



TROY CITY COUNCIL

REGULAR MEETING

AGENDA

SEPTEMBER 19, 2016
CONVENING AT 7:30 P.M.

Submitted By
The City Manager

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



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

The Honorable Mayor and City Council Members

City of Troy
500 West Big Beaver
Troy, MI 48084

Dear Mayor and City Council Members:

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

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

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

Respectfully,

A handwritten signature in black ink that reads "B. K. L. K.", representing Brian Kischnick.

Brian Kischnick,
City Manager

2016 Strategies

We believe a strong community embraces diversity, promotes innovation, and encourages collaboration.

We strive to lead by example within the region.

We do this because we want everyone to choose Troy as their community for life.

We believe in doing government the best.

- 1** Create space for a customer service welcome center at the east entrance of City Hall.
- 2** Redesign the City of Troy website.
- 3** Review city ordinances to address outdated policies and explore the need for new ordinances.
- 4** Install recycling elements in city facilities.
- 5** Link civic center campus with a trail and pathway system.
- 6** Establish site development design standards to ensure quality.
- 7** Explore the development of civic center property by conducting a market study and developing a concept plan.
- 8** Launch the Global Troy Advisory Committee.
- 9** Enhance the pedestrian crosswalk and transportation shelters at Automation Alley.
- 10** Partner to establish a Big Beaver transportation service.



CITY COUNCIL AGENDA

September 19, 2016 – 7:30 PM
 Council Chambers
 City Hall - 500 West Big Beaver
 Troy, Michigan 48084
 (248) 524-3317

INVOCATION: Pastor EJ Swanson from Woodside Bible Church **1**

PLEDGE OF ALLEGIANCE: **1**

A. CALL TO ORDER: **1**

B. ROLL CALL: **1**

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS: **1**

C-1 Proclamation to Proclaim September 19-24, 2016 as Childhood Obesity Awareness Week in the City of Troy Presented to Medical Weight Loss Clinic President David Paull and Vice President Nick Welham *(Presented by: Mayor Dane Slater)* 1

C-2 Proclamation to Proclaim September 2016 as Childhood Cancer Awareness Month in the City of Troy Presented to Beaumont Children’s Chief of Pediatric Hematology/Oncology Division Dr. Kate Gowans and RN Lisa Muma *(Presented by: Mayor Dane Slater)* 1

C-3 Service Commendation Presented to Ken Rogers, Executive Director of Automation Alley *(Presented by: Mayor Dane Slater)* 1

C-4 On behalf of the City of Troy Employees’ Casual for a Cause Program for the Months of May & June 2016, Community Affairs Director Cindy Stewart Will Present a Check in the Amount of \$377 to Marjorie DiLiddo, Board President at the Assistance League of SE Michigan *(Presented by: Cindy Stewart, Community Affairs Director)* 1

C-5 2016 3CMA Savvy Award Winner – Stephanie Fleischer, Marketing Coordinator, Won First Place for the City of Troy in the Category of Graphic Design – Other Promotional Items for Her Welcome to the Neighborhood Tree Tag *(Presented by: Mayor Dane Slater)* 2

APPOINTED CITY COUNCIL MEMBER CANDIDATE INTERVIEWS: 2

- Dr. Rebecca Chamberlain-Creanga 2
- Joseph Bione..... 2
- Toby Buechner 2
- Dan Gosselin 2
- Paul McCown 2

D. CARRYOVER ITEMS: 2

D-1 No Carryover Items 2

E. PUBLIC HEARINGS: 2

E-1 No Public Hearings 2

F. PUBLIC COMMENT FOR ITEMS ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES: 2

G. CITY COUNCIL/CITY ADMINISTRATION RESPONSE/REPLY TO PUBLIC COMMENT: 3

H. POSTPONED ITEMS: 3

H-1 No Postponed Items 3

I. REGULAR BUSINESS: 4

I-1 Board and Committee Appointments: a) Mayoral Appointments – Global Troy Advisory Committee; b) City Council Appointments – Volunteer Firefighter Incentive Plan Board 4

I-2 Board and Committee Nominations: a) Mayoral Nominations – Downtown Development Authority, Global Troy Advisory Committee, Local Development Finance Authority, Planning Commission, Volunteer Firefighter Incentive Plan Board; b) City Council Nominations – Animal Control Appeal Board, Charter Revision Committee, Liquor Advisory Committee, Parks & Recreation Board, Traffic Committee, Zoning Board of Appeals 5

I-3 Request for Closed Session 14

| | | |
|-----------|---|-----------|
| I-4 | Local Road Improvement Matching Fund Pilot Program Cost Participation Agreement and 2016/17 Budget Amendment – Souter Drive, Maple Road to Rankin Drive <i>(Introduced by: Steve Vandette, City Engineer)</i> | 14 |
| I-5 | Addition of a Seat and Amendment of the Term Expiration to the Global Troy Advisory Committee <i>(Introduced by: Eleanor Yoon, Management Assistant)</i> | 15 |
| J. | <u>CONSENT AGENDA:</u> | 15 |
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| J-1b | Address of “J” Items Removed for Discussion by City Council | 16 |
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| J-5 | Winter Maintenance Agreement – Road Commission for Oakland County | 16 |
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| J-9 | Request to Accept an Offer to Donate Two Vacant Parcels to the City of Troy – Sidwell #88-20-16-452-034 and #88-20-16-376-002 | 17 |
| J-10 | Request to Declare a Permanent Easement for Public Utilities Over a Portion of City Owned Property, 2117 Maple Road, Fire Station #4, Project No. 16.917.3 – Sidwell #88-20-25-352-073 | 18 |

| | | |
|------------------|--|------------------|
| J-11 | Request for Acceptance of a Permanent Easement from La Force Inc. – Sidwell #88-20-36-352-016 | 18 |
| J-12 | Private Agreement – Contract for Installation of Municipal Improvements – La Force Addition – Project No. 16.907.3 | 18 |
| J-13 | Private Agreement – Contract for Installation of Municipal Improvements – SRB Medical Dental Building – Project No. 15.920.3 | 19 |
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| <u>K.</u> | <u>MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:</u> | <u>19</u> |
| K-1 | Announcement of Public Hearings: None Submitted | 19 |
| K-2 | Memorandums (Items submitted to City Council that may require consideration at some future point in time): None Submitted | 19 |
| <u>L.</u> | <u>PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:</u> | <u>19</u> |
| <u>M.</u> | <u>CITY COUNCIL/CITY ADMINISTRATION RESPONSE/REPLY TO PUBLIC COMMENT:</u> | <u>19</u> |
| <u>N.</u> | <u>COUNCIL REFERRALS:</u> | <u>19</u> |
| N-1 | No Council Referral Submitted | 19 |
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| O-1 | No Council Comments Advanced | 20 |
| <u>P.</u> | <u>REPORTS:</u> | <u>20</u> |
| P-1 | Minutes – Boards and Committees: | 20 |
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| | b) Employees’ Retirement System Board of Trustees-Final – June 8, 2016..... | 20 |
| | c) Employees’ Retirement System Board of Trustees-Final – July 13, 2016..... | 20 |

| | |
|--|------------------|
| d) Zoning Board of Appeals-Final – July 19, 2016 | 20 |
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| a) Administrative Memo Update – Whistleblower Protection Policy – Reporting of Violations..... | 20 |
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| c) AT&T Service and PEG Channels..... | 20 |
| d) Plan of Process and Education Initiative (POPE) Purchasing and Personnel Policy Review Monthly Report – August, 2016 | 20 |
| P-3 Letters of Appreciation: | 20 |
| a) To Sergeant Haddad from Sergeant David Scott of the Clawson Police Department in Appreciation of Assistance with Clawson’s 4 th of July Events | 20 |
| b) To Brian Kischnick from the Troy Traffic Jam Planning Committee and the Troy Historical Society in Appreciation of the Support for the Traffic Jam Event | 20 |
| P-4 Proposed Proclamations/Resolutions from Other Organizations: None Submitted | 20 |
| <u>Q. COMMENTS ON ITEMS ON OR NOT ON THE AGENDA FROM MEMBERS OF THE PUBLIC OUTSIDE OF TROY (NOT RESIDENTS OF TROY AND NOT FROM TROY BUSINESSES):</u> | <u>20</u> |
| <u>R. CLOSED SESSION:</u> | <u>20</u> |
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| October 10, 2016 Regular Meeting..... | 21 |
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| November 14, 2016 Regular Meeting..... | 21 |
| November 21, 2016 Regular Meeting..... | 21 |
| December 5, 2016 Regular Meeting..... | 21 |
| December 19, 2016 Regular Meeting..... | 21 |

INVOCATION: Pastor EJ Swanson from Woodside Bible Church

PLEDGE OF ALLEGIANCE:

A. CALL TO ORDER:

B. ROLL CALL:

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

- b) Excuse Absent Council Members:

Suggested Resolution

Resolution #2016-09-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of _____ at the Regular City Council Meeting of September 19, 2016, due to _____.

Yes:

No:

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

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-
- C-5** 2016 3CMA Savvy Award Winner – Stephanie Fleischer, Marketing Coordinator, Won First Place for the City of Troy in the Category of Graphic Design – Other Promotional Items for Her Welcome to the Neighborhood Tree Tag (*Presented by: Mayor Dane Slater*)

APPOINTED CITY COUNCIL MEMBER CANDIDATE INTERVIEWS:

- Dr. Rebecca Chamberlain-Creanga
- Joseph Bione
- Toby Buechner
- Dan Gosselin
- Paul McCown

D. CARRYOVER ITEMS:

-
- D-1** No Carryover Items

E. PUBLIC HEARINGS:

-
- E-1** No Public Hearings

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

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

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

- Petitioners shall be given a fifteen (15) minute presentation time that may be extended with the majority consent of City Council.
- Any member of the public, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes to address any Public Hearing item.
- Any Troy resident or Troy business representative, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes total to address Postponed, Regular Business, Consent Agenda or Study items or any other item on the Agenda as permitted under the Open Meetings Act during the *Public Comment for Items On the Agenda from Troy Residents and Businesses* portion of the Agenda.
- Any Troy resident or Troy business representative, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes to address any topic not on the Agenda as permitted under the Open Meetings Act during the *Public Comment for Items Not on the Agenda from Troy Residents and Businesses* portion of the Agenda.
- Any member of the public who is not a Troy resident or Troy business representative shall be allowed to speak for up to three (3) minutes to address any topic on or not on the Agenda as

permitted under the Open Meetings Act during the *Comments for Items On or Not On the Agenda from Members of the Public Outside of Troy (Not Residents of Troy and Not From Troy Businesses)* portion of the Agenda.

- All members of the public who wish to address the Council at a meeting shall be allowed to speak only if they have signed up to speak within thirty minutes before or within fifteen minutes after the meeting's start time. Signing up to speak requires each speaker provide his or her name and residency status (Troy resident, non-resident, or Troy business owner). If the speaker is addressing an Item (or Items) that appear on the pre-printed agenda, then the speaker shall also identify each such agenda item number(s) to be addressed.
- City Council may waive the requirements of this section by a majority vote of the City Council members.
- Agenda items that are related to topics where there is significant public input anticipated should initiate the scheduling of a Special meeting for that specific purpose.

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

The audience should be aware that all comments are to be directed to the Council rather than to City Administration or the audience. Anyone who wishes to address the Council is required to sign up to speak within thirty minutes before or within fifteen minutes of the start of the meeting. There are three Public Comment portions of the Agenda. For Items On the Agenda, Troy Residents and Business Owners can sign up to address Postponed, Regular Business, Consent Agenda, or Study items or any other item on the Agenda. Troy Residents and Business Owners can sign up to address all other topics under Items Not on the Agenda. All Speakers who do not live in Troy or own a Troy business may sign up to speak during the Comments on Items On and Not On the Agenda from Members of the Public Outside of Troy. Also, there is a timer on the City Council table in front of the Mayor that turns yellow when there is one minute of speaker time remaining, and turns red when the speaker's time is up. In order to make the meeting more orderly and out of respect, please do not clap during the meeting, and please do not use expletives or make derogatory or disparaging comments about any one person or group. If you do so, then there may be immediate consequences, including having the microphone turned off, being asked to leave the meeting, and/or the deletion of speaker comments for any re-broadcast of the meeting. Speakers should also be careful to avoid saying anything that would subject them to civil liability, such as slander and defamation.

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

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

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

I-1 Board and Committee Appointments: a) Mayoral Appointments – Global Troy Advisory Committee; b) City Council Appointments – Volunteer Firefighter Incentive Plan Board

a) Mayoral Appointments:

Suggested Resolution
Resolution #2016-09-
Moved by
Seconded by

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

Global Troy Advisory Committee

Appointed by Mayor
11 Regular Members
3 Year Term

| | | |
|-----------------------------------|--------------------------|----------------------------|
| Term Expires: Council Term | Mayor Dane Slater | City Council Member |
| Term Expires: 4/30/2017 | Lisa Bica-Grotsky | |
| Term Expires: 4/30/2018 | Tai Chan | |
| Term Expires: 4/30/2019 | Richard Coon | |
| Term Expires: 4/30/2019 | MiVida Burris | |
| Term Expires: 4/30/2019 | Daniela Natcheva | |

Yes:
No:

b) City Council Appointments:

Suggested Resolution
Resolution #2016-09-
Moved by
Seconded by

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

Volunteer Firefighter Incentive Plan Board

Appointed by Council
 7 Regular Members
 3 Year Term

Term Expires: Council Term **Council Member Henderson** **City Council Member**

Yes:
 No:

I-2 Board and Committee Nominations: a) Mayoral Nominations – Downtown Development Authority, Global Troy Advisory Committee, Local Development Finance Authority, Planning Commission, Volunteer Firefighter Incentive Plan Board; b) City Council Nominations – Animal Control Appeal Board, Charter Revision Committee, Liquor Advisory Committee, Parks & Recreation Board, Traffic Committee, Zoning Board of Appeals

a) Mayoral Nominations:

Suggested Resolution
 Resolution #2016-09-
 Moved by
 Seconded by

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

Downtown Development Authority

Appointed by Mayor
 13 Regular Members
 4 Year Term

Current Members:

| Last Name | First Name | App Res Expire | Appointment Expire | Notes 1 | Notes 2 |
|-----------|------------|----------------|--------------------|-------------|------------------------|
| Blair | Timothy | 6/17/2017 | 9/30/2019 | In District | |
| Bostick | Dennis | 6/22/2018 | 9/30/2016 | In District | Requests Reappointment |
| Hay | David | 8/25/2017 | 9/30/2019 | In District | |
| Jonna | Arkan | 10/22/2014 | 9/30/2016 | In District | NO Reappointment |
| Keisling | Laurence | 6/22/2018 | 9/30/2016 | At Large | Requests Reappointment |
| Kiriluk | Alan | 10/12/2014 | 9/30/2016 | In District | NO Reappointment |
| Knight | Barbara | 1/15/2016 | 9/30/2019 | In District | |

| | | | | | |
|-----------|---------|------------|-----------|-------------|--------------|
| Koza | Kenny | 4/18/2018 | 9/30/2017 | In District | |
| MacLeish | Daniel | 5/26/2014 | 9/30/2017 | In District | |
| Randol | Ward | 10/23/2016 | 9/30/2018 | At Large | |
| Reschke | Ernest | 10/15/2016 | 9/30/2018 | At Large | |
| Schroeder | Douglas | 10/23/2016 | 9/30/2018 | At Large | |
| Slater | Dane | | | At Large | City Council |

Nominations to the Downtown Development Authority:**Term Expires: 9/30/2020****In District**

Term currently held by: Dennis Bostick

Term Expires: 9/30/2020**In District**

Term currently held by: Arkan Jonna

Term Expires: 9/30/2020**At Large**

Term currently held by: Laurence Keisling

Term Expires: 9/30/2020**In District**

Term currently held by: Alan Kiriluk

Interested Applicants:

| Last Name | First Name | App Resume Expire | Notes 1 |
|---------------------|------------|-------------------|---|
| Alali | Yasser | 6/14/2018 | |
| Aowad | Ayman | 8/22/2018 | |
| Brennan | Michael | 9/17/2017 | |
| Chamberlain-Creanga | Rebecca | 5/23/2018 | |
| Eisenbacher | David | 3/16/2018 | |
| Huber | Robert | 6/10/2017 | |
| Kaltsounis | Andrew | 10/15/2016 | Liquor Adv Com exp 1/31/2019 |
| Kornacki | Rosemary | 10/9/2017 | Brownfield Redev Auth exp 4/30/2017 |
| Petrulis | Al | 12/4/2017 | ACAB exp 9/30/18; Hist Dist Comm exp 3/1/2017; Traffic Comm exp 1/31/2017 |
| Schick | Michael | 1/13/2017 | |
| Sekhri | Arun | 8/17/2018 | |
| Swartz | Robert | 6/24/2018 | Brownfield Redev Auth exp 4/30/2017; Economic Dev. Comm exp 4/30/2018 |

Global Troy Advisory Committee

Appointed by Mayor
11 Regular Members
3 Year Term

Current Members:

| Last Name | First Name | App Resume Expire | Appointment Expire | Notes 1 |
|---------------------|------------|-------------------|--------------------|---------|
| Chamberlain-Creanga | Rebecca | 5/23/2018 | 4/30/2017 | |
| Fakhoury | Awni | 4/28/2018 | 4/30/2018 | |

Nominations to the Global Troy Advisory Committee:**Term Expires: 7/31/2017****STUDENT****Term Expires: 7/31/2017****STUDENT****Interested Applicants:**

| Last Name | First Name | App Resume Expire | Notes 1 |
|-----------|------------|-------------------|---------|
| Angamuthu | Rahul | 4/21/2018 | STUDENT |
| Young | Ricky | 4/22/2018 | STUDENT |

Local Development Finance Authority (LDFA)

Appointed by Mayor
5 Regular Members
Staggered 4 Year Term

Current Members:

| Last Name | First Name | App Res Expire | Appointment Expire | Notes 1 | Notes 2 |
|------------|------------|----------------|--------------------|-----------------|-----------------------------|
| Beltramini | Robin | 4/4/2016 | 6/30/2018 | Resident Member | |
| Hodorek | Ellen | | 11/13/2017 | | City Council exp 11/13/2017 |
| Hoef | Paul V. | 5/1/2017 | 6/30/2019 | Resident Member | EDC exp 4/30/2015 |
| Sharp | John | 3/28/2018 | 6/30/2020 | Resident Member | EDC exp 4/30/2015 |
| Shields | David | 6/14/2014 | 6/30/2016 | Member | NO Reappointment |
| Slater | Dane M. | | 11/11/2019 | Alternate | DDA |
| Spanos | Irene | | | | Oakland County |
| Vitale | Nickolas | 4/27/2017 | 6/30/2019 | Resident Member | |

Nominations to the Local Development Finance Authority (LDFA):**Term Expires: 6/30/2020****Member**

Term currently held by: David Shields

Interested Applicants:

| Last Name | First Name | App Resume Expire | Notes 1 |
|-----------|------------|-------------------|---------|
| Schick | Michael | 1/13/2017 | |

Planning Commission

Appointed by Mayor
9 Regular Members
3 Year Term

Current Members:

| Last Name | First Name | App Res Expire | Appointment Expire | Notes 1 | Notes 2 |
|-----------|------------|----------------|--------------------|---------------|--------------------------------|
| Apahidean | Ollie | 11/22/2015 | 12/31/2017 | | |
| Brikho | Frencheska | 3/23/2017 | 7/31/2016 | STUDENT | |
| Crusse | Karen | 11/13/2016 | 12/31/2017 | | |
| Edmunds | Donald L. | 11/15/2012 | 12/31/2016 | | EDC exp 4/30/3014 |
| Faison | Carlton | 7/1/2017 | 12/31/2017 | | |
| Hutson | Michael W. | 10/8/2017 | 12/31/2018 | | Sust Design Rev Comm-Ad Hoc |
| Krent | Thomas G. | 9/20/2015 | 12/31/2016 | | |
| Kuppa | Padma | 12/18/2016 | 12/31/2016 | | |
| Sanzica | Philip | 10/15/2017 | 12/31/2018 | PC Rep on ZBA | |
| Tagle | John J. | 11/13/2017 | 12/31/2018 | | |

Nominations to the Planning Commission:**Term Expires: 7/31/2017****(STUDENT)**

Term currently held by: Frencheska Brikho

Interested Applicants:

| Last Name | First Name | App Resume Expire | Notes 2 |
|-----------|------------|-------------------|-------------------------------|
| Hao | Claire | 3/10/2018 | |
| Slifkin | Elizabeth | 3/24/2017 | Parks & Rec Bd. exp 7/31/2016 |

Volunteer Firefighter Incentive Plan Board

Appointed by Mayor
 7 Regular Members
 3 Year Term

Current Members:

| Last Name | First Name | Appointment Expire | Notes 1 |
|-----------|------------|--------------------|-------------------|
| Darling | Tom | | Ex-Officio Member |
| Kischnick | Brian | | Ex-Officio Member |

Nominations to the Volunteer Firefighter Incentive Plan Board:

Term Expires: 4/30/2019

Citizen (Mayor Appt'd)

| Last Name | First Name | App Resume Expire | Notes 1 |
|-----------|------------|-------------------|---------|
| Matlick | Robert | 5/27/2018 | |
| Mohideen | Syeda | 4/22/2018 | |

Yes:

No:

b) City Council Nominations:

Suggested Resolution

Resolution #2016-09-

Moved by

Seconded by

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

Animal Control Appeal Board

Appointed by Council
 5 Regular Members
 3 Year Term

Current Members:

| Last Name | First Name | Appointment Expire | Notes 1 |
|-----------|------------|--------------------|----------------------------|
| Carolan | Patrick | 9/30/2016 | |
| Floch | Patrick | 9/30/2018 | |
| Petrulis | Al | 9/30/2018 | Traffic Comm exp 1/31/2017 |
| Saeger | Jayne | 9/30/2017 | |
| Waters | Gretchen | 9/30/2017 | |

Nominations to the Animal Control Appeal Board:**Term Expires: 9/30/2019**

Term currently held by: Patrick Carolan

Interested Applicants:

| Last Name | First Name | App/Resume Expire | Notes 1 |
|-----------|------------|-------------------|---------|
| Murray | William | 5/23/2018 | |
| O'Brien | Christine | 7/18/2018 | |

Charter Revision Committee

Appointed by Council

7 Regular Members

3 Year Term

Current Members:

| Last Name | First Name | App Res Expire | Appointment Expire | Notes 3 |
|------------|------------|----------------|--------------------|------------------|
| Bartnik | Mark | 1/31/2018 | 04/30/2018 | |
| Berk | Robert | 3/28/2018 | 4/30/2019 | |
| Howrylak | Frank | 2/1/2014 | 4/30/2017 | |
| Kanoza | Shirley | 3/28/2018 | 4/30/2019 | |
| Murray | William | 5/23/2018 | 4/30/2018 | |
| Weisgerber | William | 5/7/2017 | 4/30/2015 | NO Reappointment |
| Wilsher | Cynthia | 2/27/2016 | 4/30/2017 | |

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

Term currently held by: William Weisgerber

Interested Applicants:

No applications or resumes on file.

Liquor Advisory Committee

Appointed by Council

7 Regular Members

3 Year Term

Current Members:

| Last Name | First Name | App Res Expire | Appointment Expire | Notes 3 |
|------------|------------|----------------|--------------------|-------------------|
| Comiskey | Ann | 3/18/2016 | 1/31/2018 | |
| Ehlert | Max | 11/5/2016 | 1/31/2018 | |
| Godlewski | W. Stan | 12/14/2012 | 1/31/2017 | |
| Gorcyca | David | 12/6/2015 | 1/31/2017 | |
| Hall | Patrick | 11/24/2017 | 1/31/2016 | NO Reappointment |
| Kaltsounis | Andrew | 11/24/2017 | 1/31/2019 | |
| Oberski | Jeff | | | Ex-Officio Member |
| Payne | Timothy | 2/8/2014 | 1/31/2018 | |

Nominations to the Liquor Advisory Committee:**Term Expires: 1/31/2019**

Term currently held by: Patrick Hall

Interested Applicants:

No applications or resumes on file.

Parks and Recreation Board

Appointed by Council

7 Regular Members and 1 Troy School District Member

Regular Member: 3 Year Term / Troy School Board Member: 1 Year Term

Current Members:

| Last Name | First Name | App Res Expire | Appointment Expire | Notes 1 |
|------------|---------------|----------------|--------------------|--------------------------------|
| Baker | Julia (Judy) | 5/7/2015 | 9/30/2016 | |
| Bo | Elaine | | | Ex-Officio Member |
| Hauff | Gary | 2/6/2014 | 7/31/2017 | Troy School Dist. Rep. |
| Huber | Laurie | 6/10/2017 | 9/30/2018 | |
| Kaltsounis | Orestis Rusty | 8/27/2017 | 9/30/2018 | ZBA Alt exp 1/31/2018 |
| McGee | Timothy S. | 8/13/2014 | 9/30/2017 | Historic Dist Comm exp 5/15/18 |
| Slifkin | Elizabeth | 3/24/2017 | 7/31/2016 | STUDENT |
| Stewart | Jeffrey L. | 6/23/2018 | 9/30/2016 | |
| Toth | Steve | 10/3/2013 | 9/30/2016 | |
| Zikakis | Janice | 10/15/2016 | 9/30/2017 | |

Nominations to the Parks and Recreation Board:

Term Expires: 9/30/2019

Term currently held by: Julia (Judy) Baker

Term Expires: 9/30/2019

Term currently held by: Jeffrey L. Stewart

Term Expires: 9/30/2019

Term currently held by: Steve Toth

Term Expires: 7/31/2017

Term currently held by: Elizabeth Slifkin

Interested Applicants:

| Last Name | First Name | App Resume Expire | Notes 2 |
|---------------------|------------|-------------------|-----------------------------|
| Angamuthu | Rahul | 4/21/2018 | |
| Brandstetter | Tim | 10/17/2016 | |
| Brikho | Frencheska | 3/23/2017 | Planning Comm exp 7/31/2016 |
| Buchanan | Cynthia | 4/20/2018 | |
| Burris | MiVida | 7/15/2018 | |
| Chamberlain-Creanga | Rebecca | 5/23/2018 | |
| Hao | Claire | 3/10/2018 | |
| MacPherson | Bruce | 1/13/2018 | |
| Messacar | Beth | 5/4/2018 | |
| Regan | Kathleen | 3/26/2017 | Traffic Comm. exp 7/31/2016 |
| Salgat | Charles | 5/20/2017 | |
| Schneeweis | Adina | 5/6/2018 | |
| Wilsher | Cynthia | 10/9/2016 | |

Traffic Committee

Appointed by Council
7 Regular Members
3 Year Term

Current Members:

| Last Name | First Name | App Res Expire | Appointment Expire | Notes 1 | Notes 3 |
|--------------|------------|----------------|--------------------|---------|------------------|
| Brandstetter | Tim | 10/17/2016 | 1/31/2018 | | |
| Easterbrook | David | 11/24/2017 | 1/31/2016 | | NO Reappointment |
| Huber | R. Mitch | 6/10/2017 | 1/31/2016 | | |

| | | | | | |
|--------------|----------|------------|-----------|--------------------|--|
| Huotari | William | | | Ex-Officio Member | |
| Kilmer | Richard | 12/12/2015 | 1/31/2017 | | |
| Mayer | Gary | | | Ex-Officio Member | |
| Petrulis | Al | 1/8/2016 | 1/31/2017 | ACAB exp 9/30/2018 | |
| Regan | Kathleen | 3/26/2017 | 7/31/2016 | STUDENT | |
| Roberts | David | | | Ex-Officio Member | |
| Wilsher | Cynthia | 10/9/2016 | 1/31/2018 | | |
| Ziegenfelder | Peter | 12/9/2015 | 1/31/2017 | | |

Nominations to the Traffic Committee:

Term Expires: 1/31/2019

Term currently held by: David Easterbrook

Term Expires: 7/31/2017

(STUDENT)

Term currently held by: Kathleen Regan

Interested Applicants:

| Last Name | First Name | App Resume Expire | Notes 2 |
|-----------|------------|-------------------|-----------------------------|
| Brikho | Frencheska | 3/23/2017 | Planning Comm exp 7/31/2016 |
| Hao | Claire | 3/10/2018 | |
| Sekhri | Arun | 8/19/2018 | |

Zoning Board of Appeals

Appointed by Council
 7 Regular Members; 2 Alternates
 3 Year Term

Current Members:

| Last Name | First Name | App Res Expire | Appointment Expire | Notes 1 | Notes 2 |
|-------------|---------------|----------------|--------------------|-----------|----------------------|
| Clark | Glenn | 4/27/2017 | 4/30/2018 | | |
| Desmond | Thomas | 5/7/2017 | 4/30/2018 | | |
| Eisenbacher | David | 3/16/2018 | 4/30/2019 | | |
| Kaltsounis | Orestis Rusty | 10/8/2017 | 1/31/2018 | Alternate | P&R Bd exp 9/30/2018 |
| Kneale | A. Allen | 3/9/2013 | 4/30/2017 | | |
| Lambert | Dave | 3/10/2016 | 4/30/2017 | | |
| McCown | Paul D. | 5/23/2016 | 4/30/2019 | | |

| | | | | | |
|---------|--------|-----------|------------|---------------|-------------------------------|
| Sanzica | Philip | 9/24/2014 | 12/31/2016 | PC Rep on ZBA | |
| Vacancy | | | 1/31/2018 | Alternate | Paul McCown's unexpired term. |

Nominations to the Zoning Board of Appeals:

Unexpired Term Expiring: 4/30/2019

Term currently held by: Vacancy – Paul McCown appointed full member.

Interested Applicants:

| Last Name | First Name | App Resume Expire | Notes 2 |
|-----------|------------|-------------------|---------------------------------------|
| Frisen | Sande | 11/2/2017 | |
| Sharp | John | 3/28/2018 | EDC exp 4/30/2015; LDFA exp 6/30/2016 |

Yes:

No:

I-3 Request for Closed Session

Suggested Resolution

Resolution #2016-09-
 Moved by
 Seconded by

BE IT RESOLVED, That Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL 15.268 (d).

Yes:

No:

I-4 Local Road Improvement Matching Fund Pilot Program Cost Participation Agreement and 2016/17 Budget Amendment – Souter Drive, Maple Road to Rankin Drive (Introduced by: Steve Vandette, City Engineer)

Suggested Resolution

Resolution #2016-09-
 Moved by
 Seconded by

RESOLVED, That Troy City Council hereby **APPROVES** the Local Road Improvement Matching Fund Pilot Program agreement between the City of Troy and the Board of Commissioners of the County of Oakland in the amount of \$216,211 at an estimated cost to the City of Troy of \$108,106.

BE IT FURTHER RESOLVED, That a budget amendment to the Capital Projects Fund in the amount of \$216,211 **BE MADE**.

BE IT FINALLY RESOLVED, The Mayor and City Clerk are **AUTHORIZED** to execute the agreement, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes:
No:

I-5 Addition of a Seat and Amendment of the Term Expiration to the Global Troy Advisory Committee (Introduced by: Eleanor Yoon, Management Assistant)

Suggested Resolution
Resolution #2016-09-
Moved by
Seconded by

WHEREAS, The abundance of highly qualified candidates showing an interest in the Global Troy Advisory Committee was brought to the attention of City Council and City Administration; and,

WHEREAS, It was suggested that the term expiration date should reflect when the committee begins to convene and starts its activities;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the addition of one seat to the Global Troy Advisory Committee in order to best reflect the diversity of the City of Troy.

BE IT FURTHER RESOLVED, That the term expiration dates **BE AMENDED** to October 30 of the terms' expiration years.

Yes:
No:

J. CONSENT AGENDA:

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

Suggested Resolution
Resolution #2016-09-
Moved by
Seconded by

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

Yes:
No:

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

J-2 Approval of City Council MinutesSuggested Resolution

Resolution #2016-09-

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

- a) City Council Minutes-Draft – August 22, 2016

J-3 Proposed City of Troy Proclamations:

- a) Childhood Obesity Awareness Week – September 19-24, 2016
b) Childhood Cancer Awareness Month – September 2016

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 4: MiDeal Extended Purchasing Program – Four (4) Ton Falcon Asphalt Recycler and Hot Box Trailer**

Suggested Resolution

Resolution #2016-09-

RESOLVED, That Troy City Council hereby **AWARDS** a contract to purchase one (1) 4-Ton Falcon Asphalt Recycler & Hot Box Trailer including various options from *Falcon Road Maintenance Equipment, LLC of Midland, MI*, through the State of Michigan MiDeal Program Contract #071B1300079 for an estimated total cost of \$25,363.00 at prices contained in the quote received August 29, 2016, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-5 Winter Maintenance Agreement – Road Commission for Oakland CountySuggested Resolution

Resolution #2016-09-

RESOLVED, That Troy City Council hereby **APPROVES** the 2016-2017 Winter Maintenance Agreement between the Road Commission for Oakland County and the City of Troy for Snow and Ice Control of county roads, which are described and outlined in Exhibit A, and the Mayor and City Clerk are **AUTHORIZED** to execute the necessary documents. A copy of this agreement, which is authorized by the provisions of 1951 PA 51 (MCL 247.651 et seq), shall be **ATTACHED** to the original Minutes of this meeting.

J-6 Request to Temporarily Waive Parking RestrictionsSuggested Resolution

Resolution #2016-09-

RESOLVED, That Troy City Council hereby **WAIVES** the no parking restrictions on the East side of Northfield Parkway from the parking lot entrance to Congregation Shir Tikvah to the entrance to Boulan Park, on Sunday, October 2, 2016, 7:00 p.m.-11:00 p.m.; Monday, October 3, 2016, 9:00 a.m.-5:00 p.m.; Tuesday, October 11, 2016, 7:00 p.m.-11:00 p.m.; and, Wednesday, October 12, 2016, 9:00 a.m.-9:00 p.m.

J-7 Municipal Credit and Community Agreement for 2017

Suggested Resolution
Resolution #2016-09-

RESOLVED, That Troy City Council hereby **APPROVES** the attached Municipal Credit and Community Credit Contract between the City of Troy and SMART, and the Mayor and City Clerk are **AUTHORIZED** to execute the document on behalf of the City; a copy shall be **ATTACHED** to the original Minutes of the meeting.

BE IT FURTHER RESOLVED, That the City, as the recipient of Municipal Credit funds in the amount of \$79,648 and Community Credit funds in the amount of \$101,810, will **TRANSFER** these funds to Troy Medi-Go Plus for the operation of transportation service for senior citizens and persons with disabilities, as required by the contract.

J-8 Request for Acceptance of Two Permanent Easements from Troy Dining, LLC – Sidwell #88-20-20-401-024

Suggested Resolution
Resolution #2016-09-

RESOLVED, That City Council hereby **ACCEPTS** two permanent easements for sidewalks and water main, from Troy Dining, LLC, owner of the property having Sidwell #88-20-20-401-024.

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

J-9 Request to Accept an Offer to Donate Two Vacant Parcels to the City of Troy – Sidwell #88-20-16-452-034 and #88-20-16-376-002

Suggested Resolution
Resolution #2016-09-

RESOLVED, That City Council hereby **ACCEPTS** the offer to donate two parcels from the Gilbert Family, property owners of parcels with Sidwell #88-20-16-452-034 and 88-20-16-376-002 for future storm and detention use.

BE IT FURTHER RESOLVED, That the Engineering Department is **DIRECTED** to engage the services of licensed real estate appraiser to determine the market value of the two properties.

BE IT FURTHER RESOLVED, That the Engineering Department **EXPENDS** the funds necessary for closing costs not to exceed \$1,000.

BE IT FINALLY RESOLVED, That the City Clerk is hereby **DIRECTED** to record the warranty deeds with the Oakland County Register of Deeds, copies of which shall be **ATTACHED** to the original Minutes of this meeting.

J-10 Request to Declare a Permanent Easement for Public Utilities Over a Portion of City Owned Property, 2117 Maple Road, Fire Station #4, Project No. 16.917.3 – Sidwell #88-20-25-352-073

Suggested Resolution

Resolution #2016-09-

RESOLVED, That Troy City Council hereby **DECLARES** and **RESERVES** an easement for public utilities over a portion of a City owned parcel located at 2117 Maple Road in Section 25 and having Sidwell #88-20-25-352-073.

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are **AUTHORIZED** to execute the Easement Declaration.

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

J-11 Request for Acceptance of a Permanent Easement from La Force Inc. – Sidwell #88-20-36-352-016

Suggested Resolution

Resolution #2016-09-

RESOLVED, That Troy City Council hereby **ACCEPTS** a permanent easement water main, from La Force, Inc., owner of the property having Sidwell #88-20-36-352-016.

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

J-12 Private Agreement – Contract for Installation of Municipal Improvements – La Force Addition – Project No. 16.907.3

Suggested Resolution

Resolution #2016-09-

RESOLVED, That Troy City Council hereby **APPROVES** the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and *La Force, Inc.* for the installation of water main, and soil erosion, and the Mayor and City Clerk are **AUTHORIZED** to execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-13 Private Agreement – Contract for Installation of Municipal Improvements – SRB Medical Dental Building – Project No. 15.920.3Suggested Resolution

Resolution #2016-09-

RESOLVED, That Troy City Council hereby **APPROVES** the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Nosan Ventures, LLC for the installation of Water Main, Storm Sewer, Paving, and Sidewalk, and the Mayor and City Clerk are **AUTHORIZED** to execute the documents; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-14 Private Agreement – Contract for Installation of Municipal Improvements – Forest Run Site Condominium – Project No. 16.921.3Suggested Resolution

Resolution #2016-09-

RESOLVED, That Troy City Council hereby **APPROVES** the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and *Forest Run, LLC*, for the installation of water main, sanitary sewer, storm sewer, paving, sidewalks, landscaping, and soil erosion, and the Mayor and City Clerk are **AUTHORIZED** to execute the documents; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings: None Submitted

K-2 Memorandums (Items submitted to City Council that may require consideration at some future point in time): None Submitted**L. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:****M. CITY COUNCIL/CITY ADMINISTRATION RESPONSE/REPLY TO PUBLIC COMMENT:****N. COUNCIL REFERRALS:**

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

N-1 No Council Referral Submitted

O. COUNCIL COMMENTS:

O-1 No Council Comments Advanced**P. REPORTS:**

P-1 Minutes – Boards and Committees:

- a) Retiree Healthcare Benefits Plan and Trust Board of Trustees-Final – May 11, 2016
 - b) Employees' Retirement System Board of Trustees-Final – June 8, 2016
 - c) Employees' Retirement System Board of Trustees-Final – July 13, 2016
 - d) Zoning Board of Appeals-Final – July 19, 2016
 - e) Building Code Board of Appeals-Final – August 3, 2016
 - f) Employees' Retirement System Board of Trustees-Final – August 10, 2016
 - g) Zoning Board of Appeals-Draft – August 16, 2016
 - h) Building Code Board of Appeals-Draft – September 7, 2016
-

P-2 Department Reports:

- a) Administrative Memo Update – Whistleblower Protection Policy – Reporting of Violations
 - b) Building Department Activity Report – August, 2016
 - c) AT&T Service and PEG Channels
 - d) Plan of Process and Education Initiative (POPE) Purchasing and Personnel Policy Review Monthly Report – August, 2016
-

P-3 Letters of Appreciation:

- a) To Sergeant Haddad from Sergeant David Scott of the Clawson Police Department in Appreciation of Assistance with Clawson's 4th of July Events
 - b) To Brian Kischnick from the Troy Traffic Jam Planning Committee and the Troy Historical Society in Appreciation of the Support for the Traffic Jam Event
-

P-4 Proposed Proclamations/Resolutions from Other Organizations: None Submitted**Q. COMMENTS ON ITEMS ON OR NOT ON THE AGENDA FROM MEMBERS OF THE PUBLIC OUTSIDE OF TROY (NOT RESIDENTS OF TROY AND NOT FROM TROY BUSINESSES):****R. CLOSED SESSION:**

R-1 Closed Session**S. ADJOURNMENT:**

Respectfully submitted,



Brian Kischnick, City Manager

2016 SCHEDULED SPECIAL CITY COUNCIL MEETINGS:

October 10, 2016 Joint Meeting–Troy City Council/Troy School Board
October 24, 2016 Joint Meeting–Troy City Council/Troy Planning Commission

2016 SCHEDULED REGULAR CITY COUNCIL MEETINGS:

September 26, 2016 Regular Meeting
October 10, 2016 Regular Meeting
October 24, 2016 Regular Meeting
November 14, 2016 Regular Meeting
November 21, 2016 Regular Meeting
December 5, 2016 Regular Meeting
December 19, 2016 Regular Meeting

**PROCLAMATION
CHILDHOOD OBESITY AWARENESS WEEK
SEPTEMBER 19-24, 2016**

WHEREAS, Childhood obesity in the United States has tripled in the past decade; and

WHEREAS, One in three children are now considered obese or overweight, and experts estimate that by 2020, approximately 15 million children in the United States will be considered obese; and

WHEREAS, At the current rate, one third to one half of the children born in the 21st Century will become diabetics; and

WHEREAS, In Michigan, 12 percent of middle school children and 15 percent of high school students are considered obese; and

WHEREAS, Parents are encouraged to sit down with their children and teach them how to make healthier food choices, the importance of portion control and the value of exercise;

NOW, THEREFORE, BE IT RESOLVED, That the Troy City Council does hereby proclaim **September 19-24, 2016 as Childhood Obesity Awareness Week** in the City of Troy, Michigan; and

BE IT FURTHER RESOLVED, That the City Council recognizes the efforts of such organizations as Medical Weight Loss Clinic in providing the resources and tools for Michigan youth to make healthy food choices, and calls upon all citizens, community agencies, organizations and businesses in Troy to recognize and take advantage of programs designed for and available to their children and support them in leading healthier lifestyles.

