REMAINDER PARCEL DESCRIPTION:

T2N, R11E, SEC 1 PART OF THE NORTHWEST 1/4, ALSO PART OF LOT 5 OF "TROY LAKE ESTATES", AS RECORDED IN L. 232, P. 25-29 OF OAKLAND COUNTY, MICHIGAN RECORDS; BEGINNING AT A POINT DISTANT SOUTH 2810.51 FT AND S 89°58'31" E, 60 FT FROM THE NORTHWEST SECTION CORNER, THENCE S 89°58'31" E 115 FT; THENCE S 61°08'10" E, 85.88 FT TO TRAVERSE POINT "B", THENCE S 61°08'10" E ±5 FT TO THE SHORE OF TROY LAKE; THENCE SOUTHERLY ±42 FT ALONG THE SHORELINE OF TROY LAKE; THENCE N 89°58'31" W ±6 TO TRAVERSE POINT "C", LOCATED S 09°46'16" W 44.21 FT FROM SAID TRAVERSE POINT "B", THENCE N 89°58'31" W 182.71 FT, THENCE NORTH 85 FT TO THE POINT OF BEGINNING. CONTAINING 0.337 ACRES MORE OR LESS.

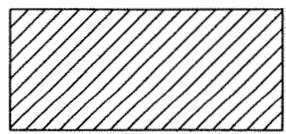
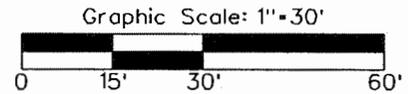
NW Cor.
Section 1

John R. Rd.

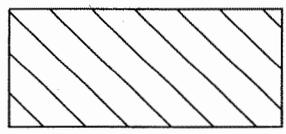
S00°00'00"E
2810.51



88-20-01-151-047



Proposed
10' Grading Permit
Area=270 Sq.Ft.



Proposed
Right of Way
Acquisition
Area=5,100 Sq.Ft.

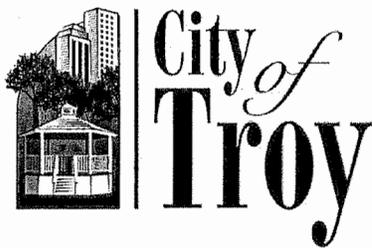
CITY OF TROY
OAKLAND COUNTY, MICHIGAN

Parcel #68 (88-20-01-151-047)
Right of Way & Grading Permit
Acquisition Sketch

SCALE	DRAWN BY	CHECKED	FILE
HOR. 1"=30'	NAME GJB III	NAME	See Above
VER.	DATE 7-28-06	DATE	VIEW *1
SHEET No.		JOB No.	
STEVEN J. VANDETTE		10F1	
CITY ENGINEER			

DOCUMENT PREPARED BY
George J. Ballard III
LAND SURVEYOR

DATE	REV.
CONTRACT No.	



CITY COUNCIL ACTION REPORT

December 11, 2007

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Services *BM*
 Steven J. Vandette, City Engineer *SV*
 Larysa Figol, Sr. Right-of-Way Representative *LF*

SUBJECT: Request for Acceptance of a Warranty Deed for Right-of-Way and a Permanent Easement for Watermain – ESC Associates, LLC - Section 21, Sidwell #88-20-21-426-012

Background:

- In connection with the development of a property located on the west side of Livernois north of Town Center, the Real Estate Department has received a Warranty Deed for 7 feet of right-of-way and a Permanent Easement for watermain from property owner ESC Associates, LLC, having Sidwell #88-20-21-426-012.

Financial Considerations:

- The consideration amount on these documents is \$1.00.

Legal Considerations:

- The format and content of this deed and easement is consistent with documents previously accepted by City Council.

Policy Considerations:

- The dedication of right-of-way and easements is required as part of the development process. (Goal I & V)

Options:

- City Management recommends that City Council accept the attached Warrant Deed and Permanent Easement for watermain, consistent with our policy of accepting right-of-way and easements for property development .

WARRANTY DEED

Sidwell #88-20-21-426-012 (pt. of)
Resolution #

The Grantor(s), ESC ASSOCIATES, LLC, a Michigan limited liability company whose address is 29753 Hoover Road, Suite A, Warren, MI 48093 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:

THE EAST 7 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

LAND SITUATED IN THE CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: THE EAST 443 FEET OF LOT 3, SUPERVISOR'S PLANT NO. 26, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 57. PAGE 59 OF PLATS, OAKLAND COUNTY RECORDS.

More commonly known as: vacant Livernois Road, Troy, MI

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 29th day of June, 2007.

ESC Associates, LLC,
a Michigan limited liability company

By: [Signature]
Brandon M. Kaufman
Member

STATE OF MICHIGAN)
COUNTY OF (OAKLAND))

The foregoing instrument was acknowledged before me this 29th day of June, 2007, by Brandon M. Kaufman, Member of ESC Associates, LLC, a Michigan limited liability company, on behalf of the company.

[Signature]
* LARYSA FIGOL

LARYSA FIGOL
Notary Public, Oakland County, Michigan Notary Public, _____ County, MI
Acting in Oakland County, Michigan
My Commission Expires 03/02/2012 My commission expires: _____
Acting in _____ County, MI

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 # 88-20-21-426-012 (part of) Recording Fee _____ Transfer Tax _____

*TYPE OR PRINT NAMES UNDER SIGNATURES

PERMANENT EASEMENT

Sidwell #88-20-21-426-012 (part of)
Res#2007-

ESC Associates, L.L.C., a Michigan limited liability company, Grantor(s), whose address is 29753 Hoover Road, Suite A, Warren, MI 48093 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 public utilities, storm drains, & storm sewers, detention pond & for **emergency ingress/egress**, & police/fire protection over, under & across the real property, 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 immediately adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement of such improvements.

The premises so disturbed by the exercise of any of the foregoing powers shall be 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 29th day of June A.D. 2007.

In presence of:
WITNESS

ESC Associates, L.L.C., a Michigan limited liability company

By [Signature] (L.S.)
*Brandon M. Kaufman
Its Member

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 29th day of June, 2007, by Brandon M. Kaufman, Member, of ESC Associates, L.L.C., a Michigan limited liability company, on behalf of the company.

[Signature]
* LARYSA FIGOL

LARYSA FIGOL
Notary Public, Oakland County, Michigan
Acting In Oakland County, Michigan
My Commission Expires 03/02/2012
Notary Public, _____ County, Michigan
My Commission Expires _____
Acting in _____ County, Michigan

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"

TROY MEDICAL/OFFICE FACILITY - LOT 3 LEGAL DESCRIPTION:

LAND SITUATED IN THE CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS:

THE EAST 443 FEET OF LOT 3, SUPERVISOR'S PLAT No. 26, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 57, PAGE 59 OF PLATS, OAKLAND COUNTY RECORDS.

INGRESS-EGRESS EASEMENT

AN EASEMENT FOR INGRESS AND EGRESS BEING PART OF LOT 3, "SUPERVISOR'S PLAT NO. 26" OF PART OF THE E 1/2 OF THE E 1/2 OF SECTION 21, AND PART OF THE NW 1/4 OF THE SW 1/4 OF SECTION 22, T2N, R11E, TROY TOWNSHIP (NOW CITY OF TROY), OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 57 OF PLATS, PAGE 59, OAKLAND COUNTY RECORDS; DESCRIBED AS: COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 21; THENCE S00°24'00"W 228.85 FEET ALONG THE EAST LINE OF SAID SECTION 21 AND THE CENTERLINE OF LIVERNOIS ROAD (VARIABLE WIDTH); THENCE N89°48'11"W 60.00 FEET TO THE PROPOSED WESTERLY RIGHT-OF-WAY LINE OF LIVERNOIS ROAD; THENCE S00°24'00"W 75.84 FEET ALONG THE WESTERLY RIGHT-OF-WAY LINE OF LIVERNOIS ROAD TO THE POINT OF BEGINNING; THENCE S00°24'00"W 31.40 FEET; THENCE N89°49'10"W 176.97 FEET; THENCE S52°14'06"W 36.60 FEET; THENCE N89°49'10"W 186.83 FEET; THENCE S00°11'49"W 1.55 FEET; THENCE N89°48'11"W 24.00 FEET; THENCE N00°11'49"E 24.04 FEET; THENCE S89°49'10"E 203.08 FEET; THENCE N52°14'06"E 39.04 FEET; THENCE S89°49'10"E 128.13 FEET; THENCE N82°29'21"E 55.27 FEET TO THE POINT OF BEGINNING, CONTAINING 10065 SQUARE FEET OF LAND, MORE OR LESS.



CITY COUNCIL ACTION REPORT

December 11, 2007

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Services *BPM*
 Steven J. Vandette, City Engineer *SJV*
 Larysa Figol, Sr. Right-of-Way Representative *LF*

SUBJECT: Request for Acceptance of a Warranty Deed for Right-of-Way and a Permanent Easement for Watermain – Livernois Properties, LLC - Section 21, Sidwell #88-20-21-426-009

Background:

- In connection with the development of a property located on the west side of Livernois north of Town Center, the Real Estate Department has received a Warranty Deed for 7 feet of right-of-way and a Permanent Easement for watermain from property owner Livernois Properties, LLC, having Sidwell #88-20-21-426-009.

Financial Considerations:

- The consideration amount on these documents is \$1.00.

Legal Considerations:

- The format and content of this deed and easement is consistent with documents previously accepted by City Council.

Policy Considerations:

- The dedication of right-of-way and easements is required as part of the development process. (Goal I & V)

Options:

- City Management recommends that City Council accept the attached Warrant Deed and Permanent Easement for watermain, consistent with our policy of accepting right-of-way and easements for property development .

WARRANTY DEED

Sidwell #88-20-21-426-009 (pt. of)
Resolution #

The Grantor(s), LIVERNOIS PROPERTIES, LLC, a Michigan limited liability company whose address is 70 West Long Lake road, Suite 114, Troy, MI 48098, 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:

THE EAST 7 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

LOT 4, "SUPERVISOR'S PLAT NO. 26" OF PART OF THE E 1/2 OF THE E 1/2 OF SECTION 21, AND PART OF THE NW 1/4 OF THE SW 1/4 OF SECTION 22, T2N, R11E, TROY TOWNSHIP (NOW CITY OF TROY), OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 21; THENCE S00°24'00"W 360.25 FEET ALONG THE EAST LINE OF SAID SECTION 21 AND THE CENTERLINE OF LIVERNOIS ROAD (VARIABLE WIDTH); THENCE N89°48'11"W 53.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF LIVERNOIS ROAD, THE EAST LINE OF LOT 4 AND TO THE POINT OF BEGINNING; THENCE S00°24'00"W 131.40 FEET ALONG THE EAST LINE OF LOT 4 AND THE WESTERLY RIGHT-OF-WAY LINE LIVERNOIS ROAD TO THE SOUTH LINE OF LOT 4; THENCE N89°48'11"W 443.00 FEET ALONG THE SOUTH LINE OF LOT 4 TO THE WEST LINE OF LOT 4; THENCE N00°24'00"E 131.40 FEET ALONG THE WEST LINE OF LOT 4 TO THE NORTH LINE OF LOT 4; THENCE S89°48'11"E 443.00 FEET ALONG THE NORTH LINE OF LOT 4 TO THE POINT OF BEGINNING, CONTAINING 1.34 ACRES OF LAND, MORE OR LESS, BEING SUBJECT TO ANY EASEMENTS AND/OR EXCEPTIONS, RECORDED OR OTHERWISE.

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 29th day of June, 2007.

LIVERNOIS PROPERTIES, LLC,
a Michigan limited liability company

By: [Signature]
Michael Guerra
Member

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 29th day of June, 2007, by Michael Guerra, Member of LIVERNOIS PROPERTIES, LLC, a Michigan limited liability company, on behalf of the company.

[Signature]
LARYSA FIGOL
Notary Public, Oakland County, Michigan
Acting in Oakland County, Michigan
My Commission Expires 03/02/2012
Notary Public, _____ County, MI
My commission expires: _____
Acting in _____ County, MI

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 # 88-20-21-426-009 (part of) Recording Fee _____ Transfer Tax _____

*TYPE OR PRINT NAMES UNDER SIGNATURES

PERMANENT EASEMENT

Sidwell #88-20-21-426-009 (part of)
Resolution #

Livernois Properties Group, L.L.C., a Michigan Limited Liability Company, Grantor(s), whose address is 70 West Long Lake Road, Suite 114, Troy, MI 48098 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 AND 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 29th day of June A.D. 2007.

In presence of: (not required)

Livernois Properties Group, LLC, a Michigan limited liability company

By [Signature] (L.S.)
*Michael Guerra
Its Member

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 29th day of June, 2007, by Michael Guerra, Member, of Livernois Properties Group, L.L.C., a Michigan limited liability company on behalf of the company.

[Signature]
* LARYSA FIGOL
Notary Public, Oakland County, Michigan
Acting in Oakland County, Michigan
My Commission Expires 03/02/2012
My Commission Expires _____
Acting in _____ County, Michigan

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"

EASTRIDGE MEDICAL/OFFICE FACILITY - LOT 4 PARCEL DESCRIPTION:

LOT 4, "SUPERVISOR'S PLAT NO. 26" OF PART OF THE E 1/2 OF THE E 1/2 OF SECTION 21, AND PART OF THE NW 1/4 OF THE SW 1/4 OF SECTION 22, T2N, R11E, TROY TOWNSHIP (NOW CITY OF TROY), OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 21; THENCE S00°24'00"W 360.25 FEET ALONG THE EAST LINE OF SAID SECTION 21 AND THE CENTERLINE OF LIVERNOIS ROAD (VARIABLE WIDTH); THENCE N89°48'11"W 53.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF LIVERNOIS ROAD, THE EAST LINE OF LOT 4 AND TO THE POINT OF BEGINNING; THENCE S00°24'00"W 131.40 FEET ALONG THE EAST LINE OF LOT 4 AND THE WESTERLY RIGHT-OF-WAY LINE LIVERNOIS ROAD TO THE SOUTH LINE OF LOT 4; THENCE N89°48'11"W 443.00 FEET ALONG THE SOUTH LINE OF LOT 4 TO THE WEST LINE OF LOT 4; THENCE N00°24'00"E 131.40 FEET ALONG THE WEST LINE OF LOT 4 TO THE NORTH LINE OF LOT 4; THENCE S89°48'11"E 443.00 FEET ALONG THE NORTH LINE OF LOT 4 TO THE POINT OF BEGINNING, CONTAINING 1.34 ACRES OF LAND, MORE OR LESS, BEING SUBJECT TO ANY EASEMENTS AND/OR EXCEPTIONS, RECORDED OR OTHERWISE.

WATERMAIN EASEMENT

An easement for the installation and maintenance of watermain being part of Lot 4, "Supervisor's Plat No. 26" of part of the E 1/2 of the E 1/2 of Section 21, and part of the NW 1/4 of the SW 1/4 of Section 22, T2N, R11E, Troy Township (now City of Troy), Oakland County, Michigan, described as: Commencing at the East 1/4 corner of said Section 21; thence S00°24'00"W 360.25 feet along the East line of said Section 21 and the centerline of Livernois Road (variable width); thence N89°48'11"W 60.00 feet to the proposed Westerly right-of-way line of Livernois Road and to the Point of Beginning; thence S00°24'00"W 16.00 feet along the proposed Westerly right-of-way line of Livernois Road; thence N89°48'11"W 228.23 feet; thence S45°11'49"W 4.20 feet; thence S00°11'49"W 39.66 feet; thence N89°48'11"W 20.00 feet; thence N00°11'49"E 47.95 feet; thence N45°11'49"E 15.11 feet; thence S89°48'11"E 240.57 feet to the Point of Beginning, containing 4820 square feet of land, more or less.

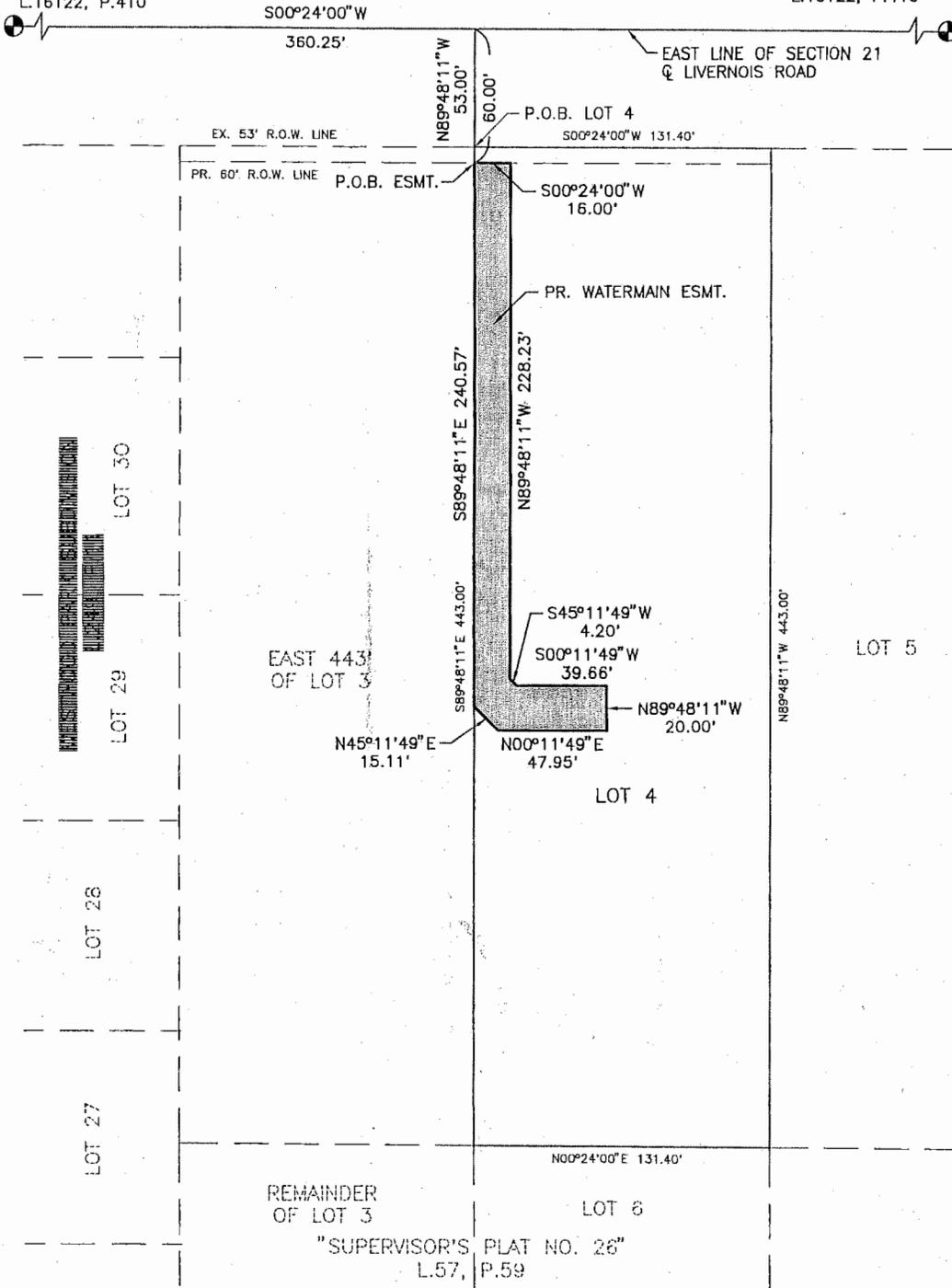


EXHIBIT 'A'

EAST 1/4 CORNER
SECTION 21
T2E, R11E,
CITY OF TROY
L.16122, P.410

LIVERNOIS (PR. 120' WD.)

SOUTHEAST CORNER
SECTION 21
T2N, R11E,
CITY OF TROY
L.16122, P.410

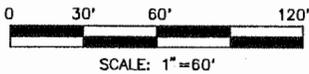


"SUPERVISOR'S PLAT NO. 26"
L.57, P.59

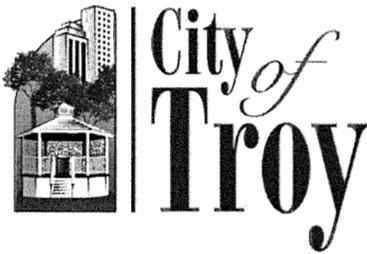


13399 West Star Drive
Shelby Township,
Michigan 48315

LAND SURVEYORS AND CIVIL ENGINEERS
PH: 586.254.9577 FX: 586.254.9020
www.fennsurveying.com e-mail: surveying@fennsurveying.com



CLIENT:	MILLCREEK BUILDING CO.		
DATE:	05/10/07	SCALE:	1" = 60'
DRAWN:	D.B.	CHECK:	R.E.H., P.S.
JOB NO.:	06-038	SHEET:	1 OF 2



CITY COUNCIL ACTION REPORT

December 4, 2007

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Economic Development Services
Steven J. Vandette, City Engineer
Patricia A. Petitto, Real Estate Consultant, Greenstar & Associates, LLC

SUBJECT: Request for Acceptance of Regrading and Temporary Construction Permit, John R Road Improvements, Square Lake Road to South Boulevard – Project No. 02.204.5 – Parcel #76 – Sidwell #88-20-01-108-018 – Hana Rrapi

Background:

- In connection with the proposed improvements to John R Road, from Square Lake Road to South Boulevard, the Real Estate & Development Department received a Regrading and Temporary Construction Permit from Hana Rrapi. This parcel is located at the southeast corner of John R and Chancery, in the northwest ¼ of Section 1.