Presented this 19th day of September 2016.

**PROCLAMATION
CHILDHOOD CANCER AWARENESS MONTH
SEPTEMBER 2016**

WHEREAS, Childhood cancer is the number one cause of death from disease among children. Every day, 43 children in the United States are diagnosed with cancer and the average age of diagnosis is 6 years old. Around the world, one child every 2 minutes is diagnosed with cancer; and

WHEREAS, One in every 1,000 eighteen year olds in the United States is a survivor of childhood cancer, as a result of overall cure rates that have risen to 80% over the past 40 years; and

WHEREAS, Only 4% of federal government cancer research funding goes to childhood cancer research; and

WHEREAS, Lifelong follow up care is recommended for all childhood cancer survivors due to the possibility of late side effects associated with treatment; and

WHEREAS, The impact of a childhood cancer diagnosis produces multiple challenges to a family. Children and their families need and deserve the full support of their communities while undergoing treatment; and

WHEREAS, Our community has the opportunity to make a significant impact on the lives of children currently being treated for cancer, childhood cancer survivors and their families;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Troy hereby proclaims **September 2016 as Childhood Cancer Awareness Month** in the City of Troy and joins with Beaumont Children's to honor all childhood cancer survivors for their strength and determination; and

BE IT FURTHER RESOLVED, That the City Council of the City of Troy applaud the hard working doctors, nurses and staff at Beaumont Children's who dedicate their lives caring for children affected by cancer.

Presented this 19th day of September 2016.

**SERVICE COMMENDATION
EXECUTIVE DIRECTOR OF AUTOMATION ALLEY
KEN ROGERS**

WHEREAS, Ken Rogers joined Oakland County Executive L. Brooks Patterson's administration in 1993 as director of the Oakland County Community and Economic Development, where he was responsible for the planning and development division, the equalization department and the community development division. He was named Deputy County Executive for Oakland County government in 1996; and

WHEREAS, L. Brooks Patterson appointed **Ken Rogers** to oversee the development of Automation Alley in 1999, when the association was founded. **Ken** worked diligently with the Board of Directors and the management team to accomplish Automation Alley objectives. **Automation Alley** started with 42 member companies. Under **Ken's** leadership, that number has grown to nearly 1,000 businesses, educational institutions, government entities and nonprofit organizations from the city of Detroit and the surrounding eight-county region; and

WHEREAS, Since 1999, Automation Alley has invested more than \$9 million in 56 companies; held 27 trade missions and offered information technology training to partner companies. **Ken** was also one of the founders of Oakland County's Economic Development Corporation (EDC), served as a member of the Governor's Conference on Small Business and held a seat on the State's Strategic Economic Investment Commercialization Board from 2006-2010; and

WHEREAS, Ken was appointed to the Industry Trade Advisory Committee on Information and Communications Technologies, Services, and Electronic Commerce by U.S. Secretary of Commerce Gary Locke and the United States Trade Representative Ambassador Ron Kirk in 2010. He is also one of the founders of and current chairman of the board for Clarkston State Bank and is also on the board of directors for the Michigan Manufacturing Technology Center; and

WHEREAS, In 2009, Ken participated in President Barack Obama's Jobs and Economic Growth Forum at the White House. In 2008, he was invited to the White House by President George W. Bush to receive the nation's highest award for excellence in exporting on behalf of Automation Alley; and

WHEREAS, In his spare time, Ken enjoys spending time with his wife **Jane** (celebrating their 50th wedding anniversary this November), sons John and Dan, daughters Laurie and Lisa, and their seven beautiful grandchildren. **Ken** will continue as chairman of the board for Clarkston State Bank and also wants to buy a guitar and practice some of the folk music he played years ago and perhaps write a book;

NOW, THEREFORE, BE IT KNOWN, That the Troy City Council takes this opportunity to express its sincere appreciation and recognition to **Ken Rogers** for his distinguished service as Deputy County Executive for Oakland County and Executive Director of Automation Alley; and

BE IT FURTHER KNOWN, It was because of **Ken Roger's** vision and dedicated leadership that Michigan's first regional collaborative technology-based economic development organization was established. We are very fortunate to have citizens like **Ken** who give so much time and energy to make our community and the southeast Michigan region such a great place to live, work, play and raise our families.

Presented this 19th day of September 2016.



CITY COUNCIL – AWARD RECOGNITION

Date: September 15, 2016

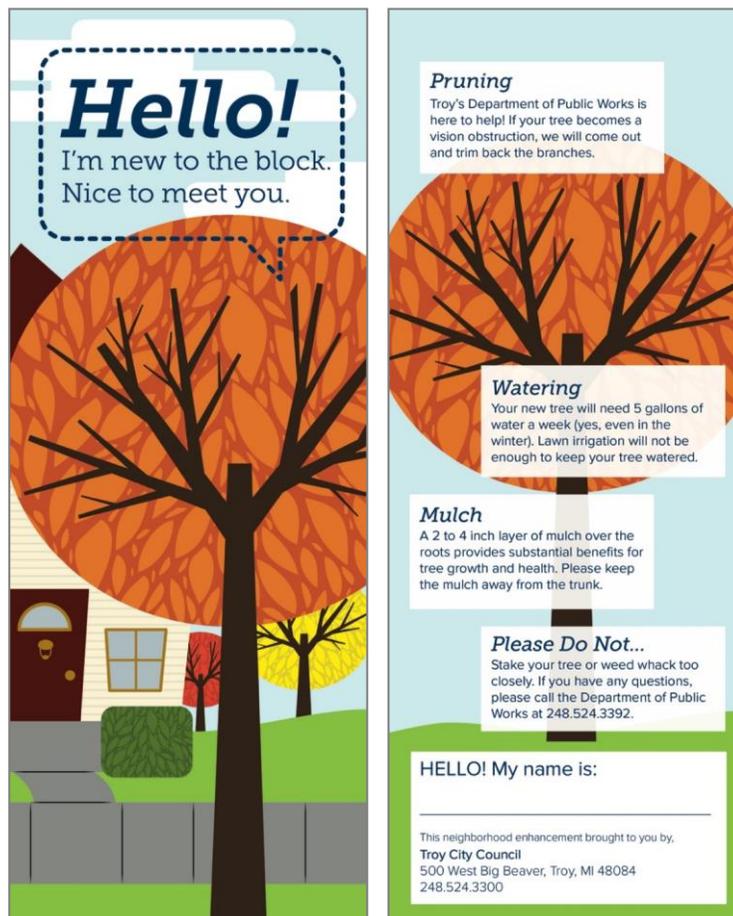
To: Brian Kischnick, City Manager

From: Mark Miller, Director of Economic & Community Development

Subject: 2016 3CMA Savvy Award Winner – Stephanie Fleischer, Marketing Coordinator
Won 1st Place for the City of Troy in the category of Graphic Design – Other
Promotional Items for her Welcome to the Neighborhood Tree Tag

The City-County Communications and Marketing Association, also known as 3CMA, is a national organization of more than 700 professional public communicators and marketers. 3CMA offers dynamic and innovative educational programming to its members during the annual conference. Recently, Stephanie Fleischer, Marketing Coordinator, attended the annual conference in San Antonio, TX, as a nominee for the Savvy Award and as a representative of the City of Troy.

Ms. Fleischer won the Savvy Award for her design of the “Welcome to the Neighborhood Tree Tag”, shown below. This award was voted on by the membership of 3CMA and presented as first place out of all the promotional items entered in the contest. Congratulations, Stephanie!



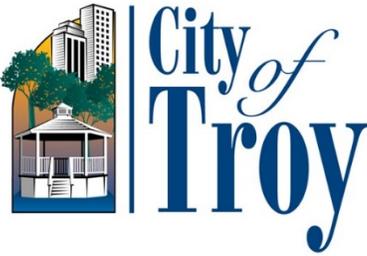
RE: SAVVY Award

Stephanie:

Congratulations on your first place award from 3CCMA. Troy is fortunate to have someone so creative, skilled and effective in the art of communications. We appreciate you!



BRIAN KISCHNICK
CITY MANAGER
B.Kischnick@troymt.gov



CITY COUNCIL ACTION REPORT

Date: August 19, 2016

To: Brian Kischnick, City Manager

From: Tom Darling, Director of Financial Services
Mark Miller, Director of Economic and Community Development
Kurt Bovensiepe, Public Works Director
Steven J. Vandette, City Engineer

Subject: Local Road Improvement Matching Fund Pilot Program Cost Participation Agreement and 2016/17 Budget Amendment
Souter Drive, Maple Road to Rankin Drive

History:

The new Oakland County Local Road Improvement Program is a pilot program established by the Oakland County Board of Commissioners (Commissioners Wade Fleming, Gary McGillivray and Robert Gosselin, representing Troy) in partnership with County Executive L. Brooks Patterson to assist local cities and villages with maintenance and improvements on local roads under their jurisdiction.

This program provides limited financial assistance to Oakland County cities and villages for repairs and improvements on roadways under their jurisdiction. Local municipalities must match funding from Oakland County and projects should supplement, not replace, existing local road repair efforts. The Oakland County Board of Commissioners allocated up to \$1,000,000 in matching funds to launch the program in 2016. Communities are allocated a share of these funds based upon a formula consisting of road miles, population and crash data. The program supplements the long standing Tri-Party Road Improvement Program, which provides a 1/3 share in matching funds to support repairs on local roadways that are under the control of the Road Commission for Oakland County (RCOC).

This program is more flexible than the current Tri-Party Road Program, one that will allow Oakland County to assist its cities and villages with maintenance and safety projects on non-county roads for the purposes of improving economic development in Oakland County cities and villages.

Project funding is to be utilized solely for the purposes of road improvements to roads under the jurisdiction of local cities and villages and must be real capital improvements to roadways (no administrative expenses, personnel, consultants, etc.). Non-motorized projects do not qualify.

Projects authorized under this program must contribute to the purpose of encouraging and assisting businesses to locate and expand within the county.

Project Information:

The project submitted for consideration and subsequently approved by the Committee is concrete slab replacement on Souter Driver, from Maple Road to Rankin Drive. There is a 600 foot section of Souter Drive that has concrete pavement with asphalt overlay in poor condition that will be removed and replaced with concrete pavement.

Souter Drive is an Industrial Road in the southern area of the city that is home to approximately 40 businesses. The users are mainly Light Industrial and many are small job shops. These types of uses generate larger volumes of traffic compared to larger sites with single user occupants. Since the density of the area creates more traffic, maintenance of the area is critical to keep the area in demand. Businesses looking to locate in Troy or those that want to maintain their business need to know that the roads will be kept in good repair to provide safe and efficient passage of employees, customers and deliveries.

We also have the benefit of our current contract with Dilisio Contracting, Inc. who will perform the work under their existing 2015-16 contract which has no price increase for the 2016-17 construction season and a minimal three percent (3%) increase for 2017-18. By using Dilisio for this work we are able to further stretch the limited road funds available.

Financial:

The Local Road Improvement Matching Fund Pilot Program grant includes \$216,211 in Local Road Improvement funds. The City of Troy's share is fifty percent (50%) or \$108,106. The remaining fifty percent (50%) is contributed by the Board of Commissioners of the County of Oakland in the amount of \$108,105.

The 2017 Capital Projects Fund will require a budget amendment of \$216,211 to complete the concrete slab replacement work on Souter Drive.

Recommendation:

Staff recommends that City Council approve the attached Cost Participation Agreement between the City of Troy and the Board of Commissioners of the County of Oakland for the Local Road Improvement Matching Fund Pilot Program in the amount of \$216,211 at a cost to the City of Troy of \$108,106 and a budget amendment to the Capital Projects Fund.

Furthermore, staff recommends that the Mayor and City Clerk be authorized to execute the agreement.

City Attorney's Review as to Form and Legality

Lori Grigg Bluhm, City Attorney

Date

2016 Local Road Improvement Pilot Program

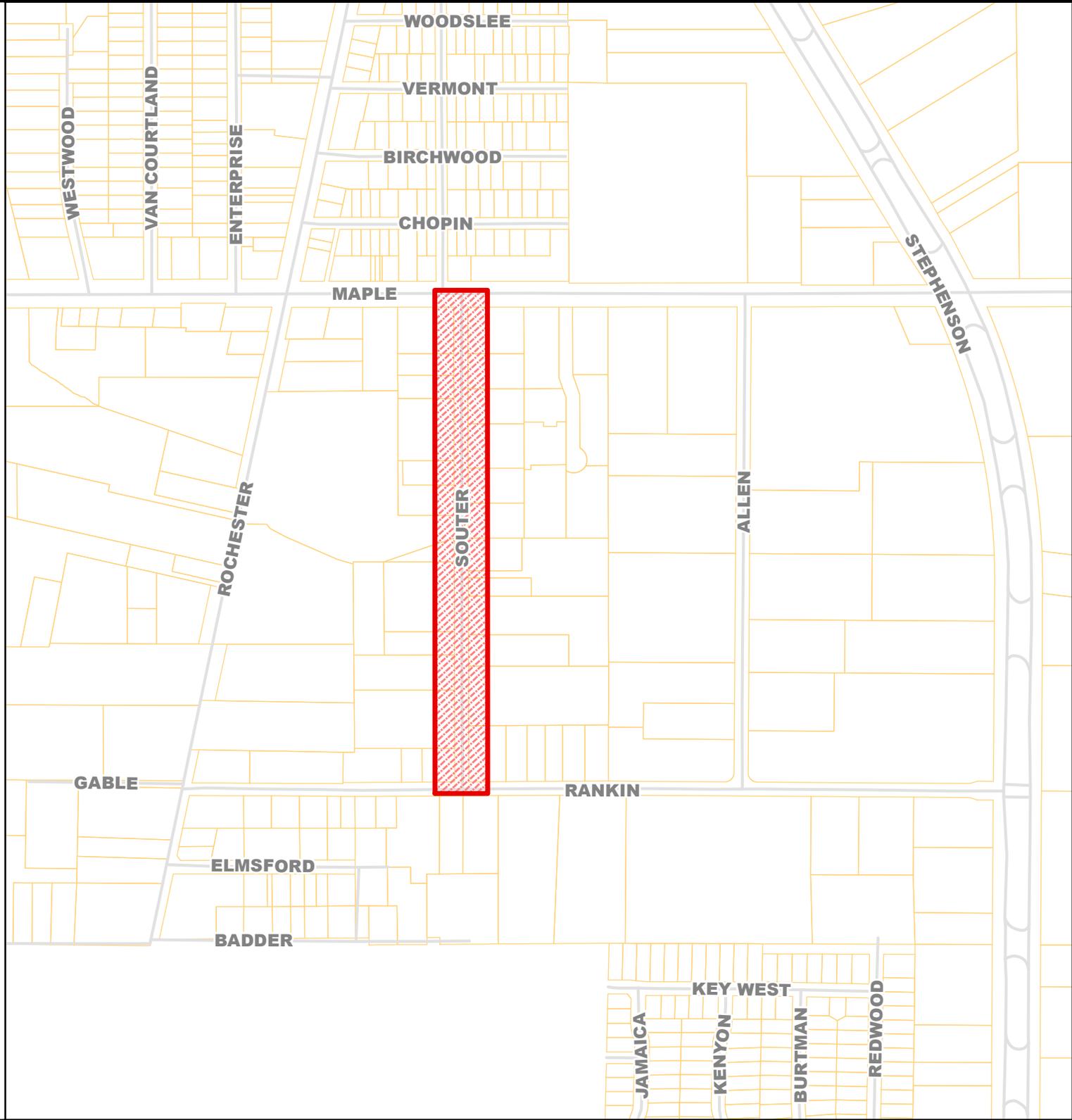
City of Troy -
Souter Dr, Maple Rd to Rankin Dr



Souter Drive



Date: 6/24/2016



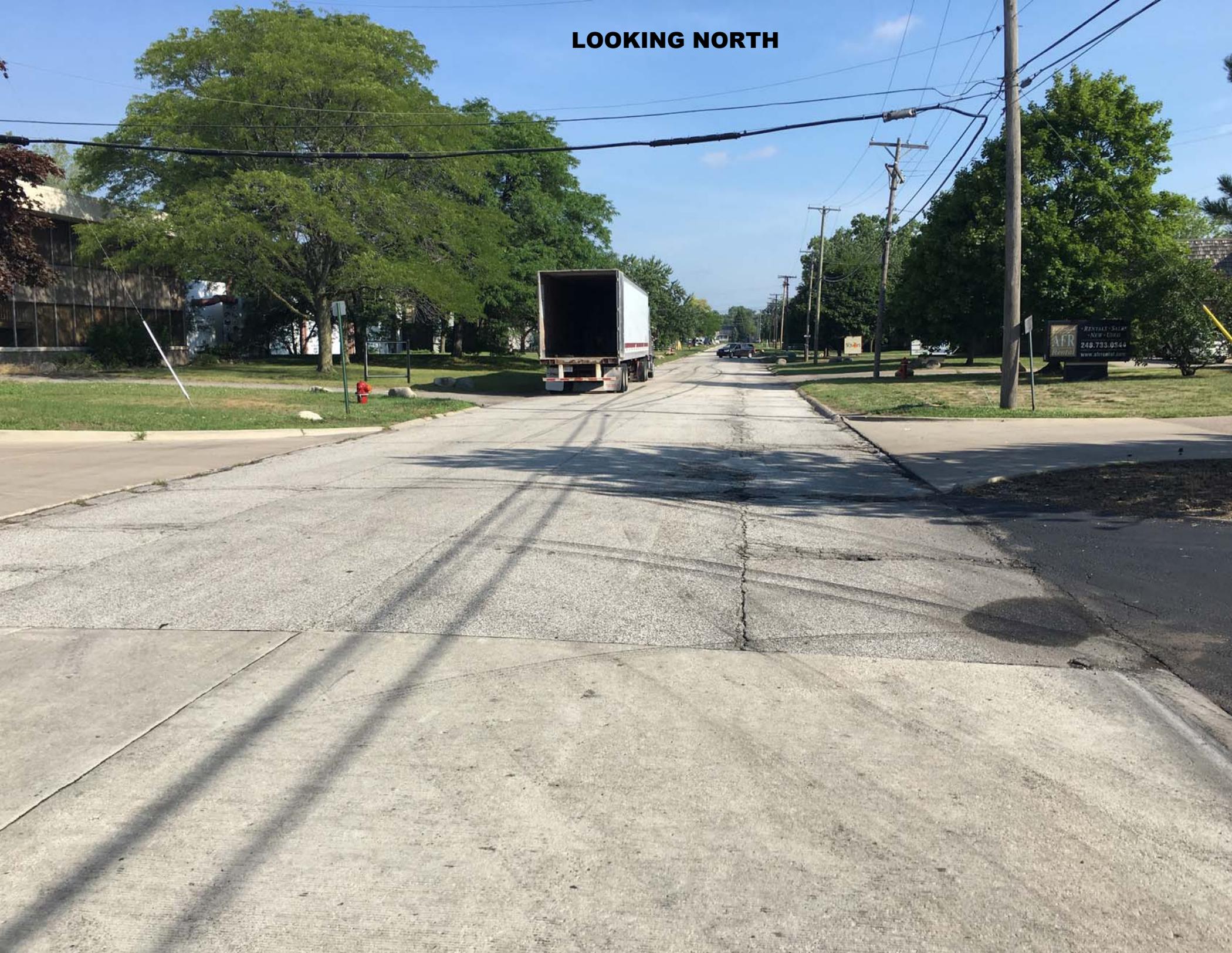


Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.

LOOKING NORTH



LOOKING NORTH





LOOKING SOUTH



LOOKING SOUTH



BOARD OF COMMISSIONERS

1200 N. Telegraph Road
Pontiac, MI 48341-0475
Phone: (248) 858-0100
Fax: (248) 858-1572

August 19, 2016

Brian Kischnick
City Manager
City of Troy
500 West Big Beaver Rd.
Troy, MI 48084-5285

Dear Mr. Kischnick,

We are pleased to inform you that the Board of Commissioners has approved your application for funding under the 2016 Pilot Local Road Improvement Program.

Poor conditions on our roads create an impediment to the economic development of our community and diminish the excellent quality of life our residents expect. Oakland County is proud to be a partner with your local government to provide much needed investment in our local transportation infrastructure.

Enclosed you will find two (2) copies of a Cost Participation Agreement. Following approval by your governing authority and execution of the agreement, please forward the documents to:

Oakland County Board of Commissioners
Attn: Chris Ward, Administrative Director
1200 N. Telegraph Road
Pontiac, Michigan 48341-0475

We will return a fully executed copy to you for your records. After you receive the finalized agreement, you can invoice our Management and Budget office as instructed in the agreement for payment.

If you have any questions regarding the program or agreement, please feel to contact Chris Ward, Administrative Director of the Board of Commissioners at (248)858-1701 or wardcc@oakgov.com. In addition, please feel free to contact us if we can be of further assistance.

Sincerely,

Wade Fleming
Oakland County Commissioner

Gary McGillivray
Oakland County Commissioner

Robert Gosselin
Oakland County Commissioner

LOCAL ROAD IMPROVEMENT MATCHING FUND PILOT PROGRAM

COST PARTICIPATION AGREEMENT

Concrete Slab Replacement on Souter Drive

City of Troy

Board Project No. 2016-14

This Agreement, made and entered into this ____ day of _____, 2016, by and between the Board of Commissioners of the County of Oakland, Michigan, hereinafter referred to as the BOARD, and the City of Troy, hereinafter referred to as the COMMUNITY, provides as follows:

WHEREAS, the BOARD has established the Pilot Local Road Improvement Matching Fund Program, hereinafter the PROGRAM, for the purposes of improving economic development in Oakland County cities and villages. The terms and policies of the PROGRAM are contained in Attachment A. The BOARD intends the PROGRAM to assist its municipalities by offering limited funds, from state statutory revenue sharing funds, for specific, targeted road maintenance and/or improvement projects on roadways under the jurisdiction of cities and villages; and

WHEREAS, the BOARD shall participate in a city or village road project in an amount not exceeding 50% of the cost of the road improvement, hereinafter referred to as the PROJECT, and also not exceeding the Preliminary Distribution Formula as it relates to the COMMUNITY, (Attachment B); and

WHEREAS, the COMMUNITY has identified the PROJECT as Concrete Slab Replacement on Souter Drive, as more fully described in Attachment C, attached hereto, and made a part hereof, which improvements involve roads under the jurisdiction of and within the COMMUNITY and are not under the jurisdiction of the Road Commission for Oakland County or state trunk lines; and

WHEREAS, the COMMUNITY has acknowledged and agreed to the BOARD's policies regarding the PROGRAM, Attachment A, and further acknowledge and agree that the PROJECT's purpose is to encourage and assist businesses to locate and expand within Oakland County and shall submit a report to the BOARD identifying the effect of the PROJECT on businesses in the COMMUNITY at the completion of the PROJECT. In addition, the COMMUNITY acknowledges that the program is meant to supplement and not replace funding for existing road programs or projects; and

WHEREAS, the COMMUNITY has acknowledged and agreed that the PROGRAM is expressly established as a pilot program and there is no guarantee that the PROGRAM will be continued from year to year. The COMMUNITY further acknowledges and agrees that if the PROJECT is a multi-year road improvement project, the maximum number of years for the PROJECT funding is three (3) years, although the BOARD anticipates that most PROJECT's funded under the PROGRAM will be completed by the end of calendar-year 2017, and there is

no obligation on behalf of the BOARD to fund either the PROJECT or the PROGRAM in the future; and

WHEREAS the COMMUNITY has acknowledged and agreed that the COMMUNITY shall assume any and all responsibilities and liabilities arising out of the administration of the PROJECT and that Oakland County shares no such responsibilities in administering the PROJECT; and

WHEREAS, the estimated total cost of the PROJECT is \$216,211; and

WHEREAS, said PROJECT involves certain designated and approved Local Road Improvement Matching Funds in the amount of \$108,105, which amount shall be paid to the COMMUNITY by the BOARD; and

WHEREAS, the BOARD and the COMMUNITY have reached a mutual understanding regarding the cost sharing of the PROJECT and wish to commit that understanding to writing in this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants set forth herein and in conformity with applicable law and BOARD resolution(s), it is hereby agreed between the COMMUNITY and the BOARD that:

1. The BOARD approves of the PROJECT, and in reliance upon the acknowledgements of the COMMUNITY, finds that the PROJECT meets the purpose of the PROGRAM.

2. The BOARD approves of a total funding amount under the PROGRAM for the PROJECT in an amount not to exceed \$108,105, The COMMUNITY shall submit an invoice to the COUNTY in the amount of \$108,105, addressed to Lynn Sonkiss, Manager of Fiscal Services, Executive Office Building, 2100 Pontiac Lake Road, Building 41 West, Waterford, MI 48328, upon execution of this Agreement. Upon receipt of said invoice, the BOARD shall pay the COMMUNITY the sum of \$108,105 from funds available in the PROGRAM.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and date first written above.

OAKLAND COUNTY BOARD OF COMMISSIONERS

By: _____

Its: _____

COMMUNITY

By: _____

It's: _____

PILOT LOCAL ROAD IMPROVEMENT MATCHING FUND PROGRAM

STATEMENT OF PURPOSE

Oakland County Government recognizes that Michigan law places the primary responsibility for road funding on the State and non-county local units of government. However, the County also recognizes that the law does permit a limited, discretionary role for the County in assisting a road commission and local units within a county by supporting some road maintenance and improvement efforts.

Accordingly, for many years Oakland County has voluntarily provided limited assistance to its cities, villages and townships (CVT's) and to the Road Commission of Oakland County (RCOC) by investing in a discretionary Tri-Party Road Program. Authorized under Michigan law, the County's tri-party funding contributions primarily facilitate safety improvement projects on CVT roads under the jurisdiction of the RCOC. By law, tri-party funds cannot be used to fund projects on roads solely under the jurisdiction of CVT's.

Recognizing a continuing need to better maintain local CVT streets and roads, yet being ever mindful of the County's limited responsibility for and jurisdiction over non-county roads and streets, Oakland County Government wishes to pilot a discretionary program that is more flexible than the current Tri-Party Road Program, one that will allow Oakland County to assist its cities and villages with maintenance and safety projects on non-county roads.

Not being the funding responsibility of County government, local CVT roads generally cannot be maintained or improved using county funds because doing so would be considered to be the "gifting" of County resources. However laudable the purpose, Michigan law generally forbids the gifting of government resources. To avoid application of the constitutionally-based gifting restriction, the state legislature must, and in this arena has, determine that a public benefit results from a taxpayer investment, one that provides a *quid pro quo* sufficient to avoid application of the gifting prohibition. Here, the legislature has determined that the economic development benefit presumed to accrue to a county as a result of local street and road investments can provide a sufficient *quid pro quo* to county taxpayers justifying a discretionary county investment in a non-county road, a benefit that constitutes a fair exchange for value and not a gift.

This legislative determination is set forth in 1985 P.A. 9, which amended 1913 P.A. 380, by adding a new section 2, which in pertinent part provides:

"(1)...A county may grant or loan funds to a township, village or city located within that county for the purpose of encouraging and assisting businesses to locate and expand within the county...

(2) A loan or grant made under subsection (1) may be used for local public improvements or to encourage and assist businesses in locating or expanding in this state, to preserve jobs in this state, to encourage investment in the communities in this state, or for other public purposes."

Communities that wish to attract, retain and grow business, retain jobs and encourage community investment, needs a safely maintained road infrastructure. This road infrastructure must include both residential and commercial roads as workers and consumers need to get to and from work, shopping, schools and recreation. In a fiscally prudent and limited manner, the County wishes to help its cities and villages accomplish this objective by test-piloting a new local road improvement matching fund program.

Any such program must be mindful of the limits imposed under Public Act 9. One important restriction Public Act 9 imposed on grants or loans made pursuant subsection 2 of the Act is the mandate that, "A grant or loan under this subsection shall not be derived from ad valorem taxes except for ad valorem taxes approved by a vote of the people for economic development." This means that funding for an expanded local road assistance program cannot utilize proceeds from any of Oakland County's ad valorem tax levies since no levy has been approved by voters specifically for economic development.

Given this limitation, it appears that the state statutory revenue sharing appropriated to the County can provide a non-ad valorem source of funds that legally can be used to support the pilot program. Competition for those funds, which are limited in amount, is fierce and their yearly availability is subject to the state legislative process. In the recent past, the State stripped all of those funds away from Michigan counties. Understanding that reality, it shall be the policy of the Oakland County Board of Commissioners that the Board shall not appropriate any county funds for a local road improvement matching fund program for non-county roads in any year where the State of Michigan fails to appropriate statutory revenue sharing funds to Oakland County in an amount sufficient to allow the County to first prudently address its core functions.

Act 9 imposes additional conditions on grants and loans. These include requirements that the loan or grant shall be administered within an established application process for proposals; that any grant or loan shall be made at a public hearing of the county board of commissioners and that the Board shall require a report to the county board of commissioners regarding the activities of the recipient and a report as to the degree to which the recipient has met the stated public purpose of the funding.

Understanding all of the above, the Oakland County Board of Commissioners hereby establishes the following Pilot Local Road Improvement Matching Fund Program:

PROGRAM SUMMARY

The Board of Commissioners establishes a Pilot Local Road Improvement Matching Fund Program for the purposes of improving economic development in Oakland County cities and villages. The County intends this Program to assist its municipalities by offering limited matching funds for specific, targeted road maintenance and/or improvement projects on roadways under the jurisdiction of cities and villages.

A city or village participating in the Local Road Improvement Matching Fund Program shall match any fund authorized by the Board of Commissioners in an amount equal to a minimum of 50% of the cost of the total project award. County participation shall be limited to a maximum of 50% of the cost of the total project budget. Funding shall be utilized to supplement and enhance local road maintenance and

improvement programs. Funding is not intended to replace existing budgeted local road programs or to replace funding already committed to road improvements.

PROJECT GUIDELINES

Program funding shall be utilized solely for the purposes of road improvements to roads under the jurisdiction of local cities and villages. Road improvements may include, but not be limited to, paving, resurfacing, lane additions or lengthening, bridges, or drainage as such improvements relate to road safety, structure or relieving congestion.

Program funding:

May be utilized to supplement a local government's matched funding for the purposes of receiving additional federal transportation funding;

May not be utilized to fulfill a local government's responsibility to fund improvements to state trunklines;

Shall be limited to real capital improvements to roadways and shall not be utilized for other purposes, such as administrative expenses, personnel, consultants or other similar purposes;

Shall not be utilized for non-motorized improvements, unless these improvements are included in a project plan for major improvements to a motorized roadway;

Shall be utilized for projects that will result in a measurable improvement in the development of the local economy and contribute to business growth. Recipients shall be responsible for providing an outline of the economic benefits of the project prior to approval and for reporting to the Board of Commissioners after the completion of the project on the benefits achieved as a result of the projects.

ADMINISTRATION

Local Road Improvement Matching Fund Program projects may be appropriated by the Board of Commissioners in compliance with the County budget process. The amount of funds to be dedicated for the Pilot Program shall be determined by the Board of Commissioners on an annual basis. Program funding may be reduced or eliminated based upon the ability of the County government to meet primary constitutional and statutory duties. The Board of Commissioners expressly reserves the right to adjust the County matching funds share at any time based upon County budget needs.

In accordance with MCL 123.872, funds dedicated to the Local Road Improvement Matching Fund Program shall not be derived from ad valorem tax revenues. Program funding shall be limited to funds derived from the County's distribution from the Michigan General Revenue Sharing Act. Reduction or elimination of the County's distribution of revenue sharing funds may result in the elimination or suspension of the program.

Funding availability shall be distributed based upon a formula updated annually. The formula will consist of:

1. A percentage derived from the number of certified local major street miles in each city and village divided by aggregate total of certified local major street miles of all cities and villages in the county.
2. A percentage derived from the population of each city and village as determined by the last decennial census conducted by the U.S. Census Bureau divided by the aggregate total population of cities and villages in the county.
3. A percentage derived from the three year rolling total of the number of crashes on city and village major local streets divided by the aggregate three year rolling crash numbers for all city and village major local streets. The crash data will be supplied by the Road Commission for Oakland County using data from the Traffic Improvement Association.

Each city and villages percentage allocation shall be determined by adding each factor percentage and dividing that total by three. The amount of funds available for match shall be determined by the total amount of funds allocated by the Board of Commissioners added to an equal amount representing the match provided by local cities and villages.

The Chairman of the Finance Committee of the Board of Commissioners shall establish a Subcommittee on the Local Road Improvement Program. This subcommittee shall consist of three members, with two members representing the majority caucus and one member representing the minority caucus. It shall be the responsibility of the Subcommittee to direct the administration of this program, receive applications for program funding and make recommendation of acceptance to the Finance Committee and Board of Commissioners. The Subcommittee may consult with county departments, staff and the Road Commission for Oakland County in the conduct of its business.

DISBURSEMENT

The Subcommittee shall forward recommendations for approval of Local Road Improvement Matching Fund Program projects to the Chairman of the Board of Commissioners. This recommendation shall include a cost participation agreement between the County and participating municipality. Minimally, cost participation agreements shall include: responsibility for administering the project, the project location, purpose, scope, estimated costs including supporting detail, provisions ensuring compliance with project guidelines, as well as disbursement eligibility requirements. The cost participation agreement shall also require the maintenance of supporting documentation to ensure compliance with the following provisions:

1. Any and all supporting documentation for project expenditures reimbursed with appropriated funding shall be maintained a minimum of seven years from the date of final reimbursement for actual expenditures incurred.
2. The Oakland County Auditing Division reserves the right to audit any and all project expenditures reimbursed through the program.

Upon receipt of recommendation of project approval from the Subcommittee, the County Commissioner or Commissioners, representing the area included in the proposed project, may introduce

a resolution authorizing approval of the project and the release of funds. Resolutions shall be forwarded to the Finance Committee of the Board of Commissioners, who shall review and issue a recommendation to the Board on the adoption of the resolution. The Chairperson of the Finance Committee shall schedule a public hearing before the Board of Commissioners prior to consideration of final approval of the resolution.

The deadline for projects to be submitted for consideration shall be established by the Subcommittee. The Subcommittee may work with participating municipalities to develop a plan for projects that exceed that municipality's annual allocation amount. This may include a limited plan to rollover that municipality's allocation for a period of years until enough funding availability has accrued to complete the project, subject to funding availability.

Upon completion of project plans and execution of the local participation agreement by the County and governing authority of the local municipality, the participating municipality shall submit an invoice in accordance with the terms and conditions included in the agreement. The Oakland County Department of Management and Budget Fiscal Services Division shall process payments in accordance with policies and procedures as set forth by the Department of Management and Budget and the Oakland County Treasurer.

In the event an eligible local unit of government chooses not to participate in the Local Road Improvement Matching Fund Program, any previously undistributed allocated funding may be re-allocated to all participating local units of government in accordance with the formula included in this policy.

At the completion of each project, the participating local government shall provide a report to the Board of Commissioners regarding the activities of the recipient and the degree to which the recipient has met the stated public purpose of the funding as required by MCL 123.872.

LOCAL ROAD IMPROVEMENT SUBCOMMITTEE
FINANCE COMMITTEE, OAKLAND COUNTY BOARD OF COMMISSIONERS

Provision regarding existing funded local road programs and projects. The standard project agreement shall require participating municipalities to acknowledge that the Local Road Improvement Program is meant to supplement and to not replace funding for existing road programs or projects.

Fulfillment of economic benefit provisions of MCL 123.872. The Pilot Local Road Improvement Program has been established by the Oakland County Board of Commissioners under the authority granted by MCL 123.872, which provides that “A county may grant or loan funds to a township, village or city located within that county for the purposes of encouraging and assisting businesses to locate and expand within the county”. It shall be the responsibility of the municipality to outline the extent to which the project included in their application will meet these standards. The Subcommittee shall only consider projects that meet the standards provided in MCL 123.872. The standard project agreement shall include a provision requiring the participating municipality to fulfill the statutory requirement included in MCL 123.872 that, “the grant or loan contract made by county shall require a report to the county of board of commissioners regarding the activities of the recipient and the degree to which the recipient has met the stated purpose of the funding.”

Multi-year projects. The Local Road Improvement Program has been expressly established as a pilot program. There is no guarantee the program will be continued from year to year. The Subcommittee recognizes that the allocation authorized for local governments may not provide adequate funding in a single year to allow a project to move forward. Local governments shall be offered the opportunity to submit project plans that would necessitate the accumulation of multiple years of the community’s allocation amount to fulfill the county’s share of a project budget. A multi-year project plan submittal shall not exceed three years in duration. The allocation amount available to each community is subject to change annually based upon the factors utilized in the formula. Consideration of multi-year project plans does not obligate Oakland County in any way to funding any project or program in the future. These plans are meant to be utilized for planning purposes and for consideration by the Oakland County Board of Commissioners regarding authorizing a limited carryover of a community’s allocation year to year.

Completion of projects and submittal of post-project report. The standard cost participation agreement shall include a provision requiring the municipality to complete the project and submit the required post-project completion report prior to the end of the next calendar year following the date of project approval. An alternative schedule may be approved for a project by action of the Board of Commissioners, upon recommendation of the Subcommittee.

**PRELIMINARY DISTRIBUTION FORMULA
OAKLAND COUNTY LOCAL ROAD IMPROVEMENT PILOT PROGRAM**

| City/Village | Cert Major Local Road Miles | Miles % | Population | Pop % | Crash Data | Crash % | Miles+Pop+Crash | Proposed Total Exp. | Max County Contribution |
|------------------|-----------------------------|----------------|----------------|----------------|---------------|----------------|-----------------|---------------------|-------------------------|
| Auburn Hills | 32.33 | 4.82% | 21,412 | 2.80% | 236 | 1.34% | 2,99% | \$59,753 | \$29,877 |
| Berkley | 15.63 | 2.33% | 14,970 | 1.96% | 55 | 0.31% | 1.53% | \$30,683 | \$15,342 |
| Beverly Hills | 10.99 | 1.64% | 10,267 | 1.34% | 40 | 0.23% | 1.07% | \$21,398 | \$10,699 |
| Bingham Farms | 1.02 | 0.15% | 1,111 | 0.15% | 54 | 0.31% | 0.20% | \$4,025 | \$2,013 |
| Birmingham | 21.87 | 3.26% | 20,103 | 2.63% | 580 | 3.29% | 3.06% | \$61,196 | \$30,598 |
| Bloomfield Hills | 8.83 | 1.32% | 3,869 | 0.51% | 235 | 1.33% | 1.05% | \$21,039 | \$10,520 |
| Clarkston | 1.48 | 0.22% | 882 | 0.12% | 37 | 0.21% | 0.18% | \$3,640 | \$1,820 |
| Clawson | 9.62 | 1.44% | 11,835 | 1.55% | 134 | 0.76% | 1.25% | \$24,960 | \$12,480 |
| Farmington | 7.36 | 1.10% | 10,372 | 1.36% | 183 | 1.04% | 1.16% | \$23,284 | \$11,642 |
| Farmington Hills | 58.36 | 8.71% | 79,740 | 10.43% | 1955 | 11.08% | 10.07% | \$201,492 | \$100,746 |
| Ferrdale | 20.99 | 3.13% | 19,900 | 2.60% | 219 | 1.24% | 2.33% | \$46,513 | \$23,257 |
| Franklin | 4.34 | 0.65% | 3,150 | 0.41% | 48 | 0.27% | 0.44% | \$8,878 | \$4,439 |
| Hazel Park | 17.12 | 2.55% | 16,422 | 2.15% | 188 | 1.06% | 1.92% | \$38,445 | \$19,223 |
| Holly | 7 | 1.04% | 6,086 | 0.80% | 83 | 0.47% | 0.77% | \$15,421 | \$7,711 |
| Huntington Woods | 6.95 | 1.04% | 6,238 | 0.82% | 58 | 0.33% | 0.73% | \$14,533 | \$7,267 |
| Keego Harbor | 1.93 | 0.29% | 2,970 | 0.39% | 80 | 0.42% | 0.38% | \$7,547 | \$3,774 |
| Lake Angelus | 0 | 0.00% | 290 | 0.04% | 22 | 0.12% | 0.05% | \$1,084 | \$542 |
| Lake Orion | 2.74 | 0.41% | 2,973 | 0.39% | 123 | 0.70% | 0.50% | \$9,980 | \$4,990 |
| Lathrup Village | 7.36 | 1.10% | 4,075 | 0.53% | 185 | 1.05% | 0.89% | \$17,867 | \$8,934 |
| Leonard | 2.34 | 0.35% | 403 | 0.05% | 4 | 0.02% | 0.14% | \$2,817 | \$1,409 |
| Madison Heights | 21.5 | 3.21% | 29,694 | 3.89% | 745 | 4.22% | 3.77% | \$75,431 | \$37,716 |
| Milford | 7.3 | 1.09% | 6,175 | 0.81% | 108 | 0.61% | 0.84% | \$16,716 | \$8,358 |
| Northville * | 0.8 | 0.12% | 5,970 | 0.78% | 109 | 0.62% | 0.51% | \$10,110 | \$5,055 |
| Novi | 39.52 | 5.90% | 55,224 | 7.23% | 1313 | 7.44% | 6.86% | \$137,104 | \$68,552 |
| Oak Park | 18.35 | 2.74% | 29,319 | 3.84% | 275 | 1.56% | 2.71% | \$54,220 | \$27,110 |
| Orchard Lake | 1.8 | 0.27% | 2,375 | 0.31% | 120 | 0.68% | 0.42% | \$8,397 | \$4,199 |
| Ortonville | 3.21 | 0.48% | 1,442 | 0.19% | 40 | 0.23% | 0.30% | \$5,962 | \$2,981 |
| Oxford | 6.01 | 0.90% | 3,436 | 0.45% | 107 | 0.60% | 0.65% | \$13,006 | \$6,503 |
| Pleasant Ridge | 3.59 | 0.54% | 2,526 | 0.33% | 145 | 0.82% | 0.56% | \$11,254 | \$5,627 |
| Pontiac | 70.21 | 10.47% | 59,515 | 7.79% | 1264 | 7.16% | 8.48% | \$169,507 | \$84,754 |
| Rochester | 8.59 | 1.28% | 12,711 | 1.66% | 245 | 1.39% | 1.44% | \$28,879 | \$14,440 |
| Rochester Hills | 38.61 | 5.76% | 70,995 | 9.29% | 1945 | 11.02% | 8.69% | \$173,830 | \$86,915 |
| Royal Oak | 63.96 | 9.54% | 57,236 | 7.49% | 1083 | 6.14% | 7.72% | \$154,461 | \$77,231 |
| South Lyon | 4.43 | 0.66% | 11,327 | 1.48% | 144 | 0.81% | 0.99% | \$19,717 | \$9,859 |
| Southfield | 64.71 | 9.65% | 71,739 | 9.39% | 2452 | 13.90% | 10.98% | \$219,625 | \$109,813 |
| Sylvan Lake | 2.58 | 0.38% | 1,720 | 0.23% | 66 | 0.38% | 0.33% | \$6,574 | \$3,287 |
| Troy | 57.34 | 8.55% | 80,980 | 10.60% | 2343 | 13.28% | 10.81% | \$216,211 | \$108,106 |
| Walled Lake | 5.34 | 0.80% | 6,999 | 0.92% | 153 | 0.87% | 0.86% | \$17,212 | \$8,606 |
| Wilom | 10.49 | 1.56% | 13,498 | 1.77% | 408 | 2.31% | 1.88% | \$37,628 | \$18,814 |
| Wolverine | 3.69 | 0.55% | 4,312 | 0.56% | 57 | 0.33% | 0.48% | \$9,598 | \$4,799 |
| TOTAL | 670.29 | 100.00% | 764,251 | 100.00% | 17,639 | 100.00% | 100.00% | \$2,000,000 | \$1,000,000 |

ATTACHMENT C

Pilot Local Road Improvement Matching Fund Program

Concrete Slab Replacement on Souter Drive

Board Project No. 2016-14

Concrete slab replacement on Souter Drive, from Maple Road to Rankin Drive in the City of Troy

ESTIMATED PROJECT COST

| | | |
|---------------------------------|-----------|--|
| Total Project Construction Cost | \$216,211 | |
| | | |
| | | |
| | | |
| | \$216,211 | |

COST PARTICIPATION BREAKDOWN

| | COMMUNITY | BOARD | TOTAL |
|------------|-----------|-----------|-----------|
| TOTAL COST | \$108,106 | \$108,105 | \$216,211 |



CITY COUNCIL AGENDA ITEM

Date: September 19, 2016

To: Brian Kischnick, City Manager

From: Aileen Dickson, City Clerk
Eleanor Yoon, Management Assistant

Subject: Addition of a Seat and Amendment of the Term Expiration Date to the Global Troy Advisory Committee

History

On April 4, 2016, the City Council adopted a resolution to establish the Global Troy Advisory Committee (Global Troy). Subsequently on May 9, 2016, the amendment to allow nonvoting student members on the committee was approved by the City Council. As a result, Global Troy currently consists of eleven Troy residents and two nonvoting student members. However, the abundance of highly qualified candidates showing an interest in the committee was brought to the attention of City Council and City Administration. In order to best reflect the diversity of the City and ensure voices from different community groups are included in the committee, City Administration recommends adding one more seat to Global Troy, making it a twelve-person committee. In addition, the administration recommends revising the expiration dates of all members' terms of April 30 to October 30, so that the date reflects when the committee will begin convening.

Recommendation

It is recommended that City Council approves the addition of one seat to the Global Troy Advisory Committee and the revised term expiration date of October 30 for all members' terms.

Pastor Weatherly Verhelst from First United Methodist Church performed the Invocation. The Pledge of Allegiance to the Flag was given.

A. CALL TO ORDER:

A Regular Meeting of the Troy City Council was held on Monday, August 22, 2016, at City Hall, 500 W. Big Beaver Rd. Mayor Slater called the meeting to order at 7:34 PM.

B. ROLL CALL:

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

- b) Excuse Absent Council Members:

Resolution #2016-08-134
Moved by Slater
Seconded by Pennington

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of Council Member Campbell at the Regular City Council Meeting of August 22, 2016, due to business obligations.

Yes: Slater, Abraham, Baker, Henderson, Hodorek, Pennington
No: None
Absent: Campbell

MOTION CARRIED

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Sonoco Pipeline Easement – Clearing of Vegetation (*Presented by: Chirstopher Koop, Sonoco Public Affairs*)

C-2 Resident and Business Education Regarding FOG (Fats, Oil, and Grease) Drain Care (*Presented by: Paul Trosper, Superintendent of Water and Sewer*)

C-3 Presentation on Police Officer Safety Enhancement as a Result of Council Comments on August 8, 2016 (*Presented by: Gary Mayer, Police Chief*)

Resolution to Authorize Additional Funding in Police Department Budget for Security Fencing

Resolution #2016-08-135
Moved by Slater

Seconded by Hodorek

RESOLVED, That Troy City Council hereby **AUTHORIZES** additional funding for the Police Department in order to purchase security fencing as presented by Police Chief Mayer, with a resolution for a budget amendment and bid proposal to be presented by City Management at a future City Council Meeting.

Yes: Abraham, Baker, Henderson, Hodorek, Pennington, Slater
 No: None
 Absent: Campbell

MOTION CARRIED

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 No Public Hearings

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

| | |
|---------------|-------------------------|
| David Ashland | Commented on item N-01a |
|---------------|-------------------------|

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

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

I-1 Board and Committee Appointments: a) Mayoral Appointments – Global Troy Advisory Committee; b) City Council Appointments – Parks and Recreation Board

a) Mayoral Appointments:

Resolution #2016-08-136
 Moved by Slater
 Seconded by Hodorek

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

Global Troy Advisory Committee

Appointed by Mayor
11 Regular Members
3 Year Term

Term Expires: 4/30/2017

Venkatesan Balaraman

Term Expires: 4/30/2018

Samir Bagri

Yes: Baker, Henderson, Hodorek, Pennington, Slater, Abraham
No: None
Absent: Campbell

MOTION CARRIED

b) City Council Appointments:

Resolution #2016-08-137
Moved by Pennington
Seconded by Henderson

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

Parks and Recreation Board

Appointed by Council
7 Regular Members and 1 Troy School District Member
Regular Member: 3 Year Term / Troy School Board Member: 1 Year Term

Term Expires: 7/31/2017

Gary Hauff

(TSD Rep.)

Term currently held by: Gary Hauff

Yes: Henderson, Hodorek, Pennington, Slater, Abraham, Baker
No: None
Absent: Campbell

MOTION CARRIED

I-2 Board and Committee Nominations: a) Mayoral Nominations – Global Troy Advisory Committee; b) City Council Nominations –Volunteer Firefighter Incentive Plan Board

a) Mayoral Nominations:

Resolution #2016-08-138
Moved by Slater
Seconded by Baker

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

Global Troy Advisory Committee

Appointed by Mayor
11 Regular Members
3 Year Term

Nominations to the Global Troy Advisory Committee:

| | | |
|-----------------------------------|--------------------------|----------------------------|
| Term Expires: Council Term | Mayor Dane Slater | City Council Member |
| Term Expires: 4/30/2017 | Lisa Bica-Grodsky | |
| Term Expires: 4/30/2018 | Tai Chan | |
| Term Expires: 4/30/2019 | Richard Coon | |
| Term Expires: 4/30/2019 | MiVida Burris | |
| Term Expires: 4/30/2019 | Daniela Natcheva | |

Yes: Hodorek, Pennington, Slater, Abraham, Baker, Henderson
 No: None
 Absent: Campbell

MOTION CARRIED

b) City Council Nominations:

Resolution #2016-08-139
 Moved by Pennington
 Seconded by Baker

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

Volunteer Firefighter Incentive Plan Board

Appointed by Council
7 Regular Members
3 Year Term

Nominations to the Volunteer Firefighter Incentive Plan Board:

| | | |
|-----------------------------------|---------------------------------|----------------------------|
| Term Expires: Council Term | Council Member Henderson | City Council Member |
|-----------------------------------|---------------------------------|----------------------------|

Yes: Pennington, Slater, Abraham, Baker, Henderson, Hodorek
No: None
Absent: Campbell

MOTION CARRIED

I-3 No Closed Session Requested

I-4 Master Plan Update – Approval of Draft Master Plan (Presented by: Brent Savidant, Planning Director)

Resolution #2016-08-140
Moved by Hodorek
Seconded by Abraham

WHEREAS, The Municipal Planning Enabling Act, PA 33 of 2008, provides that a municipal planning commission shall develop and amend a Master Plan for the physical development of the community; and,

WHEREAS, A Master Plan is a long-range, broad policy document used to guide decision-making related to land use and community development and to assist in the implementation of related plans and policies; and,

WHEREAS, The draft amended City of Troy Master Plan was developed with input and participation from Troy residents, the City’s Planning Commission, Planning Department staff, and the City’s Planning Consultant; and,

WHEREAS, The Planning Commission encouraged public participation during the planning process including hosting numerous public forums; and,

WHEREAS, The Troy City Council has determined the draft amended City of Troy Master Plan represents the long-range vision of the City of Troy; and,

WHEREAS, The Planning Commission held a public hearing to solicit public input on June 28, 2016 and recommended approval of the draft amended City of Troy Master Plan by an 8-0 vote;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the amended City of Troy Master Plan, as per the requirements of the Municipal Planning Enabling Act, PA 33 of 2008.

BE IT FINALLY RESOLVED, That within the next five years, the Planning Commission **SHALL** review the Master Plan and **DETERMINE** whether or not to commence the procedure to amend the Plan or adopt a new Plan.

Yes: Slater, Abraham, Baker, Henderson, Hodorek, Pennington
No: None
Absent: Campbell

MOTION CARRIED**I-5 Standard Purchasing Resolution 8: Best Value Award – Website Design Services (Introduced by: Stephanie Fleischer, Marketing Coordinator) (Presented by: Joseph Nagrant, Revize Software Systems)**

Resolution #2016-08-141

Moved by Baker

Seconded by Abraham

WHEREAS, The City of Troy website has not been updated since 2011; and,

WHEREAS, The City is in the process of rebranding itself to include the redesign of the City's logo and website in an effort to increase its exposure and visibility to residents, businesses, and stakeholders; and,

WHEREAS, The redesign of the City's website has been identified as a 2016 Strategy;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **AWARDS** a Contract to provide Website Design Services to the highest rated proposer, *Revize Software Systems of Troy, MI*, as a result of a best value process at a not to exceed amount of \$74,300.00, at prices as detailed in the memo; and with ongoing annual maintenance at approximately \$8,900.00 per year after the initial year of website design services; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

Yes: Abraham, Baker, Henderson, Hodorek, Pennington Slater

No: None

Absent: Campbell

MOTION CARRIED**I-6 Parks and Recreation Advisory Board Recommendation for Naming of the Park Located at Town Center and Livernois (Presented by: Kurt Bovensiep, Director of Public Works)**

Resolution #2016-08-142

Moved by Slater

Seconded by Hodorek

RESOLVED, That Troy City Council hereby **NAMES** the park located at Town Center and Livernois the "P. Terry and Barbara Knight Park".

BE IT FURTHER RESOLVED, That the Dog Park Amenity at the "P. Terry and Barbara Knight Park" **SHALL BE KNOWN AS** the "Daisy Knight Dog Park".

Yes: Baker, Henderson, Hodorek, Pennington, Slater, Abraham
No: None
Absent: Campbell

MOTION CARRIED

I-7 MDOT I-75 Widening and Reconstruction – Adams Road Water Main Relocation – Change Order #1 and Budget Amendment – MDOT Contract #16-5075 – Troy Contract #16-6 – Project No. 16.506.5 (Presented by: Steve Vandette, City Engineer)

Resolution #2016-08-143
Moved by Henderson
Seconded by Baker

RESOLVED, That Troy City Council hereby **APPROVES** Change Order #1 to MDOT Contract #16-5075 in the amount of \$97,202 for the Adams Road Water Main Relocation as part of the I-75 Reconstruction project.

BE IT FURTHER RESOLVED, That if additional work is required such additional work is **AUTHORIZED** in an amount not to exceed 25% of the cost.

BE IT FINALLY RESOLVED, That Troy City Council hereby **APPROVES** a budget amendment to the Water Fund and **AMENDS** the 2017 Water Fund in the amount of \$121,500.

Yes: Henderson, Hodorek, Pennington, Slater, Abraham, Baker
No: None
Absent: Campbell

MOTION CARRIED

I-8 Letter of Resignation From City Council – Council Member Campbell

Resolution #2016-08-144
Moved by Slater
Seconded by Baker

a) Resolution to Accept Council Member Campbell’s Letter of Resignation

RESOLVED, That Troy City Council hereby **ACCEPTS** the resignation of Council Member Campbell.

BE IT FURTHER RESOLVED, That Troy City Council hereby **DECLARES VACANT** the City Council Member office formerly held by James Campbell, as of August 23, 2016, at 12:03 AM.

b) Procedure for Filling Vacancy in Office

c) Suggested Resolution to Schedule a Special Study Session to Discuss Candidates for City Council Appointment

RESOLVED, That Troy City Council hereby **SCHEDULES** a Special Study Session for Monday, September 12, 2016 at 6:00 PM, for the purpose of discussing candidates for City Council appointment.

Yes: Hodorek, Pennington, Slater, Abraham, Baker, Henderson
No: None
Absent: Campbell

MOTION CARRIED

J. CONSENT AGENDA:

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

Resolution #2016-08-145-J-1a
Moved by Henderson
Seconded by Pennington

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

Yes: Pennington, Slater, Abraham, Baker, Henderson, Hodorek
No: None
Absent: Campbell

MOTION CARRIED

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

J-2 Approval of City Council Minutes

Resolution #2016-08-145-J-2

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

- a) City Council Minutes-Draft – August 8, 2016

J-3 Proposed City of Troy Proclamations: None Submitted

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 4: Cooperative Contract Award – Microsoft Windows Server 2016**

Resolution #2016-08-145-J-4a

RESOLVED, That Troy City Council hereby **APPROVES** the purchase of Windows Server licenses, from *CDW-G of Chicago, IL* through the REMC Association of Michigan Program and

the NIPA Cooperative contract for an estimated total cost of \$ 57,080.20 as outlined in Appendix A; copies of which shall be **ATTACHED** to the original Minutes of this meeting.

J-5 Renewed Video Service Local Franchise Agreement for AT&T Michigan

Resolution #2016-08-145-J-5

WHEREAS, Public Act 480 of 2006 (MCL 484.3301 et. seq.), the Uniform Video Service Local Franchise Act, is currently the law in the State of Michigan, and,

WHEREAS, This law requires every provider to obtain a Uniform Video Service Local Franchise Agreement from the City prior to offering cable services in the City of Troy; and,

WHEREAS, AT&T submitted a Uniform Video Service Local Franchise Agreement to the City of Troy on August 3, 2016; and

WHEREAS, The City of Troy has 15 business days to object to the Uniform Video Service Local Franchise Agreement on the basis that it is incomplete; and,

WHEREAS, The City of Troy has reviewed AT&T's Uniform Video Service Local Franchise Agreement, and is not objecting to the completeness of the document; and,

WHEREAS, Under the operation of the current law, the AT&T Uniform Video Service Local Franchise Agreement will be automatically approved within 30 days of the date a complete document is filed with the City, which is expected on or about September 2, 2016; and,

WHEREAS, The AT&T Uniform Video Service Local Franchise Agreement appears to satisfy the technical requirements of the current law, but the City of Troy wishes to reserve its rights to challenge the AT&T Uniform Video Service Local Franchise Agreement in the event that Public Act 480 of 2006 (MCL 484.3301 et. seq.) is in any way challenged, amended, abrogated, or modified; and,

WHEREAS, The AT&T Uniform Video Service Local Franchise Agreement states that the fees to be paid to the City of Troy are 5% and the PEG fees to be paid are 2%. As allowed by the law, the map describing the AT&T Michigan Video Service Area Footprint is confidential, and not subject to public dissemination;

NOW, THEREFORE, IT IS HEREBY RESOLVED, That the Troy City Council **IS NOT OBJECTING** to the completeness of the AT&T Uniform Video Service Local Franchise Agreement.

BE IT FURTHER RESOLVED, That the Franchise fee to be included in the AT&T Uniform Video Service Local Franchise Agreement **IS 5%** and the PEG fees **ARE 2%**, as stated in the Agreement.

BE IT FURTHER RESOLVED, That the City of Troy **DOES NOT WAIVE** its right to challenge any provision of the Public Act 480 of 2006 (MCL 484.3301 et. seq.) and/or any provisions of the AT&T Uniform Video Service Local Franchise Agreement on the basis that such provisions are pre-empted by federal law, and/or are unconstitutional, and/or are impairments of contract rights,

and/or any other basis for invalidating, modifying, amending, or abrogating the law or the Uniform Video Service Local Franchise Agreement.

J-6 Private Agreement – Contract for Installation of Municipal Improvements - Eddie V’s Prime Seafood Restaurant – Project No 16.905.3

Resolution #2016-08-145-J-6

RESOLVED, That Troy City Council hereby **APPROVES** the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Darden Restaurants, Inc. for the installation of Water Main, Sanitary Sewer, Underground Storm Water Detention, Paving, and Sidewalks, and the Mayor and City Clerk are **AUTHORIZED** to execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-7 Fireworks Permit for Troy Family Daze 2016

Resolution #2016-08-145-J-7

RESOLVED, That Troy City Council hereby **ISSUES** a fireworks permit to North Woodward Community Foundation of Troy together with *Great Lakes Fireworks, LLC of Eastpointe, Michigan*, for the public display of fireworks at the Troy Family Daze Festival at the Troy Civic Center Complex, near the intersection of Town Center Drive and Civic Center Drive, Troy, Michigan, on September 17, 2016, or the rain date of September 18, 2016; pending proof of required insurance coverage no later than ten (10) business days before the event.

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

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings: None Submitted

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

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

| | |
|----------------|--|
| David Ashland | Commented on the attorney-client privilege item discussed during a previous City Council meeting |
| Ryan Johnson | Commented on the assessment of his property |
| Amnouy Johnson | Commented on the assessment of her property |

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

N. COUNCIL REFERRALS:

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

N-1 Council Referral Item from Mayor Slater and Council Member Abraham**a) Proposed Resolution to Incorporate City Manager Plan of Action into City Manager Kischnick's Employment Agreement**

Moved by Slater
Seconded by Pennington

WHEREAS, As allowed under the Open Meetings Act, the Troy City Council has had an opportunity to meet with City Manager Brian Kischnick in closed session; and,

WHEREAS, As a result of these closed session discussions, the City Manager presented for consideration a City Manager Plan of Action to City Council on July 25, 2016, but this document has not yet been formally reviewed and approved by the Troy City Council; and,

WHEREAS, The Troy City Council is in agreement with terms in the attached City Manager Plan of Action, and agrees to incorporate this Plan as a part of City Manager Kischnick's employment agreement; and,

WHEREAS, The Troy City Council may need to meet in closed session concerning other measures that could be acted upon at a later time or could be included in the City Manager Plan of Action;

NOW, THEREFORE, BE IT RESOLVED, That the attached City Manager Plan of Action is hereby **INCORPORATED** as an addendum to the City Manager's Five Year Employment Agreement, which was approved on May 18, 2015, and is effective immediately.

BE IT FURTHER RESOLVED, That the Troy City Council **SHALL ADJOURN** into Closed Session after addressing all other business items of this meeting, as permitted by MCL 15.268 (a) and (h) (MCL 15.243 (g)).

Resolution to Amend N-1a Proposed Resolution to Incorporate City Manager Plan of Action into City Manager Kischnick's Employment Agreement to STRIKE Reference to Adjourning into Closed Session

Resolution #2016-08-146
Moved by Henderson
Seconded by Pennington

RESOLVED, That Troy City Council hereby **AMENDS** Item N-1a to **STRIKE** "BE IT FURTHER RESOLVED, That the Troy City Council **SHALL ADJOURN** into Closed Session after addressing all other business items of this meeting, as permitted by MCL 15.268 (a) and (h)(MCL 15.243 (g))."

Yes: Henderson
No: Slater, Abraham, Baker, Hodorek, Pennington
Absent: Campbell

MOTION FAILED

Vote on Original Motion N-1a Proposed Resolution to Incorporate City Manager Plan of Action into City Manager Kischnick's Employment Agreement

Resolution #2016-08-147
Moved by Slater
Seconded by Pennington

WHEREAS, As allowed under the Open Meetings Act, the Troy City Council has had an opportunity to meet with City Manager Brian Kischnick in closed session; and,

WHEREAS, As a result of these closed session discussions, the City Manager presented for consideration a City Manager Plan of Action to City Council on July 25, 2016, but this document has not yet been formally reviewed and approved by the Troy City Council; and,

WHEREAS, The Troy City Council is in agreement with terms in the attached City Manager Plan of Action, and agrees to incorporate this Plan as a part of City Manager Kischnick's employment agreement; and,

WHEREAS, The Troy City Council may need to meet in closed session concerning other measures that could be acted upon at a later time or could be included in the City Manager Plan of Action;

NOW, THEREFORE, BE IT RESOLVED, That the attached City Manager Plan of Action is hereby **INCORPORATED** as an addendum to the City Manager's Five Year Employment Agreement, which was approved on May 18, 2015, and is effective immediately.

BE IT FURTHER RESOLVED, That the Troy City Council **SHALL ADJOURN** into Closed Session after addressing all other business items of this meeting, as permitted by MCL 15.268 (a) and (h) (MCL 15.243 (g)).

Yes: Abraham, Baker, Henderson, Hodorek, Pennington, Slater
No: None
Absent: Campbell

MOTION CARRIED

b) Proposed Resolution to Recommend City Manager Approval of Revised Whistleblower Complaint Procedure

Resolution #2016-08-148
Moved by Slater
Seconded by Baker

WHEREAS, The City of Troy's Labor Counsel recommended revisions to the City's administrative policy under the Michigan Whistleblower Protection Act; and,

WHEREAS, The City of Troy City Council and City Administration agreed that this administrative policy should be reviewed and updated;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council **RECOMMENDS** immediate administrative approval of a revised Whistleblower Protection Act Policy that is compliant with Michigan law and also encourages transparency, and **DIRECTS** that the revised policy, once approved by City Management, shall be **ATTACHED** to the original Minutes of this meeting.

Yes: Baker, Henderson, Hodorek, Pennington, Slater, Abraham

No: None

Absent: Campbell

MOTION CARRIED

c) Proposed Resolution to Allow Pennington Collision to Remain on the List of Eligible Vendors

Resolution to Recuse Council Member Pennington From Voting on Item N-1c Proposed Resolution to Allow Pennington Collision to Remain on the List of Eligible Vendors

Resolution #2016-08-149

Moved by Pennington

Seconded by Slater

RESOLVED, That Troy City Council hereby RECUSES Council Member Pennington from voting on Item *N-1c Proposed Resolution to Allow Pennington Collision to Remain on the List of Eligible Vendors*

Yes: Henderson, Hodorek, Pennington, Slater, Abraham, Baker

No: None

Absent: Campbell

MOTION CARRIED

Vote on Original Motion N-1c Proposed Resolution to Allow Pennington Collision to Remain on the List of Eligible Vendors with Council Member Pennington Recused

Resolution #2016-08-150

Moved by Slater

Seconded by Baker

WHEREAS, Pennington Collision has provided automobile repair services on a competitive basis to the City of Troy since the 1970's; and,

WHEREAS, Throughout the years, Pennington Collision has frequently quoted the lowest repair prices, and is well known for its professionalism and its responsiveness and abilities; and,

WHEREAS, The owner of Pennington Collision is also an elected City Council member; and,

WHEREAS, Section 6.12(a) of the Troy City Charter requires that in order for there to be any possible business relationship between the City and a business in which a City Council member or his/her immediate family has a pecuniary interest, the other City Council members must agree unanimously to pass a resolution making the business eligible to conduct business with the City of Troy;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council **DECLARES** that Pennington Collision is eligible to conduct business with the City of Troy, as allowed by the Troy City Charter, Section 6.12 (a).

Yes: Henderson, Hodorek, Slater, Abraham, Baker
No: None
Absent: Campbell
Recused: Pennington

MOTION CARRIED

O. COUNCIL COMMENTS:

O-1 No Council Comments Advanced

P. REPORTS:

P-1 Minutes – Boards and Committees:

- a) Planning Commission-Final – July 26, 2016
- b) Building Code Board of Appeals-Draft – August 3, 2016
Noted and Filed

P-2 Department Reports:

- a) City Council Expense Report – July 2016
Noted and Filed

P-3 Letters of Appreciation:

- a) To Chief Roberts from Lisa Kelley, Beachwood Social Chair, Regarding Assistance with their Annual 4th of July Parade
- b) To Fire Station #6 from Jeff and Catherine Lacey Regarding Response to a Smoking Electrical Panel
- c) To Chief Roberts and Alliance Mobile Health from Leslie Wojcik Regarding Carbon Monoxide Detector Alarm
Noted and Filed

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

P-5 Invitation to Attend Congressman Dave Trott’s “Combatting Opioid Addiction and Helping Families in Need” Event

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

The Meeting **RECESSED** at 10:19 PM.

The Meeting **RECONVENED** at 10:30 PM.

R. CLOSED SESSION:

R-1 Closed Session as Approved by Resolution #2016-08-147: *N-1a Proposed Resolution to Incorporate City Manager Plan of Action into City Manager Kischnick’s Employment Agreement*

S. ADJOURNMENT:

The Meeting **ADJOURNED** at 12:15 AM.

Mayor Dane Slater

M. Aileen Dickson, MMC
City Clerk



CITY COUNCIL AGENDA ITEM

Date: September 1, 2016

To: Brian Kischnick, City Manager

From: Kurt Bovensiep, Public Works Director
Tom Darling, Financial Services Director
MaryBeth Murz, Purchasing Manager

Subject: Standard Purchasing Resolution 4 - MiDeal Extended Purchasing Program – 4 Ton Falcon Asphalt Recycler & Hot Box Trailer

History

The Streets and Drains Division is responsible for maintaining the city's major, industrial, and local road surfaces. These surfaces require maintenance to ensure the safety of vehicular traffic. When the pavement surface fails causing a pothole, the city responds by installing a cold patch material. The Streets Division warms this material in a Hot Box Trailer for better placement and increases the adhesives properties. This particular Hot Box Trailer will also allow the Streets Division to use excess asphalt stock piled at the Department of Public Works Yard to a useable material to replace the purchased cold patch. This will reduce the amount of expenditures for the cold patch material.

Purchasing

Falcon Road Maintenance Equipment, LLC of Midland, MI is the awarded low bidder for the State of Michigan MiDeal Extended Purchasing Program Contract #071B1300079 for a 4-ton Asphalt Recycler & Hot Box Trailer including various options on the trailer unit.

Financial

Funds for this piece of equipment are available in the Capital Budget as Project #2017C0013 in Major Streets.

Recommendation

City management recommends awarding a contract to purchase one (1) 4-Ton Falcon Asphalt Recycler & Hot Box Trailer including various options from *Falcon Road Maintenance Equipment, LLC of Midland, MI* through State of Michigan MiDeal Program Contract #071B1300079 for an estimated total cost of \$25,363.00 at prices contained in the quote received August 29, 2016.

PRICE QUOTE

No. OZ082916-513

Falcon RME, LLC
120 Waldo Ave.
Midland, MI 48642
Phone: (989) 495 – 9332
Fax: (989) 495 – 9342

Requested By: Troy DPW
4693 Rochester Rd
Troy, MI 48085 US

End Customer: Same

| Quote Date | Quote Good Through | Freight Terms | Requested By | Payment Terms |
|------------|--------------------|-----------------|----------------|---------------|
| 08/29/16 | 10/08/16 | FOB Midland, MI | Kurt Bovensiep | Net 30 Days |

| Qty | Item No | Description | Price |
|---------------------------|---------|---|----------|
| 1 | MI10259 | 4-Ton Falcon Asphalt Recycler & Hot Box Trailer 12-Volt Battery Triple Wall Construction and Fully Insulated Automatic Temperature Control Diesel Fuel Source VIP Technology - Voltage Indicator and Protector Controller Automatically Prevents Burner(s) from Operating Below Burner Manufacturer's Required Voltage One-Piece, Seamless Ceramic Combustion Chamber Independently Certified 92% Fuel Efficiency Tandem Axle Trailer Frame - 2" x 6" x 3/16" Tubular Steel Diamond Tread Plate Hopper Access Platform Electric Brakes w/ Safety Breakaway Conspicuity Tape Included Options: LED Lighting Upgrade - Two Red Stop/Tail/Turn Lights Release Agent Dispenser Holder Tool Holder - 2-Positions Rear Mounted Analog 50/550 Thermometer | \$14,163 |
| Quote Continued on Page 2 | | | |

Additional Options:

| | |
|--|---------|
| Battery Charger Package | \$508 |
| Dual Burner Recycling Package (2nd Burner, 2nd Heat Duct and 24-Hour Timer Included) | \$4,348 |
| Dump Box (12-Volt Electric Over Hydraulic) | \$4,293 |
| Upgrade to Two 5-Position Tool Holders | \$205 |
| Warning Light/Strobe | \$398 |
| Front and Rear Hopper Extensions | \$499 |
| Upgrade to ST235/80R 16" Tires - Load Range E | \$569 |
| One Hopper Access Step (2.5 x 12) | \$194 |
| Shovel Holders on Rear Unloading Door | \$186 |

| | |
|---|----------|
| Operator, Parts and Service Manual | Included |
| Two-Year Machine Warranty and Lifetime Frame Warranty | Included |
| Freight to Troy, MI | Included |
| Training | Included |

Total Price for Base Unit and All Additional Options \$25,363

Plus Applicable Sales Tax

Falcon 4-Ton Dual Burner with Dump Box, Tool Holders and 16" Tire Upgrade



Why Falcon?

It's Versatile

- Recycle leftover asphalt, chunks and millings (a dual burner)

unit is required to recycle millings)

- Transport asphalt and keep it hot all day and hold it overnight
- Heat and re-heat cold patch

It's Cost-Effective

- When used as a hot box, it eliminates asphalt waste that occurs in the back of an unheated truck bed
- When used as a recycler, it recycles leftover asphalt and asphalt chunks torn up from the pavement
- Independently certified 92% fuel efficiency – uses less than 3 gallons of fuel per 8-hour shift

It's Reliable

- VIP Technology (patent pending) – Protects burner components by automatically preventing burner from operating with low battery voltage
- A Falcon is designed to allow the burner to run while in tow - preventing material from cooling while being transported
- Heat management system is engineered to provide even hopper temperatures – eliminating material scorching from hot spots and material hardening from cold spots
- Standard 2-year machine warranty and lifetime frame warranty

It's a Falcon



CITY COUNCIL AGENDA ITEM

Date: September 12, 2016

To: Brian Kischnick, City Manager

From: Kurt Bovensiep, Public Works Director

Subject: Winter Maintenance Agreement, Road Commission for Oakland County

History

Since 2001, the City of Troy has serviced all county roads in Troy for snow and ice control. The amount of the Winter Maintenance Agreement compensation to the City for the 2015-16 winter season totaled \$274,661. The 2016-17 Winter Maintenance Agreement contract is for \$280,153.81, which is a 2% increase from last year. Attached are copies of the proposed 2016/2017 Winter Maintenance Agreement between the Road Commission for Oakland County and the City of Troy.

Over the life of these contracts, compensation from the Road Commission of Oakland County seldom fully subsidizes all expenses but does provide a higher level of service by the City. The higher level of service has caused the City to subsidize this operation by an additional average of \$107,131 per year over the last 15 years. For detailed expense information, refer to the attached Road Commission of Oakland County Winter Maintenance Contract Expense History chart.

I am excited to announce that we are beginning to see a decline in price for road salt. Taking advantage of the MiDeal cooperative purchasing agreement, current pricing is between \$36.79 and \$41.23 per ton. See the attached "Seasonal Back-Up Salt Prices" line graph for historical salt price data.

It is evident that this agreement is beneficial to the residents, businesses and traveling public concerning the level and timeliness of service. The City is able to administer snow and ice control in a more timely and uniform manner to these high priority roads, while allowing the county to concentrate on its highest priority roads, I-75 and M-59.

Financial

Funds are budgeted and available in the County Road Winter Maintenance operating budgets (Labor 101.502.7702, Materials 101.502.7774.115 and Equipment 101.502.7943).

Recommendation

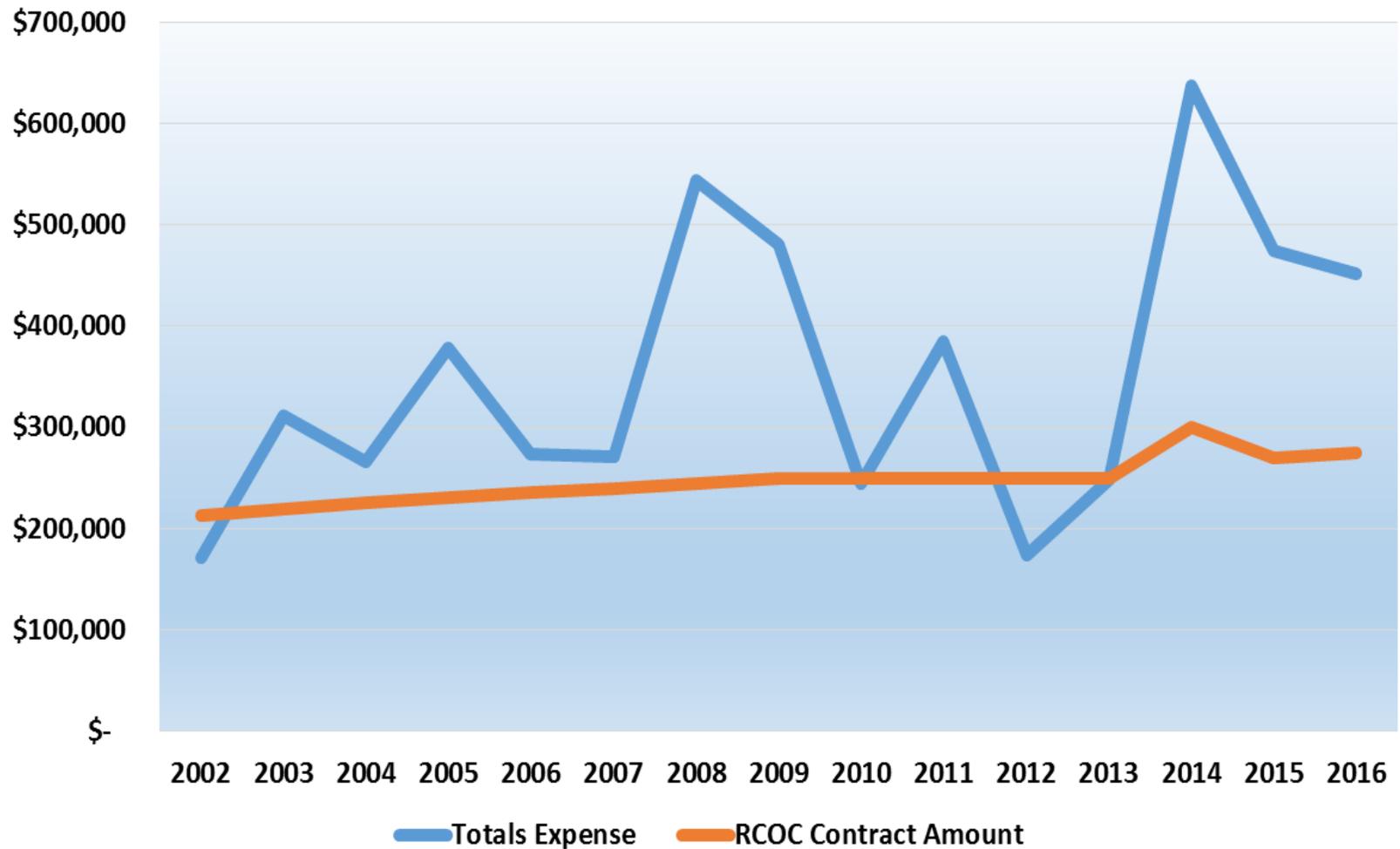
City Management is in agreement with the lane mile figures as presented, and calculations used to determine the compensation for each road configuration; therefore, we recommend that the proposed maintenance agreement be approved.