Financial Considerations:

- A market study was prepared by Andrew Reed, State Certified Appraiser and reviewed by Kimberly Harper, Deputy Assessor and State Licensed Appraiser, and Larysa Figol, Limited Real Estate Appraiser. Staff believes that \$500 for the acquisition of this permit is a justifiable amount.
- Eighty percent of the costs for this project will be reimbursed from Federal funds. Funds for the City of Troy's share are included in the 2007-08 Major Road fund, account number 401479.7989.022045.

Legal Considerations:

- The format and content of the permit are consistent with documents previously accepted by City Council.

Policy Considerations:

- The purpose of this project is to relieve congestion, improve safety and improve the flow of traffic. (Goals I and V)

Options:

- City Management recommends that City Council accept the attached Regrading and Temporary Construction Permit from Hana Rrapi so that the City can proceed with the acquisition of this permit.

REGRAIDING AND TEMPORARY CONSTRUCTION PERMIT

Sidwell # 88-20-01-108-018
Parcel #76

Hana Rrapi ^{A MARRIED WOMAN} Grantor(s), whose address is 2022 Chancery, Troy, MI 48085, for and in consideration of Five Hundred and no/100 Dollars (\$500.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, hereinafter called the CITY, whose address is 500 West Big Beaver Road, Troy, Michigan, hereby grants to the CITY, during the construction of and for a period of six (6) Months after completion of John R Road Improvements, from Square Lake Road to South Boulevard (City of Troy Project No. 02.204.5)*, the right to move men, equipment, and materials on and through, and to store equipment, materials, and excavated matter on the following described property, located in the City of Troy, to-wit:

SEE ATTACHED EXHIBIT "A" FOR PARENT PARCEL LEGAL DESCRIPTION AND DESCRIPTION OF PERMIT AREA

IN FURTHER CONSIDERATION, the premises so disturbed by reason of the exercise of any of the foregoing powers, shall be reasonably restored to its original condition by the City.

*It is anticipated that construction funding will be available in the 2010 calendar year. However, if construction is delayed this document will be effective during the actual construction year(s) and for a period of six (6) Months after completion of this project.

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

IN WITNESS WHEREOF, the undersigned hereunto affixed ^{HER} ~~their~~ signature(s) this 3RD day of DECEMBER, 2007.

Hana Rrapi (L.S.)
*Hana Rrapi

_____(L.S.)

STATE OF MICHIGAN
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 3RD day of DECEMBER 2007, by Hana Rrapi, to me known to be the same person(s) described in and who executed the within instrument, and who then acknowledged the same to be their free act and deed.

^{A MARRIED WOMAN}

Patricia A. Petitto
PATRICIA A. PETITTO
Notary Public, OAKLAND County, Michigan
Acting in OAKLAND County, Michigan
My Commission Expires 12-31-11

Prepared by: Patricia A. Petitto
500 West Big Beaver
Troy, MI 48084

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

Exhibit "A"

Section 1, John R Widening Project
Parcel: 88-20-01-108-018
Parcel #76

PARENT PARCEL DESCRIPTION:

T2N, R11E, SEC 1 SUPERVISOR'S PLAT OF JOHN ARBOR SUBDIVISION, RECORDED IN L. 6, P.56, O.C.R., THE SOUTH 10.00 FT OF LOT 139, ALSO LOTS 140-143, ALSO THE NORTH 95.00 FT OF LOT 195.

PARCEL 88-20-01-108-018

25' TRIANGULAR GRADING PERMIT:

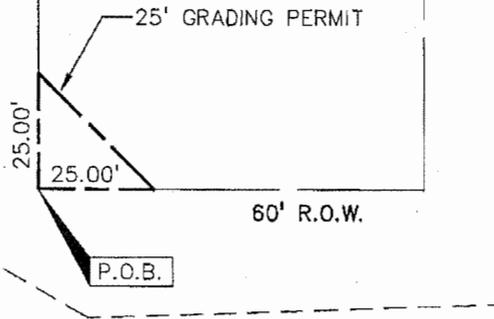
A 25 FOOT GRADING PERMIT BEGINNING AT THE NORTHWEST CORNER OF LOT 143 OF "SUPERVISOR'S PLAT OF JOHN ARBOR SUBDIVISION", AS RECORDED IN L. 6, P. 56 OF OAKLAND COUNTY, MICHIGAN RECORDS; THENCE EAST 25 FT ALONG THE NORTH LINE OF SAID LOT, THENCE SOUTHWESTERLY TO A POINT ON THE WEST LINE OF SAID LOT, SAID POINT BEING 25 FT SOUTH OF THE NORTHWEST LOT CORNER, THENCE NORTH 25 FT ALONG THE WEST LINE OF SAID LOT TO THE POINT OF BEGINNING.

CHANCERY AVE.
60 FT. WIDE

PARCEL 76
88-20-01-108-018

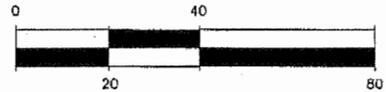
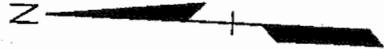
THE SOUTH 10.00 FT OF LOT 139,
ALSO LOTS 140-143, ALSO THE
NORTH 95.00 FT OF LOT 195

#2022 CHANCERY



JOHN R ROAD (120' WIDE)

SECTION LINE



GRAPHIC SCALE

1" = 40'

PARCEL 76

Thomas G. Smith



ORCHARD, HILTZ & McCLIMENT, INC.
34000 Plymouth Road
Livonia, MI, 48150 (734)522-6711



City of
Troy

500 W. Big Beaver Rd.
Troy, Michigan 48064
(248) 524-3594
www.ci.troy.mi.us

2022 Chancery Ave.
Grading Permit
Sketch

SCALE:	DRAWN BY:	CHECK BY:	FILE
1" = 40'	MFB	GWC	108-018 GRD
	2-10-06	3-17-06	

DATE	REV.	CONTRACT No.	SHEET No.	JOB No.
			1 of 2	2002-234



Document Prepared by
Professional Engineering
Associates, Inc.

STEVEN J. VANDETTE
CITY ENGINEER



CITY COUNCIL ACTION REPORT

November 28, 2007

TO: Phillip L. Nelson, City Manager

FROM: Brian Murphy, Assistant City Manager/Economic Development Services
Steve Vandette, City Engineer

SUBJECT: Allocation of 2008 Tri-Party Program Funds for County Road Improvements in Troy

Background:

- Tri-Party Program funds can only be used to improve County roads within the City of Troy.
- Participants in the program are required to identify project locations on an annual basis.
- By Resolution #2007-03-079, City Council approved using 2007 and a portion of 2008 Tri-Party program funds to rehabilitate Livernois, Maple to Big Beaver.
- The Livernois, Maple to Big Beaver project was substantially completed in the fall of 2007.
- Tri-Party program funds have been used to resurface, rehabilitate and reconstruct County roads in the city since the early 1980's and recent projects have included the rehabilitation of Long Lake, Crooks to Livernois and the widening and reconstruction of Big Beaver, Rochester to Dequindre.

Financial Considerations:

- The City of Troy allotment for the 2008 Tri-Party Program is \$544,591 with one-third (1/3) or \$181,530 of the allotment being the City's share.
- The Board of Road Commissioners for the County of Oakland (Board) and the Oakland County Board of Commissioners (County) accounts for the remaining two-thirds (2/3) or \$363,061.
- The estimated final project cost, including design, for the Livernois, Maple to Big Beaver project is \$900,000, which requires \$544,993 in 2007 Tri-Party (previously approved) and \$355,007 in 2008 Tri-Party program funds.
- Funds for the City of Troy's share of the Livernois project are included in the 2007-08 Major Road fund.
- The remaining \$189,584 in 2008 Tri-Party program funds is recommended to be allocated to the right-of-way phase of the Dequindre Road, Long Lake to South Boulevard widening project and also concrete slab replacements on County Roads citywide.
- Funds for the Dequindre right-of-way phase and concrete slab replacements on County roads would be included in the Major Road fund once an agreement has been established between the City and the Board.
- These agreements would be presented for consideration at a later date for the purposes of fixing the rights and obligations of each party and establishing the methodology for requesting reimbursement from the Board and County.

Legal Considerations:

- The future cost participation agreements will be consistent with previously approved Cost Participation Agreements between the city and Board as approved by the Legal Department and City Council.

Policy Considerations:

- The use of Tri-Party Program Funds, with cost sharing by the city, reduces the cost to each agency and provides much needed improvements to County roads that would otherwise not be possible (Goal II).
- Good roads are a vital part of maintaining and attracting businesses and residents to the city (Goal III & V).

Options:

- It is recommended that City Council approve the use of 2008 Tri-Party program funds in the amount of \$544,591, as required, for the Livernois, Maple to Big Beaver reconstruction project; Dequindre, Long Lake to South Boulevard right-of-way phase; and concrete slab replacements on County Roads, all at an estimated cost to the City of Troy not to exceed \$181,530.



QUALITY LIFE THROUGH GOOD ROADS
ROAD COMMISSION FOR OAKLAND COUNTY
"WE CARE"

November 8, 2007

Mr. Phillip L. Nelson, Manager
City of Troy
500 West Big Beaver Road
Troy, Michigan 48084-5285

RE: FY 2008 Tri-Party Program

Dear Mr. Nelson:

Your participation is requested in the FY 2008 Tri-Party Program for road improvements. The fiscal year governing this program is October 1, 2007 through September 30, 2008. The Oakland County Board of Commissioners has approved a Tri-Party budget of \$2,250,000 to create a \$6,750,000 program for FY 2008. A total of \$3,375,000 will be designated for townships and a total of \$3,375,000 will be designated for cities and villages.

The distribution formula and method of calculation of Tri-Party allocations have remained the same. For cities and villages, it includes RCOC road miles and three-year average annual accidents. For townships, the most recent census population figures are combined with RCOC road miles and three-year annual accidents. The figures for these three factors (population, miles and accidents) are calculated as the individual community's percentage of the total of each factor in each type of community. For example, county road accidents in a city or village are divided by the total of all county road accidents in all cities and villages. The distribution formulas have been used for years in an attempt to most equitably distribute the Tri-Party dollars.

Separate formulas are used because population in the city/village equation would skew the results toward more densely populated cities with fewer RCOC road miles. In Townships on the other hand, population has been used as a determining factor to prevent the distribution from being skewed toward townships with high road miles but small populations.

Board of Road Commissioners

Larry P. Crake
Commissioner

Richard G. Skarritt
Commissioner

Eric S. Wilson
Commissioner

Brent O. Bair
Managing Director

Dennis G. Kolar
Deputy Managing Director
County Highway Engineer

Programming Division
Engineering Department

31001 Lahser Road
Beverly Hills, MI
48025

248-645-2000

FAX
248-645-0618

TDD
248-645-9923

www.rcocweb.org

RECEIVED

NOV 12 2007

ENGINEERING



The Tri-Party Program operates as follows:

- 1) Projects intended for 2008 construction must be selected and submitted with a local board or council resolution by February 2008.
- 2) Project locations and concepts must be approved by the County Board and the Road Commission for Oakland County.
- 3) Projects that cost more than the allocation may be selected if the community provides the additional funding.
- 4) Funding agreements must be executed before bids are accepted. On larger projects, a separate agreement for preliminary engineering or right of way may be executed prior to initiation of these phases.
- 5) Projects that improve road safety take precedence over other project types, i.e. congestion or drainage.
- 6) Due to the Road Commission's current road project commitments, preliminary and construction engineering may need to be provided by consultant engineers at a maximum rate of 10% and 15%, respectively, of estimated construction costs.

A schedule of events has been established as detailed below. If you are unable to meet any of the dates below, please inform me as soon as possible.

DEADLINE	ACTIVITY
January 2008	Potential project locations submitted to Programming Division for review.
February 2008	Local council resolutions and project commitments submitted for projects to be constructed in 2008.
March 2008	Project approval for Road Commission and County Board.
April – November, 2008	Design, bidding and/or construction period.

I urge you to consider your options for projects now and involve your council members early in the process. Please contact me as soon as possible for cost estimates. The closer we follow the above schedule, the more successful our 2008 Tri-Party construction season will be.

2008 TRI-PARTY PROGRAM
CITY OF TROY
ALLOCATION FOR 2008: \$544,591

The following list contains typical safety projects with general costs for your information. Actual project costs will vary depending on location and a preliminary concept and estimate should be requested. Below is the list of potential project sites recommended over the past year or so by citizens and officials; many of these have not been field checked.

SAFETY PROJECTS	GENERAL COSTS
Additional right turn lane at intersection	\$100,000 per approach
Approach paving – subdivision street	\$ 50,000
Approach paving – primary road	\$ 75,000
Passing lane	\$ 60,000
Widen for 150-200' center left-turn lane	\$200,000 per approach
Shoulder paving one side	\$ 45,000 per mile

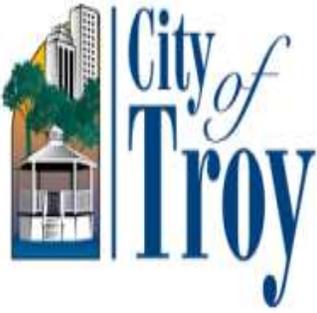
POTENTIAL PROJECT LOCATIONS

Crooks Road, Homestead to South Boulevard	Widen
Dequindre Road, Long Lake Road to South Boulevard	Widen to 5 lanes
John R Road, 14 Mile Road to Maple Road	Resurface
John R Road, Long Lake Road to South Boulevard	Widen to 5 lanes
Livernois Road, Long Lake Road to South Boulevard	Widen to 5 lanes
Livernois Road, I-75 to Town Center Drive	Widen to 6 lane boulevard
Livernois Road at South Boulevard	Improve intersection (w/City of Rochester Hills)
Long Lake Road, Adams Road to east of Coolige Highway	Widen
South Boulevard, Adams Road to Dequindre Road	Widen to 5 lanes
South Boulevard, Crooks Road to Livernois Road	Pave shoulders & cut hill
Square Lake Road at Livernois Road	Improve intersection

ROAD COMMISSION FOR OAKLAND COUNTY
TRI-PARTY PROGRAM
1980-2008

PROJECT DESCRIPTION	Date of Agrmt	PROJ. NO.	1980-84 Tri-Party	1985 Tri-Party	1986 Tri-Party	1987-88 Tri-Party	1989-91 Tri-Party	1992-93 Tri-Party	1994-95 Tri-Party	1996-97 Tri-Party	1998-99 Tri-Party	2000-01 Tri-Party	2002-03 Tri-Party	2004 Tri-Party	2005 Tri-Party	2006 Tri-Party	2007 Tri-Party	2008 Tri-Party	PROJ TOTAL
TROY (13-Tim Greimel, 19-Tim Burns, 20-Chuch Moss, 24-George W. Suarez)																			
14 Mile @ I-75*	C	32990	11,306																11,306
John R-overlay*	C	7/22/1985 35291		108,183															108,183
Crooks & Livernois-overlays*	C	36161			132,117														132,117
Crooks, B Beaver to Wattles-widen to 5 ins!	C	7/21/1986 36641			70,759														70,759
Crooks@B Beaver/John R@Maple-add right turn ln!	C	8/26/1987 37501				153,934													153,934
14 Mile, John R-Dequindre*	C	8/10/1989 38591					63,218												63,218
John R @ Cumberland & Wattles!*	C	10/6/1988 38811				260,212													260,212
John R @ Wattles!*	C	8/10/1989 39591					263,927												263,927
Maple @ John R & Chicagol*	C	8/21/1990 40201					128,739												128,739
14 Mile, John R to Dequindre-resurface*	C	4/26/1991 39601					179,458												179,458
Long Lk, I-75 to Livernois-widen to 5 ins!*	C	12/1/1993 40931				15,948		488,401											582,366
John R n 14 Mile-reconst median turnarounds*	C	5/7/1992 41271						21,692											21,692
Livernois, 16 Mile-Town Ctr-widen to 5 ln!*	C	8/2/1995 42831							251,187										251,187
Long Lk @ Beach!	CANCELLED	45211							0										0
John R n of Long Lake!	CANCELLED	45221							0										0
Livernois, Wattles-Braemer-widen 2 to 5 ln!*	C	11/20/2001 45101					128,738		211,137	347,802	635,617	635,618							1,988,912
14 Mile @ I-75-add dual left turn lanes*	C	7/18/1997 43811					0		38,050	152,500									190,550
Dequindre, Long Lk to Auburn-PE		4/25/2002 46901										42,500							42,500
Dequindre, Long Lk to Wattles-CONST Est Final 4/07		8/23/2003 44431							991			344,717	1,246						346,954
Crooks, Square Lk to S Blvd-CONST		8/10/2006 47971										492,747	287,153						779,900
Big Beaver, Rochester to Dequindre-Widen to 6 lanes	C	7/14/2005 48461												406,638					406,638
Crooks/Long Lake/Livernois*	C	9/28/2006 48551												118,239		596,141	1,245		715,625
Livernois, Maple to Big Beaver RRR Est \$733,700 future project		3/22/2007 49021															544,994	188,706	733,700
TOTAL			11,306	108,183	202,876	493,312	778,881	510,093	501,365	500,302	635,617	635,618	879,964	406,638	406,638	596,141	546,239	544,591	7,757,764
										0	0	0	0	0	0	0	0	0	355,885
																			355,885
																			7,757,764

C*means project is complete and/or has used all the available tri-party
I means the project is being administered by the community



TO: Members of the Troy City Council
FROM: Lori Grigg Bluhm, City Attorney
Allan T. Motzny, Assistant City Attorney
DATE: December 11, 2007
SUBJECT: Kocenda v. Troy et. al.

Plaintiff David Kocenda filed the attached lawsuit against the City of Troy, Troy Police Chief Charles Craft, Captain Edward Murphy, Lieutenant Richard Hay, Captain Colleen Mott, Lieutenant Charles Pappas, and Lieutenant Robert Rossman. Kocenda filed the complaint on August 31, 2007, but didn't serve the City and the individual defendants until November 28, 2007. In his complaint, Kocenda alleges Defamation (Count I) and Intentional Infliction of Emotional Distress (Count II). The lawsuit was filed in Oakland County Circuit Court and is assigned to Judge Fred M. Mester.

According to the complaint, the Plaintiff, who is a police officer for the City of Troy, was offered a job as a police officer for the City of Palm Beach Gardens, Florida (PBG). Co-Defendant PBG Police Officer Ellen Lovejoy then initiated an extensive background investigation and fitness for employment evaluation. The PBG job offer was subsequently retracted. In his complaint, Plaintiff alleges that the individual Troy defendant officers provided false information to PBG Officer Lovejoy, which led to the retraction of the PBG job offer. He claims that as a result of remarks made by Troy police officers to PBG, his prospective employer, he has suffered damage to his reputation, loss of income, emotional distress, humiliation, mortification, embarrassment, sleeplessness, anxiety and other damages. He is seeking over \$25,000 in damages, exclusive of interest and costs.

Absent any objection from City Council, we will initiate an aggressive joint defense of the City and the individual defendant police officers from Troy, and will file a Motion for Summary Disposition as our first responsive pleading. If you have any questions concerning the above, please let us know.

Approved, SCAO

STATE OF MICHIGAN

JUDICIAL DISTRICT
JUDICIAL CIRCUIT
COUNTY PROBATE

SUMMONS AND COMPLAINT

CASE NO.
07-085524-CZ



Court address

Plaintiff name(s), address(es), and telephone no(s).
DAVID KOCENDA
95 STARK RD
Roch. Hills MI 48307

Plaintiff attorney, bar no, address, and telephone no.
Richard Corawean 348449-3558
Joseph Corawean
Margaret Browning
324 E MAIN
Northville MI 48167

Defendant name(s), address(es), and telephone no(s).
City of Troy 500 W. Big Beaver
Charles Carr 734-488-4444
Edwards Murphy
Robert Rossman
Colleen Most
Ellen Loujoy - 10500 N. Military
Troy MI 48064
Richard Hays
Charles Pappas
Palm Beach Gardens FL 33410

SUMMONS NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:
1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons to file an answer with the court and serve a copy on the other party or to take other lawful action (28 days if you were served by mail or you were served outside this state).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.

Issued **AUG 31 2007** This summons expires **NOV 30 2007** Court clerk **RUTH JOHNSON**

*This summons is invalid unless served on or before its expiration date.