City Attorney's Review as to Form and Legality

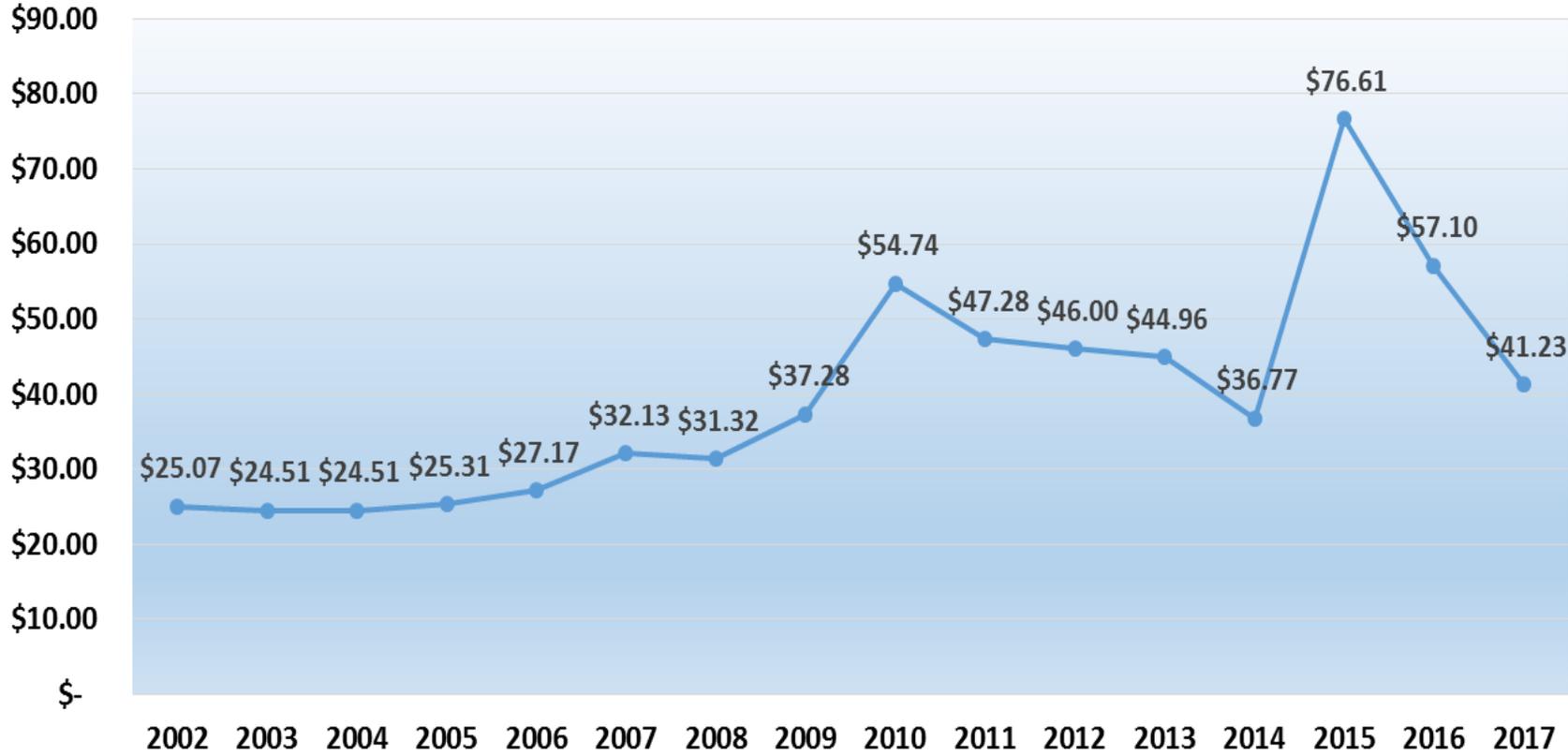
Lori Grigg Bluhm, City Attorney

Date

County Road Snow Removal Revenue/Cost History



Salt Per Ton





QUALITY LIFE THROUGH GOOD ROADS:
ROAD COMMISSION FOR OAKLAND COUNTY
"WE CARE."

Board of Road Commissioners

*Ronald J. Fowkes
Commissioner*

*Gregory C. Jamian
Commissioner*

*Eric S. Wilson
Commissioner*

*Dennis G. Kolar, P.E.
Managing Director*

*Gary Piotrowicz, P.E., P.T.O.E.
Deputy Managing Director
County Highway Engineer*

Highway Maintenance
Department

2420 Pontiac Lake Road
Waterford, MI
48328

248-858-4881

FAX
248-858-7607

www.rcocweb.org

August 29, 2016

Mr. Kurt Bovensiep
Public Works Director
City of Troy
500 West Big Beaver Road
Troy, Michigan 48084-5285

RE: 2016-2017 Winter Maintenance Agreement

Dear Mr. Bovensiep:

Attached are two copies of a Winter Maintenance Agreement between the Road Commission for Oakland County and the City of Troy.

This 2016-2017 agreement has an increase of 2%, which increases the amount from \$274,660.60 to \$280,153.81.

If this agreement is satisfactory, please return the two-signed copies and the resolution of approval by your City Council. One fully signed copy will be returned to you upon approval by the Board of Road Commissioners.

Please furnish proof that your liability insurance covers this agreement, and particularly covers your personnel and equipment working on county roads under the jurisdiction of the Board of Road Commissioners. If there are any changes in this coverage during the term of this agreement, we must be notified of these changes. We will also need a current certificate of membership in the Michigan Municipal Workers Compensation Fund.

The Board of Road Commissioners and I extend our appreciation to you, the City Council, and your personnel for the fine work that has been done. We will continue to cooperate in any way to provide our citizens with the best road system possible.

We request that your signed agreement be returned to us no later than the end of November, so that we may present the agreement to our Board prior to the end of the year, which will allow RCOC to make payments per the agreement.

Sincerely,

Darryl M. Heid, P.E.
Director of Highway Maintenance

/dr
Attachment

2016-2017 WINTER MAINTENANCE AGREEMENT
CITY OF TROY

Under 1951 PA 51, As Amended

This Winter Maintenance Agreement (“Agreement”) is made this ____ day of _____, 2016, between the Board of County Road Commissioners of the County of Oakland, State of Michigan, a public body corporate, hereinafter referred to as the “Board,” and the City of Troy, Oakland County Michigan, a Michigan municipal corporation hereinafter referred to as the “City.”

WHEREAS, certain county primary and local roads more specifically set forth in Exhibit A, attached hereto, are under the jurisdiction and control of the Board and are located within or adjacent to the City; and

WHEREAS, The City desires to be responsible for certain winter maintenance of said roads under the terms of this Agreement, and the Board is willing to participate in the cost thereof as provided in Section III of this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants set forth herein as provided, it is hereby agreed as follows:

I

The City will perform Winter Maintenance of certain roads under the terms of this Agreement, and the Board will participate in the cost thereof as provided in Section III of this Agreement. “Winter Maintenance,” herein required to be performed by the City, shall mean snow removal and ice control, on all roads listed in Exhibit A, as follows: Snow removal by blading, plowing and other methods necessary to make the roads reasonably safe for public travel, and ice control by salting, sanding, scraping and other methods necessary to make the roads reasonably safe for public travel, together with such other work and services, such as recordkeeping and insurance, required by this Agreement. All Winter Maintenance work and services performed by the City shall be in accordance with the Board’s maintenance guidelines, including the Board adopted Winter Maintenance Guidelines, the Board’s standard practices and this Agreement.

II

The City shall keep accurate and uniform records of all Winter Maintenance work performed pursuant to this Agreement. The Board shall have the right to audit City accounts and records insofar as such documents concern this Agreement and the work and services performed and to be performed hereunder.

III

In consideration of the assumption of Winter Maintenance by the City, the Board hereby agrees to pay to the City the sum of \$280,153.81, as set forth in Exhibit A, attached hereto and made a part hereof. Such amounts are to be used by the City for Winter Maintenance. Payments are to be made by the Board to the City as follows:

50% in December, 2016
50% in March, 2017

The making of said payments shall constitute the Board's entire obligation in reference to Winter Maintenance.

IV

The City hereby agrees to hold harmless, represent, defend and indemnify the Board, the Road Commission for Oakland County, its officers, and employees of the County of Oakland; the Office of the Oakland County Water Resources Commissioner and applicable drainage districts(s); the Michigan State Department of Transportation and the Transportation Commission; and any and all local units(s) of government within which the roads subject to this Agreement are located, against any and all claims, charges, complaints, damages, or causes of action for (a) public or private property damage, (b) injuries to persons (including death), or (c) other claims, charges, complaints, damages or causes of action arising out of the performance or non-performance of the activities which are the subject matter of this Agreement, specifically those activities set out in Section I, both known and unknown, whether during the progress or after the completion thereof. However, this hold harmless provision does not apply in so far as any claim or suit is alleged to be, or demonstrated to be, the result of a defect in highway design or condition and not related to the Winter Maintenance activities set out in Section I. Further, since the Board has the statutory responsibility for maintenance of the roads under this Agreement, it is the intent of the parties that the delegation by this Agreement of those maintenance responsibilities to the City provide immunity to the City as an agent of the County. Therefore, the City falls within the governmental immunity protection of the County.

During that part of the year that the City is providing Winter Maintenance under Section I, the City agrees to promptly notify the Board as soon as possible, but not longer than 10 days, should it become aware of defects or maintenance requirements in the roads set forth in Exhibit A, if said defects or maintenance requirements are not Winter Maintenance subject to this Agreement.

V

The City shall acquire and maintain, during the term of the Agreement, statutory worker's compensation insurance, employer's liability insurance, automobile and comprehensive general liability insurance coverages, as more fully described in Exhibit B attached hereto, covering the Board's liability for any and all claims arising out of the City's performance or non-performance of the activities which are the subject matter of this Agreement.

VI

The City further agrees to comply with all applicable laws and regulations, including laws and regulations of the State of Michigan for safeguarding the air and waters of the State. In particular, City facilities and operations must meet the provisions of Part 5 (Spillage of Oil and Polluting Materials) rules promulgated pursuant to Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. (Rules R324.2001 through R324.2009 address release prevention planning, secondary containment, surveillance, and release reporting requirements).

VII

In accordance with Michigan 1976 Public Acts No. 220 and 453, being MCLA §§37.1209 and 37.2209, as the same may be amended, the City and its subcontractors shall not discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, or marital status; or because of a disability that is unrelated to the

WINTER MAINTENANCE
2016-2017
CITY OF TROY

EXHIBIT A

Long Lake Road

Extending from Adams to Dequindre

| Miles | Cost Per Mile | | Subtotal Miles x Cost |
|-------|---------------|-------|--------------------------|
| 1.54 | \$3,649.62 | TOTAL | \$ 5,620.41 |
| 0.16 | \$5,178.18 | | \$ 828.61 |
| 3.47 | \$6,386.85 | | \$ 22,162.37 |
| 0.86 | \$7,877.52 | | \$ 6,774.67 |
| TOTAL | | | \$ 35,386.06 |

John R Road

Extending from Fourteen Mile Road to South Boulevard

| Miles | Cost Per Mile | | Miles x Cost |
|-------|---------------|--|--------------|
| 1.15 | \$3,649.62 | | \$ 4,197.06 |
| 0.32 | \$5,178.18 | | \$ 1,657.02 |
| 4.37 | \$6,386.85 | | \$ 27,910.53 |
| 0.38 | \$7,877.52 | | \$ 2,993.46 |
| TOTAL | | | \$ 36,758.07 |

Big Beaver

Extending from Adams to Dequindre

| Miles | Cost Per Mile | | Miles x Cost |
|-------|---------------|--|--------------|
| 3.40 | \$6,386.85 | | \$ 21,715.29 |
| 2.61 | \$7,877.52 | | \$ 20,560.33 |
| TOTAL | | | \$ 42,275.62 |

Crooks Road

Extending from Maple Road to South Boulevard

| Miles | Cost Per Mile | | Miles x Cost |
|-------|---------------|--|--------------|
| 0.38 | \$3,649.62 | | \$ 1,386.86 |
| 0.26 | \$5,178.18 | | \$ 1,346.33 |
| 3.08 | \$6,386.85 | | \$ 19,671.50 |
| 1.40 | \$7,877.52 | | \$ 11,028.53 |
| TOTAL | | | \$ 33,433.21 |

Livernois Road

Extending from Maple Road to South Boulevard

| Miles | Cost Per Mile | | Miles x Cost |
|-------|---------------|--|--------------|
| 1.31 | \$3,649.62 | | \$ 4,781.00 |
| 0.34 | \$5,178.18 | | \$ 1,760.58 |
| 3.05 | \$6,386.85 | | \$ 19,479.89 |
| 0.43 | \$7,877.52 | | \$ 3,387.33 |
| TOTAL | | | \$ 29,408.81 |

CITY OF TROY
 EXHIBIT A
 (Continued)

Maple Road

Extending from Dequindre to Coolidge

| Miles | Cost Per Mile | Miles x Cost |
|-------|---------------|--------------|
| 5.01 | \$6,386.85 | \$ 31,998.12 |

South Boulevard

Extending from Dequindre to Adams

| Miles | Cost Per Mile | Miles x Cost |
|-------|---------------|--------------|
| 5.96 | \$3,649.62 | \$ 21,751.74 |

Dequindre Road

Extending from Fourteen Mile to South Boulevard

| Miles | Cost Per Mile | Miles x Cost |
|-------------|-------------------|---------------------|
| 2.16 | \$3,649.62 | \$ 7,883.18 |
| <u>3.98</u> | <u>\$6,386.85</u> | <u>\$ 25,419.66</u> |
| 6.14 | | TOTAL \$ 33,302.84 |

Adams Road

Extending from South Troy City Limits to South Boulevard

| Miles | Cost Per Mile | Miles x Cost |
|-------|---------------|--------------|
| 4.34 | \$3,649.62 | \$ 15,839.35 |

TOTAL \$ 280,153.82

| | |
|-----------------------|----------------------|
| 50% in December, 2016 | \$ 140,076.91 |
| 50% in March, 2017 | <u>\$ 140,076.91</u> |
| | \$ 280,153.82 |

EXHIBIT B

2016-2017 WINTER MAINTENANCE AGREEMENT

ROAD COMMISSION FOR OAKLAND COUNTY

**INSURANCE PROVISION
(CITY)**

Insurance Coverage:

The City, prior to execution of the maintenance agreement, shall file with the Road Commission for Oakland County, copies of completed certificates of insurance as evidence that he carries adequate insurance satisfactory to the Board. Insurance coverage shall be provided in accordance with the following:

- a. Worker's Compensation and Employer's Liability Insurance: The insurance shall provide worker's compensation protection for the City's employees, to the statutory limits of the State of Michigan, and provide Part B Employers Liability as follows:

| | |
|-------------------------|-----------|
| Each Accident | \$500,000 |
| Disease – Each Employee | \$500,000 |
| Disease – Policy Limit | \$500,000 |

The indemnification obligation under this section shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the City under worker's disability compensation coverage established by law.

- b. Bodily Injury and Property Damage: The insurance shall provide protection against all claims for damages to public or private property, and injuries to persons arising out of and during the progress and to the completion of the work, and with respect to product and completed operation for one year, after completion of the work.
 - 1. Bodily Injury and Property Damage Other Than Automobile: The minimum limits of property damage and bodily injury liability covering each contract shall be:

| | |
|--|----------------------------|
| Bodily Injury and Property Damage Liability: | or: Combined Single Limit: |
| Each Person \$1,000,000 | Aggregate \$2,000,000 |
| Each Occurrence \$1,000,000 | |
| Aggregate \$2,000,000 | |

Such insurance shall include: 1) explosion, collapse, and underground damage hazards (x,c,u), which shall include, but not be limited to coverage for (a) underground damage to facilities due to drilling and excavating with mechanical equipment; and (b) collapse or structural injury to structures due to blasting or explosion, excavation, tunneling, pile driving, cofferdam work, or building moving or demolition; (2) products and completed operations; (3) contractual liability; and (4) independent contractors coverages.

2. Bodily Injury Liability and Property Damage Automobiles: The minimum limits of bodily injury liability and property damage liability shall be:

| | | |
|--|-------------|------------------------------|
| Bodily Injury and Property Damage Liability: | | or: Combined Single Limit: |
| Each Person | \$1,000,000 | Each Occurrence: \$1,000,000 |
| Each Occurrence | \$1,000,000 | |

Such insurance shall include coverage for all owned, hired, and non-owned vehicles.

- c. Excess and Umbrellas Insurance – The City may substitute corresponding excess and/or umbrella liability insurance for a portion of the above listed requirements in order to meet the specified minimum limits of liability.
- d. The City shall provide for and in behalf of the Road Commission for Oakland County and all agencies specified by the Road Commission, as their interest may appear, Owner’s Protective Public Liability Insurance. Such insurance shall provide coverage and limits the same as the City’s General Liability Insurance.
- e. Notice – The City shall not cancel, renew, or non-renew the coverage of any insurance required by this Section without providing 30 day prior written notice to the Road Commission for Oakland County. All such insurance shall include an endorsement whereby the insurer shall agree to notify the Road Commission for Oakland County 30 days in advance of any reduction by the City. The City shall cease operations on the occurrence of any such cancellation or reduction, and shall not resume operations until new insurance is in force. If the City cannot secure the required insurance within 30 days, the Board reserves the right to terminate the Contract.
- f. Reports: Within thirty (30) days of receipt of each claim, the City or its insurance carrier shall report to the Road Commission a description of the claim received, the claim investigations made, and the disposition of claim.

See provisions of the maintenance agreement to which this Exhibit B is attached.



CITY COUNCIL ACTION REPORT

August 29, 2016

TO: Brian Kischnick, City Manager

FROM: Gary G. Mayer, Chief of Police
David J. Roberts, Fire Chief

SUBJECT: Request to Temporarily Waive Parking Restrictions

Background:

The Congregation Shir Tikvah is requesting that the parking restrictions on the East side of Northfield Parkway from the entrance of Boulan Park to the entrance of the synagogue be waived on the following dates and times:

- Sunday, October 2, 2016, 7:00 pm - 11:00 pm
- Monday, October 3, 2016, 9:00 am - 5:00 pm
- Tuesday, October 11, 2016, 7:00 pm - 11:00 pm
- Wednesday, October 12, 2016, 9:00 am - 9:00 pm

Congregation Shir Tikvah is conducting events related to the observance of the High Holidays on these dates and times; although they have arranged for additional parking at Stonehaven Church on Wattles Road, they fear they will not have sufficient parking space for all attendees.

The waiving of the restrictions would allow attendees to park on the dirt shoulder of Northfield Parkway.

Recommendation:

City Ordinance prohibits parking on Northfield Parkway; therefore, City Council action is required to grant a variance.

Congregation Shir Tikvah makes such requests and is granted a variance regularly; no problems have ever been reported.

Congregation Shir Tikvah

August 16, 2016

Chief Gary Mayer
Troy Police Department
500 West Big Beaver
Troy, MI 48084

Dear Chief Mayer,

This letter seeks permission for an exemption to the "No Parking" rule for the dirt shoulder on the east side of Northfield Parkway from the entrance to our synagogue south to the entrance of Boulan Park for tertiary parking during our High Holiday observances listed below.

Attendance at our religious services is typically containable in our lot with the use of Stonehaven Church on Wattles for overflow. We have a reciprocal arrangement with the church. During our High Holidays, even these two lots are not sufficient so the need for the Parkway is requested in lieu of using the sub-divisions east and west of us since this has caused some issues with neighbors in the past.

The dates and times are:

Sunday, October 2 from 7:00 p.m. to 11:00 p.m.
Monday, October 3 from 9:00 a.m. to 5:00 p.m.
Tuesday, October 11 from 7:00 p.m. to 11:00 p.m.
Wednesday, October 12 from 9:00 a.m. to 9:00 p.m.

Sincerely yours,



Lorelei Berg
Executive Director
248-649-4418 x1
Lorelei@shirtikvah.org



CITY COUNCIL AGENDA ITEM

Date: September 14, 2016

To: Brian Kischnick, City Manager

From: Mark Miller, Director of Economic & Community Development
Elaine S. Bo, Recreation Director

Subject: Municipal Credit and Community Credit Agreement for 2017

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. Municipal credit funds are made available to SMART through legislative appropriation based on projected revenue estimates pursuant to Michigan Public Act 51 of 1951. For the fiscal year 2017 the amount Troy would receive is \$79,648.

Community credits are a direct result of the SMART millage that provides opt-in communities with additional funds for specialized services. For the fiscal year 2017 the amount Troy would receive is \$101,810.

Troy's municipal and community credit dollars have been used to support the community based Troy Medi-Go Plus service. Medi-Go Plus provided more than 14,000 rides to Troy senior and disabled riders to medical appointments and other important destinations in 2015. The boundaries for this program remain the same. General Funds are not used to support this program.

City staff spoke with Robert Cramer, Deputy General Manager of SMART, to clarify how the City of Troy can spend the community and municipal credits. Both have very flexible guidelines.

- Community Credits can be spent on almost anything related to transportation. (i.e.- landscape of a bus stop, etc.)
- Municipal Credits are slightly more restrictive.
- Both types of credits could be used on the City of Troy's Trolley program.

Troy's Medi-Go Plus program receives Specialized Service Funds from SMART in the amount of \$23,604 for 2017. These funds are given directly to Medi-Go Plus.

Troy's Medi-Go Plus has significant demand and continues to grow.



CITY COUNCIL AGENDA ITEM

Recommendation:

It is recommended that the City enter into a contract for Municipal and Community Credits with SMART for \$79,648 and \$101,810 respectively. This fund is utilized for transportation service for senior citizens and persons with disabilities.

City Attorney's Review as to Form and Legality

Approved as to Form and Legality:

Lori Grigg Bluhm, City Attorney

MUNICIPAL CREDIT and COMMUNITY CREDIT CONTRACT
for FY - 2017

I, Dane Slater, as the Mayor of City of Troy (hereinafter, the "Community") hereby apply to SMART and agree to the terms and conditions herein, for the receipt and expenditure of **Municipal Credits** (Section 1 below), and **Community Credits** (Section 2 below); and further agree that the **Municipal and Community Credits Master Agreement** between the parties is incorporated herein by reference. A description of the service the Community shall provide hereunder is set forth in Exhibit A, and the operating budget for that service is set forth in Exhibit B, both of which are attached hereto and incorporated herein.

1. The Community agrees to use \$ 79,648 in **Municipal Credit** funds as follows:

- (a) Transfer to _____ Funding of: \$ _____
TRANSFeree COMMUNITY
- (b) Van/Bus Operations At the cost of: \$ 79,648
(Including Charter and Taxi services)
- (c) Services Purchased from SMART At the cost of: \$ _____
(Including Tickets, Shuttle Services/Dial-a-Ride)

Total \$ 79,648

SMART intends to provide Municipal Credit funds under this contract to the extent funds for the program are made available to it by the Michigan Legislature pursuant to Michigan Public Act 51 of 1951. Municipal Credit funds made available to SMART through legislative appropriation are based on projected revenue estimates. In the event that revenue actually received is insufficient to support the Legislature's appropriation, it will result in an equivalent reduction in funding provided to the Community pursuant to this Contract. In such event, SMART reserves the right, without notice, to reduce the payment of Municipal Credit funds by the amount of any reduction by the legislature to SMART. All funding must be spent by September 30, 2018; all funds not spent by that date will revert back to SMART pursuant to Michigan Public Act 51 of 1951, for expenditure consistent with Michigan law and SMART policy.

2. The Community agrees to use \$ 101,810 in **Community Credit** funds available as follows:

- (a) Transfer to _____ Funding of: \$ _____
TRANSFeree COMMUNITY
- (b) Van/Bus Operations At the cost of: \$ 101,810
(Including Charter and Taxi services)
- (c) Services Purchased from SMART At the cost of: \$ _____
(Including Tickets, Shuttle Services/Dial-a-Ride)
- (d) Capital Purchases At the cost of: \$ _____

Total \$ 101,810

MUNICIPAL CREDIT and COMMUNITY CREDIT CONTRACT for FY - 2017

Capital purchases permitted with Community Credits are subject to applicable state and federal regulations, and SMART policy, including procurement guidelines. When advantageous, SMART may make procurements directly. Reimbursement for purchases made by Community requires submission of proper documentation to support the purchase (i.e. purchase orders, receiving reports, invoices, etc.). Community Credit dollars available in FY 2017, may be required to serve local employer transportation needs per the coordination requirements set forth in the aforementioned Master Agreement. All Community Credit funds must be spent by June 30, 2019 unless approval from SMART General Manager is obtained to extend Community Credits for an additional 2 years to allow accrual for major capital projects; any funds not spent by that date may revert back to SMART for expenditure consistent with SMART policy.

This agreement shall be binding once signed by both parties.

City of Troy

By: _____

Date _____

Its: _____

Suburban Mobility Authority for
Regional Transportation

Date _____

By: _____

John C. Hertel
General Manager

EXHIBIT A

PROJECT DESCRIPTION

Community: Troy

Project: MUNICIPAL/COMMUNITY CREDIT PROGRAM

FISCAL YEAR 2017: JULY 1, 2016 through JUNE 30, 2017

Overall Project Description:

Troy Medi-Go Plus is a nonprofit community organization dedicated to helping Troy senior citizens and adults with disabilities in need of transportation get to medical appointments and other important destinations.

Service Area:

City of Troy plus these boundaries for medical appointments, educational and work trips only: 12 Mile, Mound, Auburn Rd, and Southfield Roads for medical appointments and work and educational trips.

Service Times:

Monday through Friday from 8:30 a.m. to 4 p.m.

Eligible User Groups:

Troy residents age 60 and older and Troy residents with disabilities age 18 and older.

Fare Structure

\$2 per one way trip and additional donations are encouraged.

Service Mode:

Three 14-passenger vehicles, two 13-passenger vehicles and one seven passenger vehicle. All vehicles are wheelchair accessible.

**EXHIBIT B
PROJECT OPERATION BUDGET**

COMMUNITY: *(Type Community/Agency Name Here)*
PROJECT: **Municipal and Community Credits Program**
FISCAL YEAR 2017: JULY 1, 2016 through JUNE 30, 2017

OPERATING EXPENSES:

| | | |
|--|---------------|----------------------|
| Administrative Fee <i>(max. is 10% of MC/CC Funds)</i> | \$ - | |
| Driver Wages | \$ 158,000.00 | |
| Fringe Benefits | \$ 5,200.00 | |
| Gasoline & Lubricants | \$ 25,500.00 | |
| Vehicle Insurance | \$ 26,000.00 | |
| Parts, Maintenance Supplies | \$ 27,162.00 | |
| Mechanic Wages | \$ - | |
| Fringe Benefits | \$ - | |
| Dispatch Wages | \$ - | |
| Cell phones or other overhead costs <i>(Telephone)</i> | \$ 8,200.00 | |
| Sub Total <i>(Operating Expenses)</i> | | <u>\$ 250,062.00</u> |

PURCHASED SERVICES

| | | |
|--------------------------------------|------|-------------|
| Taxi Service | \$ - | |
| Charter Service | \$ - | |
| SMART Bus Tickets | \$ - | |
| SMART Shuttle Service | \$ - | |
| SMART Dial-A-Ride | \$ - | |
| Sub Total <i>(Purchased Service)</i> | | <u>\$ -</u> |

CAPITAL EQUIPMENT

(Only list purchases to be made with Community Credits)

| | | |
|--------------------------------------|------|-------------|
| Computer Equipment | \$ - | |
| Software | \$ - | |
| Vehicle | \$ - | |
| Maintenance Equipment | \$ - | |
| Other <i>(Specify)</i> | \$ - | |
| Sub Total <i>(Capital Equipment)</i> | | <u>\$ -</u> |

TOTAL EXPENSES

(Operating Expenses, Purchased Service and Capital Equipment)

\$ 250,062.00

REVENUES:

| | |
|---|---------------|
| Municipal Credit Funds | \$ 79,648.00 |
| Community Credit Funds | \$ 101,810.00 |
| Specialized Services Funds | \$ 23,604.00 |
| General Funds | \$ - |
| Farebox Revenue | \$ 30,000.00 |
| In-Kind Service | \$ - |
| Special Fares <i>(Contracted Service)</i> | \$ - |
| Other <i>(Specify)</i> | \$ 15,000.00 |

TOTAL REVENUE:

\$ 250,062.00

Submitted By:

Title

Date

Daniel Mayville

Treasurer

7/29/2016

(Note: Total Expenses MUST equal Total Revenue)

SMART EEO COMPLIANCE REPORT A Form

COMMUNITY PARTNERSHIP FORM

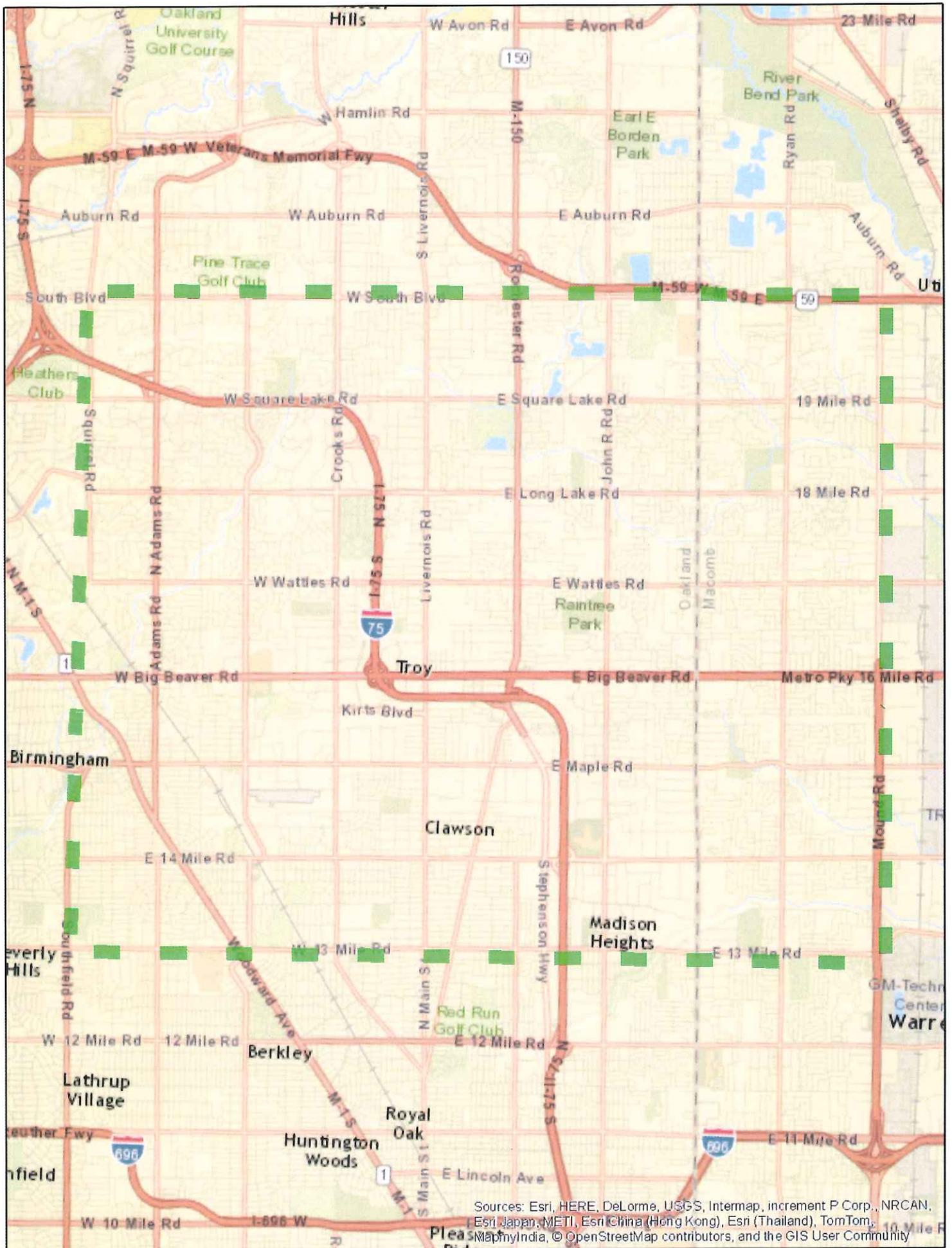
| Employment Data | | | | | | | | | | | | | | | | | | | | |
|--|-----------|------|--------|----------|--------------|--------|------------------|--------|----------|--------|-------|--------|------------------|--------|-----------------|--------|------------|--------|--|--|
| Report all Transit related permanent, temporary, or part-time employees including apprentices and on-the-job trainees. Enter the appropriate figures in the boxes below relating to an employee's race and gender. | | | | | | | | | | | | | | | | | | | | |
| Job Classification | Total | | | | Race | | | | | | | | | | | | | | | |
| | | | | | Non Minority | | Minority | | | | | | | | | | | | | |
| | Employees | Male | Female | Minority | White | | African American | | Hispanic | | Asian | | Pacific Islander | | American Indian | | Multi Race | | | |
| | | | | | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | | |
| Officials/Manager | 1 | 1 | | | 1 | | | | | | | | | | | | | | | |
| Professionals | | | | | | | | | | | | | | | | | | | | |
| Technicians | | | | | | | | | | | | | | | | | | | | |
| Sales Workers | | | | | | | | | | | | | | | | | | | | |
| Office and Clerical Staff | 2 | | 2 | | | 2 | | | | | | | | | | | | | | |
| Skilled Crafts | | | | | | | | | | | | | | | | | | | | |
| Operators | 10 | 9 | 1 | | 9 | | 0 | 1 | | | | | | | | | | | | |
| Laborers | | | | | | | | | | | | | | | | | | | | |
| Service Workers | | | | | | | | | | | | | | | | | | | | |
| Journey Workers | | | | | | | | | | | | | | | | | | | | |
| Apprentices | | | | | | | | | | | | | | | | | | | | |
| Total | | | | | | | | | | | | | | | | | | | | |

| Certification | |
|---|--|
| How was this information obtained? Visual Survey: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Employment Records: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | |
| Name of authorizing official(Print): GARRY GOOD | Title: TRANSPORTATION COORDINATOR |
| Telephone: 248-457-1100 Ext: | Email: |
| Signature: <i>Garry Good</i> | Date: 08-01-16 |
| Name of person completing report: GARRY GOOD | Title: |
| Telephone: | Ext: Email: |

SMART EEO COMPLIANCE REPORT A Form

COMMUNITY PARTNERSHIP FORM

| Agency/Community Information | | |
|--|------------------|---|
| Program Type: Community Partnership Program (CPP) <input type="checkbox"/> Specialized Service <input checked="" type="checkbox"/> New Freedom <input type="checkbox"/> JARC <input type="checkbox"/> 5310 <input type="checkbox"/> | | |
| Name of Agency/Community: <i>TROY MEDICAL PLUS</i> | | |
| Address: <i>3179 LIVERNOIS</i> | | |
| City: <i>TROY</i> | State: <i>MI</i> | Zip: <i>48083</i> |
| Agency/Community Data | | |
| 1) Has your agency/community completed in excess of \$1,000,000 in DOT federally-funded contracts in the past year? | | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| 2) Does your agency/community employ over fifty (50) transit related employees? | | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| If the answers to the previous two questions were both "Yes", Please forward your agency's/community's Affirmative Action plan to the address below: SMART Buhl Building 535 Griswold Street, Suite 600 Detroit, MI 48226 Attn: EEO Coordinator | | |
| Have all subcontractors been informed of their responsibility to file an EEO Compliance Report A form? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> | | |
| Drug and Alcohol Testing Program Requirements | | |
| Does your agency/community have a DOT Drug and Alcohol testing program for safety sensitive employees? (Vehicle operators, dispatchers, mechanics and armed security) | | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| Name of your Drug and Alcohol testing program manager: | | |
| Phone Number: <i>MELISSA DENNIS</i> <i>215 396 5564</i> | | |
| Email Address: | | |
| Please Proceed to Employment Data Section on the next page | | |



Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



CITY COUNCIL AGENDA ITEM

Date: September 12, 2016

To: Brian Kischnick, City Manager

From: Mark F. Miller, Director of Economic and Community Development
Steven J. Vandette, City Engineer
Brent Savidant, Planning Director
Larysa Figol, Sr. Right-of-Way Representative

Subject: Request for Acceptance of Two Permanent Easements from Troy Dining, LLC,
Sidwell #88-20-20-401-024

History

As part of the redevelopment of a parcel located in the southeast ¼ of Section 20 on the north side of Big Beaver, west of Alpine Road, the Engineering department received two permanent easements for sidewalks and water mains from Troy Dining, LLC, owner of the property having Sidwell #88-20-20-401-024. The development will accommodate the future Eddie V's Prime Seafood Restaurant.

Troy Planning Commission granted preliminary site plan approval on March 8, 2016.

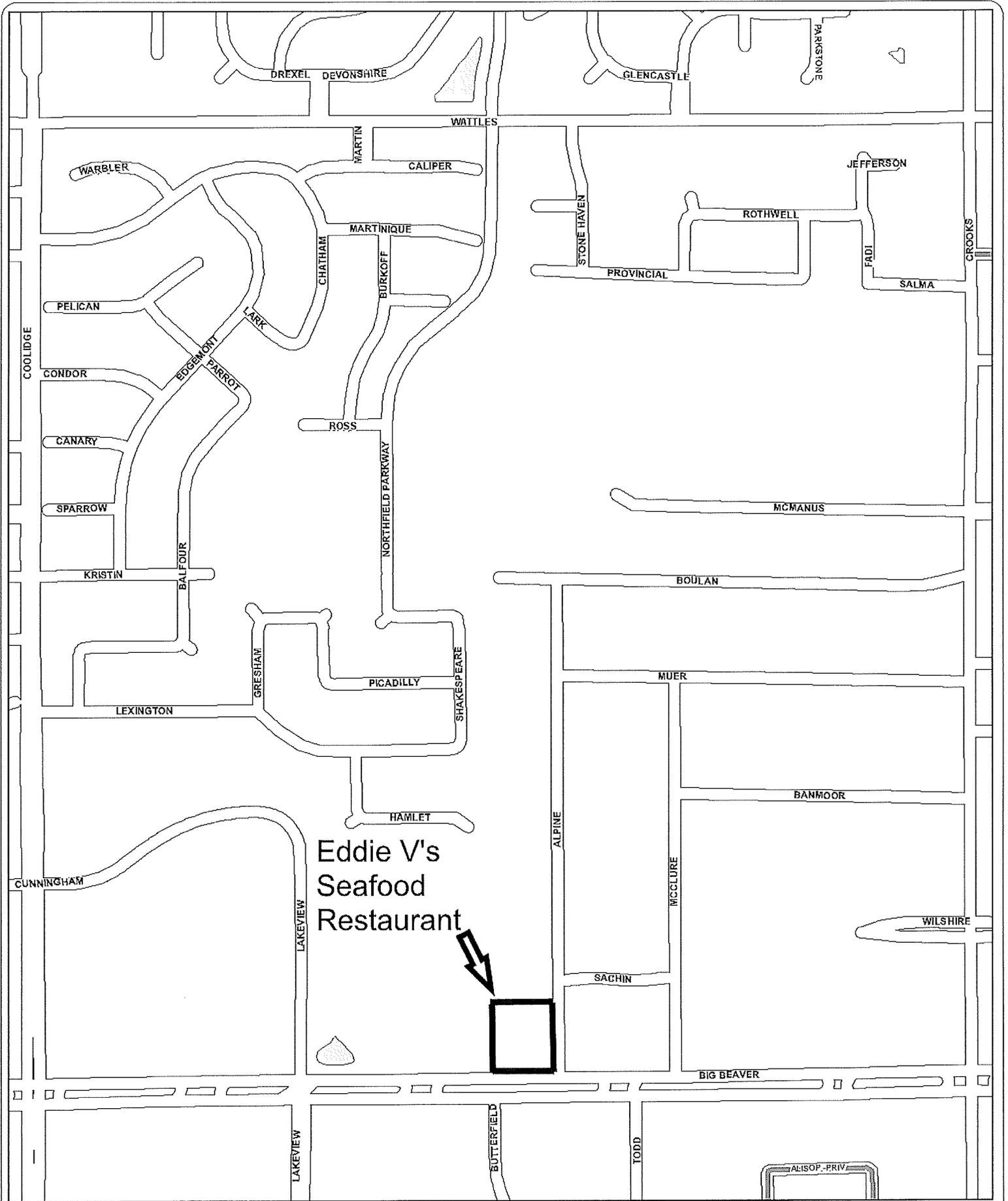
The format and content of these easements is consistent with conveyance documents previously accepted by City Council.

Financial

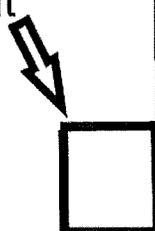
The consideration amount on each document is \$1.00.

Recommendation

City Management recommends that City Council accept the attached permanent easements consistent with our policy of accepting easements for development and improvement purposes.



Eddie V's
Seafood
Restaurant



PERMANENT EASEMENT

Sidwell #88-20-20-401-024 (part of)

TROY DINING, LLC, a Florida limited liability company, Grantor(s), whose address is 7940 Via Dellagio Way, Suite 200, Orlando, FL 32819 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 48084, grants to the Grantee the right to construct, operate, maintain, repair and/or replace sidewalks, 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 25th day of August A.D. 2016.

TROY DINING, LLC,
a Florida limited liability company

By: CW Family, LLLP
a Florida limited liability partnership
Its: Administrative Manager

By: CW Family, LLC
a Florida limited liability company
Its: General Partner

By _____
*Charles Whittall
Its: Manager

COUNTY OF Orange)
STATE OF Florida)

The foregoing instrument was acknowledged before me this 25th day of August, 2016, by Charles Whittall, Manager of CW Family, LLC, a Florida limited liability company, the General Partner of CW Family, LLLP, a Florida limited liability partnership, Administrative Manager of Troy Dining, LLC, a Florida limited liability company, on behalf of said company.



* _____
Notary Public, Orange County, Florida
My Commission Expires May 1, 2020
Acting in Orange County, Florida

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

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

EXHIBIT "A"

7 FOOT WIDE SIDEWALK EASEMENT:

Part of Lots 2 & 3 of "MUER'S GARDEN FARMS", as recorded in Liber 15 of Plats, Page 45, Oakland County Records, being part of the Southeast 1/4 of Section 20, T2N-R11E, City of Troy, Oakland County, Michigan, more particularly described as follows: Commencing at the Northeast Corner of Lot 3 of "MUER'S GARDEN FARMS", thence along the West line of Alpine Road (60 foot wide Right of Way) and the East line of Lot 3, S 00°30'00" W, 14.50 feet, to the POINT OF BEGINNING of the Easement to be described; thence continuing along the West line of Alpine Road and along the East line of Lots 2 and 3, S 00°30'00" W, 313.50 feet; thence along the North line of Big Beaver Road, due West, 7.00 feet; thence N 00°30'00" E, 302.49 feet; thence N 32°47'46" E, 13.10 feet, to the POINT OF BEGINNING.

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August 15, 2016

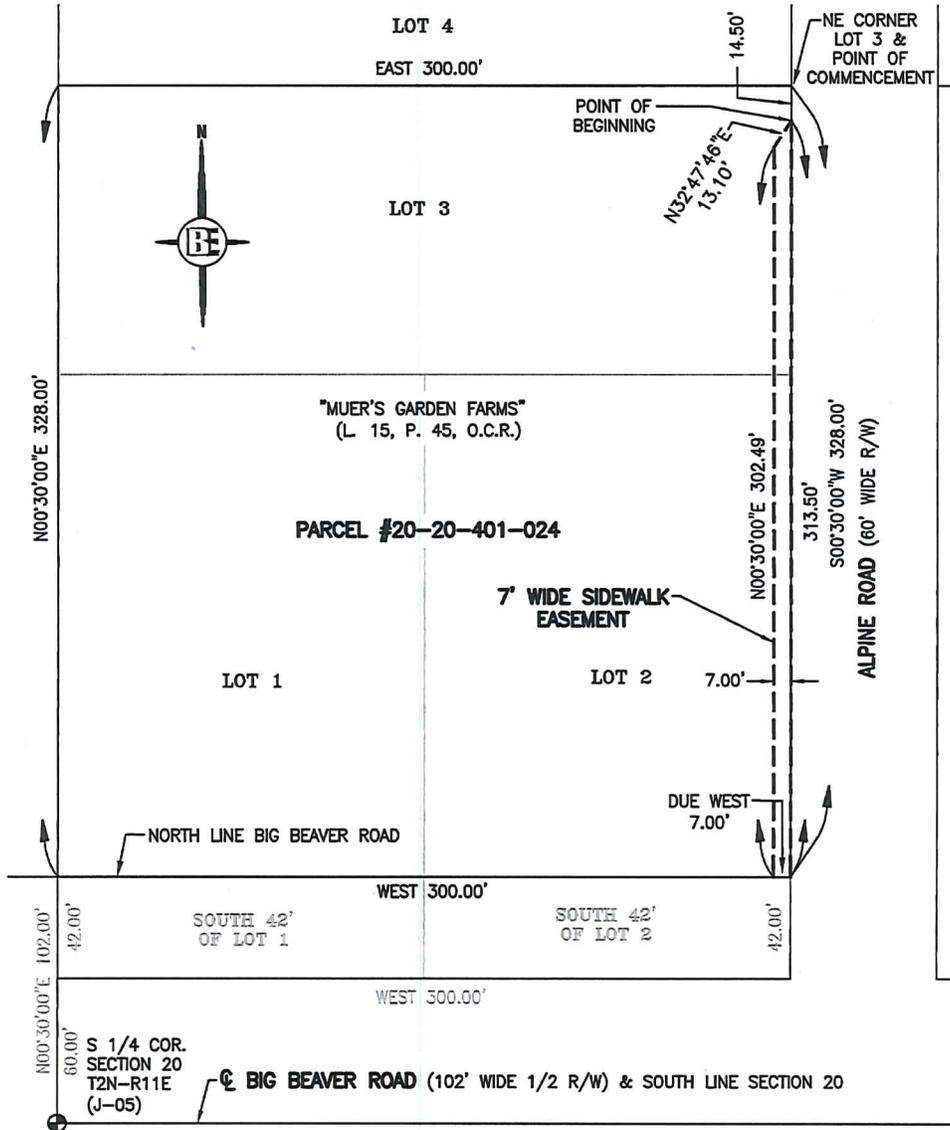
Job Number: 16-017
Sheet: 2 of 2

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Engineers - Surveyors - Planners - Landscape Architects
3121 E. GRAND RIVER
HOWELL, MICHIGAN
517-546-4836
www.bosseng.com



CHRISTOPHER S. FERGUS, P.S.

7' WIDE SIDEWALK EASEMENT



DESCRIPTION:
PART OF LOTS 2 & 3 OF "MUER'S GARDEN FARMS", AS RECORDED IN LIBER 15 OF PLATS, PAGE 45, OAKLAND COUNTY RECORDS, BEING PART OF THE SOUTHEAST 1/4 OF SECTION 20, T2N-R11E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN

BEBOSS
Engineering
Engineers Surveyors Planners Landscape Architects
3121 E. GRAND RIVER AVE.
HOWELL, MI. 48843
800.246.6735 FAX 517.548.1670



| | | |
|----------------------------|-----------------------------|--|
| CLIENT: DARDEN RESTAURANTS | SCALE: 1 INCH = 60 FEET | LEGEND ○ = IRON SET ● = IRON FOUND ⊙ = MONUMENT FOUND * = FENCE (R) = RECORDED (M) = MEASURED |
| JOB NO. 16-017 | DATE 8-10-16 | |
| SHEET 1 OF 2 | FB CREW | DR. AEB CK. |

G:\16-017\dwg\16-017_EA.dwg, 8/10/2016 10:08:22 AM, andy

PERMANENT EASEMENT

Sidwell #88-20-20-401-024 (part of)

TROY DINING, LLC, a Florida limited liability company, Grantor(s), whose address is 7940 Via Dellagio Way, Suite 200, Orlando, FL 32819 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 48084, grants to the Grantee the right to construct, operate, maintain, repair and/or replace water mains, 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.

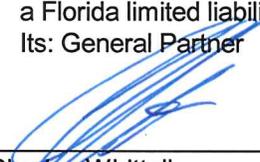
This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed his signature(s) this 25th day of August A.D. 2016.

TROY DINING, LLC,
a Florida limited liability company

By: CW Family, LLLP
a Florida limited liability partnership
Its: Administrative Manager

By: CW Family, LLC
a Florida limited liability company
Its: General Partner

By: 
*Charles Whittall
Its: Manager

COUNTY OF Orange)
STATE OF Florida)

The foregoing instrument was acknowledged before me this 25th day of August, 2016, by Charles Whittall, Manager of CW Family, LLC, a Florida limited liability company, the General Partner of CW Family, LLLP, a Florida limited liability partnership, Administrative Manager of Troy Dining, LLC, a Florida limited liability company, on behalf of said company.




*
Notary Public, Orange County, Florida
My Commission Expires May 1, 2020
Acting in Orange County, Florida

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

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

EXHIBIT "A"

20 FOOT WIDE WATERMAIN EASEMENT:

Part of Lots 2 & 3 of "MUER'S GARDEN FARMS", as recorded in Liber 15 of Plats, Page 45, Oakland County Records, being part of the Southeast 1/4 of Section 20, T2N-R11E, City of Troy, Oakland County, Michigan, more particularly described as follows: Commencing at the Northeast Corner of Lot 3 of "MUER'S GARDEN FARMS", thence along the West line of Alpine Road (60 foot wide Right of Way) and the East line of Lot 3, S 00°30'00" W, 113.58 feet, to the POINT OF BEGINNING of the Easement to be described; thence continuing along the West line of Alpine Road and along the East line of Lots 2 and 3, S 00°30'00" W, 20.00 feet; thence due West, 133.62 feet; thence due North, 20.00 feet; thence due East, 133.79 feet, to the POINT OF BEGINNING.

G:\16-017\docs\16-017_WATERMAIN_EA.doc
August 10, 2016

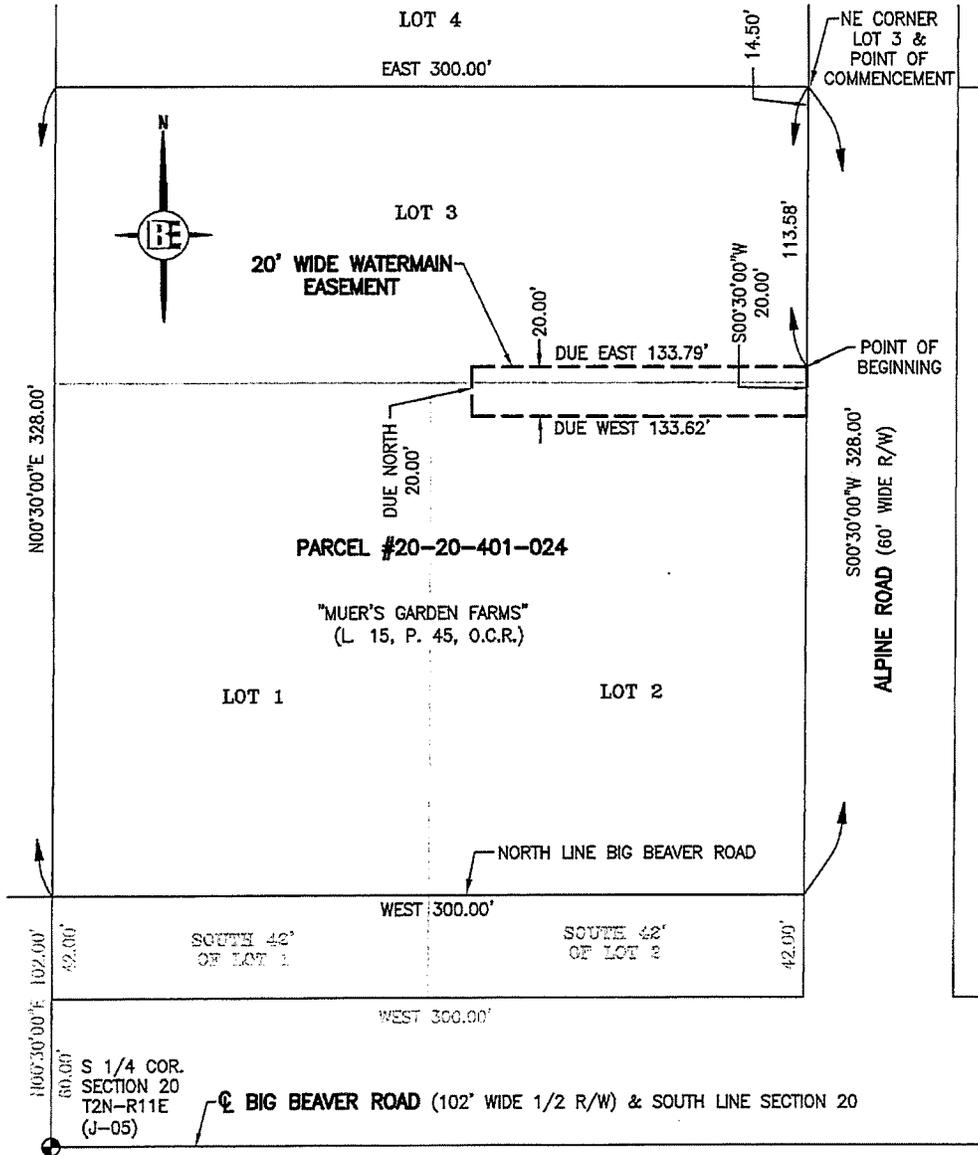
Job Number: 16-017
Sheet: 2 of 2

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www.bosseng.com



CHRISTOPHER S. FERGUS, P.S.

20' WIDE WATERMAIN EASEMENT



DESCRIPTION:
 PART OF LOTS 2 & 3 OF "MUER'S GARDEN FARMS", AS RECORDED IN LIBER 15 OF PLATS, PAGE 45, OAKLAND COUNTY RECORDS, BEING PART OF THE SOUTHEAST 1/4 OF SECTION 20, T2N-R11E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN

DEBOSS Engineering
 Engineers Surveyors Planners Landscape Architects
 3121 E. GRAND RIVER AVE.
 HOWELL, MI. 48843
 800.246.6735 FAX 517.548.1670



| | | |
|----------------------------|-----------------------------|---|
| CLIENT: DARDEN RESTAURANTS | SCALE: 1 INCH = 60 FEET | LEGEND ○ = IRON SET ● = IRON FOUND ⊙ = MONUMENT FOUND * = FENCE (R) = RECORDED (M) = MEASURED |
| JOB NO. 16-017 | DATE 8-10-16 | |
| SHEET 1 OF 2 | FB CREW | DR. AEB CK. |

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CITY COUNCIL AGENDA ITEM

Date: August 16, 2016

To: Brian Kischnick, City Manager

From: Mark F. Miller, Director of Economic and Community Development
 Steven J. Vandette, City Engineer
 Brent Savidant, Planning Director
 Larysa Figol, Sr. Right-of-Way Representative

Subject: Request to Accept an Offer to Donate Two Vacant Parcels to the City of Troy
 Sidwell #88-20-16-452-034 & #88-20-16-376-002

History

City staff received a letter from Jean Galbraith asking for the process necessary to donate two vacant parcels of land to the City of Troy. The parcels are located in Section 16 on the north side of Wattles Road and abutting I-75.

Parcel 1 - #88-20-16-376-002 is an irregular shaped lot abutting I-75 and appears to be a remnant parcel from the expansion of I-75. The parcel is zoned R-1B, is 0.81 acres in size, but its irregular shape does not allow for any building or development potential. Currently the parcel has a \$90 taxable value.

Parcel 2 - #88-20-16-452-034 is a rectangular parcel fronting Wattles Road. The parcel, zoned R-1B, is 0.95 acres in size with an approximate width of 325 feet and depth of 136 feet. The front and rear yard setbacks total 95 feet and there is a 100 foot lot width/frontage requirement in R-1B zoning. This leaves a small building envelope for one home.

Additionally there is an approximate 16+/- foot drop from Wattles Road to the lot, thus access would need to come from the unimproved Pierce street running along the west boundary of the property. If this is the case, then that portion of the platted Pierce right of way cannot be vacated as a 100 foot frontage is required. The cost to construct a road and bring in utilities may prove to be cost prohibitive. The parcel has a \$5,000 taxable value.

Both parcels have very limited development possibilities. In addition, the cost to construct a road and bring utilities to Parcel 2 may be cost prohibitive for building purposes. However, the City does see a benefit in accepting this donation for future storm water and drainage purposes. The City of Troy Master Storm and Detention Facility Plan includes a detention facility in this area and acquisition at this time will save any future acquisition costs necessary in real property acquisition.

Financial

If City Council chooses to accept the donation, an appraisal would be necessary to determine the value of the property for the City to determine a donation amount. The owners may choose to claim this amount in their financial filings. Additionally, there will be minimal closing and recording costs.

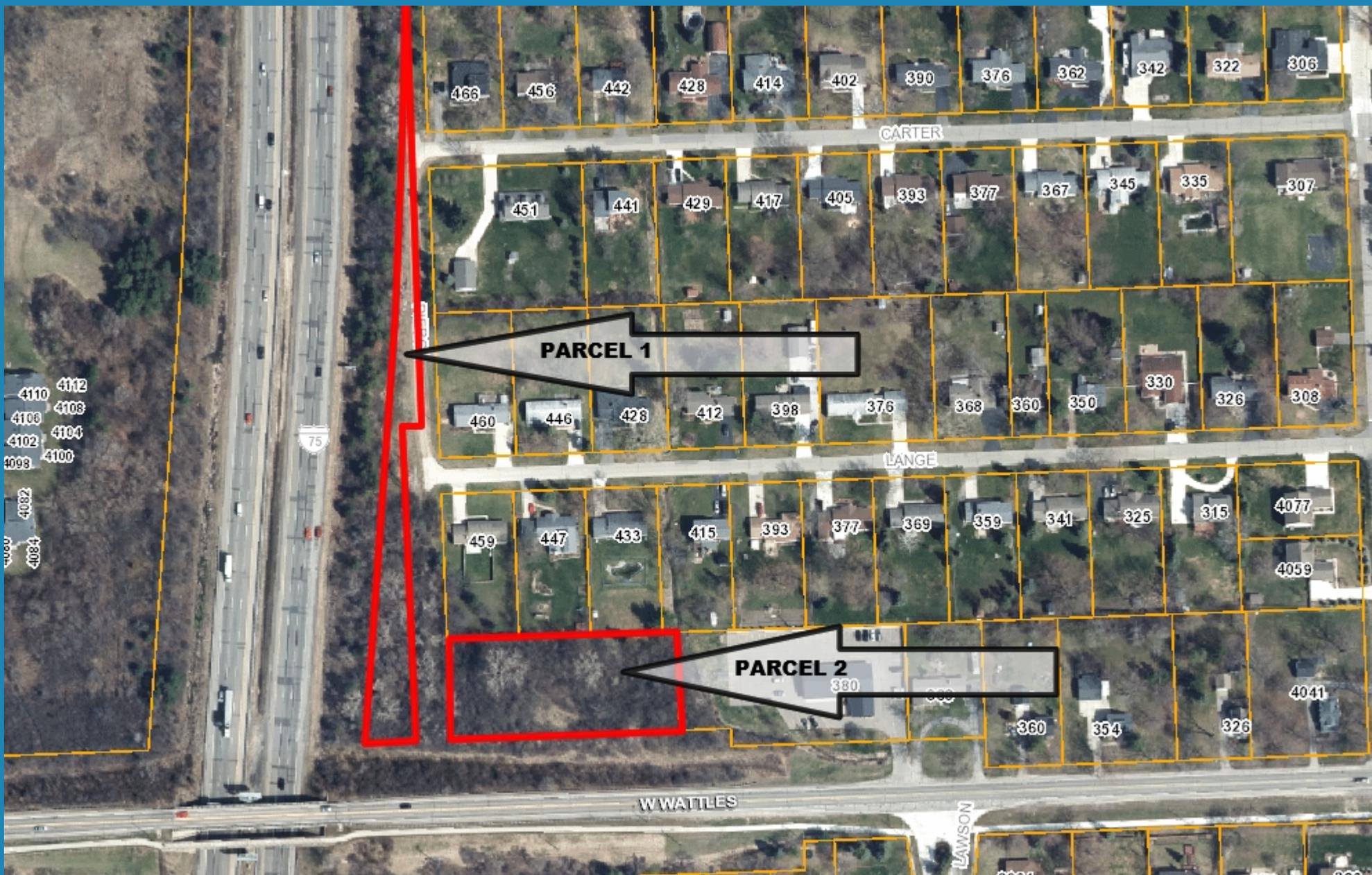
Recommendation

City Management recommends the acceptance of the offered two parcels for future storm and detention purposes as outlined in the City's Master Storm and Detention Facility Plan.

City Attorney's Review as to Form and Legality

Lori Grigg Bluhm, City Attorney

Date



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

**ROBERT and JEAN GALBRAITH
122 Cranberry Lake Court
Conklin, MI 49403
(616) 204-5541 Jean's cell phone**

TO: City of Troy
ATTN: Assessing Department
DATE: July 22, 2016
RE: Land Donation

We are writing to inquiry about the process necessary to donate two parcels of land in Troy. The parcels are jointly owned by my brothers and me (Jean) after the passing of our mother in December of 2004.

We were able to sell the land on a land contract but the purchaser defaulted and the land returned to us.

The parcel numbers are: 88-20-16-376-002 and 88-20-16-452-034.

Is it possible for someone to give me a call and explain what is necessary to start this process?

Sincerely,

Jean Galbraith
Jean Galbraith

RECEIVED

JUL 27 2016

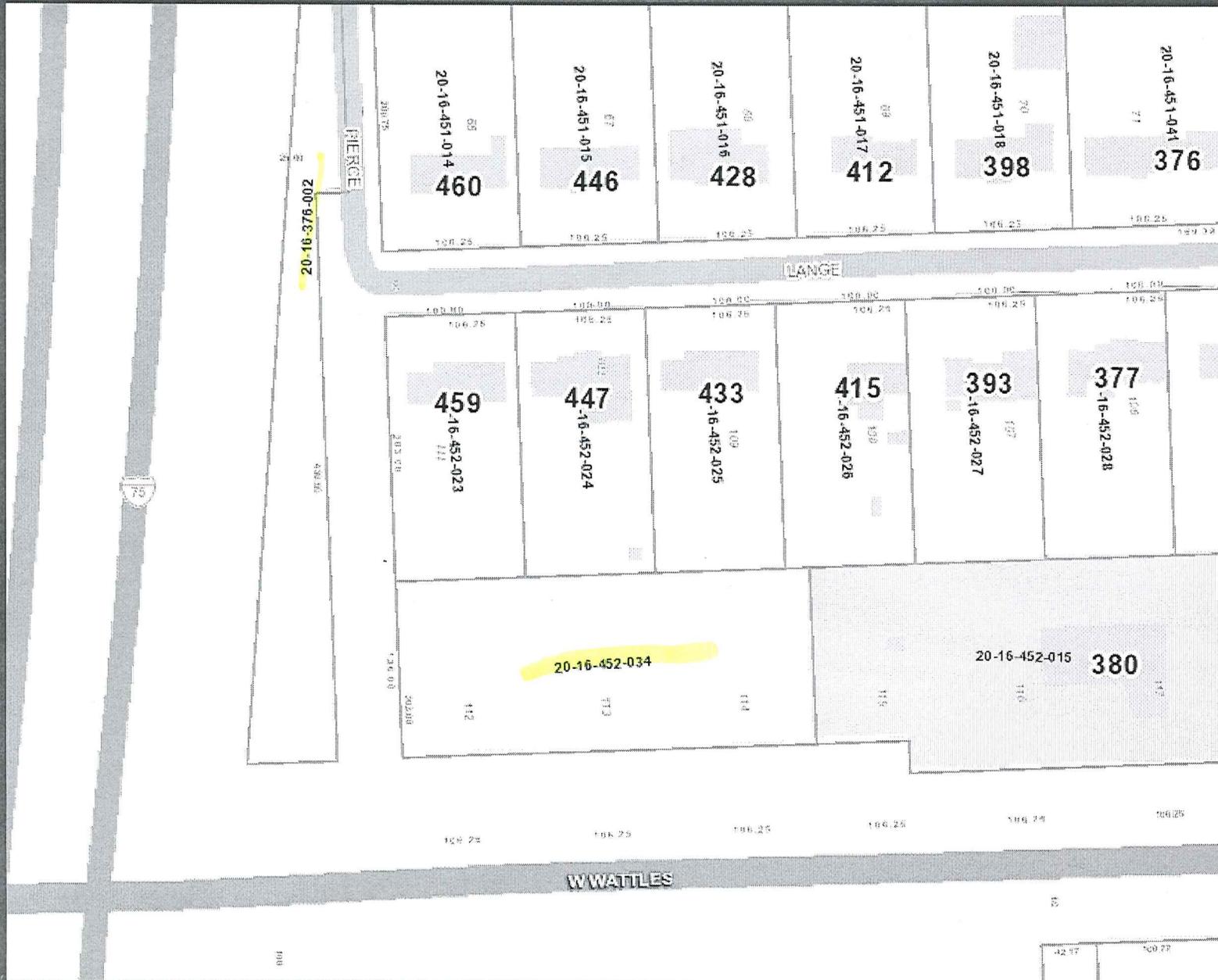
**CITY OF TROY
ASSESSING DEPT.**



GIS Online

Legend:

- Tax Parcel
- Road Centerline Text



Notes:

Map Scale: 1=148
 Created: July 27, 2016



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



CITY COUNCIL AGENDA ITEM

Date: September 8, 2016

To: Brian Kischnick, City Manager

From: Mark F. Miller, Director of Economic and Community Development
David J. Roberts, Fire Chief
Steven J. Vandette, City Engineer
Brent Savidant, Planning Director
Larysa Figol, Sr. Right-of-Way Representative

Subject: Request to Declare a Permanent Easement for Public Utilities Over a Portion of City Owned Property, 2117 Maple Road, Fire Station #4, Project #16.917.3, Sidwell #88-20-25-352-073

History

As part of the development and construction of the new Fire Station #4, located in the southeast $\frac{1}{4}$ of Section 25, on the north side of Maple Road east of John R, DTE Electric Company asked the City for a 12 foot underground easement (right of way) to construct and maintain the necessary facilities for the new fire station.

In lieu of granting an easement solely to DTE Electric Company, the City would prefer to declare a permanent easement for public utilities allowing the use of this easement corridor for other utilities at a future date if necessary.

The City of Troy Planning Commission gave preliminary site plan approval for the new fire station at their June 28, 2016 meeting.

Financial

There is no financial consideration on this document as the City is declaring an easement on its own property.

Recommendation

City Management recommends that City Council authorize the establishment of a permanent easement for public utility purposes by recording a Declaration of Permanent Easement with the Oakland County Register of Deeds.

DECLARATION OF A PERMANENT EASEMENT

Sidwell #88-20-25-352-073 (part of)
Resolution #2016-09

THE CITY OF TROY, a Michigan municipal corporation, Declarant, whose address is 500 West Big Beaver Road, Troy, Michigan, is the owner of property located in the City of Troy, County of Oakland, Michigan, described as:

Town 2 North, Range 11 East, Section 25, Supervisor's Plat of Maple Acres, the East 63.27 feet of Lot 13, also all of Lots 14, 15 & 16, except the south 27 feet of all said lots taken for road, more particularly described as beginning at a point distant S 88-39-40 E 33.01 feet, then N 00-14-00 E 60.01 feet then S 88-39-40 E 465.89 feet from SW corner of said section thence N 01-39-30 E 193 feet, thence S 88-39-40 E 363.12 feet, thence S01-42-43 W 193 feet, thence N 88-39-40 W 362.94 feet to the point of beginning.

The Declarant hereby establishes a **permanent easement for public utilities**, upon property more particularly described as:

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

and to authorize entry upon sufficient land adjacent to said property for the purpose of the construction, operation, maintenance, repair and/or replacement of public utility lines, systems, and equipment.

If the premises is disturbed by the use of the easement, the user shall restore it to its original condition. The user of the easement shall not interfere with or impede the operation of essential emergency municipal services.

This easement shall run with the land, and shall be binding upon all successors in interest.

IN WITNESS WHEREOF, the undersigned hereunto affixed their signature(s) this day _____ of September, 2016.

CITY OF TROY,
a Michigan municipal corporation

By _____(L.S.)
Dane M. Slater

By _____(L.S.)
M. Aileen Dickson
Its: City Clerk

STATE OF MICHIGAN)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of September, 2016, by Dane M. Slater, Mayor, and M. Aileen Dickson, City Clerk, on behalf of the City of Troy, a Michigan municipal corporation.

*
Notary Public, _____ County, Michigan
Acting in _____ County, Michigan
My Commission Expires _____

Prepared by: Larysa Figol, SR/WA
City of Troy
500 West Big Beaver
Troy, MI 48084

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

EXHIBIT "A"

Description of Proposed 12 Feet Wide Public Utility Easement:

Part Lots 13-16, inclusive, of "Supervisor's Plat of Maple Acres", as recorded in Liber 48, Page 57 of Oakland County, Michigan, said plat being part of the Southwest $\frac{1}{4}$ of Section 25, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan records. Being more particularly described as: Commencing at the Southwest Corner of said Section 25; thence S 88°39'40" E 33.01 feet and N 00°14'00" E 60.01 feet and S 88°39'40" E 465.89 feet and N 01°39'30" E 172.25 feet to the Point of Beginning of the centerline of a 12 feet wide easement; thence N 82°46'09" E 58.70 feet; thence S 88°39'40" E 239.93 feet; thence S 46°11'25" E 83.79 feet; thence S 88°39'40" E 3.00 to the east line of said Lot 16 and the Point of Ending. Containing 4,625 Square Feet or 0.106 Acres more or less and being subject to all encumbrances of record.

July 14, 2016

City of Troy
500 W. Big Beaver
Troy, MI 48084
Attn: Steve Vandete

Re: Work Order# 45602141-45602218

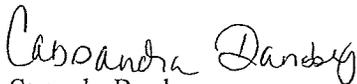
Dear Mr. Vandete:

Please review the enclosed documents that permit DTE Electric Company to construct and maintain the necessary facilities to serve your project. A work sketch is included for your review. As for the trees and branches, unfortunately instructions cannot be included in the easement document however instructions can and should be given at the time of tree trimming.

Signature(s) in **black ink** of the authorized person(s) witnessed by a notary is required. Print the name of the person signing directly under the signature. Please return the executed easement document to Cassandra Dansby, DTE Electric Company, 37849 Interchange Dr., Farmington Hills, MI 48335 at your earliest convenience. Should you have difficulty locating a notary, please call me at 248-427-2357.

Your prompt execution of these documents is required so that your job will continue on the agreed upon schedule.

Sincerely,



Cassandra Dansby
Right of Way Facilitator
NW Planning & Design

Enclosures

DTE Electric Company Underground Easement (Right of Way) No. 45602141-45602218

On _____, 2016, for the consideration of system betterment, Grantor grants to Grantee a permanent, non-exclusive underground easement ("Right of Way") in, on, and across a part of Grantor's Land called the "Right of Way Area".

"Grantor" is: CITY OF TROY, A MICHIGAN MUNICIPAL CORPORATION, WHOSE ADDRESS IS 500 W. BIG BEAVER, TROY, MI 48084

"Grantee" is: DTE Electric Company, a Michigan corporation, One Energy Plaza Drive, Detroit, Michigan 48226

"Grantor's Land" is in SW 1/4, SEC 25, T2N, R11E, TROY TOWNSHIP, County of OAKLAND, and State of Michigan, and is described as follows:

T2N, R11E, SEC 25 SUPERVISOR'S PLAT OF MAPLE ACRES E 63.27 FT OF LOT 13, ALSO ALL OF LOTS 14, 15 & 16 EXC S 27 FT OF ALL SD LOTS TAKEN FOR RD DESC AS BEG AT PT DIST S 88-39-40 E 33.01 FT & N 00-14-00 E 60.01 FT & S 88-39-40 E 465.89 FT FROM SW COR OF SD SEC TH N 01-39-30 E 193 FT, TH S 88-39-40 E 363.12 FT, TH S 01-42-43 W 193 FT, TH N 88-39-40 W 362.94 FT TO BEG 4-15-16 FR 030 & 059

Tax Identification Number(s): 20-25-352-073
More Commonly Known As: 2103 E MAPLE RD, TROY, MI 48083

2117

The "Right of Way Area" is a twelve (12') foot wide easement on part of Grantor's Land. The centerline of the Right of Way Area shall be established in the as-built location of the centerline of Grantee's facilities, and shall be installed on Grantor's Land in the approximate location described as follows:

THE LEGAL DESCRIPTION OR EASEMENT DRAWING IS MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Tax Identification Number(s): 20-25-352-073
More Commonly Known As: 2103 E MAPLE RD, TROY, MI 48083

2117

- 1. Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, repair, replace, inspect, operate and maintain underground utility line facilities, which may consist of poles, guys, anchors, wires, manholes, conduits, pipes, cables, transformers and accessories.
- 2. Access:** Grantee has the right of pedestrian and vehicular ingress and egress to and from the Right of Way Area over and across Grantor's Land. ** Grantee shall not interfere with the operation of installation*
- 3. Buildings or other Permanent Structures:** No buildings or other permanent structures or improvements may be constructed or placed in the Right of Way Area without Grantee's prior, written consent. Grantor agrees, at its own expense, to remove any improvement that interferes with the safe and reliable operation, maintenance and repair of Grantee's facilities upon the written demand of Grantee. If Grantor fails to comply with such demand, Grantor agrees that Grantee may remove any such improvement and bill Grantor for the cost thereof, which cost Grantor shall pay within thirty (30) days after demand therefor.
- 4. Excavation:** Pursuant to 2013 Public Act 174, MISS DIG (1-800-482-7171 or 811 in some areas) must be called before any excavation in the Right of Way Area may proceed.
- 5. Trees, Bushes, Branches, Roots, Structures and Fences:** Grantee may trim, cut down, remove or otherwise control any trees, bushes, branches and roots growing or that could grow or fall in the Right of Way Area and remove any structures, improvements, fences, buildings or landscaping in the Right of Way Area that Grantee believes could interfere with the safe and reliable construction, operation, maintenance and repair of Grantee's facilities. No landscaping, trees, plant life, structures, improvements or fences may be planted, grown or installed within 8 feet of the front door, or within 2 feet of the other sides, of transformers or switching cabinet

enclosures, and Grantee shall not be responsible for any damage to, or removal of, landscaping, trees, plant life, structures, improvements and/or fences located in such areas.

6. **Restoration:** If Grantee's agents, employees, contractors, subcontractors, vehicles or equipment damage Grantor's Land while entering Grantor's Land for the purposes stated in this Right of Way, then Grantee will restore Grantor's Land as nearly as is reasonably practicable to the condition in which it existed prior to such damage. Restoration with respect to paved surfaces shall consist of asphalt cold patching of the damaged portion of any asphalted surfaces when the weather conditions suggest such use and the cement patching of the damaged portion of any cemented surfaces. Grantee shall have no liability, however, for the restoration or cost of any improvements located within the Right of Way Area, including, but not limited to, parking islands, gutters, fences or landscaping such as trees, bushes, or flowers (but not a simple lawn which, if damaged, will be patched and re-seeded by Grantee) that are damaged by Grantee in the course of constructing, reconstructing, modifying, adding to, repairing, replacing, operating or maintaining its facilities as described in paragraph 1 above.

7. **Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors and assigns.

8. **Exemptions:** This Right of Way is exempt from transfer tax pursuant to MCL 207.505(a) and MCL 207.526(a).

9. **Governing Law:** This Right of Way shall be governed by the laws of the State of Michigan.