COMPLAINT Instruction: The following is information that is required to be in the caption of every complaint and is to be completed by the plaintiff. Actual allegations and the claim for relief must be stated on additional complaint pages and attached to this form.

Family Division Cases
 There is no other pending or resolved action within the jurisdiction of the family division of circuit court involving the family or family members of the parties.
 An action within the jurisdiction of the family division of the circuit court involving the family or family members of the parties has been previously filed in _____ Court.
The action remains is no longer pending. The docket number and the judge assigned to the action are:
Docket no. _____ Judge _____ Bar no. **PA**

General Civil Cases
 There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint/
 A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has been previously filed in **Troy Circuit Court** Court.
The action remains is no longer pending. The docket number and the judge assigned to the action are:
Docket no. **07-619** Judge **Giddings** Bar no. _____

VENUE
Plaintiff(s) residence (include city, township, or village) **Roch Hills Mich.** Defendant(s) residence (include city, township, or village) **Troy, Mich.; Palm Beach Gardens**
Place where action arose or business conducted **OAKLAND County - Troy**
Date **8/31/07** Signature of attorney/plaintiff **[Signature]**

If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you to fully participate in court proceedings, please contact the court immediately to make arrangements.

Law Suit – FYI

David Kocenda v City of Troy, Charles Craft, Edward Murphy, Robert Rossman, Colleen Mott, Ellen Lovejoy, Richard Haye, Charles Pappas

City Attorney	X
City Manager	X
Police Department - Admin	X
Risk Management	X
City Clerk's Office - Original	X

STATE OF MICHIGAN
RECEIVED FOR FILING
IN THE CIRCUIT COURT FOR THE COUNTY OF

DAVID KOCENDA,

2007 AUG 31 P 3:31

Plaintiff,

BY: _____
DEPUTY COUNTY CLERK



Case No.: 07- -CZ

VS.

CITY OF TROY, CHARLES CRAFT, EDWARD MURPHY,
RICHARD HAYE, COLLEEN MOTT, CHARLES PAPPAS,
ROBERT ROSSMAN AND ELLEN LOVEJOY,

Defendants.

RICHARD J. CORRIVEAU (P25901)
JOSEPH P. CORRIVEAU (P64479)
MARGARET L. BROWNING (P51647)
Attorneys for Plaintiff
324 E. Main Street
Northville, MI 48167
(248) 449-3558

PLAINTIFF'S COMPLAINT AND JURY DEMAND

A civil action between other parties arising out of the transaction or occurrence alleged in the complaint has been previously filed in the Ingham County Circuit Court, where it was given docket number 07-619-NO and was assigned to Judge James R. Giddings. The action remains pending.

NOW COMES PLAINTIFF, DAVID KOCENDA, by and through his Counsel, CORRIVEAU & ASSOCIATES, P.C., and BROWNING & ASSOCIATES, P.C., and for his Complaint against the Defendants, states as follows:

1. Plaintiff is a resident of the City of Rochester Hills, County of Oakland, State of Michigan.
2. Plaintiff is an employee of Defendant, CITY OF TROY, and is employed as a police officer.
3. Defendant, CITY OF TROY, is a Michigan Municipal Corporation, located within the County of Oakland.

PROOF OF SERVICE

SUMMONS AND COMPLAINT
Case No. _____

TO PROCESS SERVER: You are to serve the summons and complaint not later than 91 days from the date of filing or the date of expiration on the order for second summons. You must make and file your return with the court clerk. If you are unable to complete service you must return this original and all copies to the court clerk.

CERTIFICATE / AFFIDAVIT OF SERVICE / NON-SERVICE

<input type="checkbox"/> OFFICER CERTIFICATE I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party [MCR 2.104(A)(2)], and that: (notarization not required)	OR	<input type="checkbox"/> AFFIDAVIT OF PROCESS SERVER Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that: (notarization required)
--	-----------	---

- I served personally a copy of the summons and complaint,
- I served by registered or certified mail (copy of return receipt attached) a copy of the summons and complaint,

together with _____
List all documents served with the Summons and Complaint

_____ on the defendant(s):

Defendant's name	Complete address(es) of service	Day, date, time

I have personally attempted to serve the summons and complaint, together with any attachments on the following defendant(s) and have been unable to complete service.

Defendant's name	Complete address(es) of service	Day, date, time

Service fee	Miles traveled	Mileage fee	Total fee
\$		\$	\$

Signature _____
Title _____

Subscribed and sworn to before me on _____, _____ County, Michigan.
Date

My commission expires: _____ Date Signature: _____
Deputy court clerk/Notary public

Notary public, State of Michigan, County of _____

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of the summons and complaint, together with _____ Attachments

_____ on _____
Day, date, time

_____ on behalf of _____
Signature

4. The incident(s) complained of took place in the County of Oakland.
5. The amount in controversy exceeds \$25,0000, exclusive of interest and costs.

Common Allegations

6. In October 2005, Plaintiff applied for employment as a police officer with the City of Palm Beach Garden, Florida.
7. On or about June 24, 2006, the City of Palm Beach Gardens offered Plaintiff employment.
8. On or about July 20, 2006, requested a copy of Defendant, CITY OF TROY'S records regarding Plaintiff.
9. On or about July 20, 2006, the City of Palm Beach Gardens conducted a background check regarding Plaintiff.
10. On or about July 20, 2006 , Ellen Lovejoy, an employee of City of Palm Beach Gardens, came to Michigan to gather information regarding Plaintiff and to discuss Plaintiff's fitness for employment with various agents, employees and/or representatives of Defendant, CITY OF TROY.
11. On or about July 20, 2006, Defendant, CITY OF TROY, provided materials to the City of Palm Beach Gardens regarding Plaintiff.
12. Upon information and belief, Defendant, CITY OF TROY, by and through the individual defendants named above, while acting outside the scope of their official positions, but with the imprimatur of their official positions, communicated to Ellen Lovejoy and others that Plaintiff was unfit to serve as a police officer, that he had committed various crimes and/or offenses, that he suffered from mental instability and/or impairment, and other statements which have not yet been discovered.
13. On or about September 1, 2006, Plaintiff received a letter from the City of Palm Beach Gardens retracting and rescinding the offer of employment.
14. Upon information and belief, Plaintiff was rejected for employment by the City of

Palm Beach Gardens based, in part or in whole, on the false information provided regarding the Plaintiff by Defendant, CITY OF TROY, and by the individual defendants named above.

Count I - Defamation

15. Plaintiff incorporates by reference paragraphs 1 through 14.
16. The statements that Plaintiff was unfit to serve as a police officer, that he had committed various crimes and/or offenses, that he suffered from mental instability and/or impairment, are false.
17. Defendants published the remarks to third parties with knowledge of the falsity of the statements or in reckless disregard of the truth or falsity.
18. The publication was not privileged.
19. Defendants' statements regarding Plaintiff were defamation per se.
20. The publication of these remarks has resulted in damage to Plaintiff's reputation in the community and in the City of Palm Beach Gardens and Plaintiff has sustained economic loss as a consequence, including but not limited to the following:
 - a. loss of income,
 - b. loss of employment benefits, including but not limited to health benefits, life insurance, disability insurance benefits, and retirement pension funds, etc.,
 - c. emotional distress,
 - d. humiliation, mortification and embarrassment,
 - e. sleeplessness and anxiety,
 - f. and other damages that may arise during the course of this lawsuit.
21. The Plaintiff neither knew or should have known that he had a legal cause of action against the Defendants until September 1, 2006 because the Defendants fraudulently concealed their conduct.

Count II –
Intentional Infliction of Emotional Distress

22. Plaintiff incorporates by reference paragraphs 1 through 21.
23. Defendants' conduct outlined above was intentional.
24. Defendants' conduct outlined above was extreme, outrageous, and of such character as not to be tolerated by a civilized society.
25. Defendants' conduct as outlined above was for an ulterior motive or purpose.
26. Defendants' conduct resulted in severe and serious emotional distress.
27. As a direct and proximate result of Defendant's conduct, Plaintiff has been damaged in the manner outlined above.

WHEREFORE, Plaintiff respectfully requests that this court enter judgment in his favor against Defendants in whatever amount Plaintiff is found to be entitled, together with costs and interest.

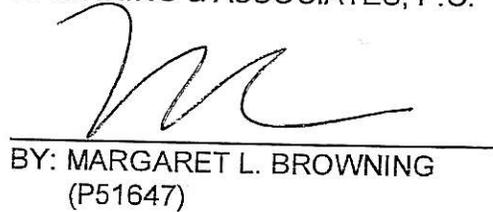
Jury Demand

Plaintiff hereby requests a Trial by Jury.

CORRIVEAU & ASSOCIATES, P.C.

BROWNING & ASSOCIATES, P.C.


BY: RICHARD J. CORRIVEAU
(P25901)


BY: MARGARET L. BROWNING
(P51647)

DATE: 8/31/2007



**CITY COUNCIL
AGENDA
December 17, 2007
Back-Up Documentation
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317**

Memorandums and Future Council Agenda Items:

G-1 No Announcement of Public Hearings

**There is no back-up documentation on this
Agenda item at the time of publication.**



**CITY COUNCIL
AGENDA
December 17, 2007
Back-Up Documentation
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317**

Memorandums and Future Council Agenda Items:

G-2 No Memorandums

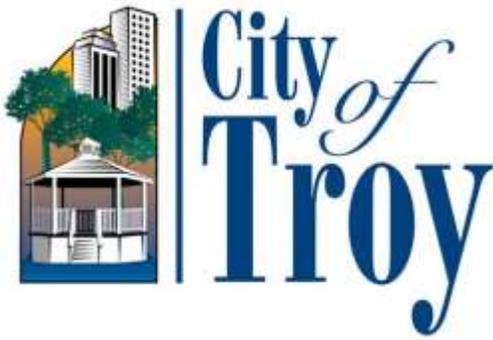
**There is no back-up documentation on this
Agenda item at the time of publication.**



**CITY COUNCIL
AGENDA
December 17, 2007
Back-Up Documentation
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317**

H-1 No Council Referrals Advanced

**There is no back-up documentation on this
Agenda item at the time of publication.**



**CITY COUNCIL
AGENDA
December 17, 2007
Back-Up Documentation
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317**

I-1 No Council Comments Advanced

**There is no back-up documentation on this
Agenda item at the time of publication.**

TROY HISTORIC DISTRICT STUDY COMMITTEE – FINAL**SEPTEMBER 4, 2007**

This meeting of the Troy Historic District Study Committee was held Tuesday, September 4, 2007 at the Troy Museum & Historic Village. The meeting was called to order at 7:40 P.M.

ROLL CALL

PRESENT: Kevin Lindsey
Kinda Hupman
Paul Lin
Bob Miller
Linda Rivetto
Charlene Harris-Freeman

STAFF: Loraine Campbell

GUEST: Carl Freeman
2955 Quail Run
Troy, MI

Resolution #HDSC-2007-09-001**Moved by Harris Freeman****Seconded by Rivetto****RESOLVED, That the minutes of August 7, 2007 be approved**

Yes: 6— Lindsey, Hupman, Lin, Miller Rivetto and Harris-Freeman

No: 0

MOTION CARRIED**OLD BUSINESS****A. Above Ground Surveys**

No additional surveys completed.

B. 60 W. Wattles - Request to expand boundaries

The committee discussed a partial rough draft of the preliminary report and suggested revisions. Loraine will email the draft to committee members for further review and Kevin Lindsey will draft the Statement of Significance.

New Business**A. 4320 John R Rd**

It was brought to the attention of the committee that the resource known as Hill House is for sale.

The Troy Historic Study Committee Meeting was adjourned at 8:45 PM. The next meeting will be held Tuesday, October 2, 2007 at 7:30 PM at the Troy Museum & Historic Village.

Kevin Lindsey
Chairman

Loraine Campbell
Recording Secretary

A meeting of the **Troy Youth Council (TYC)** was held on September 26, 2007 at 7:00 PM at Troy City Hall, 500 W. Big Beaver. Kristin Randall and Nicole Vitale called the meeting to order at 7:03 p.m.

MEMBERS PRESENT: Disha Bora
 Maxine D'Amico
 Rishi Joshi
 Jessica Kraft
 Joseph Niemiec
 Anupama Prasad (Secretary)
 Kristin Randall (Co-chair)
 Shaina Sekhri
 Neil Shaw
 Katie Thoenes
 Nicole Vitale (Co-chair)
 David Wylie

MEMBERS ABSENT: Geon Woo Kim

VISITORS: Chris Crachiola, Teens Taking Action

STAFF PRESENT: Scott Mercer, Recreation Coordinator

1. Roll Call

2. Approval of Minutes

Resolution # TY-2007-9-14

Moved by Thoenes

Seconded by Niemiec

RESOLVED, That the minutes of August 22, 2007 be approved.

Yes: All – 12

No: 0

Absent: 1 – Kim

3. Attendance Report:

Report reviewed by council members, no comments.

4. Visitor: Chris Crachiola, Teens Taking Action (TTA)

-Discussed programs that the TTA are involved in including:

TATO – Tobacco

Sticker Shock – Alcohol

Youth Dialogue Day – Held every other year and will involve middle school age students in 2008.

TTA meets every 2 weeks

7 Habits of Highly Effective Teens

5. Troy Daze Festival Update

Review of 2007 event. Comments were positive with some concern regarding the drop off area and signage.

6. Teen Room Naming Competition

- Discussed advertisement of competition and recommended emails, high schools, middle schools, community center and newspapers.
- One month time frame for competition.
- Would like Teens Taking Action and TYC to pick winner at a joint meeting.
- Recommended prize is a gift certificate to Somerset Mall.

7. Special Events and Projects for 2007-08

Ideas discussed at August meeting have been presented to the legal department for approval.

8. Motion to Excuse Absent Members Who Have Provided Advance Notification

Resolution # TY-2007-9-15

Moved by Niemiec

Seconded by Bora

RESOLVED that Kim is excused.

Yes: All - 12

No: 0

Absent: 1 – Kim

9. Youth Council Comments - None

10. Public Comments – None

11. Adjournment – 7:38 p.m.

Kristin Randall, Co-chair

Scott Mercer, Recreation Supervisor

Reminder Next Meeting: October 24 at 7:00 P.M.

A meeting of the Troy Election Commission was held Monday, October 1, 2007, at City Hall, 500 W. Big Beaver Road. City Clerk Bartholomew called the Meeting to order at 5:06 PM.

ROLL CALL:

PRESENT: David Anderson, City Clerk
Tonni Bartholomew
ABSENT: Timothy Dewan

Minutes: Regular Meeting of September 12, 2007

Resolution #EC-2007-10-008
Moved by Anderson
Seconded by Bartholomew

RESOLVED, That the Minutes of Monday, September 12, 2007, are **APPROVED** as submitted.

Yes: Anderson, Bartholomew
No: None
Absent: Dewan

MOTION CARRIED

**Approval of Election Inspector Assignments – Tuesday, November 6, 2007
General Election**

Resolution #EC-2007-10-009
Moved by Anderson
Seconded by Bartholomew

RESOLVED, That Election Inspectors be appointed for the Tuesday, November 6, 2007 General Election, as presented by the City Clerk, are hereby APPROVED.

Yes: Anderson, Bartholomew
No: None
Absent: Dewan

MOTION CARRIED

Approval of Ballot Language – Tuesday, November 6, 2007 General Election

Resolution #EC-2007-10-010
Moved by Anderson
Seconded by Bartholomew

RESOLVED, That the Ballot Language for the Tuesday, November 6, 2007 General Election, as presented by the City Clerk, is hereby APPROVED.

Yes: Anderson, Bartholomew

No: None

Absent: Dewan

MOTION CARRIED

Adjournment:

The meeting was adjourned at 5:08 PM.

Tonni L. Bartholomew, MMC
City Clerk

TROY HISTORIC DISTRICT STUDY COMMITTEE MINUTES – FINAL October 2, 2007

A Regular Meeting of the Troy Historic District Study Committee was not held Tuesday, October 2, 2007 at the Troy Museum because of lack of quorum.

The next regular meeting will be held, Tuesday, November 6, 2007 at 7:30 p.m. at the Troy Museum.

Kevin Lindsey
Chairman

Loraine Campbell
Recording Secretary

Advisory Committee for Senior Citizens

A regular meeting of the Advisory Committee for Senior Citizens was held on Thursday, Nov. 1, 2007 at the Troy Community Center. Chair Bud Black called the meeting to order at 1:00 PM.

Present:	Jo Rhoads, Member	Pauline Noce, Member
	James Berar, Member	JoAnn Thompson, Member
	David Ogg, Member	Merrill Dixon, Member
	Bud Black, Member	Betty Coven, Member
	Frank Shier, Member	Carla Vaughan, Staff

Absent: None

Visitors: None

Approval of Minutes

Resolution # SC-2007-11-001
 Moved by Jo Rhoads
 Seconded by JoAnn Thompson

RESOLVED, That the Minutes of Oct. 4, 2007 be approved as submitted.

Yes: 9

No: 0

MOTION CARRIED

Visitor Comments

None.

Old Business

Lunch Visits: Betty Coven visited Royal Oak. The food was good, but she had the last table number drawn and felt rushed. The fee is \$3.

Path at Athens High School: Carla reported that she did contact the Streets Department who has responsibility for that path, via email, but has not heard back from them. She will follow up today and report next month.

New Business

Suggestion Box: Carla reported that there were no suggestions regarding the senior program this month.

Airport Rides: JoAnn Thompson reported on various services available for transportation to the airport. Bud Black is going to contact airport transportation services to get their rates for possible inclusion in the senior newsletter.

Cancellation of December Meeting: Merrill Dixon suggested cancelling the December meeting. The majority of the committee wanted to have a meeting, so it will be held.

Reports

Park Board: No report.

Senior Program: Carla reported that the Broadway Memories variety show will be held tomorrow and Saturday. Seventeen people attended the first Caregiver's Support group meeting. Future topics for that group will include community resources, hospice, activities for those with dementia, and medication management.

Medi-Go: Jo Rhoads reported that Medi-Go is talking about merging with another group to cut costs. The service is going fine.

OLHSA: Pauline Noce reported that they had a speaker on identity theft.

Oakland County Senior Advisory Board: No report.

Comments

Merrill Dixon announced that the flu shot clinic and health fair will be November 14.

Jo Rhoads suggested that contact information about attorneys that specialize in elder law be listed in the newsletter. Jim Berar asked about the possibility of them placing ads, and Carla reported that at this time, we do not accept ads for the newsletter.

David Ogg commented that the committee should not keep rehashing things. They should decide what action to take, take that action and move on.

Jim Berar asked about where the committee should get items to talk about.

Betty Coven reported that her Cross Train Your Brain program is going great with 32 enrolled.

The meeting was adjourned at 2:17 p.m.

Respectfully submitted,

Bud Black, Chair

Carla Vaughan, Secretary

TROY HISTORIC DISTRICT STUDY COMMITTEE MINUTES – FINAL November 6, 2007

A Regular Meeting of the Troy Historic District Study Committee was not held Tuesday, November 6, 2007 at the Troy Museum because of lack of quorum.

The next regular meeting will be held, Tuesday, December 4, 2007 at 7:30 p.m. at the Troy Museum.

Kevin Lindsey
Chairman

Loraine Campbell
Recording Secretary

The Regular Meeting of the Troy City Planning Commission was called to order by Chair Schultz at 7:30 p.m. on November 13, 2007, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:

Michael W. Hutson
Lawrence Littman
Robert Schultz
Thomas Strat
John J. Tagle
Kathleen Troshynski
Mark J. Vleck
Wayne Wright

Also Present:

Mark F. Miller, Planning Director
R. Brent Savidant, Principal Planner
Susan Lancaster, Assistant City Attorney
Kathy Czarnecki, Recording Secretary

Chair Schultz announced that eight members are serving the Commission until a replacement is appointed for the vacancy of Mary Kerwin, who was elected to City Council. Chair Schultz thanked Ms. Kerwin for her participation and wished her well.

2. APPROVAL OF AGENDA

Resolution # PC-2007-11-162

Moved by: Vleck
Seconded by: Tagle

RESOLVED, To approve the Agenda as printed.

Yes: Hutson, Littman, Schultz, Tagle, Troshynski, Vleck, Wright
No: None
Abstain: Strat

MOTION CARRIED

3. MINUTES**Resolution # PC-2007-11-163**

Moved by: Wright
Seconded by: Hutson

RESOLVED, To approve the minutes of the October 23, 2007 Special/Study meeting as printed.

Yes: Hutson, Littman, Schultz, Troshynski, Vleck, Wright
Abstain: Strat, Tagle

MOTION CARRIED4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

POSTPONED ITEM5. SITE PLAN REVIEW (SP 898-B) – Proposed Mausoleum, White Chapel Cemetery, South side of Long Lake Road, between Crooks and I-75 (621 W. Long Lake Road), Section 16, Zoned R-1B (One Family Residential) District

Mr. Savidant presented a review of the postponed item. He addressed memoranda from the Building Department relating to code enforcement violations. The Building Department reported the violations are corrected. Further, the Building Department determined that the fence along Long Lake Road is not in violation of the Zoning Ordinance because it pre-dates the fence ordinance. Mr. Savidant reported it is the recommendation of City Management to approve the site plan as submitted with the condition that the petitioner receives variances from the Board of Zoning Appeals and the Board of Building Appeals, as relates to the required 50-foot setback and construction of walls higher than 30 inches within the required setback.