Grantor(s): City of Troy

By: _____
Name: _____
Title _____

} *ed*

Acknowledged before me in _____ County, Michigan, on _____, 2016,
 by _____, Its: _____ for City of Troy, a Michigan municipal company.
and City Clerk

Notary's Stamp _____ Acting in _____ County, Michigan

Notary's Signature _____

Drafted by and when recorded, return to: Cassandra Dansby, DTE Electric Company, NW Planning & Design, 37849 Interchange Dr., Farmington Hills, MI 48335

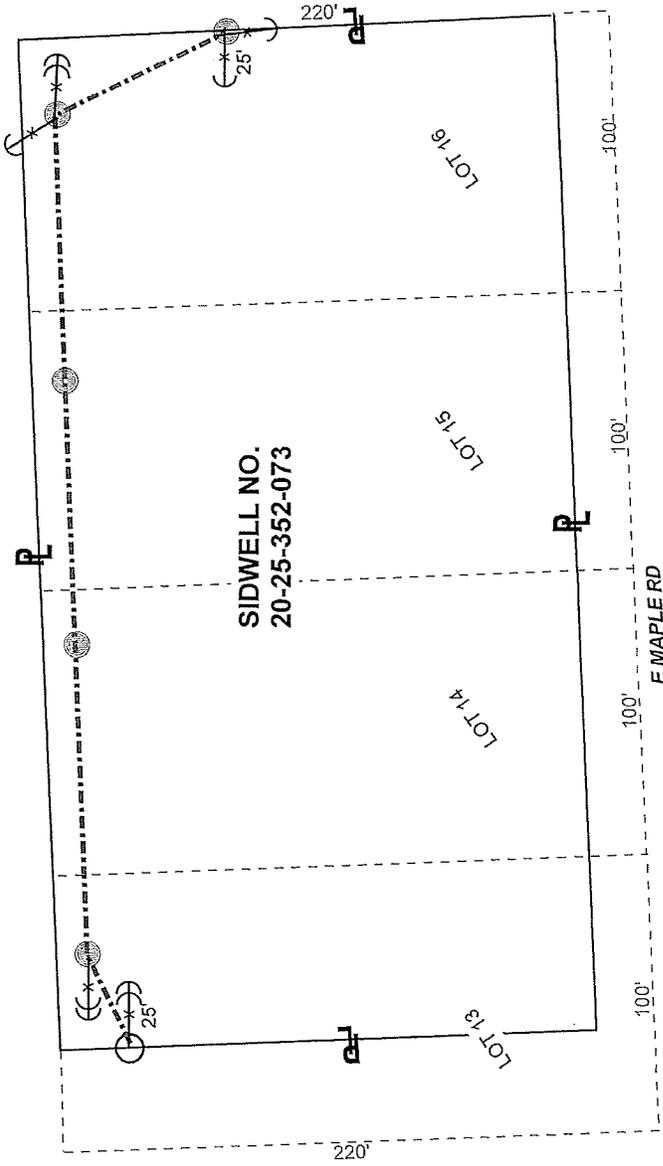
clerk signature



EXHIBIT A

E 63.27 FT OF LOT 13, ALSO ALL OF LOTS 14, 5 & 16
 EXC S 27 FT OF ALL SD LOTS TAKEN FOR E MAPLE RD
 SUPERVISOR'S PLAT OF MAPLE ACRES
 LIBER 48, PG 57
 OAKLAND COUNTY PLATS

SECURE A 12 FT EASEMENT FOR
 OVERHEAD FACILITIES AS SHOWN



LEGEND

- EXISTING DECO POLE
- PROPOSED POLE
- FOREIGN POLE
- ⊕ EXISTING ANCHOR
- ⊕ PROPOSED ANCHOR
- ☁ TREE
- 120/240 V. LINE
- 4.8 KV LINE
- 15.2 KV LINE
- 40 KV LINE

ALL DIMENSIONS AND LOCATIONS ARE APPROXIMATE

| | | | | | |
|---------------------------|--|---------------------|------------|----------------------------|---------------|
| Work Order # 45602141 | Work Order Description OVERHEAD EASEMENTS FOR RELOCATION - E MAPLE RD | GIS-DSN 45602218 | SRW CUG | PH CUL | PLC CUS |
| Service Center PONTIAC | Circuit #1 | COS | CUG | CUL | CUS |
| Worksite City TROY | Circuit #2 | COH | CUG | CUL | CUS |
| Town 2N | Range 11E | Section 25 | Qtr 25 | Planner Name TINA BOYES | Targ Fin Date |
| | | | | Plot Date 7/11/16 | Scale NONE |
| | | | | CUE Req# | Ver |
| | | | | Worksite County OAKLAND | |



CITY COUNCIL AGENDA ITEM

Date: September 12, 2016

To: Brian Kischnick, City Manager

From: Mark F. Miller, Director of Economic and Community Development
Steven J. Vandette, City Engineer
Larysa Figol, Sr. Right-of-Way Representative

Subject: Request for Acceptance of a Permanent Easement from La Force Inc.,
Sidwell #88-20-36-352-016

History

As part of an addition to an existing building located in the southwest $\frac{1}{4}$ of Section 36 on Robbins Drive, located north of 14 Mile and west of Executive Drive, the Engineering department received a permanent easement for water main from La Force, Inc., owner of the property having Sidwell #88-20-36-352-016.

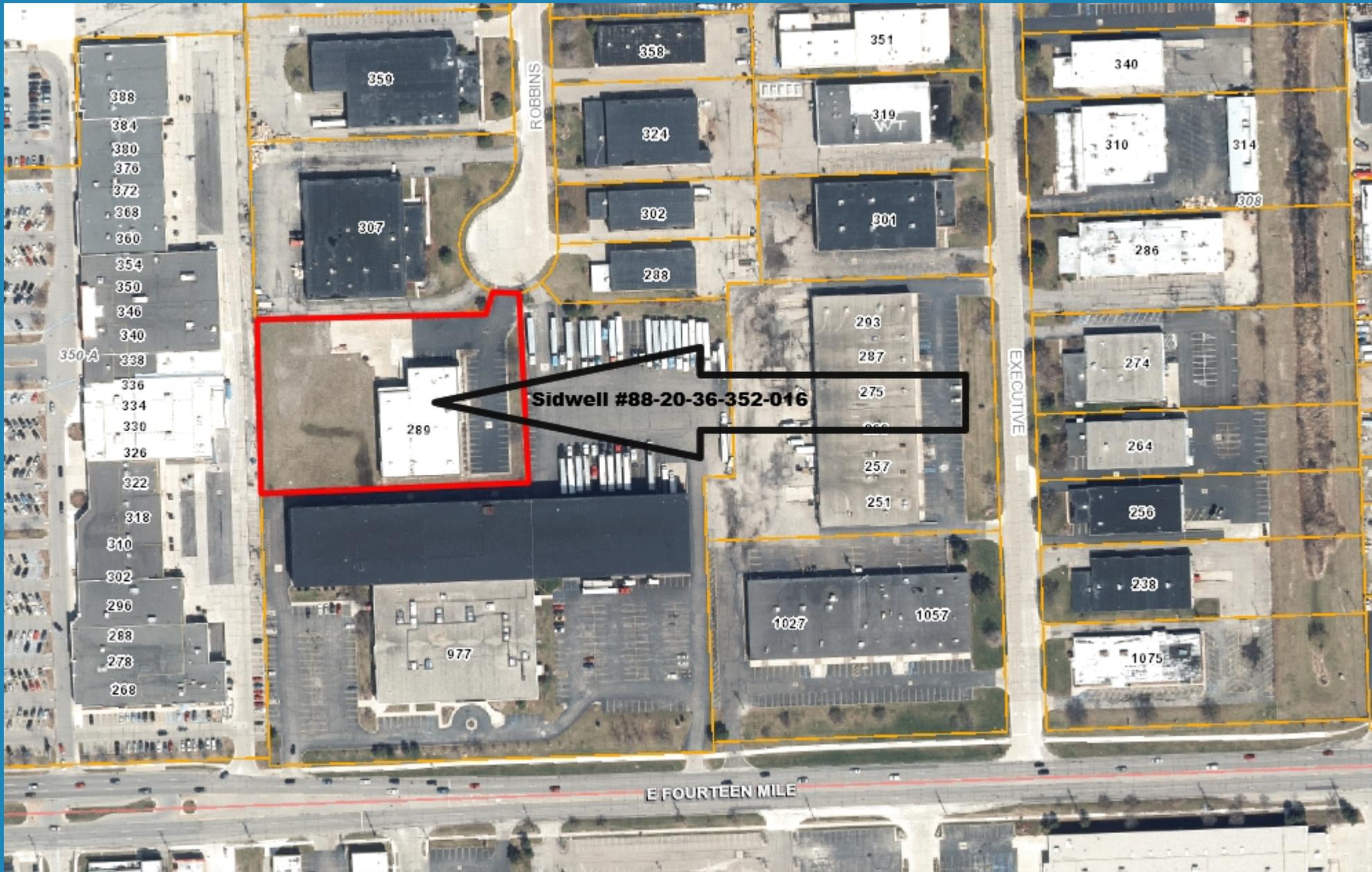
The format and content of this easement is consistent with conveyance documents previously accepted by City Council.

Financial

The consideration amount on this document is \$1.00.

Recommendation

City Management recommends that City Council accept the attached permanent easement consistent with our policy of accepting easements for development and improvement purposes.



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

PERMANENT EASEMENT

Sidwell #88-20-36-352-016 (part of)
Resolution #

LA FORCE, INC., a Wisconsin corporation, Grantor(s), whose address is 1060 West Mason Street, Green Bay, Wisconsin 54303 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, 48084, grants to the Grantee the right to construct, install, operate, maintain, repair and/or replace, traverse or use a 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 ___ signature(s) this 31st day of August, 2016

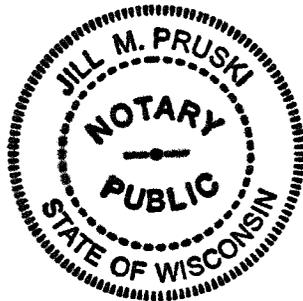
LA FORCE, INC., a Wisconsin corporation

By Ken Metzler (L.S.)

*Ken Metzler
Its: Chairman of the Board

STATE OF Wisconsin
COUNTY OF Brown

The foregoing instrument was acknowledged before me this 31st day of August, 2016, by Ken Metzler, Chairman of the Board of La Force, Inc., a Wisconsin corporation, on behalf of the said corporation.



Jill M Pruski
*
Notary Public, _____ County, Brown
My Commission Expires 5-01-2020
Acting in Wisconsin County, Brown

JILL M. PRUSKI
Notary Public, State of Wisconsin

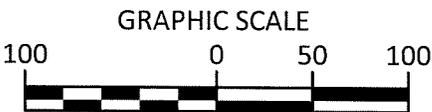
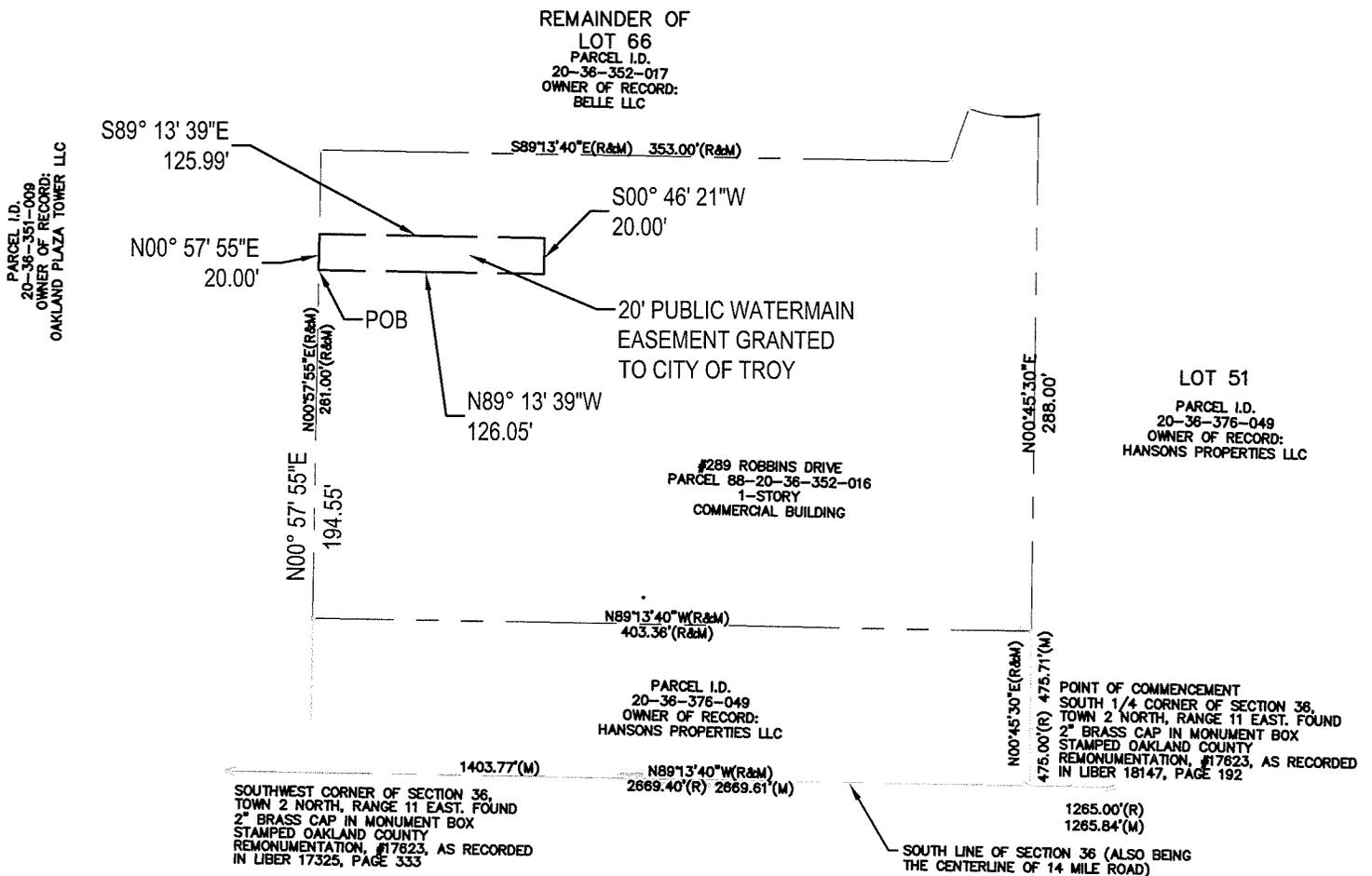
Prepared by:
Larysa Figol, SR/WA
City of Troy
500 West Big Beaver
Troy, MI 48084

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

EXHIBIT A

20' WIDE PUBLIC WATERMAIN EASEMENT DESCRIPTION

PART OF LOT 66, OF ROBBINS EXECUTIVE PARK NO. 3, AS RECORDED IN LIBER 140 PAGES 25 AND 26 OF PLATS, OAKLAND COUNTY RECORDS, AND PART OF THE SOUTHWEST ¼ OF SECTION 36, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT A POINT, SAID POINT BEING NORTH 89 DEGREES 13 MINUTES 40 SECONDS WEST, 1265.00 FEET ALONG THE SOUTH LINE OF SAID SECTION 36 (BEING ALSO IN THE CENTERLINE OF FOURTEEN MILE ROAD), AND NORTH 00 DEGREES 45 MINUTES 30 SECONDS EAST, 475.00 FEET FROM THE SOUTH ¼ CORNER OF SAID SECTION 36, DESCRIBED POINT BEING THE SOUTHEAST CORNER OF SUBJECT PARCEL OF LAND; THENCE NORTH 89 DEGREES 13 MINUTES 40 SECONDS EAST, 403.36 FEET TO THE SW CORNER OF THE SUBJECT PARCEL; THENCE FOLLOWING NORTH 00 DEGREES 57 MINUTES 55 SECONDS EAST, 194.55 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 00 DEGREES 57 MINUTES 55 SECONDS EAST, 20.00 FEET; THENCE SOUTH 89 DEGREES 13 MINUTES 39 SECONDS EAST, 125.99 FEET; THENCE SOUTH 00 DEGREES 46 MINUTES 21 SECONDS WEST, 20.00 FEET; THENCE NORTH 89 DEGREES 13 MINUTES 39 SECONDS WEST, 126.05 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION.



AECOM
 3950 Sparks Drive, SE
 Grand Rapids, MI 49546
 United States
 P: 616 574 8500 F: 616 574 8542
<http://www.AECOM.com>

JULY 15, 2016
EXHIBIT A



CITY COUNCIL AGENDA ITEM

Date: September 13, 2016

To: Brian Kischnick, City Manager

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

Subject: Private Agreement – Contract for Installation of Municipal Improvements
La Force Addition - Project No. 16.907.3

History

La Force proposes to build an 11,500 square foot addition to an existing light industrial building located on the southwest end of Robins Court, in Section 36. Administrative Preliminary Site Plan was granted on March 28, 2016.

Site grading and utility plans for this development were reviewed and recently approved by the Engineering Department. The plans include municipal improvements which will be constructed by La Force, Inc on behalf of the City of Troy: including water main and soil erosion. The required fees and refundable escrow deposits in the form of performance bond & 10% cash, that will assure completion of the municipal improvements, have been provided by La Force, Inc (see attached Private Agreement).

Financial

See attached summary of required deposits and fees for this Private Agreement.

Recommendation

Approval of the Contract for Installation of Municipal Improvements (Private Agreement) is recommended.

OF ADDED HYDRANT
PER ORIGINAL DESIGN

City Of Troy

Contract for Installation of Municipal Improvements
(Private Agreement)

Project No.: **16.907.3**

Project Location: **SW 1/4 Section 36**

Resolution No:

Date of Council Approval:

This Contract, made and entered into this **25th** day of **July, 2016** by and between the City of Troy, a Michigan Municipal Corporation of the County of Oakland, Michigan, hereinafter referred to as "City" and **LAFORCE INC.**, whose address is **1060 W. MASON ST. GREEN BAY, WI 54303** and whose telephone number is **920-497-7100** hereinafter referred to as "Owners", provides as follows:

FIRST: That the City agrees to permit the installation of **Water main and soil erosion** in accordance with plans prepared by **AECOM** whose address is **3950 Sparks Dr, SE, Grand Rapids, MI 49546** and whose telephone number is **616-574-8500** and approved prior to construction by the City in accordance with City of Troy specifications.

SECOND: That the Owners agree to provide the following securities to the City prior to the start of construction, in accordance with the Detailed Summary of Required Deposits & Fees (attached hereto and incorporated herein):

Refundable escrow deposit equal to the estimated construction cost of \$ **19,197.00**. This amount will be deposited with the City in the form of (check one):

- Cash/Check
 - Certificate of Deposit & 10% Cash
 - Irrevocable Bank Letter of Credit & 10% Cash
 - Performance Bond & 10% Cash
- } 10% Cash 1020.00

Refundable cash deposit in the amount of \$ **7,420.00**. This amount will be deposited with the City in the form of (check one):

- Cash
- Check

Non-refundable cash fees in the amount of \$ **2,205.00**. This amount will be paid to the City in the form of (check one):

- Cash
- Check

Said refundable escrow deposits shall be disbursed to the Owners after approval by the City. The City reserves the right to retain a minimum of ten (10) percent for each escrowed item until the entire site/development has received final inspection and final approval by all City departments. Refundable cash deposits shall be held until final approval has been issued. Disbursements shall be made by the City within a reasonable time, after request for refund of deposits is made by the Owners.

City Of Troy

Contract for Installation of Municipal Improvements (Private Agreement)

THIRD: The owners shall contract for construction of said improvement with a qualified contractor. Owners, or their agents, and contractor(s) agree to arrange for a pre-construction meeting with the City Engineer prior to start of work. All municipal improvements must be completely staked in the field under the direct supervision of a registered civil engineer or registered land surveyor, in accordance with the approved plans. Revisions to approved plans required by unexpected or unknown conflicts in the field shall be made as directed by the City.

FOURTH: Owners agree that if, for any reason, the total cost of completion of such improvements shall exceed the sums detailed in Paragraph SECOND hereof, that Owners will immediately, upon notification by the City, remit such additional amounts in accordance with Paragraph SECOND hereof. In the event the total cost of completion shall be less than the sums as detailed in Paragraph SECOND hereof, City will refund to the Owners the excess funds remaining after disbursement of funds.

FIFTH: Owners agree to indemnify and save harmless City, their agents and employees, from and against all loss or expense (including costs and attorneys' fees) by reason of liability imposed by law upon the City, its agents and employees for damages because of bodily injury, including death, at any time resulting therefrom sustained by any person or persons or on account of damage to property, including work, provided such injury to persons or damage to property is due or claimed to be due to negligence of the Owner, his contractor, or subcontractors, employees or agents. Owner further agrees to obtain and convey to the City all necessary easements and/or right-of-way for such public utilities as required by the City Engineer.

City Of Troy

Contract for Installation of Municipal Improvements
(Private Agreement)

IN WITNESS WHEREOF, the parties here to have caused this agreement to be executed in duplicate on this 31st day of August, 2016.

OWNERS

CITY OF TROY

By:

X Ken Metzler
KEN METZLER

By:

Please Print or Type

Dane M. Slater, Mayor

LAFORCE INC.

Please Print or Type

M. Aileen Dickson, City Clerk

Wisconsin Brown

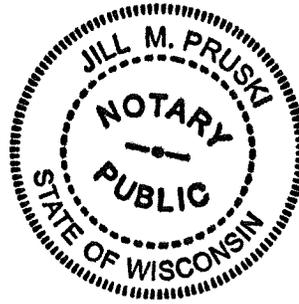
STATE OF ~~MICHIGAN~~, COUNTY OF ~~OAKLAND~~

On this 31st day of August, A.D. 2016, before me personally appeared Ken Metzler known by me to be the same person(s) who executed this instrument and who acknowledged this to be his/her/their free act and deed.

Jill M Pruski

NOTARY PUBLIC, Oakland County, Michigan

My commission expires: 5-01-2020



JILL M. PRUSKI
Notary Public, State of Wisconsin

**Detailed Summary of Required Deposits & Fees
LaForce Addition
16.907.3**

ESCROW DEPOSITS (PUBLIC):

| | |
|---|----------|
| Sanitary Sewers | \$0 |
| Water Mains | \$19,197 |
| Paving | \$0 |
| Sidewalks | \$0 |
| Deceleration and/or Passing Lane - MAJOR ROAD | \$0 |
| Major Road Improvements (other than decel or passing lanes) | \$0 |
| Underground Detention System/Restricted Outlet/Sewer Tap/Oil & Gas Trap | \$0 |

TOTAL ESCROW DEPOSITS (Refundable): **\$19,197** ✓

~~10% CASH 1,920. -~~

CASH FEES (Non-Refundable):

| | |
|---|---------|
| Engineering Review Fee (Private Improvements)(PA1) | \$0 |
| Water Main Testing and Chlorination (PA 2) | \$650 |
| Plan Review and Construction Inspection Fee (Public Improvements) (PA1) | \$1,555 |
| Soil Erosion/Sedimentation Control Commercial Permit Fee (SUB 10) | \$0 |
| Soil Erosion/Sedimentation Control Commercial Inspection Fee (SUB 10) | \$0 |
| Less Initial Engineering Review Fee (Public & Private)(1.1%) | \$0 |

TOTAL CASH FEES (Non-Refundable): **\$2,205** ✓

CASH DEPOSITS (Refundable):

| | |
|--|---------|
| Street Cleaning/Road Maintenance | \$5,000 |
| Soil Erosion/Sedimentation Control Repair, Replace, or Maintenance | \$500 |
| Punchlist & Restoration | \$1,920 |

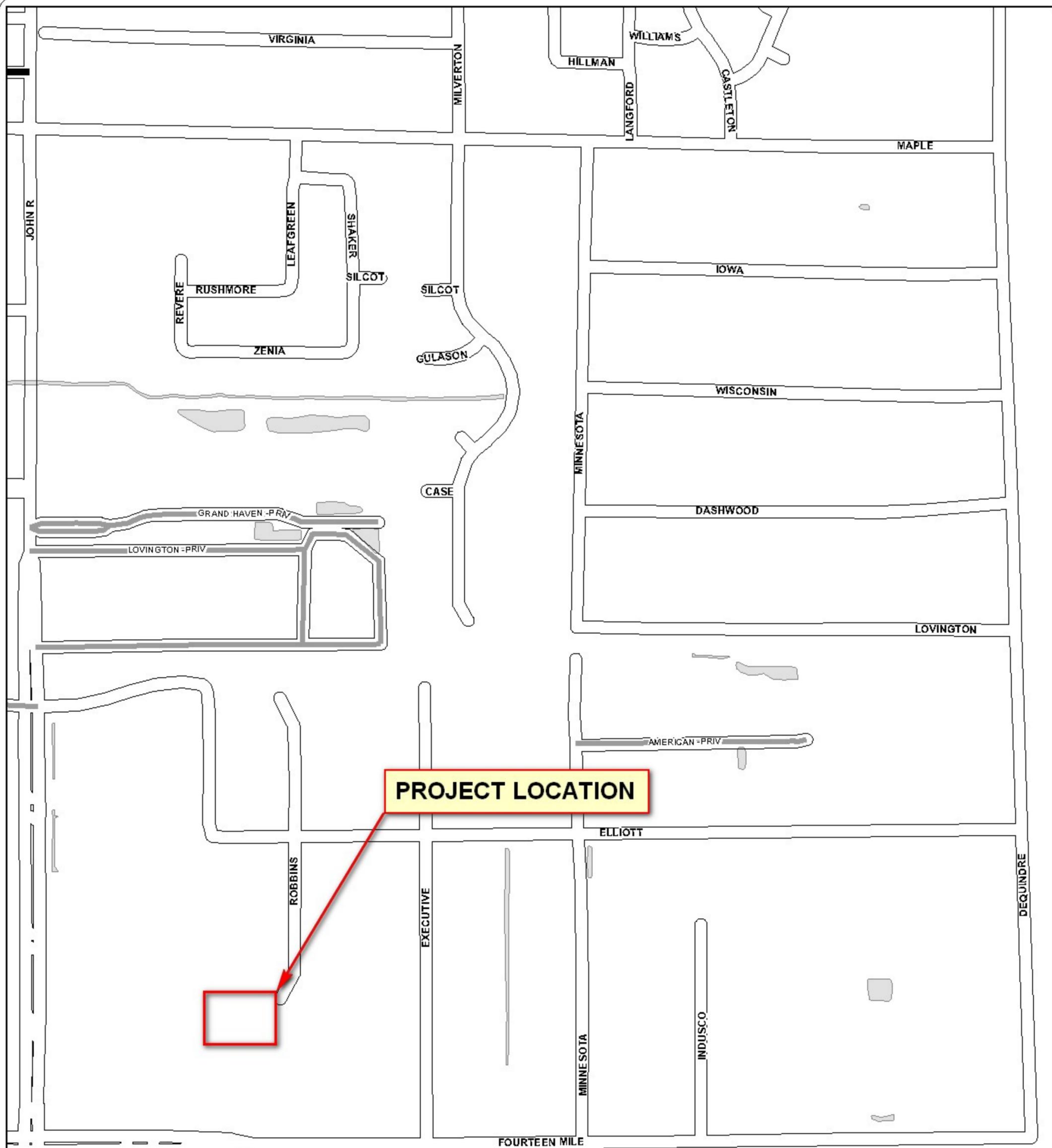
TOTAL CASH DEPOSITS (Refundable): **\$7,420** ✓

Total Escrow & Cash Deposits (Refundable): **\$26,617**

Total Cash Fees (Non-Refundable): **\$2,205**

Total Amount: **\$28,822**

PAID
SEP 13 2016
CITY OF TROY
TREASURER'S OFFICE



PROJECT LOCATION

- Legend**
-  Private
 -  Do Not Salt

Street Map

Section 36



Date: 10/28/2015



CITY COUNCIL AGENDA ITEM

Date: August 29th, 2016

To: Brian Kischnick, City Manager

From: Mark F. Miller, Director of Economic and Community Development
Steven J. Vandette, City Engineer
R. Brent Savidant, Planning Director

Subject: Private Agreement – Contract for Installation of Municipal Improvements
SRB Medical Dental Building - Project No. 15.920.3

History

Nosan Ventures, LLC proposes to develop SRB Medical Dental Building located on the east side of Crooks Road, south of Wattles Road (3960 Crooks Road).

Troy Planning Commission granted preliminary site plan approval for a 9,600 square feet medical and dental office on November 10th, 2015.

Site grading and utility plans for this development were reviewed and recently approved by the Engineering Department. The plans include municipal improvements, which will be constructed by Nosan Ventures, LLC on behalf of the City of Troy including: Water Main, Storm Sewer, Paving, and Sidewalk. The required fees and refundable escrow deposits in the form of a Check, that will assure completion of the municipal improvements, have been provided by Nosan Ventures, LLC (see attached Private Agreement).

Financial

See attached summary of required deposits and fees for this Private Agreement.

Recommendation

Approval of the Contract for Installation of Municipal Improvements (Private Agreement) is recommended.

City Of Troy

Contract for Installation of Municipal Improvements (Private Agreement)

Project No.: **15.920.3**

Project Location: **NW 1/4 Section 21**

Resolution No: _____

Date of Council Approval: _____

This Contract, made and entered into this **18th** day of **April, 2016** by and between the City of Troy, a Michigan Municipal Corporation of the County of Oakland, Michigan, hereinafter referred to as "City" and **Nosan Ventures, LLC** whose address is **30600 Northwestern, Suite 400, Farmington Hills, MI 48334** and whose telephone number is **248-932-5444 ext. 216** hereinafter referred to as "Owners", provides as follows:

FIRST: That the City agrees to permit the installation of **Water Main, Storm Sewer, Paving, and Sidewalk** in accordance with plans prepared by **Professional Engineering Associates, Inc.** whose address is **2430 Rochester Ct., Suite 100, Troy, MI 48083-1872** and whose telephone number is **248-689-9090** and approved prior to construction by the City in accordance with City of Troy specifications.

SECOND: That the Owners agree to provide the following securities to the City prior to the start of construction, in accordance with the Detailed Summary of Required Deposits & Fees (attached hereto and incorporated herein):

Refundable escrow deposit equal to the estimated construction cost of \$ **78,384.00**. This amount will be deposited with the City in the form of (check one):

| | | |
|--|-------------------------------------|------------------|
| Cash/Check | <input checked="" type="checkbox"/> | } 10% Cash _____ |
| Certificate of Deposit & 10% Cash | <input type="checkbox"/> | |
| Irrevocable Bank Letter of Credit & 10% Cash | <input type="checkbox"/> | |
| Performance Bond & 10% Cash | <input type="checkbox"/> | |

Refundable cash deposit in the amount of \$ **13,838.00**. This amount will be deposited with the City in the form of (check one):

| | | | |
|------|--------------------------|-------|-------------------------------------|
| Cash | <input type="checkbox"/> | Check | <input checked="" type="checkbox"/> |
|------|--------------------------|-------|-------------------------------------|

Non-refundable cash fees in the amount of \$ **9,742.00**. This amount will be paid to the City in the form of (check one):

| | | | |
|------|--------------------------|-------|-------------------------------------|
| Cash | <input type="checkbox"/> | Check | <input checked="" type="checkbox"/> |
|------|--------------------------|-------|-------------------------------------|

Said refundable escrow deposits shall be disbursed to the Owners after approval by the City. The City reserves the right to retain a minimum of ten (10) percent for each escrowed item until the entire site/development has received final inspection and final approval by all City departments. Refundable cash deposits shall be held until final approval has been issued. Disbursements shall be made by the City within a reasonable time, after request for refund of deposits is made by the Owners.

City Of Troy

Contract for Installation of Municipal Improvements (Private Agreement)

THIRD: The owners shall contract for construction of said improvement with a qualified contractor. Owners, or their agents, and contractor(s) agree to arrange for a pre-construction meeting with the City Engineer prior to start of work. All municipal improvements must be completely staked in the field under the direct supervision of a registered civil engineer or registered land surveyor, in accordance with the approved plans. Revisions to approved plans required by unexpected or unknown conflicts in the field shall be made as directed by the City.

FOURTH: Owners agree that if, for any reason, the total cost of completion of such improvements shall exceed the sums detailed in Paragraph SECOND hereof, that Owners will immediately, upon notification by the City, remit such additional amounts in accordance with Paragraph SECOND hereof. In the event the total cost of completion shall be less than the sums as detailed in Paragraph SECOND hereof, City will refund to the Owners the excess funds remaining after disbursement of funds.

FIFTH: Owners agree to indemnify and save harmless City, their agents and employees, from and against all loss or expense (including costs and attorneys' fees) by reason of liability imposed by law upon the City, its agents and employees for damages because of bodily injury, including death, at any time resulting therefrom sustained by any person or persons or on account of damage to property, including work, provided such injury to persons or damage to property is due or claimed to be due to negligence of the Owner, his contractor, or subcontractors, employees or agents, Owner further agrees to obtain and convey to the City all necessary easements and/or right-of-way for such public utilities as required by the City Engineer.

City Of Troy

Contract for Installation of Municipal Improvements
(Private Agreement)

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed in duplicate on this 18 day of August, 2016.

OWNERS SRB Holdings, LLC

CITY OF TROY

By: Raj Batra

By:

RAJ BATRA

Please Print or Type

Dane M. Slater, Mayor

Please Print or Type

M. Aileen Dickson, City Clerk

STATE OF MICHIGAN, COUNTY OF OAKLAND

On this 18th day of August, A.D. 2016, before me personally appeared Raj Batra known by me to be the same person(s) who executed this instrument and who acknowledged this to be his/her/their free act and deed.

Linda Marie Checkley

NOTARY PUBLIC, Oakland County, Michigan

My commission expires: 10/13/2018

LINDA MARIE CHECKLEY
NOTARY PUBLIC - STATE OF MICHIGAN
My Commission Expires October 13, 2018
Acting in the county of Oakland

Detailed Summary of Required Deposits & Fees
SRB Holdings - 3960 Crooks Road
15.920.3

ESCROW DEPOSITS (PUBLIC):

| | |
|---|----------|
| Sanitary Sewers | \$4,122 |
| Water Mains | \$40,085 |
| Paving | \$14,400 |
| Sidewalks | \$4,419 |
| Right Turn Lane Improvements | \$6,098 |
| Storm Sewer Improvements in Crooks Road | \$9,260 |

TOTAL ESCROW DEPOSITS (Refundable): **\$78,384**

CASH FEES (Non-Refundable):

| | |
|---|----------|
| Engineering Review Fee (Private Improvements)(PA1) | \$2,785 |
| Water Main Testing and Chlorination (PA 2) | \$650 |
| Plan Review and Construction Inspection Fee (Public Improvements) (PA1) | \$6,349 |
| Soil Erosion/Sedimentation Control Commercial Permit Fee (SUB 10) | \$400 |
| Soil Erosion/Sedimentation Control Commercial Inspection Fee (SUB 10) | \$800 |
| Less Initial Engineering Review Fee (Public & Private)(1.1%) | -\$1,242 |

TOTAL CASH FEES (Non-Refundable): **\$9,742**

CASH DEPOSITS (Refundable):

| | |
|--|---------|
| Street Cleaning/Road Maintenance | \$5,000 |
| Soil Erosion/Sedimentation Control Repair, Replace, or Maintenance | \$1,000 |
| Punchlist & Restoration | \$7,838 |

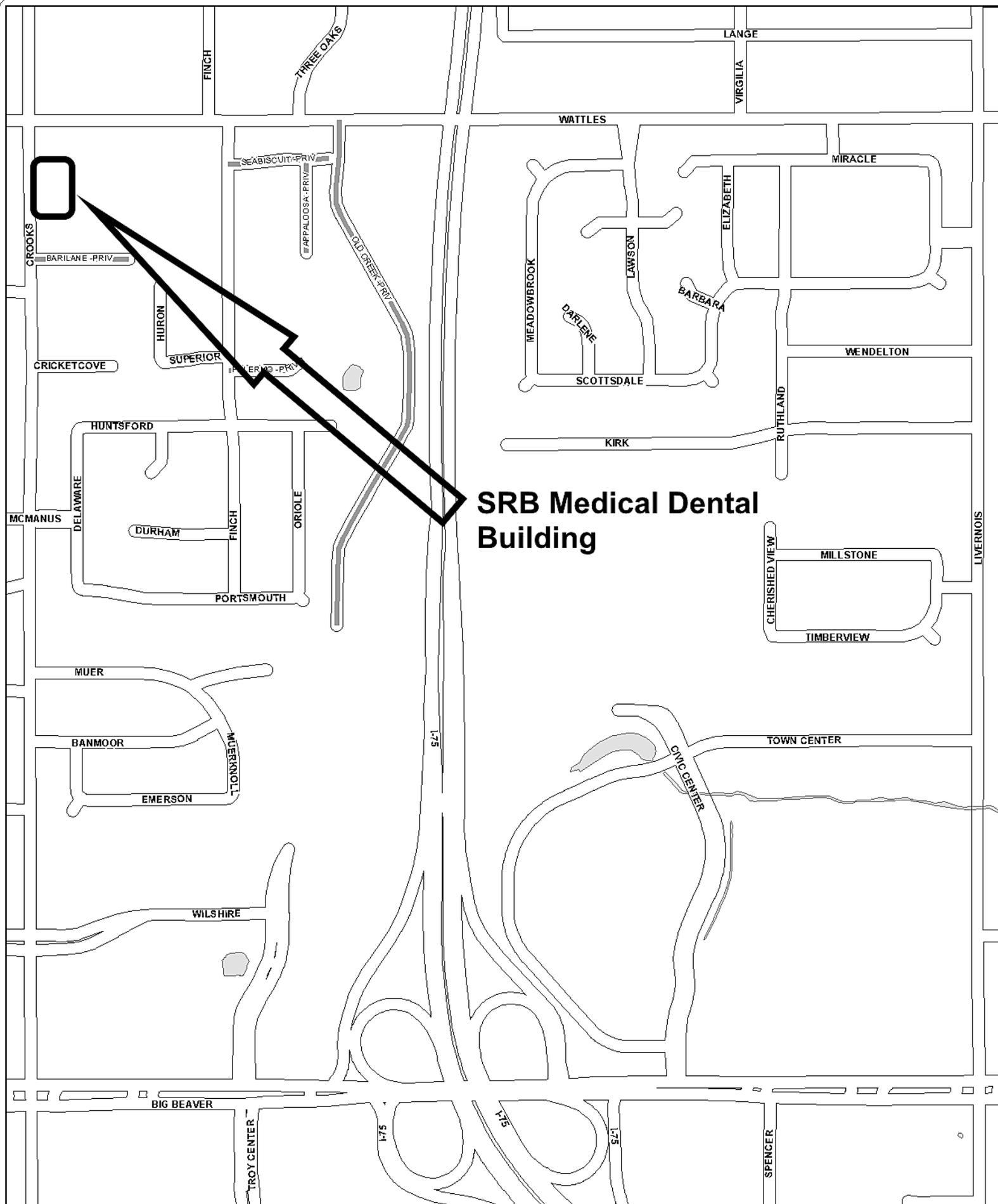
TOTAL CASH DEPOSITS (Refundable): **\$13,838**

Total Escrow & Cash Deposits (Refundable): **\$92,222**

Total Cash Fees (Non-Refundable): **\$9,742**

Total Amount: **\$101,964**

PAID
AUG 24 2016
CITY OF TROY
TREASURER'S OFFICE



SRB Medical Dental Building





CITY COUNCIL AGENDA ITEM

Date: September 16, 2016

To: Brian Kischnick, City Manager

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

Subject: Private Agreement – Contract for Installation of Municipal Improvements
Forest Run Site Condominium - Project No. 16.921.3

History

Forest Run, LLC proposes to develop Forest Run Site Condominium a 13-unit site condominium located on the north side of Long Lake Road, east of John R.

Troy Planning Commission granted preliminary site plan approval on June 28, 2016.

Site grading and utility plans for this development were reviewed and recently approved by the Engineering Department. The plans include municipal improvements which will be constructed by Forest Run, LLC on behalf of the City of Troy: including water main, sanitary sewer, storm sewer, paving, sidewalks, landscaping and soil erosion. The required fees and refundable escrow deposits in the form of Cash, that will assure completion of the municipal improvements, have been provided by Forest Run, LLC (see attached Private Agreement).

Financial

See attached summary of required deposits and fees for this Private Agreement.

Recommendation

Approval of the Contract for Installation of Municipal Improvements (Private Agreement) is recommended.