There was discussion on:

- Principal structure of the business.
- Existing fence and new vinyl fence as relates to the Zoning Ordinance.
- Tree preservation and tree inventory waivers.

Dennis Cowan of Plunkett & Cooney, 38505 Woodward Avenue, Bloomfield Hills, was present to represent the petitioner. Also present were David Krall, Vice President and corporate counsel for White Chapel; Don Root, architect, Integrated Design Solutions, 888 W. Big Beaver Road, Troy; and Marc Russell, landscape architect, Russell Design, 114 Rayson Street, Northville.

Mr. Cowan addressed the corrected code violations and the interior fences, which he indicated are not regulated within site plan approval. Mr. Cowan respectfully requested approval of the site plan with the condition to obtain variances from both the Board of Zoning Appeals and the Building Code Board of Appeals.

There was discussion on the following:

- Demolition of vehicle storage and maintenance building in a future phase.
- Design and material of sound wall; involvement of Michigan Department of Transportation (MDOT).
- Elevations of sound wall in relation to principal structure.
- Retention pond as relates to size, configuration and adequacy.
- Existing fence along Long Lake Road, its screening and compliance to Zoning Ordinance requirements.

Chair Schultz opened the floor for public comment.

There was no one present who wished to speak.

Chair Schultz closed the floor for public comment.

There was lengthy discussion on the preliminary site plan as relates to the designations of interior walls, fences, material, and key elements such as the water feature, and the purview of the Planning Commission for site plan approval.

Mr. Miller stated the Planning Commission has the discretion to determine whether the preliminary elevations are sufficient to determine site plan approval, and they could require the petitioner to submit additional information should they deem it necessary to reach a determination.

Several members shared difficulty in reading the landscape plan and correlating detail sheets and keynotes.

Mr. Root provided a detailed description of the site plan design.

Mr. Russell discussed the landscape plan in detail and offered clarifications to specific questions posed by the members. He apologized for the confusion and the lack of correlation between the plan's keynotes and detail sheets.

Mr. Krall provided an explanation of the demolition designations. Their intent is to show how the site plan would correlate to the City's future Master Plan. He indicated future phases would come before the Planning Commission for site plan approval.

Mr. Strat commended the petitioner on the excellent quality of design and quality of the site plan application. Mr. Strat expressed dissatisfaction with the plastic covering on the existing fence. He believes the fence is a code violation, stating additional materials were applied to an existing structure. Mr. Strat asked that staff

look into the matter and prepare a report on the compliance of a structure that is in violation of setback requirements, and to which modifications have been made.

There was clarification that preliminary approval of a site plan is valid for a period of one year.

Resolution # PC-2007-11-164

Moved by: Troshynski

Seconded by: Tagle

RESOLVED, That the proposed White Chapel Cemetery Mausoleum, located on the south side of Long Lake Road, between Crooks Road and I-75 (621 W. Long Lake Road), located in Section 16, on approximately 205 acres in area, within the R-1B zoning district, be granted, subject to the following conditions:

1. Obtaining all required variances from the Building Code Board of Appeals and the Board of Zoning Appeals.

Yes: Hutson, Littman, Schultz, Tagle, Troshynski, Wright

No: Strat, Vleck

MOTION CARRIED

Mr. Vleck said the site plan drawings are incomplete, and it shows a lack of responsibility on the part of the Commission to approve it as submitted. He also stated that the violations on the site plan should be brought up to date.

Mr. Strat said the design is excellent but the plan has flaws as relates to the front screen wall and the modifications made within the last few months.

REZONING REQUEST

6. **PUBLIC HEARING – REZONING APPLICATION (Z 729)** – Proposed Rite Aid Pharmacy Development, North side of Long Lake, East side of Rochester Road, Section 11 – B-1 (Local Business) District to B-2 (Community Business) District

Mr. Savidant presented a summary of the Planning Department report on the proposed rezoning, and reported it is the recommendation of City Management to approve the rezoning request. Mr. Savidant announced that a letter of opposition was distributed to the members prior to the beginning of tonight's meeting.

Ms. Troshynski asked which direction the store would face.

Chair Schultz asked the Assistant City Attorney to address discussion of site plan issues at the time a rezoning request is considered.

Ms. Lancaster said members are not to consider site plan issues during the approval process of a rezoning request, but consideration should be given to all applicable uses in a specific zoning district. She indicated the developer would not be bound by any commitments made relating to the site plan.

The petitioner was present.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2007-11-165

Moved by: Hutson

Seconded by: Vleck

RESOLVED, That the Planning Commission hereby recommends to the City Council that the B-1 to B-2 rezoning request, located on the north side of Long Lake Road, east of Rochester Road, within Section 11, being approximately 1.35 acres in size, be granted.

Yes: All present (8)

MOTION CARRIED

SITE CONDOMINIUM SITE PLAN

7. SITE CONDOMINIUM SITE PLAN REVIEW – Brycewood Site Condominium, 9 units/lots proposed, East side of Evanswood, North of Square Lake, Section 1, Zoned R-1D (One Family Residential) District

Mr. Savidant presented a summary of the Planning Department report on the proposed site condominium. He announced that a letter of opposition was distributed to the members prior to the beginning of tonight's meeting. Mr. Savidant reported City Management recommends approval of the alternative version of the preliminary site plan application that proposes 8 units and a 60-foot wide right of way terminating into a stub street at the southern property line.

There was discussion on:

- Setback requirements for side lots and streets in relation to neighboring properties.
- Plan and alternative plan meet all requirements of the Zoning Ordinance.
- Stub street with respect to traffic and turning radius.

- Neighborhood interconnectivity. The Planning Department prefers interconnectivity because it is better planning for future development.

Carol Thurber of Fazal Khan & Associates, 43279 Schoenherr, Sterling Heights, was present to represent the petitioner. Ms. Thurber said a cul de sac would provide a quiet community; a stub street provides interconnectivity but promotes more traffic. Ms. Thurber said they did not consider a layout where the street would be on the south side of the property, and confirmed that the lots to the south are not developed.

Mr. Vleck said he has a hard time approving a development that proposes to place a sidewalk and street directly abutting existing residential. He said it would be a detriment to the existing resident. Mr. Vleck addressed the water run-off and drainage for the proposed elevations.

Chair Schultz pointed out that the existing house to the north would become a double front (a corner lot) with the proposed street layout.

Chair Schultz opened the floor for public comment.

Cathy Carolan of 6322 Evanswood, Troy, was present. Ms. Carolan spoke in opposition of the proposed development. She indicated their property would be the one that would turn into a corner lot. Ms. Carolan voiced concerns with the close proximity of the street and sidewalk, density, neighborhood compatibility and drainage.

Chair Schultz explained the subject property is zoned R-1D, and though the existing development of the neighborhood might be at a lower density than what is allowed in the R-1D zoning district, the property owner is allowed to develop to the density of the underlying zoning. As an example, he cited if a house sits on one acre but they are allowed to put four houses on the one acre, that is the prerogative of the property owner.

Ms. Lancaster confirmed that is a correct statement.

Mike Carolan of 6322 Evanswood, Troy, was present. Mr. Carolan spoke in opposition of both layouts for the proposed development. Mr. Carolan said they do not want a corner lot. He addressed potential hardships relating to property values, meeting required setbacks on both sides, and the sidewalk directly on the property line. Mr. Carolan indicated he had conversations with the subject developer to buy his property and another developer who would build with lesser density. Mr. Carolan voiced concerns with water run-off and flooding, capacity and maintenance of the retention pond, and compatibility and aesthetics of existing neighborhood. He asked the Commission to consider tabling the item and to meet with the petitioner to arrive at a better layout. He indicated putting the street to the south where there is no development might be a better plan.

Ada Griffith of 2666 Ronald Drive, Troy, was present. Ms. Griffith spoke in opposition of the proposed development. Ms. Griffith addressed concerns relating to compatibility with the existing neighborhood, traffic, and safety of pedestrians and children. She would like to see the existing natural environment maintained. Ms. Griffith submitted a written email from her husband, in opposition of the proposed development that was not forwarded to the Planning Department in time to be distributed to the members.

Jean Dylong of 2638 Ronald Drive, Troy, was present. Ms. Dylong spoke in opposition of the proposed development. She submitted a petition in opposition of the proposed development, signed by 90 residents. Ms. Dylong addressed density, water overflow and drainage, and neighborhood compatibility.

Tim Ritchey of 2678 Ronald Drive, Troy, was present. Mr. Ritchey spoke in opposition of the development. He addressed concerns relating to neighborhood compatibility, density and property values. Mr. Ritchey said he personally had a major water problem in his basement when the Carolan house was being built.

Chair Schultz provided an explanation of a site condominium development. He noted that the proposed lots would be the same sized lots that are currently on Ronald Drive. Chair Schultz said the water problem should be reported to the Engineering Department.

Mr. Miller indicated on the map where the R-1D zoning district exists in that area, and said the same Zoning Ordinance requirements apply to all those properties, including minimum lot size. He said the proposed development meets those standards, and that the property owner is exercising his property rights just as anyone else in that zoning district could. Mr. Miller said the only way to preserve the area from being developed as R-1D would be to rezone it to a larger lot size, which would potentially reduce property values.

Jane Erickson of 6205 Seminole, Troy, was present. Ms. Erickson spoke in opposition of the proposed development. She addressed the choppiness and inharmonious manner in which infill development has happened in Macomb County, and did not expect this of Troy.

Jackie Hepp of 6136 Evanswood, Troy, was present. Ms. Hepp spoke in opposition of the proposed development. She addressed the existing water problem and maintenance of retention ponds. Ms. Hepp said they have replaced their sump pump five times.

Chair Schultz closed the floor for public comment.

Comments from the members related to:

- Hardship to resident whose property would turn into a double front lot.
- Potential to develop site with the road to the south.
- Density.

- Drainage and existing water problems.
- Neighborhood compatibility.
- Existing natural environment.
- Potential to waive the required sidewalk to the north in lieu of a landscape buffer.
- Cul de sac versus stub street.

Resolution # PC-2007-11-166

Moved by: Troshynski

Seconded by: Littman

RESOLVED, That this item be postponed until the petitioner submits a plan that incorporates some of the comments made at tonight's meeting.

Discussion on motion on the floor.

Mr. Vleck suggested that the petitioner meet with property owners to the north and south to discuss alternative layouts.

Mr. Miller said he has no objection to postponing the item to pursue other layout options. He made it clear to the members that the Planning Commission is obligated by State law to recommend approval to a project that meets the City's Zoning Ordinance requirements.

Yes: Littman, Strat, Tagle, Troshynski, Vleck, Wright

No: Hutson, Schultz

MOTION CARRIED

Mr. Hutson said the developer is entitled to build a site condominium development pursuant to the plan, or alternative plan, because both submissions meet all the requirements of the Zoning Ordinance.

Chair Schultz said the developer has the right to build the development as proposed because the application meets all requirements of the Zoning Ordinance. He indicated he has no objection to the postponement and would discuss the item at a future meeting.

Chair Schultz requested a recess at 9:25 p.m.

The meeting reconvened at 9:35 p.m.

SITE PLAN REVIEWS

8. SITE PLAN REVIEW (SP 849-C) – Grace Christian Learning Center Proposed Addition, North side of Big Beaver, East side of John R Road (2051 E. Big Beaver), Section 24 – B-1 (Local Business) and P-1 (Vehicular Parking) Districts

Mr. Tagle asked to be excused from discussion and vote on this item because his company has a financial interest in the matter.

[Mr. Tagle exited the meeting.]

Chair Schultz advised the petitioner that approval of the item would require five affirmative votes, and noted there are only seven members who would be voting.

The petitioner, Rick Howard, indicated he would like to go forward with the approval process.

Mr. Savidant presented a summary of the Planning Department report on the proposed site plan application. He brought attention to the proposed exterior treatment as relates to Article 39.70.10 of the Zoning Ordinance. He reported it is the recommendation of City Management to approve the site plan as submitted, subject to a maximum of 145 children to be cared for and detention to be provided on site in a manner approved by the Engineering Department.

The petitioner, Rick Howard of 507 Misty Brook Lane, Rochester Hills, was present. Mr. Howard said he was not aware of the Zoning Ordinance requirement relating to matching the building façade. He stated the building material has been purchased.

Mr. Strat assured the petitioner he could preserve the building material purchased and add on to match the existing building material. He addressed the proximity of the shopping center and major intersection in terms of improvements. Mr. Strat suggested that (1) the front segment of the closed structure match the existing building; and (2) trees and vegetation be provided in front of the cyclone fence to buffer the fence and playground area.

Mr. Howard agreed with the suggestions.

Mr. Vleck agreed with Mr. Strat's suggestions, and asked for a description of the screen wall on the north property line.

Mr. Howard provided a history of the parcel in terms of zoning. He said a screen wall would not be required if the area zoned P-1 was rezoned to B-1.

Mr. Miller explained that the City intends to initiate a rezoning request to the B-1 zoning designation for the P-1 parcel and the DTE parcel. Mr. Miller said he was not sure if a screen wall would be required on the DTE parcel but if it is,

construction of a screen wall would take place if and when future improvements were done to the property.

Mr. Savidant stated the 4'6" high screen wall indicated on the site plan would comply with all Zoning Ordinance requirements. He asked that the record reflect that the site plan submitted meets all requirements of the Zoning Ordinance. Mr. Savidant said it was not City Management's intent to mislead the Planning Commission, but to simplify site plan approval. Mr. Savidant indicated the rezoning request would be considered at a future date when it is not tied together with the site plan approval process.

Chair Schultz said he could not support the site plan unless the façade is compatible with the existing building.

Resolution # PC-2007-11-

Moved by: Vleck

Seconded by: Strat

RESOLVED, To postpone the Grace Christian Center Proposed Addition until such time that the petitioner has the opportunity to design the façade of the proposed addition in accordance with our existing Zoning Ordinance requirements that require it to match the existing façade with the existing building, and further to provide vegetation to screen the cyclone fence.

Discussion on the motion on the floor.

Mr. Howard requested the Commission's assistance to approve the preliminary site plan application at tonight's meeting so he could go forward with the project. He indicated his willingness to agree to any conditions that the Commission would deem applicable.

There was discussion to approve the site plan at a future meeting, or administratively.

Mr. Littman addressed the matching building façade as relates to residential purposes, and noted the subject site is quite a distance from residential. He said the trees that the petitioner is willing to provide would solve the screening problem.

Mr. Strat asked if the petitioner would be receptive to providing a stockade fence in lieu of a cyclone fence.

Mr. Howard answered in the affirmative.

Mr. Strat withdrew his support on the motion on the floor, subject to withdrawal from the maker of the motion.

Mr. Vleck withdrew the motion on the floor.

MOTION WITHDRAWN

Resolution # PC-2007-11-167

Moved by: Vleck

Seconded by: Strat

RESOLVED, That the proposed Grace Christian Center Proposed Addition, located on the north side of Big Beaver, east side of John R Road, located in Section 24, on approximately 1.51 acres in area, within the B-1 and P-1 zoning districts, be granted, subject to the following conditions:

1. No increase in the number of children to be cared for, 145 maximum as per variance issued on June 17, 2003 by the Board of Zoning Appeals.
2. Detention to be provided on site in a manner approved by Engineering Department.
3. Building façade facing John R must match the existing façade of the existing building subject to approval of the Planning Department.
4. Stockade fence will replace the cyclone fence surrounding the play area that faces John R on all sides.

Yes: Hutson, Schultz, Strat, Troshynski, Vleck, Wright

No: Littman

MOTION CARRIED

Mr. Littman said he does not see the need for the petitioner to match the façade all the way around because the provision is intended to protect residential properties and the site is a long distance from residential.

[Mr. Tagle returned to the meeting.]

9. SITE PLAN REVIEW (SP 944) – Existing 466 Stephenson Hwy, Proposed Parking Lot Expansion, East side of Stephenson Hwy, North of 14 Mile Road, Section 35 – R-C (Research Center) and O-M (Office Mid-Rise) Districts

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

Chair Schultz asked if the property acquisition and expansion of parking would cause a non-conformity for the parcel that is giving up the property for the parking.

Mr. Savidant replied the parcel would not become a non-conformity.

James West of 7115 Orchard Lake Road, West Bloomfield, was present to represent the petitioner. Mr. West indicated the proposed parking expansion and interior renovation is simply to create a better marketing appeal for potential tenants.

Al Bayer, project engineer, of Nowak & Fraus, was present. There was a brief discussion on the landscape plan and tree inventory.

Resolution # PC-2007-11-168

Moved by: Vleck

Seconded by: Strat

RESOLVED, That the proposed Parking Lot Expansion at 466 Stephenson Highway, located on the east side of Stephenson Highway, north of 14 Mile Road, located in Section 35, on approximately 3.38 acres in area, within the R-C and O-M zoning districts, be granted.

Yes: All present (8)

MOTION CARRIED

OTHER ITEMS

10. **PUBLIC COMMENTS** – Items on Current Agenda

There was no one present who wished to speak.

11. **PLANNING COMMISSION COMMENTS**

Ms. Troshynski congratulated Mary Kerwin on her election to City Council, and said she will be missed.

Mr. Strat expressed his congratulations to Ms. Kerwin also. He suggested a discussion on the City's fence ordinance at a future study meeting. Mr. Strat addressed a checklist of requirements for site plan approval and the submission of proposed site plans for rezoning requests.

Mr. Wright congratulated Ms. Kerwin on winning her City Council seat, and said he will miss her.

Ms. Lancaster wished everyone a very safe and happy Thanksgiving.

Mr. Miller challenged the members to take a critical look at the proposed combined chapters of the Master Plan, the Future Land Use Plan and Urban Design Plan that will be discussed at the November 27 Special/Study meeting. He wished a good Thanksgiving to everyone.

Chair Schultz said he hopes to find a way to address the inordinate number of problems that appeared on paperwork submitted on some agenda items this evening. He said he will miss his former Vice Chair, Ms. Kerwin, and wished her well on City Council.

The Regular Meeting of the Planning Commission adjourned at 10:20 p.m.

Respectfully submitted,

Robert M. Schultz, Chair

Kathy L. Czarnecki, Recording Secretary

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The Chairman, Mark Maxwell, called the meeting of the Board of Zoning Appeals to order at 7:30 P.M., on Tuesday, November 20, 2007 in Council Chambers of the Troy City Hall.

PRESENT: Michael W. Bartnik
Glenn Clark
Kenneth Courtney
Marcia Gies
Matthew Kovacs
Mark Maxwell
Wayne Wright

ALSO PRESENT: Mark Stimac, Director of Building & Zoning
Christopher Forsyth, Assistant City Attorney
Pamela Pasternak, Recording Secretary

ITEM #1 – APPROVAL OF MINUTES – MEETING OF OCTOBER 16, 2007

Mr. Wright stated that the word “prohibited” be changed to “permit” in the motion for approval for Coy Construction on Page 4.

Mr. Bartnik stated that he wanted the following added to the discussion on Item #6:

“Mr. Bartnik asked if the owners and residents of the Somerset Park Apartments were notified of this variance request.

Mr. Stimac replied that both owners and residents within 300’ of the subject property were notified.”

Motion by Wright
Supported by Courtney

MOVED, to approve the minutes of the meeting of October 16, 2007 with the above amendments.

Yeas: All – 7

MOTION TO APPROVE MINUTES AS AMENDED CARRIED

ITEM #2 – VARIANCE REQUESTED. JOHN BRODERICK OF THE HONEY BAKED HAM COMPANY, 1081 EAST LONG LAKE, for approval to place two temporary storage containers outside at the rear of 1081 E. Long Lake for the time period from November 21st through December 31, 2007 and November 21st through December 31, 2008.

ITEM #2 – con't.

Mr. Stimac explained that the petitioner is requesting approval to place two temporary storage containers outside at the rear of 1081 E. Long Lake for the time period from November 21st through December 31, 2007 and November 21st through December 31, 2008. Section 43.80.00 of the Zoning Ordinance allows the Board of Zoning Appeals to permit temporary buildings for permitted uses for periods not to exceed two (2) years.

Mr. Maxwell asked if the Building Department had received any complaints regarding these storage containers in the past.

Mr. Stimac stated that he was not aware of any complaints regarding this request.

Mr. John Broderick was present and stated he hoped approval for these storage trailers would be granted. These storage trailers are the same as the ones that they have used in the past. They will not be any higher than the brick wall that is behind this business. The storage trailers are needed due to the seasonality of the business.

Mr. Clark asked what types of locks were used to secure these trailers.

Mr. Broderick stated that they are specifically designed commercial locks.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are nine (9) written approvals on file. There are no written objections on file.

Motion by Courtney
Supported by Wright

MOVED, to grant John Broderick of the Honey Baked Ham Company, 1081 East Long Lake, approval to place two temporary storage containers outside at the rear of 1081 E. Long Lake for the time period from November 21st through December 31, 2007 and November 21st through December 31, 2008.

- Variance is not contrary to public interest.
- Variance will not have an adverse effect to surrounding property.

Yeas: All – 7

MOTION TO GRANT APPROVAL CARRIED

ITEM #3 – VARIANCE REQUESTED. KELLI BALOGH, 1336 WACON, for relief of the Ordinance to maintain a porch enclosure constructed without a Building Permit that result in a 33.1' rear yard setback and 3.8' away from a detached garage. Section 30.10.06 requires a 35' minimum rear yard setback in the R-1E Zoning District and

ITEM #3 – con't.

Section 40.45.02 requires a 10' minimum setback from this addition to the existing detached garage.

Mr. Stimac explained that the petitioner is requesting relief of the Ordinance to maintain a porch enclosure constructed without a Building Permit. The site plan submitted indicates an enclosure constructed with a 33.1' rear yard setback and 3.8' away from a detached garage. Section 30.10.06 requires a 35' minimum rear yard setback in an R-1E Zoning District and Section 40.56.02 requires a 10' minimum setback from this addition to the existing detached garage.

Mr. Stimac further explained that a search of Building Department records indicated that this structure was in place since the 1960's and there is no record of a Building Permit issued at that time.

Mr. Kovacs asked if Mr. Stimac was 100% sure that no permit had ever been issued.

Mr. Stimac said that a search was done of both Building Department records as well as Assessing records and nothing was found indicating a permit was ever issued.

Mr. Courtney asked what the difference would be if this structure was attached to the garage.

Mr. Stimac explained that the 10' rule would not apply, but then the garage would have to meet the 35' minimum rear yard setback.

Ms. Balogh was present and stated that she bought this home approximately three (3) years ago. The porch enclosure was in place at that time. The home has needed a number of repairs, which she has done. Ms. Balogh also said that she thought the original structure started out to be aluminum, all window enclosure. When she tried to replace the windows and doors, she found out that they were no longer available. Ms. Balogh brought in pictures showing how the house looked with the old structure and how it looks now with the newer structure. Ms. Balogh stated that friends and family have done the construction of this new porch enclosure.

The Chairman opened the Public Hearing.

Mr. Ryan Peters, 1337 Wacon was present and stated that Ms. Balogh has done a number of exceptional improvements to this home and feels that this enclosure will improve the look of the home. Mr. Peters supports this variance request.

No one else wished to be heard and the Public Hearing was closed.

There is one written approval on file. There are no written objections on file.

ITEM #3 – con't.

Mr. Maxwell said that the structure appears to be the same size as the original structure and is not visible as there is a white picket fence around the property.

Mr. Clark asked if a contractor was doing the work.

Ms. Balogh stated that the work was being done by friends and family.

Mr. Clark then asked if that was why a Building Permit was not obtained.

Ms. Balogh said that was correct.

Mr. Courtney said that if this request was for the original structure, he would have been opposed to it.

Motion by Courtney
Supported by Clark

MOVED, to grant Kelli Balogh, 1336 Wacon, relief of the Ordinance to maintain a porch enclosure that results in a 33.1' rear yard setback and 3.8' away from a detached garage. Section 30.10.06 requires a 35' minimum rear yard setback in the R-1E Zoning District and Section 40.45.02 requires a 10' minimum setback from this addition to the existing detached garage.

- Variance does not permit the establishment of a prohibited use in a Zoning District.
- Structure is shielded by a fence from surrounding property.
- Variance is not contrary to public interest.
- Variance will add to the property value.
- Variance will not have an adverse effect to surrounding property.

Yeas: All – 7

MOTION TO GRANT VARIANCE CARRIED

ITEM #4 – VARIANCE REQUESTED. GARY ABITHEIRA, 1110 BIRCHWOOD, EXISTING ADDRESS, TO 1106-1108 BIRCHWOOD, PROPOSED ADDRESS, for relief of the Ordinance to raze an existing single-family house and construct a two-family residence on a 9,600 square foot parcel of land. Section 30.10.09 requires a 10,000 square foot minimum parcel size to construct a two-family residence in the R-1B Zoning District.

Mr. Stimac explained that the petitioner is requesting relief of the Ordinance to construct a residential duplex. The site plan submitted indicates razing a single-family house and constructing a two-family residence on a 9,600 square foot parcel of land. Section

ITEM #4 – con't.

30.10.09 requires a 10,000 square foot minimum parcel size to construct a two-family residence in an R-1B Zoning District.

Mr. Kovacs asked if Mr. Stimac knew the history of the homes in this area.

Mr. Stimac said that he had done a search of the area and there are nine (9) duplexes in the area. Three are in compliance with the requirements of the Ordinance. Four are on 9600 square foot lots, and there is no record of variances being granted. Three of these duplexes were built in the 1970's and one in the 1980's. Two duplexes were recently constructed on 9,600 square foot lots and were granted variances by this Board.

Mr. Courtney asked Mr. Abitheira if he had been before this Board asking for a variance to build two homes rather than a duplex on a lot that did not meet area requirements.

Mr. Abitheira stated that was true; however, this area is more conducive to duplexes rather than single-family homes. Mr. Abitheira also stated that the existing home is in a state of disrepair and is an eyesore to the area. There is Industrial zoned property very near this site and this is one of the reasons that people do not want to purchase a single-family home. The housing market is down and Mr. Abitheira does not believe he would be able to sell a single-family home. Mr. Abitheira also stated that he uses these duplexes to allow people to live in while they wait for their homes to be constructed. He is trying everything he can to bring people to this area.

Mr. Courtney stated that Mr. Abitheira could build a single-family home for people to live in while they wait for the construction of their homes.

Mr. Abitheira stated that he is trying to get people to come into this City. The duplexes in this area look very nice and being kept up by the people that live in them.

Mr. Courtney stated that basically it is not economical to build one home but is more economical to have people living in two units.

Mr. Abitheira stated that after reading the goals of the City Manager, he is trying to increase new development in the City.

The Chairman opened the Public Hearing.

Mr. Jack Bertoia was present and stated that he owns property on this street and is a resident of Troy. Mr. Bertoia said that he is trying to lease the new duplex across the street and has been unable to do so because of the appearance of the existing home on this site. Mr. Bertoia said that they want to bring quality people into this area and he believes this construction will help in doing so. Other variances have been granted and he is in support of this request.

ITEM #4 – con't.

Michael Agnetti, 1120 Vermont, was present and stated that he is in favor of this request. People are taking care of the homes in this area and he believes this duplex will be an asset to the area.

No one else 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.

Mr. Clark asked what the setbacks were for a single-family home and a duplex in this area.

Mr. Stimac that the setbacks for a single-family home in the R-1E Zoning District were 25' front setback, 35' rear setback and because it is on a corner there would be a 10' setback from Lydia and 5' along the east side of the property; the setbacks for a duplex are 25' front setback, 35' rear setback and a minimum of 10' on the sides.

Mr. Bartnik asked if this proposed construction met all the other setbacks.

Mr. Stimac said that it did.

Mr. Bartnik said that he believes that the proposed construction also is less than the 30% allowed by the Ordinance.

Mr. Stimac said that 2,880 square feet is allowed and the proposed construction is 2,829 square feet.

Mr. Bartnik said that this is still less than what is allowed.

Mr. Stimac said that was correct it is less than the 30% allowed by 51 square feet.

Mr. Maxwell said that this area is very close to Industrially Zoned property and there is a duplex directly across the street. Mr. Maxwell said that he believes this would be good for the area considering the location.

Motion by Bartnik
Supported by Wright

MOVED, to grant Gary Abitheira, 1110 Birchwood, existing address, 1106-1108 Birchwood, proposed address, relief of the Ordinance to raze an existing single-family house and construct a two-family residence on a 9,600 square foot parcel of land. Section 30.10.09 requires a 10,000 square foot minimum parcel size to construct a two-family residence in the R-2 Zoning District.

ITEM #4 – con't.

- Variance request is small.
- Construction will comply within other requirements of the Ordinance.
- Literal enforcement of the Ordinance would be unnecessarily burdensome.
- Variance will not have an adverse effect to surrounding property.
- Variance will not permit the establishment of a prohibited use in a Zoning District.

Yeas: 6 – Kovacs, Maxwell, Wright, Bartnik, Clark, Gies

Nays: 1 – Courtney

MOTION TO GRANT VARIANCE CARRIED

The Board of Zoning Appeals meeting adjourned at 8:07 P.M.

Mark Maxwell, Chairman

Pamela Pasternak, Recording Secretary

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chair Schultz at 7:33 p.m. on November 27, 2007 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:

Michael W. Hutson
Robert M. Schultz
Thomas Strat
Kathleen Troshynski
Wayne Wright

Absent:

Lawrence Littman
John J. Tagle
Mark J. Vleck

Also Present:

Mark F. Miller, Planning Director
R. Brent Savidant, Principal Planner
Allan Motzny, Assistant City Attorney
Richard Carlisle, Carlisle/Wortman Associates, Inc.
Zak Branigan, Carlisle/Wortman Associates, Inc.

Resolution # PC-2007-11-169

Moved by: Wright
Seconded by: Strat

RESOLVED, That Members Littman, Tagle and Vleck are excused from attendance at this meeting for personal reasons.

Yes: All (5)
Absent: Littman, Tagle, Vleck

MOTION CARRIED

2. APPROVAL OF AGENDA

Resolution # PC-2007-11-170

Moved by: Wright
Seconded by: Troshynski

RESOLVED, To approve the Agenda as printed.

Yes: All (5)
Absent: Littman, Tagle, Vleck

MOTION CARRIED

3. MINUTES

Resolution # PC-2007-11-171

Moved by: Wright
Seconded by: Troshynski

RESOLVED, To approve the minutes of the November 13, 2007 Regular meeting as distributed.

Yes: All (5)
Absent: Littman, Tagle, Vleck

MOTION CARRIED

4. PUBLIC COMMENT – For Items Not on the Agenda

There was no one present who wished to speak.

5. BOARD OF ZONING APPEALS (BZA) REPORT

Mr. Wright gave a brief report.

6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT

Mr. Miller gave a brief report.

7. PLANNING AND ZONING REPORT

Mr. Miller gave a brief report.

STUDY ITEM

8. CITY OF TROY MASTER PLAN – CHAPTER 9 LAND PATTERNS – Discussion with representatives of Carlisle/Wortman Associates, Inc.

Mr. Miller presented a photographic slide show of industrial buildings in Troy. The intent of the presentation was to illustrate the challenge of determining future use of industrial properties in Troy.

General discussion followed.

Zak Branigan summarized changes made to Chapter 9 since the last meeting. He then discussed the chapter section by section, providing an opportunity for Planning Commissioners to comment.

General discussion followed.

Chairman Schultz called for a recess at 9:00 p.m.

The meeting reconvened at 9:10 p.m.

The Planning Commission continued to discuss draft Chapter 9.

Mr. Miller stated that Chapter 10 Implementation will be discussed at the December 4, 2007 Planning Commission Special/Study meeting. There will also be an opportunity to discuss other sections of the Plan.

Richard Carlisle indicated a draft copy of the complete Master Plan would be distributed to the Planning Commission prior to the end of the year.

OTHER ITEMS

9. **PUBLIC COMMENTS** – Items on Current Agenda

There was no one present who wished to speak.

10. **PLANNING COMMISSION COMMENTS**

There was general discussion related to the high quality of the draft Master Plan.

ADJOURN

The Special/Study Meeting of the Planning Commission adjourned at 10:10 p.m.

Respectfully submitted,

Robert M. Schultz, Chair

R. Brent Savidant, Principal Planner

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A meeting of the **Troy Youth Council (TYC)** was held on November 28, 2007 at 7:00 PM at Troy City Hall, 500 W. Big Beaver. Jessica Kraft and Joseph Niemiec called the meeting to order at 7:03 p.m.

- MEMBERS PRESENT: Maxine D’Amico
Rishi Joshi
Geon Woo Kim
Jessica Kraft
Joseph Niemiec
Anupama Prasad (Secretary)
Kristin Randall (Co-chair)
Shaina Sekhri
Neil Shaw
Katie Thoenes
Nicole Vitale (Co-chair)
David Wylie
- MEMBERS ABSENT: Disha Bora
- VISITORS: Cathy Russ, Library Director
- STAFF PRESENT: Scott Mercer, Recreation Coordinator

1. Roll Call

2. Approval of Minutes

Resolution # TY-2007-11-16
 Moved by D’Amico
 Seconded by Vitale

RESOLVED, That the minutes of September 26, 2007 be approved.

Yes: All – 12
 No: 0
 Absent: 1 – Bora

3. Attendance Report:

Report reviewed by council members, no comments.

4. Visitor: Cathy Russ, Library Director

- Discussed purpose and structure of library:
 - 5 million dollar budget
 - Something for everyone
 - Education for everyone
 - Expenses include staff, building and resources
 - 750,000 people enter library every year
 - 1.5 million items checked out yearly
 - 92.5% of items checked out are by residents
 - Needs assessment currently being performed
 - #1 library in state in 2004
 - New special needs collection

5. Troy Daze Festival Update – No update

6. Teen Room Naming Competition

- Final edition of flyer was distributed for review by Teen Council.
- Flyer will be distributed to Teen Council and Teens Taking Action for distribution.
- Competition will conclude on January 15, 2008.

7. Special Events and Projects for 2007-08

Advised by legal that Teen Council is able to be involved in events run by a different group or committee but not able to spear head own event(s).

8. Motion to Excuse Absent Members Who Have Provided Advance Notification

Resolution # TY-2007-11-17

Moved by Randall

Seconded by D'Amico

RESOLVED that Bora is excused.

Yes: All - 12

No: 0

Absent: 1 – Bora

9. Youth Council Comments - None

10. Public Comments – None

11. Adjournment – 7:35 p.m.

Jessica Kraft, Co-chair

Scott Mercer, Recreation Supervisor

Reminder Next Meeting: December 19, at 7:00 P.M.

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chair Schultz at 7:30 p.m. on December 4, 2007 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:

Michael W. Hutson
Lawrence Littman
Robert M. Schultz
Thomas Strat
John J. Tagle
Kathleen Troshynski
Mark J. Vleck
Wayne Wright (arrived 7:37 pm)

Also Present:

Mark F. Miller, Planning Director
R. Brent Savidant, Principal Planner
Susan Lancaster, Assistant City Attorney
Zak Branigan, Carlisle/Wortman Associates, Inc.

Resolution # PC-2007-12-172

Moved by: Littman
Seconded by: Strat

RESOLVED, That Member Wright is excused from attendance at this meeting for personal reasons.

Yes: All (7)
Absent: Wright (arrived 7:37 pm)

MOTION CARRIED

2. APPROVAL OF AGENDA

Resolution # PC-2007-12-173

Moved by: Tagle
Seconded by: Hutson

RESOLVED, To approve the Agenda as printed.

Yes: All (7)
Absent: Wright (arrived 7:37 pm)

MOTION CARRIED

3. MINUTES

Resolution # PC-2007-12-174

Moved by: Troshynski
Seconded by: Hutson

RESOLVED, To approve the minutes of the November 27, 2007 Special/Study meeting as distributed.

Yes: Hutson, Schultz, Strat, Troshynski, Vleck
Abstain: Littman, Tagle
Absent: Wright (arrived 7:37 pm)

MOTION CARRIED

4. PUBLIC COMMENT – For Items Not on the Agenda

There was no one present who wished to speak.

[Mr. Wright arrived at 7:37 p.m.]

5. PLANNING AND ZONING REPORT

Mr. Miller gave a brief report on ZOTA 214 Group Day Care Homes. At the December 3, 2007 Regular meeting, City Council postponed action on the item until such time that the State of Michigan updates the current regulation related to Group Day Care Homes.

STUDY ITEM

6. CITY OF TROY MASTER PLAN – CHAPTER 10 IMPLEMENTATION – Discussion with representatives of Carlisle/Wortman Associates, Inc.

Mr. Miller indicated that Carlisle/Wortman Associates, Inc. (CWA) would provide a complete copy of the draft Master Plan to the Planning Commission prior to the end of the year.

Mr. Miller indicated that a public input session would also need to be scheduled. Although the meeting would be open to all residents, the participants of the SGRAT workshop that started off the planning process would be invited.

Zak Branigan of CWA presented Chapter 10 Implementation.

General discussion followed.

OTHER ITEMS7. **PUBLIC COMMENTS** – Items on Current Agenda

There was no one present who wished to speak.

8. **PLANNING COMMISSION COMMENTS**

Mr. Strat asked about the status of the Maple Road Corridor Study.

Mr. Miller indicated that if a digital copy were made available to the Planning Department, they would make copies of the document and provide it to the Planning Commission.

There was other general discussion.

ADJOURN

The Special/Study Meeting of the Planning Commission adjourned at 9:15 p.m.

Respectfully submitted,

Robert M. Schultz, Chair

R. Brent Savidant, Principal Planner

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Advisory Committee for Senior Citizens

A regular meeting of the Advisory Committee for Senior Citizens was held on Thursday, Dec. 6, 2007 at the Troy Community Center. Chair Bud Black called the meeting to order at 1:00 PM.

Present: Jo Rhoads, Member
JoAnn Thompson, Member
David Ogg, Member
Bud Black, Member
Carla Vaughan, Staff

James Berar, Member
Frank Shier, Member
Merrill Dixon, Member
Betty Coven, Member

Absent: Pauling Noce, excused

Visitors: Paula Fleming

Approval of Minutes

Resolution # SC-2007-12-001
Moved by James Berar
Seconded by Betty Coven

RESOLVED, That the Minutes of Nov. 1, 2007 be approved as submitted.

Yes: 8
No: 0

MOTION CARRIED

Visitor Comments

Paula Fleming discussed school district news, handed out a list of school board members and circulated a menu from the Terrace Café.

Old Business

Lunch Visits: Betty Coven said that the holiday lunch in Troy in November was wonderful. JoAnn Thompson said that Emerald has been working very well with the hospitality committee.

New Business

Medicare Part D: JoAnn Thompson lead a discussion about the difficulty of having to decide which program to sign up for. Carla reported that help is available at the Community Center.

Meeting at Baker Middle School: Jo Rhoads reported on a meeting that she attended at Baker Middle School put on by the Police Department about how seniors can make their homes safe for their grandchildren.

Suggestion Box: Carla reported that there was one suggestion to add a third aquatics class. The winter session is free due to HAP sponsorship. Usually we would not even fill one session, let alone three. There will be a charge again in the spring. If both sessions fill, we will try to add another one, but it would have to be in the afternoon.

Airport Rides: Bud Black reported that he contacted several airport ride services and this is what he found:

Metroride	800-320-1683	\$73 there, \$79 back
Checker Sedan	800-351-5466	\$78 each way
Detroit Metro Transportation	866-389-8294	\$79 each way
Carey Limousine	800-336-4646	\$109 each way

Reports

Park Board: No report.

Senior Program: Carla reported that the *Cross Train Your Brain* class was recently featured in an article on the front page of the Detroit Free Press. The first winter session is full and we have added a second section. SHARP (Senior Home Assistance Repair Program) now has an online bulletin board where volunteers can check for unassigned jobs. Requests are referred to by job number only – names, address, etc. do not appear on line, and only approved members can visit the site.

Medi-Go: Jo Rhoads reported that they have been very busy and things are going well.

OLHSA: No report

Oakland County Senior Advisory Board: Jo Rhoads reported that they had a speaker about reverse mortgages and that seniors should have a legal person look things over before signing anything.

Comments

JoAnn Thompson reported that the Restaurant Group has a nice outing at the Europa Bistro in Rochester in December. The next outing in February will be to Kim’s in Troy.

James Berar said that the front desk needs a list of which rooms activities are being held in. Carla said that room numbers are listed on the electronic bulletin board by each entrance and the front desk staff does have a list. She will make sure everyone knows about it.

Bud Black reported that he has a speaker lined up from the Library for the January meeting to talk about what the Library has to offer seniors.

Frank Shier reported that the Heart-Of-The-Hills players would like to put on another performance here in February and he will get the information to Carla.

Betty Coven reported that the Spice of Life discussion group that she leads at the Library is well attended. It meets on Wednesdays from 10-11:30 a.m.

The meeting was adjourned at 2:05 p.m.

Respectfully submitted,

Bud Black, Chair

Carla Vaughan, Secretary

A meeting of the Troy Election Commission was held Friday, December 7, 2007, at City Hall, 500 W. Big Beaver Road. City Clerk Bartholomew called the Meeting to order at 7:35 AM.

ROLL CALL:

PRESENT: David Anderson, City Clerk
Tonni Bartholomew
ABSENT: Timothy Dewan

Minutes: Regular Meeting of October 1, 2007

Resolution #EC-2007-12-011
Moved by Anderson
Seconded by Bartholomew

RESOLVED, That the Minutes of Monday, October 1, 2007, are **APPROVED** as submitted.