City Of Troy

Contract for Installation of Municipal Improvements (Private Agreement)

Project No.: **16.921.3**

Project Location: **SW 1/4 Section 12**

Resolution No:

Date of Council Approval:

This Contract, made and entered into this **19th** day of **September, 2016** by and between the City of Troy, a Michigan Municipal Corporation of the County of Oakland, Michigan, hereinafter referred to as "City" and **Forest Run LLC**, whose address is **4405 Tumeric Drive, Sterling Heights, MI 48314** and whose telephone number is **586-885-2040** hereinafter referred to as "Owners", provides as follows:

FIRST: That the City agrees to permit the installation of **Water main, sanitary sewer, storm sewer, paving, sidewalks, landscaping and soil erosion** in accordance with plans prepared by **Professional Engineering Associates, Inc.** whose address is **2430 Rochester Ct., Suite 100, Troy, MI 48083** and whose telephone number is **248-689-9090** and approved prior to construction by the City in accordance with City of Troy specifications.

SECOND: That the Owners agree to provide the following securities to the City prior to the start of construction, in accordance with the Detailed Summary of Required Deposits & Fees (attached hereto and incorporated herein):

Refundable escrow deposit equal to the estimated construction cost of \$ **393,505.00**. This amount will be deposited with the City in the form of (check one):

| | | | | |
|--|-------------------------------------|---|----------|------------------|
| Cash/Check | <input checked="" type="checkbox"/> | } | 10% Cash | <u>36,850.00</u> |
| Certificate of Deposit & 10% Cash | <input type="checkbox"/> | | | |
| Irrevocable Bank Letter of Credit & 10% Cash | <input type="checkbox"/> | | | |
| Performance Bond & 10% Cash | <input type="checkbox"/> | | | |

Refundable cash deposit in the amount of \$ **52,281.00**. This amount will be deposited with the City in the form of (check one):

| | | | |
|------|--------------------------|-------|-------------------------------------|
| Cash | <input type="checkbox"/> | Check | <input checked="" type="checkbox"/> |
|------|--------------------------|-------|-------------------------------------|

Non-refundable cash fees in the amount of \$ **43,065.00**. This amount will be paid to the City in the form of (check one):

| | | | |
|------|--------------------------|-------|-------------------------------------|
| Cash | <input type="checkbox"/> | Check | <input checked="" type="checkbox"/> |
|------|--------------------------|-------|-------------------------------------|

Said refundable escrow deposits shall be disbursed to the Owners after approval by the City. The City reserves the right to retain a minimum of ten (10) percent for each escrowed item until the entire site/development has received final inspection and final approval by all City departments. Refundable cash deposits shall be held until final approval has been issued. Disbursements shall be made by the City within a reasonable time, after request for refund of deposits is made by the Owners.

City Of Troy
Contract for Installation of Municipal Improvements
(Private Agreement)

THIRD: The owners shall contract for construction of said improvement with a qualified contractor. Owners, or their agents, and contractor(s) agree to arrange for a pre-construction meeting with the City Engineer prior to start of work. All municipal improvements must be completely staked in the field under the direct supervision of a registered civil engineer or registered land surveyor, in accordance with the approved plans. Revisions to approved plans required by unexpected or unknown conflicts in the field shall be made as directed by the City.

FOURTH: Owners agree that if, for any reason, the total cost of completion of such improvements shall exceed the sums detailed in Paragraph SECOND hereof, that Owners will immediately, upon notification by the City, remit such additional amounts in accordance with Paragraph SECOND hereof. In the event the total cost of completion shall be less than the sums as detailed in Paragraph SECOND hereof, City will refund to the Owners the excess funds remaining after disbursement of funds.

FIFTH: Owners agree to indemnify and save harmless City, their agents and employees, from and against all loss or expense (including costs and attorneys' fees) by reason of liability imposed by law upon the City, its agents and employees for damages because of bodily injury, including death, at any time resulting therefrom sustained by any person or persons or on account of damage to property, including work, provided such injury to persons or damage to property is due or claimed to be due to negligence of the Owner, his contractor, or subcontractors, employees or agents, Owner further agrees to obtain and convey to the City all necessary easements and/or right-of-way for such public utilities as required by the City Engineer.

City Of Troy
Contract for Installation of Municipal Improvements
(Private Agreement)

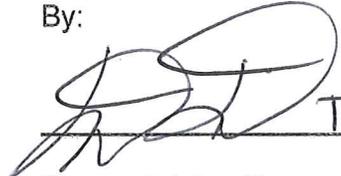
IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed in duplicate on this 19th day of SEPTEMBER, 2016.

OWNERS

CITY OF TROY

By:

By:


Tyler Tadian

Please Print or Type

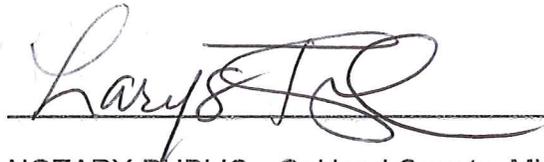
Dane M. Slater, Mayor

Please Print or Type

M. Aileen Dickson, City Clerk

STATE OF MICHIGAN, COUNTY OF OAKLAND

On this 13th day of September, A.D. 2016, before me personally appeared Tyler Tadian known by me to be the same person(s) who executed this instrument and who acknowledged this to be his/her/their free act and deed.



NOTARY PUBLIC, Oakland County, Michigan

My commission expires: _____

LARYSA FIGOL
Notary Public, Oakland County, Michigan
Acting in Oakland County, Michigan
My Commission Expires 03/02/2018

Detailed Summary of Required Deposits & Fees
Forest Run
13 Units - Section 12

ESCROW DEPOSITS or PERFORMANCE BOND:

| | |
|---|------------------|
| Sanitary Sewers | \$42,000 |
| Water Mains | \$85,000 |
| Storm Sewers | \$80,000 |
| Rear Yard Drains | \$0 |
| Pavement - CONCRETE | \$110,000 |
| Grading | \$25,000 |
| Detention Basin | \$25,000 |
| Monuments and Lot Corner Irons | \$450 |
| Temporary Access Road | \$1,000 |
| Improvement of Park or Open Space | \$2,500 |
| Deceleration and/or Passing Lane - MAJOR ROAD | \$0 |
| Sidewalks - ON SITE | \$3,525 |
| Sidewalks - OFF SITE | \$4,230 |
| Street Light | \$7,000 |
| Deposit for the Repair of Damage to Existing Public Streets Used for Access | \$7,800 |
| TOTAL ESCROW DEPOSITS or PERFORMANCE BOND (REFUNDABLE): | \$393,505 |
| 10% Cash 36,850.00 | |

CASH FEES (NON-REFUNDABLE):

| | |
|--|-----------------|
| Water Main Testing and Chlorination (PA2) | \$657 ✓ |
| Street Name and Traffic Signs (SUB 4) | \$469 ✓ |
| Maintenance of Detention Basin (20 year) | \$8,400 ✓ |
| Soil Erosion and Sedimentation Control Permits (SUB 10) | \$2,900 ✓ |
| Testing Services (SUB 11) | \$5,903 ✓ |
| Engineering Review and Inspection (PA 1) | \$28,529 ✓ |
| Less Initial Engineering Review Fee (Public & Private)(1.1%) | -\$3,793 ✓ |
| (PA 3) TOTAL CASH FEES (NON-REFUNDABLE): | \$43,065 |

CASH DEPOSITS (REFUNDABLE):

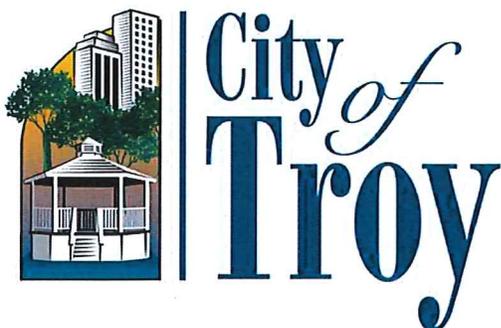
| | |
|--|-----------------|
| Sidewalk Closures | \$324 |
| Deposit for Maintenance & Cleaning of Ex. Public Streets Used for Access | \$2,600 |
| Landscape Deposit | \$6,050 |
| Punchlist & Restoration Deposit | \$41,682 |
| Deposit for Repair, Replacement or Maintenance of SESC | \$1,625 |
| (PA 3) TOTAL CASH DEPOSITS (REFUNDABLE): | \$52,281 |

Stormwater detention for this development will be provided by: New Onsite Public Pond
 Engineer: Professional Engineering Associates
 Developer: Forest Run LLC

PAID

SEP 13 2016

CITY OF TROY
TREASURER'S OFFICE



Minutes

**Retiree Healthcare Benefits Plan
& Trust
Board Meeting**

**May 11, 2016 at 1:00 PM
City Council Board Room**

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

A meeting of the Retiree Healthcare Benefit & Trust Board of Trustees was held on **May 11, 2016** at Troy City Hall, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting was called to order at: 1:58 p.m.

Trustees Present: Mark Calice
 Thomas Darling, CPA
 Thomas J. Gordon, II
 Milton Stansbury
 Mark Owczarzak

Trustees Absent: Brian Kischnick
 Dave Henderson
 Steve Palotta

Also Present: Lori Bluhm
 Eleanor Yoon

Minutes:

Resolution # ER – 2016-05-03

Moved by: Stansbury

Seconded by: Gordon

RESOLVED, that the Minutes of the February 10, 2016 meeting be approved.

Yeas: - 4 -

Absent: - 3 -

Regular Business:

None

Investments:

- UBS Financial Services Presentation - Retiree Health Care Benefits Plan and Trust Portfolio Review - May 2016

Mr. John Bush, Mr. Antonio Desano and Mr. Darin McBride of UBS Financial Services presented May 2016 Investment Performance and Portfolio Review.

Mr. McBride recommended taking 2% from Baron Real Estate Institutional and moving that 2% to Cohen & Steers Real Estate Securities.

Resolution # ER – 2016-05-04

Moved by: Stansbury

Seconded by: Gordon

RESOLVED, that the Retiree Healthcare Benefit & Trust Board of Trustees supported the UBS recommendation of moving 2% of the portfolio from Baron Real Estate Institution to Cohen & Steers Real Estate Securities.

Yeas: - 4 -

Absent: - 3 -

Other Business:

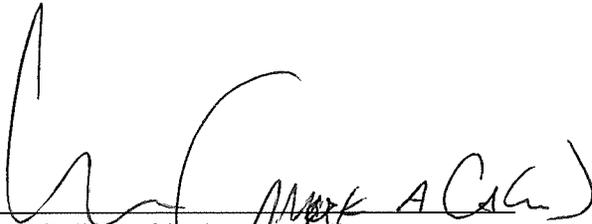
None

Public Comment:

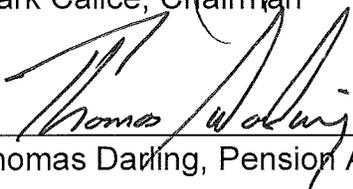
None

The next meeting is Wednesday, August 10, 2016 at 1:00 p.m. at Troy City Hall, Council Board Conference Room, 500 W Big Beaver Rd, Troy, MI 48084.

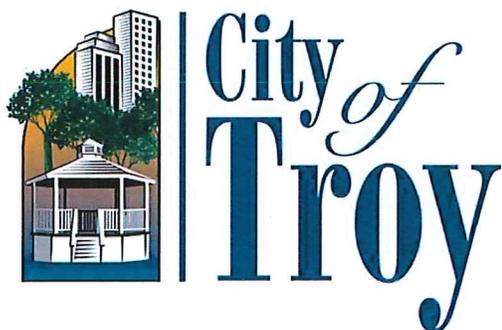
The meeting adjourned at 2:15 p.m.



Mark Calice, Chairman



Thomas Darling, Pension Administrator



Minutes

**Employees' Retirement System
Board Meeting**

**June 8, 2016 at 12:00 PM
City Council Board Room**

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

A meeting of the Employees' Retirement System Board of Trustees was held on **June 8, 2016** at Troy City Hall, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting was called to order at 12:02 p.m.

Trustees Present:

Mark Calice
Thomas Darling, CPA
Thomas Gordon II
Dave Henderson
Steve Pallotta
Milton Stansbury

Trustees Absent:

Brian Kishnick
Mark Owczarzak

Also Present:

David Bluhm

Minutes:

Resolution # ER – 2016-06-19

Moved by: Gordon II
Seconded by: Pallotta

RESOLVED, that the Minutes of the May 11, 2016 meeting be approved, with the Addition of ex-officio added to Mark Owczarzak's welcome.

Yeas: - 6 -
Absent: - 1 -

Retirement Requests:

| | |
|------------------------|-------------------------|
| Name | Leda Lorraine Coughlin* |
| Pension Program | DC |
| Retirement Date | 5/21/2016 |
| Department | Exempt/IT |
| Service Time | 13 years, 6 months |

Resolution # ER – 2016-06-20

Moved by: Pallotta
Seconded by: Stansbury

RESOLVED, that the change of retirement request by Leda Lorraine Coughlin be approved.

Yeas: - 6 -
Absent: - 1 -

Regular Business:

Mr. Michael Holycross was not present, so his recognition for being listed on Barron's ranking of America's "Top 1200 Advisors" was postponed.

Investments:

- Graystone Consulting Presentation

Ms. Amy Cole and Mr. Robert Alati from Graystone presented the Graystone Morgan Stanley June 2016 Market Outlook & Commentary. Ms. Cole went over the asset allocation of the portfolio, and noted that the allocation is in line with the investment policy.

Ms. Cole presented information on the Vanguard REIT ETF, per Brian Kishnick's request in the May meeting. The REIT has 150 positions, and will mirror MSCI US REIT Index. She gave

handouts highlighting the different subsectors, with retail being the largest subsector. The handout listed the top 10 holdings in the REIT as well.

Ms. Cole handed out hard copies of information on the possible Brexit. They believe there is a 25%- 30% chance of the Brexit happening. There is approximately 1.5% of the portfolio value invested in England.

Resolution # ER – 2016 -06- 21

Moved by: Darling
Seconded by: Pallota

RESOLVED, Motion to transfer funds from the Troy Employee Retirement System to city general checking account in the amount of \$7,300,000 to reimburse the city for pension benefit payments made on behalf of the ERS. The allocation between UBS and Morgan Stanley Graystone are to be based on the May 31st ending fair market value.

Yeas: - 6 -
Absent: - 1 -

-UBS Financial services presentation

Mr. Darren McBride and Ms. Rebecca Sorensen reviewed the City of Troy Employees Retirement Systems Defined Benefit and NAIC. The accounts were up 4.14% year to date as of June 7, 2016. Mr. Darling asked if there is a way to find out what the returns are for equities vs. fixed income. Mr. McBride said that through the end of May, the fixed income component of the return was 2.94%, vs. equities at 2.8%.

Ms. Sorensen discussed the possible Brexit and believes it will have little impact on the account, mainly because of the amount of British people and companies that want to stay in the EU.

Mr. McBride discussed the difficulty of selling bonds on your own, because someone needs to be willing to buy the bond. Because of this, using a fund manager is more efficient.

Other Business:

None

Public Comment:

None

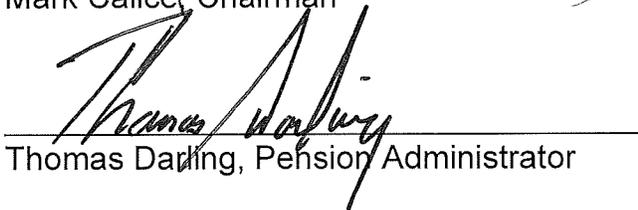
EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES MINUTES – Draft – June 8, 2016

The next meeting is Wednesday, July 13, 2016 at 12:00 p.m. at Troy City Hall in the Council Board Conference Room, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting adjourned at 1:41 p.m.

 (MARK + Calice)

Mark Calice, Chairman



Thomas Darling, Pension Administrator



Minutes

Employees' Retirement System Board Meeting

July 13, 2016 at 12:00 PM
City Council Board Room

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

A meeting of the Employees' Retirement System Board of Trustees was held on July 13, 2016 at Troy City Hall, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting was called to order at 12:05 p.m.

Trustees Present: Mark Calice
 Thomas Darling, CPA
 Thomas Gordon II (Left at 2:06 PM)
 Steve Pallotta
 Milton Stansbury
 Brian Kishnick (Arrived at 12:56 PM, Left at 1:13 PM)
 Mark Owczarzak

Trustees Absent: Dave Henderson

Also Present: David Bluhm

Minutes:

Resolution # ER – 2016-07-22

Moved by: Pallotta
Seconded by: Gordon, II

RESOLVED, that the Minutes of the June 8, 2016 meeting be approved.

Yeas: - 5 -
Absent: - 2 -

Retirement Requests:

| | |
|------------------------|--------------------|
| Name | Christine Hill |
| Pension Program | DC/Classified |
| Retirement Date | 08/13/2016 |
| Department | Police |
| Service Time | 14 years, 0 months |

Resolution # ER – 2016-07-23

Moved by: Stansbury
Seconded by: Pallotta

RESOLVED, that the retirement request by Christine Hill be approved.

Yeas: - 5 -
Absent: - 2 -

Regular Business:

-Review of Actuarial Valuation 12/31/2015

Mr. Jeffery Tebeau discussed the review of the actuarial evaluation for 12/31/2015. Based on the assumptions of the evaluation the city's contribution for the 2018 fiscal year is \$0, which is \$658,557 lower than the 2017 fiscal year requirement. For the plan year ended December 31, 2015, the plan was 104.5% funded using an "entry age normal cost" method and the assumptions of 6.5% ROI and the RP-2014 Healthy Annuitant Mortality Table. The actuarial value of assets was approximately \$169 million and the actuarial accrued liability was approximately \$162 million resulting in an actuarial accrued asset of \$7 million.

-Spring 2016 MAPERS Case Update

Mr. Tom Darling introduced the MAPERS 2016 information on recent legal issues and decisions.

Investments:

- Graystone Consulting Presentation

Ms. Amy Cole, Mr. Eric Burger and Mr. Robert Alati from Graystone presented the Graystone Morgan Stanley July 2016 Market Outlook & Commentary. Ms. Cole presented thoughts on Brexit, noting that the new Prime Minister Theresa May can help limit the amount of uncertainty in the country. Ms. Cole noted that there is approximately 1.5% of the portfolio invested in England.

Ms. Cole went over the asset allocation of the portfolio, and noted that 65.5% is invested in equities, above the targeted allocation for equities which is 59%, but still under the maximum equity allocation of 70%.

City Manager Brian Kishnick arrived at 12:56 PM.

Mr. Alati believes that we are at the beginning of a large bull market.

City Manager Brian Kishnick Left at 1:13 PM

-UBS Financial services presentation

Mr. Darren McBride and Ms. Rebecca Sorensen reviewed the City of Troy Employees Retirement Systems Defined Benefit and NAIC.

Mr. Calice asked for samples of technical data and articles from UBS to be sent individually to members of the board, including articles like the Washington Weekly and UBS technical analysis, so the board members may decide if they want to continually receive them or not.

Mr. McBride gave information on real estate funds. He said that real estate will soon be listed as its own sector, resulting in a large influx of money to the real estate sector, and thinks that there should be more exposure to real estate in the account. He recommended investing \$1.2 million into the Cohen & Steers Real Estate Securities fund.

Resolution # ER – 2016 -07- 24

Moved by: Darling

Seconded by: Pallota

RESOLVED, Purchase \$1.2 million of Cohen & Steers Real Estate Securities mutual fund.

Yeas: - 4 -

Nays: - 1 -

Absent: - 2 –

Mr. Thomas Gordon II left at 2:06 PM.

Resolution # ER – 2016 -07- 25

EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES MINUTES – Final – July 13, 2016

Moved by: Calice
Seconded by: Darling

RESOLVED, liquidate all positions in Whitewave and EMC and purchase approximately \$300,000 of Disney and the remaining amount in an NAIC covered stock.

Yeas: - 4 -
Absent: - 3 -

Ms. Sorensen noted that UBS has been ranked as the world's best bank for wealth management for the second year in a row by Euromoney.

Other Business:

None

Public Comment:

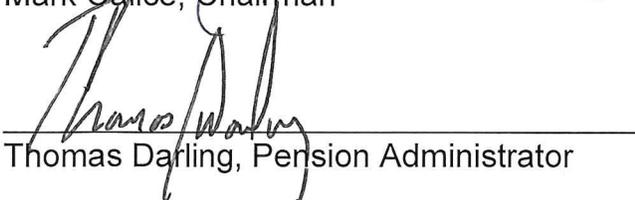
None

The next meeting is Wednesday, August 10, 2016 at 12:00 p.m. at Troy City Hall in the Council Board Conference Room, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting adjourned at 2:42 p.m.



Mark Calice, Chairman



Thomas Darling, Pension Administrator

On July 19, 2016, at 7:30 p.m., in the Council Chambers of Troy City Hall, Chairman Clark called the Zoning Board of Appeals meeting to order.

1. ROLL CALL

Present:

- Glenn Clark
- Thomas Desmond
- David Eisenbacher
- Allen Kneale
- David Lambert
- Philip Sanzica

Also Present:

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

2. APPROVAL OF MINUTES – June 21, 2016

Moved by Lambert
Seconded by Sanzica

RESOLVED, to approve the June 21, 2016 meeting minutes.

Yes: All

MOTION PASSED

3. APPROVAL OF AGENDA

No changes.

4. HEARING OF CASE

VARIANCE REQUEST, DAVID J. PARDUN, 1321 BOYD – In order to split a parcel of land into two parcels, a 305.5 square foot variance from the 7,500 square foot minimum lot size.

Moved by Sanzica
Seconded by Clark

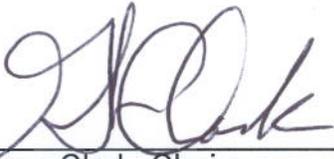
RESOLVED, to deny the request.

Yes: Desmond, Eisenbacher, Kneale, Sanzica, Clark
No: Lambert

MOTION PASSED

5. COMMUNICATIONS – None
6. MISCELLANEOUS BUSINESS – None
7. PUBLIC COMMENT – Diane Alati, 1308 Boyd, representing Friends of Troy Seniors advised that the organization supports development of smaller homes suitable for senior citizens.
8. ADJOURNMENT – The Zoning Board of Appeals meeting ADJOURNED at 8:00 p.m.

Respectfully submitted,



Glenn Clark, Chairman



Paul Evans, Zoning and Compliance Specialist

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Chair Dziurman called the Regular meeting of the Building Code Board of Appeals to order at 3:00 p.m. on August 3, 2016 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Members Present

Theodore Dziurman, Chair
Amanda Anderson
Brian Kischnick
Andrew Schuster

Members Absent

Gary Abitheira

Support Staff Present:

Mitch Grusnick, Building Official/Code Inspector
Kathy L. Czarnecki, Recording Secretary

Also Present:

Attached and made a part hereof is the signature sheet of those present and signed in at this meeting.

2. APPROVAL OF MINUTES

Moved by: Schuster
Support by: Anderson

RESOLVED, To approve the minutes of the July 6, 2016 Regular meeting as submitted.

Yes: All present (4)
Absent: Abitheira

MOTION CARRIED

3. HEARING OF CASES

- A. **VARIANCE REQUEST, BRIAN FARRELL, 984 BRIDGE PARK** – This property is a double front setback corner lot. As such it has required front setbacks from both Bridge Park and Crooks. The petitioner is requesting a variance to install a 6 foot high obscuring fence in the Crooks front setback, where City Fence Code limits fences to non-obscuring 30 inches high.

Mr. Grusnick reported the department received no written responses to the public hearing notices. He addressed the change in the application as relates to the setback along Crooks because of the existing greenbelt easement.

The applicant Brian Farrell was present.

Chair Dziurman opened the floor for public comment.

Bob Brown, 937 Bridge Park, said there's not one fence along Crooks from South Boulevard to Square Lake. He expressed a concern that a precedent would be set.

The floor was closed.

Moved by: Schuster
Support by: Kischnick

RESOLVED, To grant the variance to install a 6 foot high obscuring fence 18 feet set back from the property line that parallels Crooks, for the following reason:

1. The variance would not be contrary to the public interest or general purpose and intent of Chapter 83.

Discussion on the motion on the floor.

Mr. Kischnick proposed to amend the motion subject to the applicant planting arborvitae in the open area.

Mr. Schuster agreed.

Motion on the floor, as amended.

RESOLVED, To grant the variance to install a 6 foot high obscuring fence 18 feet set back from the property line that parallels Crooks with a condition the applicant plants arborvitae in the open area, for the following reason:

1. The variance would not be contrary to the public interest or general purpose and intent of Chapter 83.

Yes: Anderson, Kischnick, Schuster
No: Dziurman
Absent: Abitheira

MOTION CARRIED

Chair Dziurman said he opposes because the fence is too high.

B. **VARIANCE REQUEST, JOE GLASER FOR LOWE’S HOME IMPROVEMENT, 612 BARCLAY** – This property is a double front setback corner lot. As such it has required front setbacks from both Barclay and Cypress. The petitioner is requesting a variance to install a 6 foot high obscuring fence set back 25 feet along the Cypress property line. City Fence Code limits fences at this location to non-obscuring 48 inches high.

Mr. Grusnick reported the department received no written responses to the public hearing notices.

Present were the applicant Joe Glaser of Lowe’s Home Improvement and property owner Darla Oyama.

Chair Dziurman opened the floor for public comment. Acknowledging there was no one present to speak, the floor was closed.

Moved by: Anderson
Support by: Kischnick

RESOLVED, To grant the variance as requested, for the following reason:

1. The variance would not be contrary to the public interest or general purpose and intent of Chapter 83.

Yes: Anderson, Kischnick, Schuster
No: Dziurman
Absent: Abitheira

MOTION CARRIED

C. **VARIANCE REQUEST, ROBERT MOORHOUSE FOR R. E. MOORHOUSE AND ASSOCIATES, INC., 900 TOWER** – A variance from the Sign Code to allow installation of two 335 square foot wall signs on a building that has two 206 square foot wall signs. The Sign Code allows one wall sign.

Mr. Grusnick reported the department received no written responses to the public hearing notices. Mr. Grusnick addressed variances previously granted on the property.

Present were the applicant Robert Moorhouse and Anthony Antone of Kojaian Companies.

Chair Dziurman opened the floor for public comment. Acknowledging there was no one present to speak, the floor was closed.

Moved by: Kischnick
Support by: Schuster

RESOLVED, To grant the variance as submitted due to the wisdom of the people who came before this Board, and because it was granted, and the uniqueness of this lot and the building.

Yes: All present (4)
Absent: Abitheira

MOTION CARRIED

- D. **VARIANCE REQUEST, ED PHILLIPS FOR PHILLIPS SIGN & LIGHTING, 1819-1925 E BIG BEAVER and 3125 JOHN R** – Variances from the Sign Code to allow 1) the installation of two additional 85 square foot ground signs; and 2) enlargement of two existing ground signs to 248 square feet each. The Sign Code allows two ground signs on the property. Variances were previously granted to allow the three existing ground signs.

Mr. Grusnick reported the department received no written responses to the public hearing notices.

Present were Rebecca Godin representing Phillips Sign & Lighting Inc. and Dennis Bostick representing Troy Sports Center. Ms. Godin distributed an illustration of the property setbacks.

Chair Dziurman acknowledged there was no one present to speak.

Moved by: Kischnick
Support by: Anderson

RESOLVED, To grant the variance as requested due to the unique circumstances of this lot which is a campus setting.

Yes: All present (4)
Absent: Abitheira

MOTION CARRIED

4. **COMMUNICATIONS**

None.

5. **PUBLIC COMMENT**

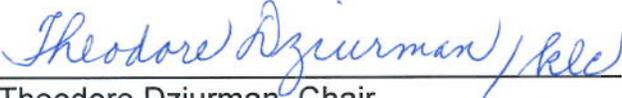
None.

6. MISCELLANEOUS BUSINESS

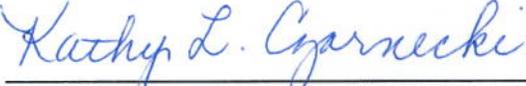
7. ADJOURNMENT

The Regular meeting of the Building Code Board of Appeals adjourned at 3:35 p.m.

Respectfully submitted,



Theodore Dziurman, Chair



Kathy L. Czarnecki, Recording Secretary

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**Minutes****Employees' Retirement System
Board Meeting****August 10, 2016 at 12:00 PM
City Council Board Room****Troy City Hall
500 West Big Beaver
Troy, Michigan 48084
(248) 524-3330**

A meeting of the Employees' Retirement System Board of Trustees was held on **August 10, 2016** at Troy City Hall, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting was called to order at 12:00 p.m.

Trustees Present:

Mark Calice
Thomas Darling, CPA
Thomas Gordon II
Milton Stansbury
Mark Owczarzak

Trustees Absent:

Dave Henderson
Brian Kishnick
Steve Pallota

Also Present:

David Bluhm
Gregg Clarkin
Scott Rhodes

Minutes:

Resolution # ER – 2016-08-26

Moved by: Stansbury
Seconded by: Gordon, II

RESOLVED, that the Minutes of the July 13, 2016 meeting be approved.

Yeas: - 4 -
Absent: - 3 -

Retirement Requests:

None

Regular Business:

-Attendance Support for 2016 Fall MAPERS Conference

Resolution # ER – 2016-08-27

Moved by: Darling
Seconded by: Gordon

RESOLVED, Send Mark Owczarzak to the 2016 fall MAPERS conference with voting rights on behalf of the Troy ERS board, with expenses to be in accordance with city administrative policies.

Yeas: - 4 -
Absent: - 3 -

-City Manager's Office Stock Market Game

Mr. David Bluhm presented the outcome of the City Manager's Office Stock Market Game. The game began on June 30th. The funds picked by the City Manager's Office outperformed the randomly selected stocks.

Investments:

- Graystone Consulting Presentation

Ms. Amy Cole, Mr. Eric Burger, Mr. Robert Alati, and Mr. Michael Holycross from Graystone presented the Graystone Morgan Stanley August 2016 Market Outlook & Commentary. Mr. Alati presented thoughts on the state of the economy, and he believes that we are in the midst of a large bull market.

Mr. Burger presented the June performance summary, and Ms. Cole presented the July performance summary.

Resolution # ER – 2016-08-28

Moved by: Calice

Seconded by: Stansbury

RESOLVED, reallocate \$1,500,000 from iShares MSCI EAFE (EFA) to iShares Emerging Mkts (EEM), and reallocate \$850,000 from Winslow Large Growth to Delaware Large Value.

Yeas: - 4 -

Absent: - 3 -

-UBS Financial services presentation

Mr. Darren McBride, Ms. Rebecca Sorensen, and Mr. Antonio Desano reviewed the City of Troy Employees Retirement Systems Defined Benefit and NAIC.

Mr. Desano presented buy recommendations for BlackRock, Inc. (BLK) and Align Technology (ALGN). He recommended a purchase of \$250,000 for each stock.

Resolution # ER – 2016-08-29

Moved by: Darling

Seconded by: Gordon

RESOLVED, invest \$250,000 in BlackRock, Inc. (BLK), and invest \$250,000 in Align Technology (ALGN).

Yeas: - 4 -

Absent: - 3 -

Mr. Owczarzak presented information on the telecommunications sector. He recommended selling all positions of Ebay and invest the liquidated money in Vanguard and Fidelity Telecommunications funds. The motion was not supported. UBS will look into ways to increase exposure to the telecommunications sector.

Mr. Darling presented information on the annual financial statements.

Other Business:

None

Public Comment:

None

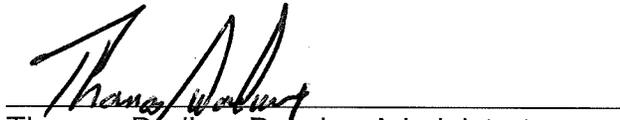
EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES MINUTES – Final – August 10, 2016

The next meeting is Wednesday, September 14, 2016 at 12:00 p.m. at Troy City Hall in the Council Board Conference Room, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting adjourned at 1:35 p.m.



Mark Calice, Chairman



Thomas Darling, Pension Administrator

On August 16, 2016, at 7:30 p.m., in the Council Chambers of Troy City Hall, Chairman Clark called the Zoning Board of Appeals meeting to order.

1. ROLL CALL

Present:

Glenn Clark
Thomas Desmond
David Eisenbacher
David Lambert
Paul McCown

Also Present:

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

2. APPROVAL OF MINUTES – July 19, 2016

Moved by Lambert
Seconded by McCown

RESOLVED, to approve the July 19, 2016 meeting minutes.

Yes: All

MOTION PASSED

3. APPROVAL OF AGENDA

No changes.

4. HEARING OF CASE

VARIANCE REQUEST, JAMES HALL FOR FUNSPACE DIRECT, LLC, 1204 ROTHWELL – In order to construct a pergola at the rear of the house, a 15 foot variance from the required 45 foot rear yard setback.

Moved by Lambert
Seconded by McCown

RESOLVED, to grant the request.

Yes: All

MOTION PASSED

5. COMMUNICATIONS – None

6. MISCELLANEOUS BUSINESS

Moved by Desmond
Seconded by McCown

RESOLVED, to request the Planning Commission study a potential Zoning Ordinance Amendment that would allow additions, such as pergolas without a solid roof or any walls, to encroach into the rear yard setback.

Yes: All

7. PUBLIC COMMENT – None

8. ADJOURNMENT – The Zoning Board of Appeals meeting ADJOURNED at 8:01 p.m.

Respectfully submitted,

Glenn Clark, Chairman

Paul Evans, Zoning and Compliance Specialist

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Acting Chair Abitheira called the Regular meeting of the Building Code Board of Appeals to order at 3:06 p.m. on September 7, 2016 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Members Present

Gary Abitheira
Amanda Anderson
Andrew Schuster

Members Absent

Theodore Dziurman, Chair
Brian Kischnick

Support Staff Present:

Mitch Grusnick, Building Official/Code Inspector
Allan Motzny, Assistant City Attorney
Kathy L. Czarnecki, Recording Secretary

Also Present:

Attached and made a part hereof is the signature sheet of those present and signed in at this meeting.

2. APPROVAL OF MINUTES

Moved by: Anderson
Support by: Schuster

RESOLVED, To approve the minutes of the August 3, 2016 Regular meeting as submitted.

Yes: All present (3)
Absent: Dziurman, Kischnick

MOTION CARRIED

3. HEARING OF CASES

- A. VARIANCE REQUEST, TERRY GLADSTONE FOR ACTION FENCE OF MICHIGAN, 2649 KENWYCK – This property is a double front setback corner lot. As such it has required front setbacks from both Kenwyck and Danbury. The petitioner is requesting a variance to install a 6 foot high obscuring fence in the Danbury front setback, where City Fence Code limits fences to non-obscuring 30 inches high.

Mr. Grusnick reported the department received one written response to the public hearing notices and he had a verbal discussion with the homeowner at 4842 Danbury.

Present were the applicant Terry Gladstone and the property owner Nick Piersinski.

Mr. Piersinski said after talking with neighbors, they propose to reduce the fence height to 4 feet along Danbury and up to the front façade of the home at 4842 Danbury, then transition to a 6 foot high privacy fence on the back side. Mr. Piersinski said the fence would be a shadowbox-style obscuring fence. He circulated (1) a picture of the revised plan and (2) a letter signed by the property owners at 4842 Danbury stating their agreement with the revised plan.

Mr. Grusnick stated the application as revised would require a variance for the 4 foot high obscuring fence along Danbury and a variance would not be required for the privacy fence along the rear.

Acting Chair Abitheira opened the floor for public comment. Acknowledging there was no one present to speak, the floor was closed.

Moved by: Schuster
Support by: Anderson

RESOLVED, To grant the variance request subject to the modifications heard at this meeting, which is to install a 4 foot high obscuring fence along the Danbury property line at a minimum of 5 feet from the sidewalk, for the following reason:

1. The variance would not be contrary to the public interest or general purpose and intent of Chapter 83.

Yes: All present (3)
Absent: Dziurman, Kischnick

MOTION CARRIED

- B. **VARIANCE REQUEST, KEVIN J. KMET FOR UNITED SHORE FINANCIAL SERVICES LLC, 1414 EAST MAPLE** – To allow the installation of 2 wall signs each measuring 262 square feet, where the Sign Code allows only 1 wall sign. Variances were previously granted to allow the 5 existing wall signs. The 2 signs will be removed within 6 months of installation.

Mr. Grusnick reported the department received no written responses to the public hearing notices.

Present to represent United Shore Financial Services were Kevin Kmet, Barbara Yolles and Laura Lawson.

Acting Chair Abitheira opened the floor for public comment. Acknowledging there was no one present to speak, the floor was closed.

Moved by: Anderson
Support by: Schuster

RESOLVED, To grant the variance request, for the following reasons:

- 1. The variance would not be contrary to the public interest or general purpose and intent of Chapter 85; and
- 2. The signs are temporary in nature.

Yes: All present (3)
Absent: Dziurman, Kischnick

MOTION CARRIED

- C. **VARIANCE REQUEST, WARREN HUDSON FOR FRIEDMAN MANAGEMENT COMPANY, 700 TOWER** – A variance from the Sign Code to allow installation of a 554 square foot ground sign adjacent to the I-75 property line. The 2 existing ground signs will be retained. The Sign Code allows 2 ground signs. Ground signs are limited to a maximum size of 200 square feet.

Mr. Grusnick reported the department received no written responses to the public hearing notices. He clarified how the City determined the computation of the square footage of the sign.

Present were Warren Hudson and Stan Finsilver of Friedman Management Company. They addressed signage from the I-75 expressway, existing foliage and topography. The applicant was amicable to redesigning the base and thickness of the sign so that the overall square footage of the sign would be reduced.

Acting Chair Abitheira acknowledged there was no one present to speak.

Moved by: Abitheira
Support by: Anderson

RESOLVED, To grant a variance to allow a third ground sign adjacent to the I-75 property line, subject to a maximum size of 200 square feet, a maximum height of 25 feet and a minimum setback of 30 feet, for the following reasons:

- 1. The property is sided by three major roads.
- 2. The property is permitted to have three signs.

Yes: All present (3)
Absent: Dziurman, Kischnick

MOTION CARRIED

- D. **VARIANCE REQUEST, WARREN HUDSON FOR FRIEDMAN MANAGEMENT COMPANY, 800 TOWER** – A variance from the Sign Code to allow installation of a 554 square foot ground sign adjacent to the I-75 property line. The 2 existing ground signs will be retained. The Sign Code allows 2 ground signs. Ground signs are limited to a maximum size of 200 square feet.

Mr. Grusnick reported the department received no written responses to the public hearing notices.

Present were Warren Hudson and Stan Finsilver of Friedman Management Company. They addressed limited locations to place the sign, existing foliage and topography. The applicants were amicable to placing the sign in an existing parking space.

Acting Chair Abitheira acknowledged there was no one present to speak.

Moved by: Abitheira
Support by: Schuster

RESOLVED, To grant a variance to allow a third ground sign adjacent to the I-75 property line, subject to a maximum size of 200 square feet, a maximum height of 25 feet and a minimum setback of 30 feet from the I-75 right of way, for the following reason:

- 1. The property is a double-fronted property.

Yes: All present (3)
Absent: Dziurman, Kischnick

MOTION CARRIED

4. **COMMUNICATIONS**

None.

5. **PUBLIC COMMENT**

None.

6. **MISCELLANEOUS BUSINESS**

None.