Yes: Anderson, Bartholomew
No: None
Absent: Dewan

MOTION CARRIED

**Approval of Election Inspector Assignments – Tuesday, January 15, 2008
Presidential Primary Election**

Resolution #EC-2007-12-012
Moved by Anderson
Seconded by Bartholomew

RESOLVED, That Election Inspectors be appointed for the Tuesday, January 15, 2008 Presidential Primary Election, as presented by the City Clerk, are hereby **APPROVED**.

Yes: Anderson, Bartholomew
No: None
Absent: Dewan

MOTION CARRIED

Approval of Proposed Precinct Alterations and Relocations

Resolution #EC-2007-12-013
Moved by Anderson
Seconded by Bartholomew

RESOLVED, That the Election Commission hereby **RECOMMENDS** the City of Troy alterations of precinct boundaries and relocation polling locations to the City Council for adoption as follows:

PCT #	BOUNDARY DESCRIPTION	POLLING LOCATION
1	Section 1	Evanswood Church of God 2601 E. Square Lake
2	Section 2 in the Troy School District	Kensington Community Church 1825 E. Square Lake
3	Sections 2, 3 and 4 in the Avondale School District	Woodside Bible Church 6600 Rochester
4	Sections 3, 4 and 5 in the Troy School District	St. Elizabeth Ann Seton Catholic Church 280 E. Square Lake
5	Sections 5 and 6 in the Avondale School District	Woodside Bible Church 6600 Rochester
6	Section 6 in the Troy School District	Nature Center 6685 Coolidge Hwy.
7	Section 7 in the Troy School District and Section 8 west of Coolidge Highway	St. Stephen Episcopal Church 5500 Adams
8	Section 8 east of Coolidge Highway	Northfield Hills Baptist Church 1800 W. Long Lake
9	Sections 9 & 10	St. Elizabeth Ann Seton Catholic Church 280 E. Square Lake
10	Section 11	Kensington Community Church 1825 E. Square Lake
11	Section 12 north of Highbury, east of Harbor, north of Willard, north and east of English	Evanswood Church of God 2601 E. Square Lake
12	Section 12 south of Highbury, west of Harbor, south of Willard, south and west of English	Fire & Police Training Center 4850 John R
13	Section 13	Bethesda Romanian Pentecostal Church 2075 E. Long Lake
14	Section 14	St. Anastasia Catholic Church 4571 John R
15	Section 15	St. Lucy Catholic Croatian Church 200 E. Wattles
16	Section 16 east of I-75 and Section 21 east of I-75	First Presbyterian Church 4328 Livernois
17	Section 16 west of I-75 and Section 17	St. Nicholas Greek Orthodox Church 760 W. Wattles
18	Section 18 in the Troy School District	St. Stephen Episcopal Church 5500 Adams
19	Sections 19 and 30 in the Troy	St. Alan Catholic Church

PCT #	BOUNDARY DESCRIPTION	POLLING LOCATION
	School District	3077 Gloucester
20	Section 20 and Section 21 west of I-75	St. Nicholas Greek Orthodox Church 760 W. Wattles
21	Section 22	St. Lucy Catholic Croatian Church 200 E. Wattles
22	Section 23	St. Anastasia Catholic Church 4571 John R
23	Section 24	St. Joseph Chaldean Catholic Church 2442 E. Big Beaver
24	Sections 25 and 26 in the Warren Consolidated School District and Lamphere School District	St. George Antiochian Orthodox Church 2160 E. Maple
25	Sections 35 and 36 in the Warren Consolidated School District	St. George Antiochian Orthodox Church 2160 E. Maple
26	Sections 26, 27, 34 and 35 south of I-75 in the Troy School District	Troy Community Center 3179 Livernois
27	Section 28 and Sections 25, 26, and 27 north of I-75 and south of E. Big Beaver in Sections in the Troy School District	Troy Community Center 3179 Livernois
28	Sections 29 and 32 in the Troy School District	St. Alan Catholic Church 3077 Gloucester
29	Sections 18, 19, 30, and 31 in the Birmingham School District	North Hills Christian Reformed Church 3150 N. Adams
30	Section 35 in the Royal Oak School District and the Lamphere School District	Troy Community Center 3179 Livernois
31	Sections 6, 7, and 18 in the Bloomfield Hills School District	Nature Center 6685 Coolidge Hwy.

Yes: Anderson, Bartholomew

No: None

Absent: Dewan

MOTION CARRIED

Adjournment:

The meeting was adjourned at 7:41 AM.

Tonni L. Bartholomew, MMC
City Clerk

DATE: December 3, 2007
 TO: Phillip L. Nelson, City Manager
 FROM: Mark Stimac, Director of Building & Zoning
 SUBJECT: Permits issued during the Month of November 2007

	NO.	VALUATION	PERMIT FEE
<u>INDUSTRIAL</u>			
Fnd./Shell New	1	\$3,500,000.00	\$19,645.00
Add/Alter	6	\$347,474.00	\$3,020.00
Wreck	1	\$0.00	\$100.00
Sub Total	8	\$3,847,474.00	\$22,765.00
<u>COMMERCIAL</u>			
Tenant Completion	2	\$195,000.00	\$1,655.00
Add/Alter	30	\$6,216,125.00	\$41,481.00
Kiosk	7	\$0.00	\$245.00
Sub Total	39	\$6,411,125.00	\$43,381.00
<u>RESIDENTIAL</u>			
New	2	\$327,723.00	\$2,593.00
Add/Alter	27	\$725,700.00	\$7,442.00
Garage/Acc. Structure	7	\$34,750.00	\$813.00
Pool/Spa/Hot Tub	1	\$4,500.00	\$115.00
Repair	1	\$2,500.00	\$75.00
Fnd./Slab/Footing	1	\$2,500.00	\$75.00
Sub Total	39	\$1,097,673.00	\$11,113.00
<u>INSTITUTIONAL/HOSPITAL</u>			
New	1	\$5,000,000.00	\$27,145.00
Sub Total	1	\$5,000,000.00	\$27,145.00
<u>RELIGIOUS</u>			
Add/Alter	1	\$30,000.00	\$355.00
Sub Total	1	\$30,000.00	\$355.00
<u>MISCELLANEOUS</u>			
Signs	33	\$0.00	\$3,400.00
Fences	15	\$0.00	\$235.00
Sub Total	48	\$0.00	\$3,635.00
TOTAL	136	\$16,386,272.00	\$108,394.00

PERMITS ISSUED DURING THE MONTH OF NOVEMBER 2007

	NO.	PERMIT FEE
Mul. Dwel. Insp.	267	\$2,670.00
Cert. of Occupancy	38	\$4,750.70
Plan Review	80	\$7,048.00
Microfilm	39	\$359.00
Building Permits	136	\$108,394.00
Electrical Permits	179	\$9,751.00
Heating Permits	130	\$6,275.00
Air Cond. Permits	39	\$2,580.00
Refrigeration Permits	1	\$280.00
Plumbing Permits	102	\$10,084.00
Storm Sewer Permits	1	\$25.00
Sanitary Sewer Permits	15	\$459.00
Sewer Taps	8	\$23,312.00
TOTAL	1035	\$175,987.70

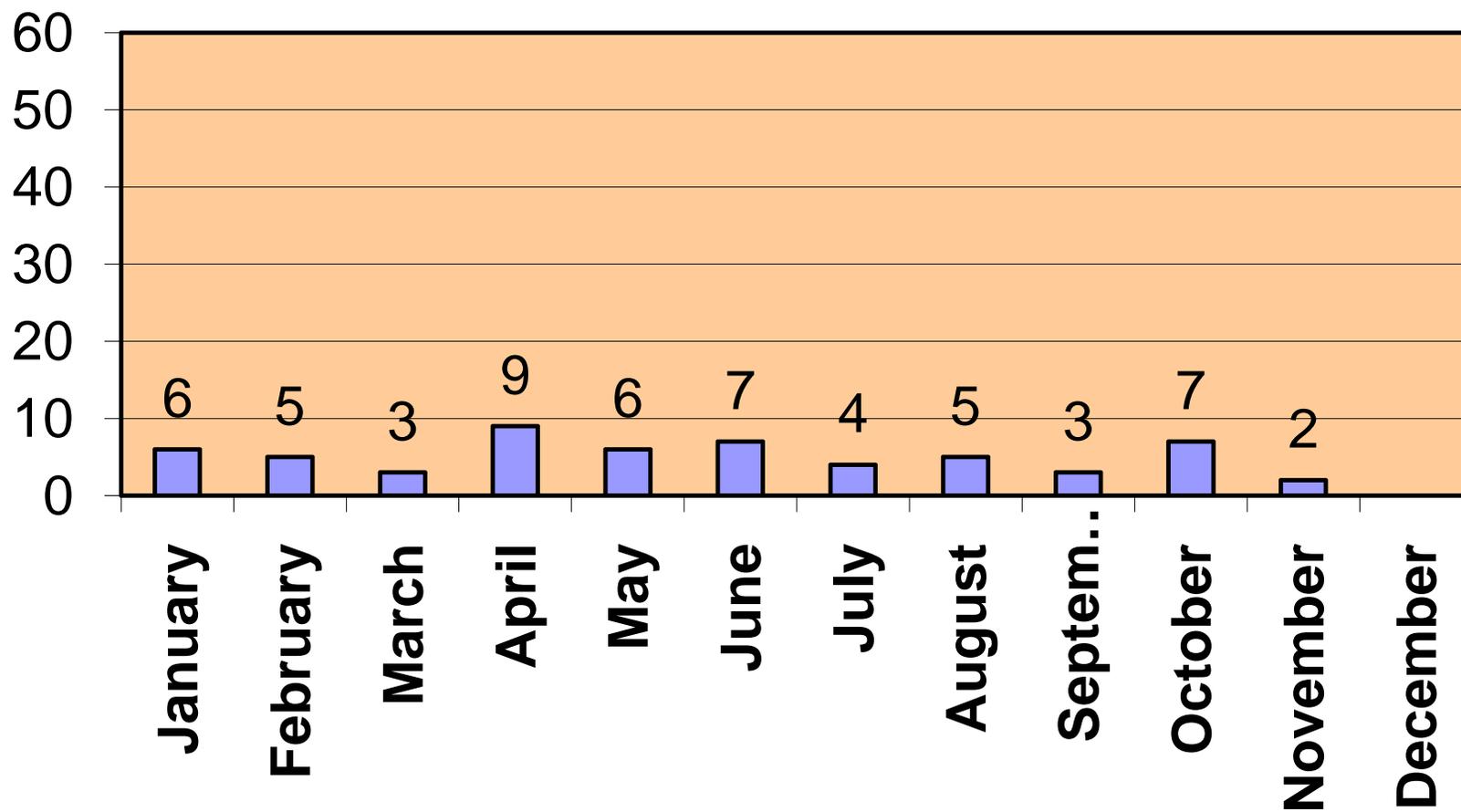
LICENSES & REGISTRATIONS ISSUED DURING THE MONTH OF NOVEMBER 2007

	NO.	LICENSE FEE
Mech. Contr.-Reg.	50	\$250.00
Elec. Contr.-Reg.	10	\$150.00
Master Plmb.-Reg.	17	\$17.00
Sign Inst. - Reg.	3	\$30.00
Fence Inst.-Reg.	2	\$20.00
Bldg. Contr.-Reg.	10	\$100.00
F.Alarm Contr.-Reg.	2	\$0.00
TOTAL	94	\$567.00

BUILDING PERMITS ISSUED

	<u>BUILDING PERMITS 2006</u>	<u>PERMIT VALUATION 2006</u>	<u>BUILDING PERMITS 2007</u>	<u>PERMIT VALUATION 2007</u>
JANUARY	116	\$7,273,163.00	119	\$7,595,008.00
FEBRUARY	94	\$6,659,691.00	101	\$8,056,092.00
MARCH	127	\$5,629,425.00	135	\$9,204,932.00
APRIL	174	\$5,766,996.00	140	\$4,844,929.00
MAY	216	\$11,290,598.00	170	\$11,201,261.00
JUNE	218	\$10,681,352.00	183	\$6,057,272.00
JULY	198	\$11,269,902.00	134	\$5,755,737.00
AUGUST	150	\$14,170,725.00	149	\$10,867,085.00
SEPTEMBER	161	\$12,827,192.00	151	\$15,498,043.00
OCTOBER	134	\$10,733,680.00	194	\$13,663,761.00
NOVEMBER	111	\$6,690,950.00	136	\$16,386,272.00
DECEMBER	94	\$10,508,219.00	0	\$0.00
TOTAL	1793	\$113,501,893.00	1612	\$109,130,392.00

SINGLE FAMILY DWELLING PERMITS 2007



**BRIEF BREAKDOWN OF NON-RESIDENTIAL BUILDING PERMITS
ISSUED DURING THE MONTH OF NOVEMBER 2007**

Type of Construction	Builder or Company	Address of Job	Valuation
Commercial, Add/Alter	TRI-NORTH BUILDERS	710 E BIG BEAVER	4,000,000
Commercial, Add/Alter	COMFORT CRAFT CONST CO	5700 CROOKS 450	180,839
Commercial, Add/Alter	COMFORT CRAFT CONST CO	1975 TECHNOLOGY J	244,276
Commercial, Add/Alter	RONNISCH CONSTRUCTION	5600 CROOKS	145,289
Commercial, Add/Alter	SYNERGY GROUP	840 W LONG LAKE 400	250,000
Commercial, Add/Alter	SACHSE CONSTRUCTION	1650 W BIG BEAVER 200	116,280
Commercial, Add/Alter	SACHSE CONSTRUCTION	1650 W BIG BEAVER 200	116,280
Commercial, Add/Alter	SACHSE CONSTRUCTION	1650 W BIG BEAVER 102	348,840
Total Commercial, Add/Alter			5,401,804
Industrial, Add/Alter	LAFORCE INC	289 ROBBINS	215,000
Total Industrial, Add/Alter			215,000
Industrial, Fnd./Shell New	KEMP BUILDING AND DEVELOPMENT	2477 W MAPLE	3,500,000
Total Industrial, Fnd./Shell New			3,500,000
Inst./Hosp., New Construction	SKANSKA USA BUILDERS INC	44201 DEQUINDRE ShipRec	5,000,000
Total Inst./Hosp., New Construction			5,000,000
Records 12			Total Valuation: 14,116,804

CITY OF TROY
MONTHLY FINANCIAL REPORT
30-Nov-07

CITY OF TROY
Monthly Financial Report
General Fund
For the Period Ending November 30, 2007

CITY OF TROY GENERAL FUND

Description	Last Year Actual	2007-08 Budget	Current Month	Year To Date	%
GENERAL FUND REVENUES					
TAXES	35,679,836	36,308,690	115,837	36,012,624	99.18
BUSINESS LICENSES & PERMITS	38,993	42,000	1,555	7,935	18.89
NON-BUS. LICENSES & PERMITS	1,452,966	1,705,500	128,174	645,453	37.85
FEDERAL GRANTS	198,102	55,900	8,172	8,172	14.62
STATE AGENCIES	6,800,242	6,784,000	1,255,629	1,339,641	19.75
CONTRIBUTIONS-LOCAL	171,189	180,000	0	41,828	23.24
CHARGES FOR SERVICES - FEES	1,455,402	1,159,000	129,039	389,495	33.61
CHARGES FOR SERVICES - REND.	2,346,725	1,717,500	69,851	368,966	21.48
CHARGES FOR SERVICES - SALES	154,366	157,000	5,094	53,491	34.07
CHARGES FOR SERVICES - REC	3,740,024	3,565,200	253,573	1,414,064	39.66
FINES & FORFEITS	1,243,286	1,027,000	93,783	258,147	25.14
INTEREST AND RENTS	2,363,543	2,081,600	58,843	631,196	30.32
OTHER REVENUE	546,469	510,550	8,920	21,734	4.26
OTHER FINANCING SOURCES	4,635,622	8,161,480	1,212,800	1,212,800	14.86
TOTAL GENERAL FUND REVENUE	60,826,765	63,455,420	3,341,270	42,405,546	66.83
EXPENDITURES					
LEGISLATIVE	1,839,175	2,033,040	195,353	739,929	36.40
FINANCE	4,726,731	5,054,990	581,469	2,020,902	39.98
OTHER GEN GOVERNMENT	2,552,515	2,700,750	187,685	895,741	33.17
POLICE	23,147,967	24,060,510	2,892,382	9,800,762	40.73
FIRE	4,376,861	4,317,390	296,343	2,050,930	47.50
BUILDING INSPECTION	2,051,078	2,243,190	245,480	856,776	38.19
STREETS	4,754,158	5,606,460	463,219	1,719,036	30.66
ENGINEERING	2,676,718	3,136,960	306,729	1,064,745	33.94
RECREATION	8,424,151	9,225,600	803,865	3,771,766	40.88
LIBRARY	4,805,280	5,066,530	500,221	1,778,331	35.10
TRANSFERS OUT	3,510,000	10,000	10,000	10,000	100.00
TOTAL GEN FUND EXPENDITURES	62,864,634	63,455,420	6,482,746	24,708,918	38.94

CITY OF TROY
 Monthly Financial Report
 Refuse Fund
 For the Period Ending November 30, 2007

REFUSE FUND

Description	Last Year Actual	2007-08 Budget	Current Month	Year To Date	%
REVENUES					
TAXES	4,254,241	3,572,670	0	3,562,562	99.72
CHARGES FOR SERVICES - REND.	0	0	0	0	.00
CHARGES FOR SERVICES - SALES	2,275	1,500	190	1,130	75.33
INTEREST AND RENTS	162,643	175,000	0	34,005	19.43
OTHER FINANCING SOURCES	0	0	0	0	.00
TOTAL REVENUE	4,419,159	3,749,170	190	3,597,697	95.96
EXPENDITURES					
CONTRACTORS SERVICE	4,380,060	3,577,000	329,899	1,388,365	38.81
OTHER REFUSE EXPENSE	47,855	55,230	1,751	6,747	12.22
RECYCLING	101,047	116,940	8,326	44,664	38.19
TOTAL EXPENDITURES	4,528,962	3,749,170	339,976	1,439,776	38.40

CITY OF TROY
 Monthly Financial Report
 Downtown Development Authority Fund
 For the Period Ending November 30, 2007

DOWNTOWN DEV AUTHORITY FUND

Description	Last Year Actual	2007-08 Budget	Current Month	Year To Date	%
REVENUES					
TAXES	3,516,210	3,793,000	0	3,740,758	98.62
STATE GRANTS	0	0	0	0	.00
INTEREST AND RENTS	519,215	400,000	0	142,929	35.73
OTHER FINANCING SOURCES	0	2,844,590	0	0	.00
TOTAL REVENUE	4,035,425	7,037,590	0	3,883,687	55.18
EXPENDITURES					
ECONOMIC DEVELOPMENT	41,011	350,000	7,626	23,016	6.58
TAX TRIBUNAL REFUNDS	8,242	0	3,873	13,086	.00
CAPITAL OUTLAY	0	3,000,000	0	0	.00
DEBT SERVICE	3,021,460	3,285,000	750	2,430,649	73.99
TRANSFER TO GENERAL FUND	311,944	402,590	100,648	100,648	25.00
TOTAL EXPENDITURES	3,382,657	7,037,590	112,897	2,567,399	36.48

CITY OF TROY
 Monthly Financial Report
 Capital Fund
 For the Period Ending November 30, 2007

CAPITAL FUND

Description	Last Year Actual	2007-08 Budget	Current Month	Year To Date	%
REVENUES					
TAXES	8,200,947	8,440,000	0	8,382,498	99.32
FEDERAL GRANTS	650	0	0	0	.00
STATE AGENCIES	519,811	4,464,000	174,339	418,960	9.39
CHARGES FOR SERVICES - REND.	327,744	75,000	10,113	19,266	25.69
INTEREST AND RENTS	1,181,962	807,200	600	268,996	33.32
FINES & FORFEITS	0	246,180	0	0	.00
OTHER REVENUE	1,262,421	0	25	24,142	.00
OTHER FINANCING SOURCES	5,700,000	15,709,560	430,000	430,000	2.74
TOTAL REVENUE	17,193,535	29,741,940	615,077	9,543,862	32.09
EXPENDITURES					
FINANCE	33,464	55,000	0	9,735	17.70
OTHER GEN GOVERNMENT	90,439	4,457,600	85,451	216,679	4.86
POLICE	411,940	1,129,210	11,403	22,771	2.02
FIRE	856,110	536,200	0	0	.00
BUILDING INSPECTION	440	10,000	0	0	.00
STREETS	7,879,499	13,708,000	547,162	4,415,597	32.21
ENGINEERING	369,372	0	0	0	.00
RECREATION	1,708,773	7,255,000	73,613	1,579,448	21.77
LIBRARY	105,525	325,000	13,098	46,196	14.21
MUSEUM	82,068	256,000	0	0	.00
STORM DRAINS & RET PONDS	536,741	1,260,930	15,701	145,315	11.52
INFORMATION TECHNOLOGY	1,150,000	749,000	0	0	.00
TOTAL EXPENDITURES	13,224,371	29,741,940	746,428	6,435,741	21.64

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CITY OF TROY
Monthly Financial Report
Sanctuary Lake Golf Course
For the Period Ending November 30, 2007

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SANCTUARY LK GOLF COURSE FUND

Description	Last Year Actual	2007-08 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - SALES	37,416	38,500	724	19,250	50.00
CHARGES FOR SERVICES - REC	1,007,452	1,249,090	25,378	561,792	44.98
INTEREST AND RENTS	6,988	6,500	0	0	.00
OTHER REVENUE	4,279	0	16	175	.00
OTHER FINANCING SOURCES	0	0	0	0	.00
TOTAL REVENUE	1,056,135	1,294,090	26,118	581,217	44.91
EXPENDITURES					
SANCTUARY LAKE GREENS	792,102	885,280	58,600	364,822	41.21
SANCTUARY LAKE PRO SHOP	888,113	1,165,390	297,059	411,639	35.32
SANCTUARY LAKE CAPITAL	0	40,000	0	0	.00
TOTAL EXPENDITURES	1,680,215	2,090,670	355,659	776,461	37.14

CITY OF TROY
 Monthly Financial Report
 Sylvan Glen Golf Course
 For the Period Ending November 30, 2007

SYLVAN GLEN GOLF COURSE FUND

Description	Last Year Actual	2007-08 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - SALES	28,566	38,500	502	16,389	42.57
CHARGES FOR SERVICES - REC	936,929	1,092,630	20,762	509,523	46.63
INTEREST AND RENTS	227,644	200,400	7,310	139,855	69.79
OTHER REVENUE	400	0	105-	1,331	.00
OTHER FINANCING SOURCES	0	0	0	0	.00
TOTAL REVENUE	1,193,539	1,331,530	28,469	667,098	50.10
EXPENDITURES					
SYLVAN GLEN GREENS	729,347	766,160	66,770	340,578	44.45
SYLVAN GLEN PRO SHOP	352,687	322,020	26,639	145,399	45.15
SYLVAN GLEN CAPITAL	0	187,100	11,972	39,059	20.88
TOTAL EXPENDITURES	1,082,034	1,275,280	105,381	525,036	41.17

CITY OF TROY
 Monthly Financial Report
 Aquatic Center
 For the Period Ending November 30, 2007

AQUATIC CENTER FUND

Description	Last Year Actual	2007-08 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - REC	462,469	445,950	22-	171,834	38.53
INTEREST AND RENTS	29,257	31,600	680	20,392	64.53
OTHER REVENUE	4-	0	0	1-	.00
TOTAL REVENUE	491,722	477,550	658	192,225	40.25
EXPENDITURES					
AQUATIC CENTER	684,334	628,670	16,462	294,583	46.86
CAPITAL	0	110,000	0	0	.00
TOTAL EXPENDITURES	684,334	738,670	16,462	294,583	39.88

CITY OF TROY
Monthly Financial Report
Sewer Fund
For the Period Ending November 30, 2007

SEWER FUND

Description	Last Year Actual	2007-08 Budget	Current Month	Year To Date	%
REVENUES					
FEDERAL GRANTS	17,081	0	0	0	.00
CHARGES FOR SERVICES - FEES	423,810	400,000	52,181	131,380	32.85
CHARGES FOR SERVICES - REND	10,867,704	11,836,000	1,206,977	3,981,092	33.64
INTEREST AND RENTS	1,187,038	820,000	2,249	254,196	31.00
OTHER REVENUE	426,738	0	0	0	.00
TOTAL REVENUE	12,922,371	13,056,000	1,261,407	4,366,668	33.45
EXPENDITURES					
ADMINISTRATION	9,186,528	9,743,900	574,665	4,178,735	42.89
MAINTENANCE	1,151,136	1,532,140	240,021	479,232	31.28
CAPITAL	0	4,628,000	313,876	1,109,326	23.97
TOTAL EXPENDITURES	10,337,664	15,904,040	1,128,562	5,767,293	36.26

CITY OF TROY
 Monthly Financial Report
 Water Fund
 For the Period Ending November 30, 2007

WATER FUND

Description	Last Year Actual	2007-08 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - FEES	707,790	885,000	114,553	409,965	46.32
CHARGES FOR SERVICES - SALES	13,847,856	15,432,000	1,602,890	5,304,971	34.38
INTEREST AND RENTS	987,721	648,000	34,249	236,262	36.46
OTHER REVENUE	569,010	0	0	0	.00
TOTAL REVENUE	16,112,377	16,965,000	1,751,692	5,951,198	35.08
EXPENDITURES					
ADMINISTRATION	11,552,161	12,147,070	896,000	5,339,994	43.96
TRANS AND DISTRIBUTION	220,659	224,930	7,754	51,594	22.94
CUSTOMER INSTALLATION	101,647	92,720	10,175	34,466	37.17
CONTRACTORS SERVICE	148,717	217,360	16,844	64,149	29.51
MAIN TESTING	56,893	121,940	7,467	12,908	10.59
MAINTENANCE OF MAINS	362,261	447,950	63,964	203,265	45.38
MAINTENANCE OF SERVICES	196,788	272,480	17,967	74,686	27.41
MAINTENANCE OF METERS	471,767	709,860	21,576	175,096	24.67
MAINTENANCE OF HYDRANTS	310,130	392,070	75,520	165,205	42.14
METERS AND TAP-INS	300,220	388,720	18,079	108,744	27.97
WATER METER READING	106,366	103,290	15,863	84,167	81.49
ACCOUNTING AND COLLECTING	95,296	106,400	9,302	41,877	39.36
CAPITAL	0	8,715,000	641	851,632	9.77
TOTAL EXPENDITURES	13,922,905	23,939,790	1,161,152	7,207,783	30.11

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CITY OF TROY
Monthly Financial Report
Motor Pool
For the Period Ending November 30, 2007

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MOTOR POOL FUND

Description	Last Year Actual	2007-08 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - REND	0	5,000	0	91	1.82
INTEREST AND RENTS	3,870,828	3,913,400	362,581	1,548,032	39.56
OTHER REVENUE	612,792	380,000	69,287	222,215	58.48
OTHER FINANCING SOURCES	0	1,473,090	0	0	.00
TOTAL REVENUE	4,483,620	5,771,490	431,868	1,770,338	30.67
EXPENDITURES					
ADMINISTRATION	543,477	586,650	67,910	213,205	36.34
OPERATION AND MAINTENANCE	3,366,597	3,417,450	342,254	1,332,618	38.99
DPW FACILITY MAINTENANCE	361,706	392,890	14,160	112,994	28.76
CAPITAL	0	1,374,500	22,671	191,299	13.92
TOTAL EXPENDITURES	4,271,780	5,771,490	446,995	1,850,116	32.06

Fund	Mat Yr.	Mat Mo.	Mat Day	Type	Loc	Pur Yr.	Pur Mo.	Pur Day	Rate	Name	Face	Accrue 6/30	Book
112	2007	12	6	7	FLAGSTAR	2007	8	23	5.490	CD	2,103,735		2,103,734.93
	2007	12	6	7	FLAGSTAR	2007	8	23	5.490	CD	1,000,000		1,000,000.00
	2007	12	6	7	HUNT BANK	2007	8	23	5.500	CD	1,000,000		1,000,000.00
	2007	12	6	7	FITB	2007	8	23	5.200	CD	1,000,000		1,000,000.00
	2007	12	13	9	ML	2007	9	6	4.290	TBILL	2,855,000		2,822,513.27
	2007	12	13	7	JPM CHASE	2007	9	13	5.430	CD	2,000,000		2,000,000.00
	2007	12	13	7	TCF BANK	2007	9	20	4.750	CD	2,109,539		2,109,539.20
	2007	12	20	7	TCF BANK	2007	9	13	5.300	CD	2,212,124		2,212,124.13
	2007	12	20	7	CHART ONE	2007	9	13	5.260	CD	2,000,000		2,000,000.00
	2007	12	20	9	ML	2007	9	13	3.950	TBILL	2,837,000		2,807,266.65
	2007	12	27	7	CITIZENS	2007	9	13	5.300	CD	2,000,000		2,000,000.00
	2007	12	27	7	HUNT BANK	2007	9	27	4.720	CD	2,218,083		2,218,083.10
	2007	12	27	7	CITIZENS	2007	10	4	4.800	CD	2,215,910		2,215,910.17
	2007	12	30	8	FITB	2003	2	27	4.500	MAX SAVER	7,111,464		7,111,463.98
	2007	12	30	8	FITB	2004	1	1	4.000	MM	94,259		94,259.47
	2007	12	30	8	HUNT BANK	2004	8	27	4.302	MM	582,395		582,394.72
	2007	12	30	8	MBIA	2005	11	18	5.000	MBIA	1,630,397		1,630,396.82
	2007	12	30	8	CITIZENS	2006	5	4	4.500	MMIA	1,126,402		1,126,402.03
	2007	12	30	8	ML	2006	8	31	4.000	MM	3,350		3,349.77
	2007	12	30	8	FITB	2006	9	8	4.500	MAXSAVER+	2,071,261		2,071,261.33
	2007	12	30	8	FITB	2007	2	9	6.000	3243	191,000		190,835.44
	2008	1	3	7	FITB	2007	9	13	5.220	CD	2,000,000		2,000,000.00
	2008	1	3	9	ML	2007	9	26	3.790	TBILL	2,277,000		2,253,862.83
	2008	1	3	8	ML	2007	10	4	4.750	ML & CO	2,432,000		2,402,799.11
	2008	1	3	7	HUNT BANK	2007	11	1	4.680	CD	2,333,914		2,333,914.48
	2008	1	10	7	HUNT BANK	2007	9	13	5.590	CD	2,000,000		2,000,000.00
	2008	1	10	8	ML	2007	9	27	4.730	G E CAP	2,394,000		2,360,972.78
	2008	1	16	9	ML	2007	11	18	4.820	TBILL	2,151,000		2,125,080.45
	2008	1	17	7	NATL CITY	2007	9	13	5.400	CD	2,000,000		2,000,000.00
	2008	1	24	7	PRIV BANK	2007	9	13	5.300	CD	2,000,000		2,000,000.00
	2008	1	25	8	NATL CITY	2007	10	25	4.603	BASF	1,140,000		1,126,744.33
	2008	1	30	8	FITB	2004	1	30	4.250	FHR 2537	20,249		20,249.09
	2008	1	30	8	FITB	2005	5	25	5.000	FHLM 2808	57,000		56,960.89
	2008	1	31	7	TCF	2007	9	13	5.300	CD	2,000,000		2,000,000.00
	2008	1	31	7	HUNT BANK	2007	11	1	4.680	CD	2,225,233		2,225,232.74
	2008	2	7	7	NAT CITY	2007	9	21	5.050	CD	2,000,000		2,000,000.00
	2008	2	7	7	FLAGSTAR	2007	10	4	5.000	CD	2,285,654		2,285,654.15
	2008	2	14	7	FLAGSTAR	2007	9	21	5.380	CD	2,000,000		2,000,000.00
	2008	2	28	7	FLAGSTAR	2007	9	21	5.350	CD	2,000,000		2,000,000.00
	2008	2	28	7	COMERICA	2007	9	21	4.900	CD	2,000,000		2,000,000.00
	2008	3	6	7	JPM CHASE	2007	9	21	4.840	CD	2,000,000		2,000,000.00
	2008	3	13	7	FITB	2007	9	21	4.680	CD	2,000,000		2,000,000.00
	2008	3	20	7	FLAGSTAR	2007	9	21	5.310	CD	2,000,000		2,000,000.00
	2008	3	27	7	JPM CHASE	2007	9	21	4.790	CD	2,000,000		2,000,000.00
	2008	4	3	7	TCF BANK	2007	10	11	4.750	CD	2,118,553		2,118,552.62
	2008	4	3	7	CHART ONE	2007	10	18	4.600	CD	2,120,548		2,120,548.39
	2008	4	3	7	PRIV BANK	2007	10	25	4.950	CD	1,633,089		1,633,089.14

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Fund	Mat Yr.	Mat Mo.	Mat Day	Type	Loc	Pur Yr.	Pur Mo.	Pur Day	Rate	Name	Face	Accrue 6/30	Book
112	2008	4	3	7	HUNT BANK	2007	10	25	4.680	CD	1,063,144		1,063,143.58
	2008	4	3	7	FITB	2007	10	25	4.720	CD	1,082,035		1,082,034.99
	2008	4	10	7	CITIZENS	2007	10	11	4.800	CD	2,118,504		2,118,503.69
	2008	4	10	7	CITIZENS	2007	10	18	4.800	CD	2,120,671		2,120,671.21
	2008	4	17	7	HUNT BANK	2007	10	11	4.990	CD	2,119,641		2,119,640.94
	2008	4	17	7	REPUBLIC	2007	10	18	4.800	CD	2,302,631		2,302,631.22
	2008	4	24	7	CITIZENS	2007	11	15	4.700	CD	1,116,199		1,116,198.85
	2008	4	24	7	HUNT BANK	2007	11	15	4.610	CD	1,067,470		1,067,470.30
	2008	4	24	7	FITB	2007	11	15	4.520	CD	1,095,506		1,095,505.70
	2008	4	25	8	FITB	2005	1	11	4.000	FNMA 42	603,920		603,918.74
	2008	4	25	8	FITB	2005	8	26	4.500	31	836,600		836,553.62
	2008	4	25	8	FITB	2006	6	30	5.000	86	802,457		802,456.78
	2008	4	25	8	FITB	2007	1	9	5.500	FNMA 80	247,000		246,469.72
	2008	4	25	8	FITB	2007	3	21	5.000	FNMA 17	862,375		862,375.00
	2008	5	1	7	CITIZENS	2007	11	29	4.900	CD	2,230,702		2,230,702.15
	2008	5	8	7	COMERICA	2007	11	29	4.700	CD	1,014,869		1,014,869.44
	2008	5	30	8	FITB	2003	5	19	5.000	FHLM 95237	407,772		407,772.00
	2008	5	30	8	FITB	2004	1	30	4.000	FHR 2535	434,000		433,598.13
	2008	5	30	8	FITB	2004	3	25	4.500	FHR 2669	181,000		180,795.38
	2008	5	30	8	FITB	2004	10	7	2.250	FHR 2625	78,500		78,343.41
	2008	5	30	8	FITB	2004	10	8	3.250	FHR 2564	354,000		353,133.63
	2008	5	30	8	FITB	2006	1	30	4.500	FHLM 2557	558,000		557,119.31
	2008	5	30	8	FITB	2008	5	30	3.600	FHR03 2640	355,000		354,552.65
	2008	6	15	8	FITB	2005	11	30	5.000	2802	595,000		594,024.87
	2008	6	28	8	FITB	2004	10	12	4.000	FHR 2617	2,014,000		2,013,605.56
	2008	6	28	8	FITB	2005	8	30	4.500	2545	166,144		166,143.62
	2008	7	31	8	FITB	2005	9	29	4.500	FHLM 2618	511,000		510,056.83
	2008	8	25	8	FITB	2007	4	25	4.500	2569	447,000		446,503.07
	2008	9	25	8	FITB	2007	9	28	5.500	FNMA 3061	549,000		549,000.00
	2008	10	30	8	FITB	2007	7	17	4.500	FNMA 37	644,500		644,434.72
	2008	11	30	8	FITB	2007	8	27	4.500	2003-36	990,000		987,312.50
	2008	11	30	8	FITB	2007	8	27	5.500	2549	600,000		599,633.33
	2008	11	31	8	FITB	2006	8	25	5.500	FNMA 73	744,891		744,890.63
	2008	12	30	8	FITB	2007	10	24	4.000	2594	405,000		404,712.90
	2008	12	31	8	FITB	2005	7	27	4.500	FHLM 2687	4,079,000		4,079,941.25
	2008	12	31	8	FITB	2007	9	15	5.500	FHLM 3145	1,553,000		1,552,491.90
	2008	12	31	8	FITB	2007	11	26	4.500	19	440,000		440,774.75
	2008	12	31	8	FITB	2007	11	26	5.000	2649	374,000		373,864.58
	2008	12	31	8	FITB	2007	11	26	5.000	2898	373,000		372,510.98
										TOTAL			124,891,557.94
591	2007	12	15	8	FITB	2005	8	26	4.500	FHLM 2687	1,000,000		991,000.00
	2007	12	26	8	LA SALLE	2007	7	31	4.500	MMA	2,040,379		2,040,378.68
	2007	12	31	8	FITB	2007	3	26	4.000	2780	249,000		248,170.78
	2008	1	3	7	CITIZENS	2007	10	4	4.800	CD	157,472		157,471.79
	2008	1	3	7	HUNT BANK	2007	10	4	5.030	CD	172,335		172,335.05

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12/12/07

T-Bills, Commercial Paper, C.D. etc.

Ref.: INVQY012
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
591	2008	1	3	7	LASALLE	2007	10	4	4.800	CD	1,018,998		1,018,998.20
	2008	1	4	8	NAT CITY	2007	9	4	5.292	MORG STAN	1,597,000		1,569,087.99
	2008	3	25	8	FITB	2006	8	9	5.500	FNMA 73	125,000		124,451.22
	2008	6	30	7	COMERICA	1997	7	1	4.770	GOV'T POOL	2,085,124		2,085,124.02
	2008	6	30	8	FITB	2005	8	31	4.500	MM	156,633		156,633.00
	2008	6	30	8	FITB	2005	9	29	4.500	FHLM 2618	215,000		214,314.16
	2008	8	15	8	FITB	2007	5	25	4.500	FHLM 2693	186,000		185,334.83
	2008	12	30	8	FITB	2006	3	3	5.000	FHLM 2561	43,000		42,121.74
	2008	12	31	8	FITB	2007	2	9	6.000	3243	144,000		143,697.06
	2008	12	31	8	FITB	2007	8	25	3.000	2659	78,000		77,843.42
	2008	12	31	8	FITB	2007	11	26	5.500	FHLM 3157	1,237,268		1,237,268.32
										TOTAL			10,464,230.26
688	2008	6	30	7	CHASE	1997	7	1	4.440	GOV'T POOL	1,474,429		1,474,429.42
										TOTAL			1,474,429.42
										TOTAL			136,830,217.62

*** END OF REPORT ***

7 = CD 8 = Paper 9 = T-Bills

Phil Dec. 17 Agenda.



Bloomfield Woods Condominium Association

November 29, 2007

Ms. Louise E. Schilling - Honorable Mayor, City of Troy
Troy City Hall
500 West Big Beaver
Troy, Michigan 48084

RECEIVED

DEC 04 2007

**CITY OF TROY
CITY MANAGER'S OFFICE**

Dear Madam Mayor:

On behalf of the members of the Bloomfield Woods Condominium Association located, at Bloomfield Woods Drive, in the City of Bloomfield Hills, we want to thank you and your fire department for their quick response and the difficult work they performed to help put out a dangerous fire that destroyed one of our condominiums on November 3.

The intense heat of the fire made the work very dangerous and increased the danger to two other nearby condominiums. Their excellent fire fighting skills helped save these two condominiums from any serious damage. We are thankful that your the fire department was able to provide us with additional well trained, professional firefighters, fire trucks and equipment.

Fortunately, the owner of the condominium was not injured and was able to seek safety in another nearby unit. Sadly, she lost the majority of her treasured art, furniture, books, and clothing. After the fire investigations are completed, demolition work will begin. The condominium will be rebuilt soon thereafter.

On behalf of our members and my fellow Board members, we want to thank you and everyone involved in fighting this fire.

Very truly yours,

Mr. Bob Ottaway - President - Bloomfield Woods Condominium Association

Board of Directors - Ms. Nancy Torgerson, Mr. Fred Matthaei Jr.

RECEIVED

DEC 04 2007

CITY OF TROY
CITY MANAGER'S OFFICE

December 3, 2007

Mr. Bill Wilson, Chief
Troy Fire Department,
500 West Big Beaver Road,
Troy, Michigan 48084-5254

Dear Chief Nelson:

For a week I have heard a whistling sound throughout my home. I finally discovered that it was my smoke detectors. I succeeded in removing the individual detectors from the ceiling but was unable to remove the batteries. I called the Troy Fire Department for advice and Lt. Janusz Bora generously offered to come by my home with batteries to fix my problem. Within thirty minutes he was knocking on our door. He installed three batteries within less than fifteen minutes & resolved the problem. As a senior citizen I want you to know how much we appreciated the outstanding service provided by Lt. Bora. The City of Troy is lucky to have an employee that is concerned about the welfare of its citizens. He deserves recognition for his outstanding service to the community.

Thank you very much for the assistance.

Sincerely,



Thomas J. Burke

cc; Mr. Phil Nelson, City Manager
City of Troy
500 West Big Beaver Road
Troy, Mi. 48084-5254

November 19, 2007

Charles Craft, Police Chief
Troy Police Department
Troy, Mi 48084

Dear Mr. Craft:

On October 15, I had the misfortune of being attacked by 3 dogs, which broke through the gate of a fenced yard. One of them did a good deal of damage to my arm. I'm writing this to compliment the Troy Police Department on the way they have handled my case, both at the time and in the weeks since. I'll use the term "compassionate professionalism" as fitting the way I feel I have been treated.

This began with Jackie Snedden, police aide, and her partner at Troy Beaumont. They were called by the hospital. They took their police report and also took photographs of my arm. They were there for a couple of hours, as they waited for an ET, and their kindness and concern was very comforting in this stressful situation. She came to my house the next day, to see how I was doing and to see if I could identify which dog had done what. Jackie was also present for the hearing on Nov. 5, and again was very supportive as my injuries and the fate of the dogs were discussed.

Officer Gerry Schindling called me that week to tell me what had been done with the dogs, and again to ask how I was feeling. I took up a good length of time as I was very anxious about the fate of the dogs. I also called him a week later with some specific questions, and again he took as much time as I wanted.

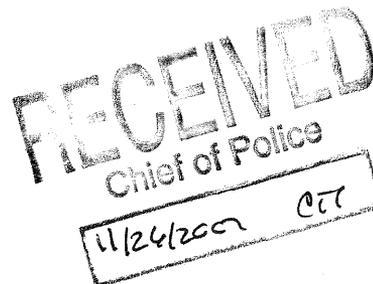
Sue Lancaster has been great. She called me about the hearing for putting the dogs down, and answered a number of questions I had about procedures. She was concerned about my injuries and how I was doing. I appreciated her advice about a civil suit. She was also there for the Nov. 5 hearing, and again I felt her support and concern.

I appreciated that all of these people were concerned about the danger these dogs presented, and supported taking the dogs and then putting them down. I also appreciated the input of the Troy Animal Control Officer who was at the hearing, and gave information which in part resulted in the dog owner and her lawyer agreeing to put the dogs down without the need for testimony in court from me.

All of these people were very professional in fulfilling their jobs. They obviously have been well-trained. For someone as traumatized as I was by this experience, their compassion and kindness was much appreciated.

Sincerely,

Beatrice G. Smits
Beatrice G. Smits



CC: Troy MI 48083
Cory WSR
DIC M...
CAPT'S.
PSA SNEDDEN / File
G. Schindling File
Lori Bl...
BB

From: Tim Backers [mailto:tbackers@jaydeecontr.com]

Sent: Thursday, November 15, 2007 8:50 AM

To: William J Huotari

Cc: Jennifer E Lawson; gwest@rcoc.org; swheeler@rcoc.org; Steven J Vandette

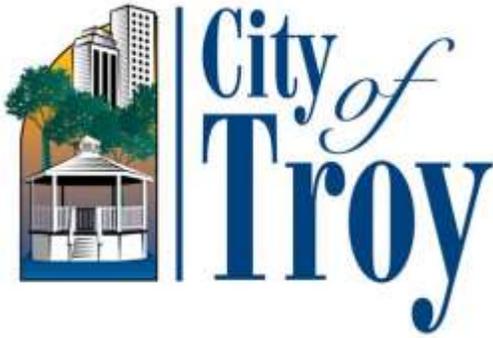
Subject: RE: crooks road

Bill,

I just wanted thank you, Jennifer and all those involved for the wonderful job that's been done for the residents who live along the Crooks Road widening construction project in general and for myself in particular. The project has been ongoing for over 2 years now. I understand the widening was necessary, and as a contractor myself I realize the headaches that go along with it. You have both been very responsive and professional, and the restoration work was delivered even better than promised. My wife and I are proud to reside in a city where responsible & responsive government still exists.

Keep up the great work!!

Tim & Anna Backers
6626 Woodcrest Drive
Troy, MI 48098



**CITY COUNCIL
AGENDA
December 17, 2007
Back-Up Documentation
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317**

J-4 No Proposed Proclamations-Resolutions from Other Organizations

**There is no back-up documentation on this
Agenda item at the time of publication.**

December 2007

December 2007							January 2008						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
2	3	4	5	6	7	8	1	2	3	4	5	6	7
9	10	11	12	13	14	15	8	9	10	11	12	13	14
16	17	18	19	20	21	22	15	16	17	18	19	20	21
23	24	25	26	27	28	29	22	23	24	25	26	27	28
30	31						29	30	31				

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Nov 25 - Dec 1	Nov 25	26	27	28	29	30	Dec 1
Dec 2 - 8	2	3 7:30pm City Council Mtg	4 7:30pm Planning Comn 7:30pm Historic District	5 7:00pm Persons with D	6 1:00pm Advisory Comn	7	8
Dec 9 - 15	9	10 7:00pm Liquor Advisor	11 7:30pm Planning Comn	12 8:30am Building Code E 1:00pm Employee's Ret 2:00pm Retiree Health	13 7:30pm Library Advisor	14	15
Dec 16 - 22	16	17 7:30pm City Council Mtg	18 7:30pm CANCELLED BZ 7:30pm Historic District	19 7:30am DDA Meeting; C 7:00pm Youth Council;	20 7:00pm CANCELLED Pa	21	22
Dec 23 - 29	23	24 City Hall Closed		25	26	27	28
Dec 30 - Jan 5	30	31 City Hall Closed		Jan 1, 08	2	3	4
							5



TO: Troy Parks and Recreation
FROM: Alexia Gallagher, NFL Youth Football Fund
DATE: October 16, 2007

On behalf of the National Football League, NFL Players Association, and the Detroit Lions, we are pleased to inform you that the NFL Youth Football Fund (YFF) has approved a grant in the amount of \$1,000 to Troy Parks and Recreation for the 2007 NFL Local Agency Grant Program.

National Recreation and Parks Association, a member of the NFL National Youth Football Partners, has chosen your organization to receive a grant from the YFF to recognize outstanding and innovative youth football programs and leagues developed on the local level. Per your grant application proposal, this Local Agency Grant will be distributed to your chapter in order to help support your youth football program.

By accepting this YFF contribution, you also are accepting the following terms and conditions of this Grant as set forth in this agreement:

- All Local Agency Grant funds must be used solely for the purpose of carrying out the Program as described in the grant application. Any grant funds which are not used for the Local Agency Grant Program on or before December 31, 2007 must be returned to the YFF.
- NFL logos (including but not limited to the NFL Youth Football Fund, NFL Youth Football Partners, NFL shield, NFLPA and NFL team logos) may not be used without prior written approval from the NFL. All usage requests should be submitted to my attention and cannot be implemented without the receipt of written approval.
- Local Agency Grant funds may not be used for any purpose that is not exclusively charitable or educational. For example, Local Agency Grant Funds may not be used to pay for participant entry into any non-charitable youth football programs (e.g., NFL FLAG) since such actions would present a conflict of interest for the YFF, which is a 501(c)(3), non-profit foundation.
- All Local Agency Grant recipients agree to hold the Grant funds in an account dedicated exclusively to permissible non-profit purposes and shall further be shown separately on their books for easy reference. Additionally, all Local Agency Grant recipients may be subject to financial review and, therefore, must retain copies of all receipts and reports with respect to the Grant for at least four years following completion of the grant. Local Agency Grant recipients' books and records shall be made available for inspection by the Directors of the YFF, at reasonable times.
- ~~_____~~
~~_____ and fax it to Mary ROBERTSON's attorney _____ 2007~~

Should you have any questions, please do not hesitate to contact me or Vida Hsu (212-450-2572).

Again, congratulations on receiving this grant award. We salute you on the tremendous work that you do each day to assist America's youth.

The NFL Youth Football Fund was created in 1998 by the member clubs of the National Football League and the NFL Players Association to use football as a catalyst to promote positive youth development while also insuring the health of grassroots football in future generations. Since then, hundreds of thousands of youngsters have been given the opportunity to learn the game of football, get physically fit, and stay involved in productive after-school activities with adult mentors. The YFF also has provided youth football participants with safe and accessible places to play as well as programs and initiatives that address the importance of proper coaching, academics, health and safety, and life skills development.

December 10, 2007

TO: Phillip L. Nelson, City Manager

FROM: John M. Lamerato, Assistant City Manager/Administration and Finance
Carol K. Anderson, Parks and Recreation Director

SUBJECT: Report - The Re-greening of Troy Program

The Parks and Recreation staff would like to provide details of a program that will be unveiled in the Spring issue of *Troy Today* setting up a mechanism for individuals, businesses, organizations, or groups to sponsor the planting of a tree, or trees in one of Troy's city parks.

Background

The Parks and Recreation Department has received requests in the past for permission to plant a tree on municipal property, usually in memory of a family member or friend. The process has been for the person making the request to supply the tree and coordinate the planting through an established tree contractor or landscaper. The City would provide permission for the planting and the specific location for the memorial tree.

The Proposal

The newly proposed program, entitled **The Re-Greening of Troy**, is in response to the thousands of trees lost in our parks from the Emerald Ash Borer, as well as a recent a request from a Troy business wishing to plant trees in a city park to help offset their carbon footprint as part of their "green" philosophy.

The program establishes a simple procedure for sponsoring the planting of a tree, or trees in a Troy city park. With the submission of the order form and a check for the appropriate amount, the city will make the best choice based on the size of tree(s) selected and have the tree(s) planted in a City park. A Thank You certificate will be mailed to the sponsor, and on approval, the sponsoring information will be included in the next available issue of *Troy Today*.

This program will be promoted in the Troy Today, as well as on the Parks and Recreation page of the City of Troy website.

Absent any objection, staff will proceed with implementing **The Re-greening of Troy** program.

Prepared by: Jeff Biegler, Superintendent of Parks

Attachment: The Re-greening of Troy Info/Order Form

The re-greening of Troy!



Sponsor the planting of a tree(s) in Troy. Why?

- One acre of forest absorbs six tons of carbon dioxide and puts out four tons of oxygen. Enough to meet the annual needs of 18 people.—*U.S. Department of Agriculture*
- Trees provide natural habitat for animals and other plants.
- Trees can stimulate economic development, attracting new business and tourism. —*The Arbor Day Foundation*
- Tree plantings improved water quality, resulting in less runoff and erosion.—*USDA Forest Service*
- Trees remove other pollutants by absorbing them through the leaf surface. Some of these pollutants include: sulfur dioxide, ozone, nitrogen oxides, and particulates.

Where will these trees be planted? The emerald ash borer has altered the appearance of our parks by killing thousands of trees. Donated trees will re-forest City parks.

Who can sponsor trees? Any individual, business, organization, group, or corporation can sponsor trees!

How do I sponsor a tree?

- Review the tree list. Select the size / quantity you wish to sponsor. We do not list tree types, as the City will make the best choice based on the size you select, varieties available and tree types found in the parks being planted. Please allow a minimum of 60 days for the planting.
- Fill out the attached form and mail it with your check.

You will be sent a certificate indicating the size / number of trees and name of the park.

Can I put a memorial marker on a tree? We are unable to place markers. They will be damaged by the mowers and gradually covered over with dirt, grass and mulch. However, if you check off the *Please Publish* box, your information will be included in the next issue of “Troy Today”!

Qty		Qty		Qty	
	7 gal. tree \$75.00 ea.		10 gal. tree \$125.00 ea.		15 gal. tree \$175.00 ea.
	20 gal. tree \$225.00 ea.		25 gal. tree \$260.00 ea.		3” to 3.5” tree \$300.00 ea.
	3.5” – 4” tree \$350.00 ea.		4” to 4.5” \$450.00 ea.		

Total enclosed \$ _____ Sponsor Phone # _____

Sponsor Name(s) (please print) _____

Sponsor Address _____

In Honor of In Memory of Dedicated to Please Publish

December 10, 2007

TO: Phillip L. Nelson, City Manager

FROM: John M. Lamerato, Assistant City Manager/Administration and Finance
Carol K. Anderson, Parks and Recreation Director

SUBJECT: Report - Civic Center Priority Task Force Development Update

BACKGROUND

In July of 2004, City Council accepted a report from the Civic Center Priority Task Force (CCPTF) identifying and prioritizing site plan elements for the grounds of the Civic Center Complex. Those elements include paths and walkways, winter activities area, amphitheater, fountain plaza, enhanced gardens, and a greenbelt along Town Center Drive. It was expected that the design elements would be implemented over time and that improvements would encourage use by Troy residents, businesses, and visitors. The CCPTF report also cited the goals of the plan to increase the residential and business utilization of the Civic Center, and to develop a park and campus setting.

TO DATE

Paths and Walkways

In 2006, asphalt pathways were installed linking the main buildings of City Hall with the Community Center as well as encircling the green space to the west of the Community Center. Since installation, the pathways have enjoyed increased interest from residents, City employees, and Marriot Hotel guests. Additional pathways are planned for the Enhanced Garden area this year.

Ice Skating Rink

One design element identified in the CCPTF was a refrigerated ice skating rink serving as a central gathering space for winter activities at the Civic Center. The rink was envisioned as a destination for children, teens, adults, and seniors to enjoy a unique winter activity not otherwise provided in Troy. Funds for this element are allocated in the 07-08 budget.

In recent months, a development has been proposed by the Pavilions of Troy located at the former Kmart Headquarters site at Big Beaver Road and Coolidge Highway which will include an outdoor refrigerated ice rink in the central plaza of the development. In light of this project, and with the anticipated operating costs of an outdoor rink, it is proposed that the ice skating element be postponed until the Pavilions project is complete. At that time, the municipal ice skating project can be re-evaluated.

Enhanced Gardens

Some progress has been made on the Enhanced Gardens area. Last year the site was re-graded, undesirable trees and brush were removed, the stream bank was stabilized, and the re-graded area was hydroseeded with turf grass.

Part of the funding allocated for the ice skating area will be reallocated for further improvements to the gardens. The improvements proposed for this year are the installation of a hard-surface pathway throughout the site, benches and picnic tables, small picnic shelter and restroom building. Desirable plant material will be introduced along pathways to create a pleasing and tranquil experience for those wishing to spend time with a contemplative stroll, quiet lunch, or small group get-together. Estimated cost for these improvements is \$150,000.

With its close proximity to the Community Center, the Enhanced Gardens will also be a desirable location for seniors and other facility patrons wishing to enjoy the sights and solitude of the area. The proposed restroom will not only serve this site, but also the skate park and other future use areas in the Civic Center complex.

CONCLUSION

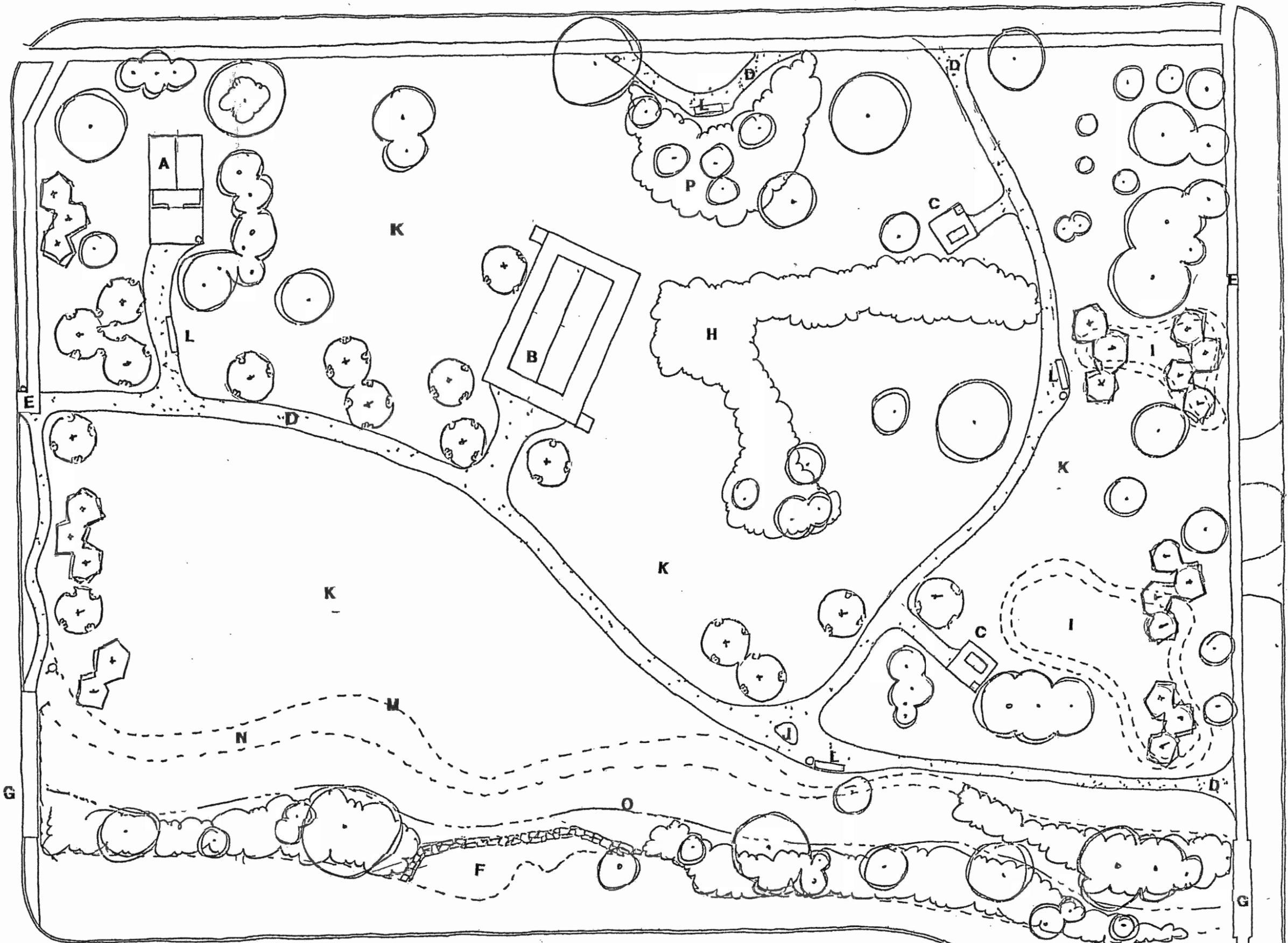
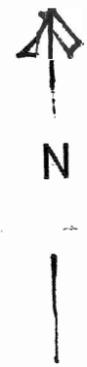
Staff is aware of the balance between the priorities of the CCPTF report and the fiscal responsibilities entrusted by Troy taxpayers. The decision not to construct a refrigerated ice rink based on the proposal for a privately-funded ice rink at the Pavilions of Troy development reflects that trust.

Staff will continue to strive toward the goals identified in the CCPTF report and absent objection from Council, will proceed with implementation of the design elements for the Enhanced Garden area as illustrated in the site plan attached to this report.

Prepared by: Jeff Biegler, Superintendent of Parks

Attachment: Site Plan and Key

Town Center Dr.



Community Center Service Dr.

Livernois

Civic Center Green Space

South / west corner at Livernois / Town Center Dr.

Key

A	Bathrooms
B	Park shelter – approx. 20' X 35'
C	Concrete slab with ADA picnic table and grill
D	8' wide asphalt path
E	Existing 4' concrete sidewalk
F	Future amphitheater stage
G	Existing bridges over drain
H	Existing vegetation – see note #1
I	Existing berms
J	Human/dog water fountain and mist station
K	Open space / amphitheater – see note #4
L	8' bench and trash can
M	Upper limits of drain
N	Shelf in drain
O	Centerline of water flow
P	Existing fruit orchard - see note #2



Existing trees



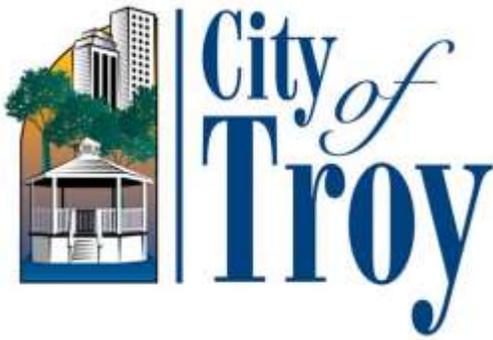
Proposed evergreen trees



Proposed deciduous trees

Notes:

1. Existing vegetation to be selectively cleared of invasive plants and replanted with a mix of evergreen and flowering deciduous shrubs. Goal is to retain the existing character of the site.
2. Existing fruit trees are to be kept and will under go a min. three year pruning process of rejuvenation and restoration.
3. Initially as many existing tree are to be kept, including the undesirable species. New trees will be planted and as they mature the undesirable species will be selectively removed.
4. Open space / amphitheater areas to be maintained as mown lawn. Where possible all other areas will be over-seeded with a wildflower mix.



**CITY COUNCIL
AGENDA
December 17, 2007
Back-Up Documentation
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317**

K-1 No Study Items Submitted

**There is no back-up documentation on this
Agenda item at the time of publication.**



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AGENDA
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L-1 No Closed Session Requested

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