7. ADJOURNMENT

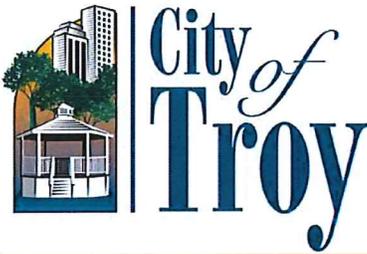
The Regular meeting of the Building Code Board of Appeals adjourned at 3:55 p.m.

Respectfully submitted,

Gary Abitheira, Acting Chair

Kathy L. Czarnecki, Recording Secretary

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ADMINISTRATIVE MEMORANDUM

| | | |
|--|------------------------|---|
| SUBJECT: Whistleblower Protection Policy – Reporting of Violations | | |
| DATE OF ORIGINAL ISSUE: April 17, 1967 | EFFECTIVE DATE: | NUMBER: 1-P-3 |
| RE-EVALUATION DATE: August 2017 | RESCINDS: | LAST REVISION DATE: August 23, 2016 |
| DISTRIBUTION: All Employees | | |

PURPOSE

The purpose of this communication is to provide a procedure whenever an employee wishes to report an alleged violation of any State or Federal statute, City ordinance or Charter provision, personnel rule or administrative memorandum by any other employee or official of the City of Troy.

POLICY

It shall be the policy of the City of Troy to faithfully encourage its employees to report violations of State or Federal statutes, City ordinance or Charter provision, personnel rule or administrative memoranda or any attempt by a City official or City employee to discourage or interfere with such reporting.

No employee shall be discharged, threatened, or otherwise discriminated against regarding his/her compensation, terms, conditions, location, or privileges of employment because the employee, or a person acting on behalf of the employee, reports or is about to report, verbally or in writing, a violation or a suspected violation of any State or Federal statute, City ordinance or Charter provision, personnel rule or administrative memorandum to any official or employee of the City of Troy unless the employee knows that the report is false. Nor shall an employee be discharged, threatened or otherwise discriminated against regarding their compensation, terms, conditions, location or privileges of employment because the employee is requested by the City of Troy or any other public body to participate in an investigation, hearing, or inquiry held by the City of Troy, or in a Court action.

REPORTING PROCEDURE

Whenever an employee believes that a City of Troy official, employee, supervisor, department head, city attorney or city manager has violated any State or Federal statute, City Ordinance or Charter provision, personnel rule or administrative memorandum (including for purposes of illustration, but not limited to theft, dishonesty, using City equipment for personal use, falsification of payroll records, violation of a purchasing procurement policy, and acts of harassment), the employee shall have the right and is encouraged to disclose and discuss the matter with his or her immediate supervisor, any other supervisor up to and including the City Manager, the Human Resource Director or the City Attorney. Should the employee believe that the City Manager or City Attorney has violated any State or Federal statute, City Ordinance or Charter provision, personnel rule or administrative

memorandum, the employee or any supervisory employee to whom the employee has reported the alleged violation shall have the right to report any alleged violations by the City Manager to the City Attorney or any alleged violations by the City Attorney to the City Manager. Alternatively, the employee or supervisory employee may report the alleged violation directly to the City Council or a member of City Council, at the employee's discretion.

The City official receiving a report of an alleged violation of any State or Federal statute, City ordinance or Charter provision, personnel rule or administrative memorandum shall review the allegations, and inform the reporting employee what steps will be taken, if any. If, after discussing the matter, the employee is not satisfied with this response, the employee shall have the right to report the matter directly to the City Manager, the City Attorney or the City Council or a member thereof. City Council supervises the City Manager and the City Attorney, and therefore the recipient of any report, as referenced above, alleging that either the City Manager or the City Attorney is suspected of violating a State or Federal statute, City Ordinance or Code, personnel rule or administrative memorandum must also provide the report to the entire Troy City Council within two business days. Upon receipt of any such report, the Troy City Council will have one week to either convene a Special Meeting or discuss at a regularly scheduled City Council meeting where to forward the report and any other necessary follow up matters. If City Council does not meet within one week of the notification, or provide any official direction, then the report recipient may then forward allegations concerning the City Attorney to the Michigan Attorney Grievance Commission for follow-up, and may forward allegations concerning the City Manager to the ICMA Committee on Professional Conduct through the Michigan Division. In no case shall this policy be interpreted to restrict in any way the rights of an employee of the City of Troy to report, verbally or in writing, a violation or suspected violation of a law or regulation or rule promulgated pursuant to law of this State, the City or the United States to any other public body, the Michigan Attorney Grievance Commission (if the report concerns an attorney), or the International City Manager's Association Committee on Professional Conduct (if the report concerns an ICMA member).

DISCIPLINE

Any employee who violates the provisions of this policy or the Whistleblowers' Protection Act will be subject to disciplinary action up to and including discharge.

Approved:



Brian M. Kischnick, City Manager



CITY COUNCIL AGENDA ITEM

Date: September 2, 2016

To: Brian Kischnick, City Manager

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

Subject: Building Department Activity Report – August, 2016

The following attachment contains a summary of permit activity and project valuation for the Building Inspection Department comparing August 2015 to August 2016. Valuations have slightly decreased to below the levels from last year.

A total of 6,833 building, plumbing, electrical and mechanical related permits have been issued for the year so far compared to 6,137 during the same time frame in 2015.

Year to date project valuations throughout August 2016 are at \$107,354,572. In comparison, building related permits had a valuation of \$123,714,248 during the same period in 2015.

Our inspectors performed 2,028 trade inspections for the month of August 2016 compared to 1,919 for the month of August 2015. Inspections counts have stayed high for this time of year.

Attachments:

1. Building Department Activity Report

Preparer of memo\File name\File location

BUILDING PERMITS ISSUED

| | BUILDING PERMITS 2015 | PERMIT VALUATION 2015 | BUILDING PERMIT REVENUE 2015 | BUILDING PERMITS 2016 | PERMIT VALUATION 2016 | BUILDING PERMIT REVENUE 2016 |
|--------------|--------------------------|--------------------------|---------------------------------|--------------------------|--------------------------|---------------------------------|
| JANUARY | 172 | \$ 13,789,620.00 | \$ 352,653.99 | 106 | \$ 8,881,040.00 | \$ 186,385.60 |
| FEBRUARY | 85 | \$ 5,271,646.00 | \$ 155,426.00 | 118 | \$ 8,387,600.00 | \$ 236,060.17 |
| MARCH | 137 | \$ 20,334,618.00 | \$ 360,947.75 | 194 | \$ 17,197,346.00 | \$ 385,950.19 |
| APRIL | 228 | \$ 24,744,935.00 | \$ 417,945.02 | 184 | \$ 7,949,322.00 | \$ 228,388.62 |
| MAY | 230 | \$ 22,193,390.00 | \$ 375,491.94 | 304 | \$ 10,216,794.00 | \$ 274,789.01 |
| JUNE | 242 | \$ 12,569,406.00 | \$ 327,069.54 | 346 | \$ 26,455,559.00 | \$ 515,074.56 |
| JULY | 240 | \$ 11,927,112.00 | \$ 262,669.77 | 271 | \$ 9,922,722.00 | \$ 299,428.08 |
| AUGUST | 260 | \$ 12,910,521.00 | \$ 286,684.15 | 402 | \$ 18,344,189.00 | \$ 379,036.78 |
| SEPTEMBER | 288 | \$ 11,397,103.00 | \$ 305,132.56 | 0 | \$ - | |
| OCTOBER | 282 | \$ 20,800,709.00 | \$ 403,200.00 | 0 | \$ - | |
| NOVEMBER | 167 | \$ 9,762,579.00 | \$ 240,439.78 | 0 | \$ - | |
| DECEMBER | 135 | \$ 8,275,432.00 | \$ 237,544.70 | 0 | \$ - | |
| TOTAL | 2466 | \$173,977,071.00 | \$3,725,205.20 | 1925 | \$107,354,572.00 | \$2,505,113.01 |



CITY COUNCIL AGENDA ITEM

Date: September 13, 2016

To: Brian Kischnick, City Manager

From: Mark F. Miller, Director of Economic & Community Development
Cindy Stewart, Community Affairs Director

Subject: Report: AT&T Service and PEG Channels

Currently, our PEG (public, education and government) channels are only available on the Comcast and WOW systems. Since AT&T cable services have been in place, I receive periodic calls from residents complaining that they are unhappy they cannot view the Troy channels. Customers can view some PEG channels such as Shelby Township and Clinton Township, but not Troy or other local communities around Troy.

I spoke with one of AT&T's government affairs representatives in August 2016 to again discuss the issue of Troy's PEG channels being on the AT&T system. Since their system is over phone lines, I was told that we need to purchase one encoder per channel (\$10,000 each). The encoder will stream one input over AT&T's system. We would need one encoder for each channel (public, education, government). From the encoder our programming will rout to an IP address. This is a one-time charge. AT&T would sell us a T-1 line with a charge of approximately \$300 - \$600 per month for the streaming service.

I spoke with our IT Director Gert Paraskevin, we could add a new internet connection from Comcast or WOW for an approximate charge of \$100 per month. We will investigate alternative pricing through those other companies or the state contract.

With our PEG channels on Comcast and WOW, we have never paid them any money for equipment or services. I spoke with the other Intergovernmental Cable Communications Authority (ICCA) representatives from Auburn Hills, Berkley, Clawson, Ferndale, Huntington Woods, Oakland Township, Pleasant Ridge, Rochester, and Royal Oak and none of their respective communities are currently paying AT&T, nor do they anticipate paying AT&T for this service which we receive free from Comcast and WOW.

In the end, it is up to the communities if they want to pay for a service that our two other cable companies offer at no charge.



CITY COUNCIL AGENDA ITEM

Date: September 1, 2016

To: Brian Kischnick, City Manager

From: Thomas Darling, Director of Financial Services
Lisa Burnham, Accounting Manager
Kurt Bovensiep, Director of Public Works
MaryBeth Murz, Purchasing Manager
Enna Bachelor, Buyer

Subject: POPE Project – Purchasing Monthly Report August 31, 2016

Overview

On July 25, 2016 the City Manager established the Plan of Process and Education initiative or “POPE Project” and created teams to review and examine current purchasing and personnel policies and directives. The City Manager determined the scope of the project and the executive team (City Manager, Financial Services Director and Human Resources Director) worked together to clarify the processes and expected outcomes for the teams.

The POPE “Purchasing” review team has been meeting twice a week since July 27, 2016. On August 22, 2016 City Council approved the “City Manager Plan of Action”.

The purpose of the POPE-Purchasing team is to examine the City Charter, City Code (Ordinances), and Administrative Memoranda related to the purchasing process and develop recommendations to further the addition to, deletion of, consolidation of and clarification to those documents.

Our first step was to identify the sections for review. The following sections were selected:

City Charter

Section 6.12 – Pecuniary Interest Prohibited (status complete)

Section

Section 12.1 – Purchase and Sale of Property (status complete)

Section 12.2 – Contracts (status complete)

Section 12.3 – Restrictions on Powers to Lease Property (status complete)



CITY COUNCIL AGENDA ITEM

City Ordinance

Chapter 4 – Administrative Policy and Procedure – Selected Topics (In process)
Chapter 7 – Purchases, Contracts and Sales (status complete)

Administrative Memorandum

1-PU-1through 1-PU-30 (In process)

Issues and Recommendations:

Progress to date reflects the following issues and recommendations:

Issue 1

The purchasing review team for “Plan of Process Review & Education” (POPE) reviewed City Ordinance Chapter 7 Item 9. During our review we noted particular references that the team concluded were either ambiguous or required further clarification.

Code

City Ordinance Chapter 7 Item 9

Interpretation

The ordinance refers to “officially declared emergency” but does not offer nor was one noted during the review of the City Charter and other ordinances of “who” has the authority to “officially declare an emergency”. We did however note that a police or fire supervisor can activate the Emergency Operations Plan.

The team also noted that the ordinance did not define and/or link to other Charter directives, the conditions in which an emergency can be declared. Although Charter Section 12.1 paragraph 5 indicates an emergency condition because of a natural disaster, civil disturbance or “similar calamity”, the team concluded that further clarification of “similar calamity” is required.

The ordinance refers to the notification of emergency purchases to City Council at the next regularly scheduled meeting. The team concluded that because this is a timing requirement, the definition of when a “purchase” has occurred should be referenced.

The purchasing team reviewed other “Emergency Purchase” policies and procedures for other governmental units including Oakland County and the City of Detroit when developing the recommendation below.



CITY COUNCIL AGENDA ITEM

Finally, the issue of the Emergency Purchase as in relation to the City Charter revolves around the issue of City Management retaining the ability for purchases over \$10,000 to:

1. Waive the competitive bidding process
2. Obligate the City to expend funds in excess of \$10,000 prior to Council approval.

Recommendation

The team recommends modification to the City Ordinance Chapter 7 Item 9 as follows:

7.9 Declared Emergency. Upon declaration of the City Manager or designee or by the activation of the City Emergency Operations Plan, an emergency will be declared. An emergency is defined as a condition that threatens public health, welfare or safety, which demands an immediate remedy on property, operations or conditions that will continue to degrade and become increasingly costly and difficult to restore if immediate action is not taken. In the event of an officially declared emergency, the City Manager is permitted to make purchases without sealed bids, prior to Council approval and in excess of the limitations provided by the Charter. All purchases in excess of the limitations provided by the Charter, shall be reported to the Council at the next regularly scheduled meeting. A purchase will deem to have occurred at the time the City has incurred an obligation to expend resources.

Issue 2

The purchasing review team reviewed City Charter 6.12 "Pecuniary Interest Prohibited". During our review we noted that a,) disclosure forms do not include information about spouse, children or spouses of children as required under the charter and, b.) Information collected by Clerk Department is not disseminated and routed to other departments such as Purchasing and Finance where the controls over purchases are regulated.

Code

City Charter Chapter 6.12

Interpretation

Section 6.12(a) prohibits contracts or purchases involving an amount in excess of \$100 by the City which any elective or appointive officer or **any member of his family has any pecuniary interest, direct or indirect**. This section continues to define "member of his family" as spouse, children and the spouse of any of them.



CITY COUNCIL AGENDA ITEM

During our review of the disclosure form, we did not note a section for disclosure of other family members.

In addition, during our review of the data collection process we noted that although the information is collected it does not appear to be disseminated and routed to other departments including departments with responsibilities for regulating such purchases.

Recommendation

The purchasing review team recommends a review of the disclosure form to assure that it requires information about family members and further defines spouse, children and the spouses of any of them.

In addition, it is recommended that the City Clerk Office disseminates information by person, firm or corporation listing the elective or appointive officer and/or the family member and routes such information to regulating departments.

Issue 3

The purchasing team noted different interpretations between a “standard city purchase order form” and “any contract or agreement with terms other than the standard city purchase order form”

Code

City Charter 12.2 paragraph 2

Interpretation

The purchasing team reviewed Section 12.2 of the City Charter paragraph 2 “Any contract or agreement in an amount of one thousand dollars or more made with form or terms other than the standard city purchase order form shall before execution be submitted to the Attorney and his opinion obtained with respect to its form and legality.

There were different interpretations between team members of the definition of “contract” or “terms other than the standard city purchase order”. This difference was primarily due to that many standard purchase orders contain certain conditions.

Recommendation

Provide guidance to distinguish “contract or agreement with form or terms other than the standard city purchase order” in an administrative memo.

Issue 4

Define timing when accounting officer has certified that an appropriation has been made for the purchase of \$1,000 or more and remedies if actual amount is in excess of purchase order.

Code

City Charter 12.2 paragraph 3

Interpretation

“Before any contract, agreement or purchase order obligating the City to pay an amount of one thousand dollars or more is executed the accounting officer of the City shall first have certified that an appropriation has been made for the payment thereof”.

The City adopts the budget at the functional level and management monitors the budget at the business unit level. Because available appropriations (difference between total budget and expenditures charged) changes on a daily basis, the accounting officer would like further clarification that the appropriation is available “at the time” the agreement or purchase order is certified.

As a related topic, at times actual invoices are in excess of the purchase order that was certified in which no guidance currently exists.

Recommendation

Provide guidance recognizing that “available appropriation” is at the time of certification in an administrative memo format. In addition, provide guidance as to available remedies should an invoice exceed the original certified purchase order.

Issue 5

The purchasing team noted that while City Charter Section 12.2 paragraph 4 addresses circumvention issues to avoid dollar thresholds contained in the section, further guidance defining and providing examples would reduce the risk of non-compliance.

Code

City Charter Section 12.2 paragraph 4

Interpretation



CITY COUNCIL AGENDA ITEM

“No contract or purchase order shall be subdivided for the purpose of circumventing the dollar value limitations contained in this Section”.

Although the City Charter appears straight forward, the recognition of circumvention can be a matter of professional judgement. Accordingly, guidelines and remedies for non-compliance should be addressed.

Recommendation

Provide guidelines, examples and remedies for non-compliance in an Administrative Memo format.

Issue 6

The purchasing team noted that Charter Section 12.2 paragraph 7 requires definition of “contract” as it relates person, firm or corporation in default to the City.

Code

City Charter 12.2 paragraph 7

Interpretation

“No contract shall be made with any person, firm or corporation in default to the City”.

The purchasing team had a few interpretation issues with “contract” and the lack of any dollar threshold that would require every purchase to be vetted against receivables or some type of “Default Listing” to the City. In addition the term “default” would require further definition and guidance.

Recommendation

Provide additional definitions and guidance in an Administrative Memo type format.

Issue 7

The purchasing team noted that Chapter 7.2 second paragraph should include the term “Manager or designee” in reference to declining comparative price quotations on a purchase under \$10,000.

Code

City Ordinance Chapter 7.2



CITY COUNCIL AGENDA ITEM

Interpretation

“Records shall be kept for two (2) years of all purchases made that were not based on comparative price quotations, along with a statement by the Manager giving the reason why that procedure was not used”.

The purchasing team noted that “Manager” should be replaced by “Manager or designee” in this section of the ordinance to provide consistency with Chapter 7.1 of the City Ordinance.

Recommendation

Revise Chapter 7.2 of the City Ordinance as follows:

“Records shall be kept for two (2) years of all purchases made that were not based on comparative price quotations, along with a statement by the Manager or designee giving the reason why that procedure was not used”.

Issue 8

The purchasing team noted that Chapter 7.3.4 requires the presence of the Purchasing Agent, the City Clerk and at least one other City Official. This leaves little flexibility for presence of City Clerk.

Code

City Ordinance Chapter 7.3.4

Interpretation

“Bids shall be opened in public at the time and place designated in the notice requesting bids, in the presence of the Purchasing Agent, the City Clerk and at least one other City official.

The team noted that the City Clerk may not always be able to attend the bid opening. Accordingly, the ordinance should allow a Clerk designee.

In addition, the term “City official” is somewhat ambiguous as it is defined differently in various parts of the City Charter and City Ordinance. The team noted that more clarification or replacement with “city employee at a supervisory level or higher” should be considered.

Recommendation

Modify City Ordinance Chapter 7.3.4 as follows:



CITY COUNCIL AGENDA ITEM

“Bids shall be opened in public at the time and place designated in the notice requesting bids, in the presence of the Purchasing Agent, the City Clerk or designee and at least one other city employee at a supervisory level or higher.

Issue 9

The purchasing team noted that City Ordinance Section 7.3.4 requires all bids to be examined, tabulated and reported to City Council within sixty (60) days after the bid opening. However, the purchasing team noted that some bids result in non-actionable items such as no award, over budget or rejected bid results. The purchasing team believes further clarification in the ordinance is required.

Code

City Ordinance Chapter 7.3.4

Interpretation

“The bids shall thereupon be carefully examined and tabulated and reported to the Council with the recommendation of the Purchasing Agent (as approved by the Manager if the Manager is not acting as Purchasing Agent) within sixty (60) days after bid opening.

The team believes there should be exceptions for “Non-Actionable” items.

Recommendation

Modify City Ordinance Chapter 7.3.4 as follows:

“The bids shall thereupon be carefully examined and tabulated and reported to the Council with the recommendation of the Purchasing Agent (as approved by the Manager if the Manager is not acting as Purchasing Agent) within sixty (60) days after bid opening with the exception of “non-actionable” bid results.

Issue 10

It was noted that Section 7.3.7 of the City Ordinance requires a successful bidder who fails or refuses to enter into the proposed contract within five (5) days after it has been awarded, or to file any bond required to forfeit any deposit submitted with their proposal. The purchasing team concluded that some flexibility or professional judgement is required when determining the forfeiture.

Code

City Ordinance Chapter 7.3.7



CITY COUNCIL AGENDA ITEM

Interpretation

“If any successful bidder fails or refuses to enter into the proposed contract within five (5) days after it has been awarded, or to file any bond required within the same time, the deposit accompanying the bid shall be forfeited to the City, and the Council may, in its discretion, award the contract to the next lowest competent bidder meeting specifications, or to another competent bidder meeting specifications if the Council shall, determine that the public interest will be better served by accepting such other bid or said contract may be re-advertised.”

The purchasing team concluded that the term “shall be forfeited” should be modified to allow flexibility and professional judgement in requiring the forfeiture.

Recommendation

Modify City Ordinance Chapter 7.3.7 as follows:

“If any successful bidder fails or refuses to enter into the proposed contract within five (5) days after it has been awarded, or to file any bond required within the same time, the deposit accompanying the bid may be forfeited at the discretion of the City Council, and the Council may, in its discretion, award the contract to the next lowest competent bidder meeting specifications, or to another competent bidder meeting specifications if the Council shall, determine that the public interest will be better served by accepting such other bid or said contract may be re-advertised.”

Conclusion

The purchasing team will modify this report as the project progresses. Accordingly, this is not intended to be a final determination on any item noted above but rather to demonstrate progress to date.

However, based upon the assessed critical nature, a proposed amendment to City Ordinance Chapter 7 Item 9 “Declared Emergency” has been forwarded to the City Council Agenda for the September 19, 2016 meeting. This proposed amendment is recognized as “Issue 1” of this report.

The redline version to the proposed amendment is as follows:



CITY COUNCIL AGENDA ITEM

7.9 Declared Emergency. Upon declaration of the City Manager or designee or by the activation of the City Emergency Operations Plan, an emergency will be declared. An emergency is defined as a condition that threatens public health, welfare or safety, which demands an immediate remedy on property, operations or conditions that will continue to degrade and become increasingly costly and difficult to restore if immediate action is not taken. In the event of an officially declared emergency, the City Manager is permitted to make purchases without sealed bids, prior to Council approval and in excess of the limitations provided by the Charter. All purchases in excess of the limitations provided by the Charter, shall be reported to the Council at the next regularly scheduled meeting. A purchase will deem to have occurred at the time the City has incurred an obligation to expend resources.

Next Steps

- Continue review of selected documents (City Ordinance Chapter 4 “Administrative Policy and Procedure (Selected items) and Administrative Memorandum.
- Staff Leadership meeting presentation September 20, 2016.
- Retreat presentation October 26, 2016.



CITY COUNCIL AGENDA ITEM

Date: September 8, 2016

To: Brian Kischnick, City Manager

From: Jeanette Menig, Human Resources Director
 Elaine Bo, Recreation Director
 Kurt Bovensiepe, Public Works Director
 Lynne Lambert, Human Resources Specialist
 Beth Tashnick, Office Coordinator

Subject: POPE Project - Personnel Policy Review Monthly Report August 31, 2016

Overview

On July 25, 2016 the City Manager established the Plan of Process and Education initiative or “POPE Project” and created teams to review and examine current purchasing and personnel policies and directives. The City Manager determined the scope of the project and the executive team (City Manager, Financial Services Director and Human Resources Director) worked together to clarify the processes and expected outcomes for the teams.

The Personnel Policy Review Team began meeting on August 4, 2016 and has met regularly since then. On August 22, 2016 the City Council approved the City Manager’s Plan of Action.

The purpose of the Personnel Policy Review Team is to examine the City Charter, City Code (Ordinances), and Administrative Memoranda related to personnel matters. Our first step was to identify the sections to review. The following sections were selected:

City Charter

| <u>Location</u> | <u>Description</u> | <u>Details/Issues for examination</u> |
|-----------------|---|---|
| Chapter 3 | Organization of Government | 3.9 Administrative Officers |
| Chapter 5 | Legislation | 5.16 Anti-Nepotism |
| Chapter 6 | General Provisions Regarding Officers and Personnel of the City | 6.1 Eligibility for office and employment 6.6 Filling Vacancies in Appointive Offices 6.8 Change in Term of Office or Compensation 6.10 Surety Bonds 6.11 Delivery of Office 6.12 Pecuniary Interest Prohibited 6.13 Compensation of Employees and Officers 6.14 Employee Welfare Benefits |
| Chapter 15 | Miscellaneous | 15.3 Interpretations 15.13 Retirement and Pension System 15.14 Civil Service System |



CITY COUNCIL AGENDA ITEM

City Code (Ordinances) Title I - Administration

| <u>Location</u> | <u>Description</u> | <u>Details/Issues for examination</u> |
|-----------------|--|---|
| Chapter 3 | Administrative Service | 1. Division of Administrative Service |
| Chapter 4 | Administrative Policy and Procedure | 1.132 – 1.134 Dept. Heads, Vacancies, All Departments 8. Surety Bonds 9. Code of Conduct 10. Insurance and Indemnification |
| Chapter 9 | Troy Public Library | 4. Staff |
| Chapter 10 | Employee Retirement System | <i>Sections not yet identified</i> |
| Chapter 11 | Personnel Board | Entire Chapter |
| Chapter 14 | Officer and Employee Public Disclosure Enforcement | <i>As references back to Charter</i> |

Administrative Memoranda

We have not yet identified all of the Administrative Memoranda to be evaluated. The possible memos in the Personnel section range from 1-P-1 to 1-P-87 and in the General section 1-G-1 to 1-G-38. Revisions to some memos, such as those related to employee vehicle use and reimbursement were underway prior to the team’s inception. It is anticipated that there will be several additional memos which will need to be updated. Our focus will turn to Administrative Memoranda after we complete the City Charter and City Code.

Issues and Recommendations – City Charter

Our analysis began with a review of the City Charter. This review did not elicit any suggestions for revision but did bring to our attention the following issues which need further attention.

Section 6.1 - Eligibility for office and employment:

1. Administrative Officers as defined in the Charter (City Manager, Attorney, Clerk, Treasurer, Assessor, Fire Chief and Police Chief) would be disqualified for the position if they were “in default to the City or to any other governmental unit of the State.” Attention is needed to address this requirement when filling vacancies in these positions. The requirement also applies to elected officials and individuals appointed to boards and commissions.
2. The Administrative Officers (as well as elected officials and boards and commission members) are required per this section to be United States citizens. Federal law states that it is illegal for employers to discriminate based on an individual’s citizenship or immigration status, *unless required to do so by law*. We recommend this matter be reviewed by legal counsel to ensure that we are legally compliant. Should we be required to identify the citizenship of these individuals, attention is needed to address this requirement, too, when filling vacancies in these positions. Careful consideration will be needed as it is illegal to inquire on citizenship for all other employment relationships.

Following the Charter review, the group turned our attention to the City Code. Initially, we have focused our efforts on evaluating Chapter 11 of the City Code. Chapter 11 details personnel policy as it applies to employees in the full-time, non-union, non-exempt Classified employee group and it explains the scope of the Personnel Board as a policy advisory board and an appeal board for employee discharge.



CITY COUNCIL AGENDA ITEM

Issues and Recommendations – City Code

Issue One

Chapter 11 – Personnel Board

The primary concern with the Chapter as written is its narrow scope and practicality. It applies only to the specific group of employees in the Classified employee group. Currently this group contains 43 employees. We believe that this section would be better utilized as a guide for employment and personnel methods as they relate to the wider employee population.

Issue Two

Chapter 11 – Personnel Board

We found sections of policy that were repetitive and some that were unnecessary. The Chapter as it exists clearly delineates processes as they relate to the Classified employee group, but the processes would be better if they were modernized and streamlined.

Issue Three

Chapter 11 – Personnel Board

We question the need for a five member Personnel Board. Chapter 11 originated in 1964, prior to a Personnel or Human Resources Department being added to the City's organizational structure. At that time there was likely a need for direction in personnel matters. Per the chapter, the Personnel Board is to consist of "persons in sympathy with the application of merit principle to public employment." The purpose of the board is to "advise the City Manager on matters of personnel policy and problems of personnel administration, including the personnel rules; job classification plan and pay plan" and "represent the public interest in the improvement of personnel administration for Classified in the City service." We believe that the Human Resources Department provides these services to the City and does so with the aid of professional education, experience and access to relevant data/resources.

Additionally, continuing the function as an appeal board for employee discharge is questionable, since all non-union employees are at-will employees by law. As an employer we can legally terminate an employee at any time for any reason, except an illegal one, or for no reason. We believe that offering an option that appears to weaken our at-will relationship is not in the City's best interest.

Recommendations to Address Issues One, Two and Three

Considering these points, we have completed and attached a draft of potential changes to this chapter moving its focus to general employment and personnel policies, and eliminating the Personnel Board. The draft recommendations address the following:

- Broaden the scope of the chapter to general employment
- Clarify at-will status and remove the opportunity for formal termination appeal
- Remove list of Classified job titles (maintained in other City documents)
- Clean up language that refers to the initial creation of job classification and pay plans
- Update examples of methods used to evaluate candidates
- Modernize language from candidate "examination" to "evaluation."
- Eliminate references to re-employment lists and Classified lay-off procedures

- Clarify that eligible lists are needed for full-time positions
- Extend some abilities to a designee of the City Manager
- Clarify that promotions or temporary appointments can occur without competitive evaluation when in the City's best interest
- Include a notation that the hiring practices detailed do not apply to periodic election inspectors
- Remove several repetitive references

Conclusion

It should be noted that these revisions have been completed as a first step in the evaluation process. Since we have not completed our comprehensive evaluation of the rest of the City Code nor the Administrative Memos, our analysis is not yet incomplete. It is possible in the review of the Administrative Memos the team will find topics or issues which may cause us to recommend new items be added to City Code or other items removed. We believe that due to the importance of this task, dedicating additional time to ensure a thorough examination is sensible. We recommend to taking no action on these draft revisions until we have been able to complete the entire review.

Next Steps

Our next step is a review of the Personnel Rules & Regulations, a document historically linked to Chapter 11. This examination will include a comparison to our current full-time employee handbook. We will also continue our review of the City Code, followed by Administrative Memos. Before a final recommendation is formulated, we anticipate convening the Personnel Board to receive their input on the issues raised and the best course of action.

In addition, the executive team (City Manager, Financial Service Director, and Human Resources Director) has identified the need for a sub-committee to review policies specifically related risk management issues (including vehicles and accident reporting). This team has been supplemented with Brian Varney, Fleet Operations Manager and Scott Salter, Police Lieutenant. The sub-committee will be focusing on Administrative Memos. Updates will be forthcoming.

Chapter 11 - Personnel ~~Board~~ Policy

1. GENERAL PROVISIONS.

1.1 It is hereby declared personnel policy of the City that:

- a) Employment in the City government shall be based on merit and qualifications, free of personal and political considerations without regard to religion, race, color, national origin, age, sex, marital status, height, weight, arrest record or disability.
- b) City government shall promote efficiency and economy of operations.
- c) Positions having similar duties and responsibilities shall be classified and compensated on a similar basis.
- d) Appointments, promotions and other actions requiring the application of the merit principle shall be based on ~~systematic tests and~~ **objective** evaluations.
- e) ~~The rights and interests of employees covered by this Chapter~~ **Personnel policies** shall be fairly administered in a manner consistent with the best interests of the public and the City.
- f) ~~Any individual whose employment is subject to the provisions of this Chapter may be disciplined or discharged for misconduct or unsatisfactory work performance.~~ **City of Troy employees are at-will employees (unless covered by a collective bargaining agreement) and may be disciplined or discharged accordingly.**
- ~~g) The Employment of any individual subject to this chapter is conditional upon the necessity for the performance of work within the employee's classification and the availability of funds.~~

~~1.2 The Personnel Board shall consist of five (5) members appointed by the Council. The members of the Board shall be persons in sympathy with the application of merit principles to public employment. No member of the Board shall be employed by or be an official of the City; nor shall be a member of any local, state or national committee of a political party or an official or member of a committee in any partisan political club or organization, nor shall hold or be a candidate for any governmental elective office. The members of the Board shall serve for a term of three years. Vacancies occurring during a term shall be filled for the balance of the term. Members of the Board shall serve without compensation, but funds will be provided for reasonable and necessary expenses. The Board shall elect its own chairman. The Council may remove any member of the Board with five affirmative votes upon stating in writing the reasons for removal and allowing the member an opportunity to be heard. Three members shall constitute a quorum at any meeting of the Personnel Board.~~

~~1.3 In addition to the duties set forth elsewhere in this chapter, the Board shall:~~

- ~~a) Advise the City Manager on matters of personnel policy and problems of personnel administration, including the personnel rules; job classification plan and pay plan as they apply to Classified employees.~~
- ~~b) Represent the public interest in the improvement of personnel administration for Classified employees in the City service.~~

Chapter 11 - Personnel ~~Board~~ Policy

~~2. SCOPE OF CIVIL SERVICE SYSTEM.~~

~~2.1 All offices and positions of the City are divided into the classified service and the exempt service.~~

~~2.2 The Classified service shall include the following classifications:~~

| | |
|---|--|
| Accountant | Legal Assistant |
| Administrative Aide | Legal Secretary |
| Administrative Asst. to the City Manager | Librarian-I |
| Appraiser | Library Aide |
| Assistant Naturalist | Manager's Office Secretary |
| Building Inspector | Museum Archivist |
| Building Maint. Specialist | Office Coordinator |
| Civilian Communications Supv. | PC Specialist/Help Desk |
| Community Affairs Officer | Plan Analyst |
| Cross Connection Inspector | |
| Education Coordinator | |
| Engineering Assistant | |
| Engineering Technician | Planning Technician |
| Field Supervisor | Project Manager (Engineering) |
| GIS Data Analyst | Right-of-Way Representative |
| Inspector | |
| Inspector Supervisor | Secretary II |
| Insurance & Safety Coordinator | |
| Inventory Control Assistant | Survey Supervisor |
| Landscape Analyst | |

~~(Rev. 06-19-2006)~~

~~2.3 The Exempt service shall include the following:~~

- ~~a) Elected officials, members of boards and commissions~~
- ~~b) Volunteer personnel and personnel appointed to serve without pay.~~
- ~~c) Consultants and counsel rendering temporary professional service.~~
- ~~d) Such positions involving seasonal or part-time employment, as may be specifically placed in the exempt service by the personnel rules.~~
- ~~e) Positions in the City service that are represented by an exclusive bargaining representative pursuant to the Public Employment Relations Act, MCLA 423.201 et seq.~~
- ~~f) Positions of City Manager and City Attorney which serve at the pleasure of City Council pursuant to City Charter.~~
- ~~g) All other employees in the City service that are not placed in the Classified service by this~~

Chapter 11 - Personnel ~~Board~~ Policy

~~Chapter and are not represented by an exclusive bargaining representative pursuant to the Public Employment Relations Act, MCLA 423.201 et seq.~~

3. ADMINISTRATION.

3.1 The City Manager shall be responsible for the execution of the personnel **policy**. ~~program and all advice and rulings of the Board in pursuance of this chapter.~~

~~3.2 The City Clerk shall serve as secretary to the Board.~~

3.3 The City Manager, with approval of City Council if required by City Charter, may contract with any qualified person or agency for the performance of such technical services as may be desired in establishment and operation of the personnel programs.

4. RULES.

4.1 The City Manager or designee shall draft such rules as may be necessary to carry out the provisions of this chapter. ~~These rules shall be submitted to the Board for review and approval. Personnel rules approved or initiated by the Board shall be submitted for adoption by resolution of the Council. The rules as adopted shall have the force and effect of law. All rules and amendments thereto shall be made in accordance with the above procedure.~~

5. CLASSIFICATION.

5.1. ~~The City Manager or designee shall make an analysis of the duties and responsibilities of all positions in the classified service and he shall recommend to the Board a job classification plan. Each position in the Classified service~~ **Each position** shall be assigned to a job class on the basis of the kind and level of its duties and responsibilities, to the end that all positions in the same class shall be sufficiently alike to permit use of a single description title, the same qualification requirements, the same test of competence and same pay scale. A job class may contain one or more positions. The classification plan **(s) may be revised and** , ~~as reviewed and approved or initiated by the Board~~, shall be submitted for adoption by resolution of the City Council.

~~5.2. The classification plan may be revised from time to time as required.~~

6. COMPENSATION.

6.1 The City Manager or designee shall ~~prepare~~ **maintain** a **Classified** pay plan **detailing pay rates and/or ranges and** based upon accepted principles of pay administration. The **pay** rate or range for each class shall be such as to reflect fairly the differences in duties and responsibilities and shall be related to compensation for comparable positions in other places of employment.

~~6.2 The City Manager shall submit the pay plan and rules for its administration to the Board for approval. The Board may recommend that the City Council adopt the plan and the rules, with or without amendment.~~

6.3 The pay ~~plan~~ **pay rates and/or ranges** may be ~~amended from time to time as required~~, **revised** through adjustment of rates, by reassignment of job classes to different pay ranges, or by the addition or deletion of job classes by the City Manager **or designee**.

Chapter 11 - Personnel ~~Board~~ Policy

7. APPOINTMENT AND PROMOTIONS.

- 7.1 Original appointments to ~~vacancies in the Classified service~~ **City of Troy employment** shall be based on merit. ~~as determined by competitive examinations which may include prior training and experience.~~
- 7.2 ~~Competitive examinations shall be in such form as will fairly test the~~ **Candidates will be evaluated based on** job-related requirements **and job-related preferences** for the position being sought. ~~Examinations~~ **Evaluations** may include **interviews**, written **tests**, ~~oral~~, performance tests, **work product samples, prior training and experience** or any combination of these.
- 7.3 ~~Pending the approval of an eligible list based upon competitive examination,~~ **When in the best interest of the City**, vacancies may be filled by the City Manager by means of a temporary appointment. ~~Temporary appointment will only be as long as is necessary to establish an approved eligible list.~~
- 7.4 ~~Priority of Eligible lists for purposes of filling a vacancy shall be: re-employment eligible lists, promotional eligible lists and original appointment eligible lists.~~
- 7.5 ~~Re-employment lists shall contain the names of regular full-time employees laid off in good standing for lack of funds or work and the position from which they have been laid off. An employee on a re-employment eligible list shall only be able to fill a vacancy in a classification formerly held by the employee or a similar classification at a lower level that the employee is qualified to perform.~~
- 7.6 ~~Employees who have not completed the initial review period and are (1) laid off for lack of work or lack of funds, or (2) who resign and whose resignations are withdrawn within one year, upon application and with the approval of the Department Head and the City Manager, shall have their names restored to the eligible list from which appointment was originally made.~~
- (Rev. 06-19-2006)
- 7.7 Candidates who qualify for original appointment or promotion ~~eligible lists shall be placed on the appropriate eligible list for the classification in the rank order of the composite scores they obtained on the~~ **to a full-time position will be placed on an eligible list for the position in rank order based on the results of the** competitive **evaluation** examination, ~~including prior training and experience.~~
- 7.8 ~~When an appointment is to be made to a vacancy, the~~ City Manager **or designee** shall appoint from the three persons ranked highest on the ~~appropriate list (or lists, when applicable), who have indicated willingness, to accept appointment. When more than one vacancy is to be filled the number of names submitted shall not exceed the number of vacancies plus two.~~ **In each instance when an individual is removed from the eligible list the City Manager or designee may appoint from the three highest of those remaining on the list.**
- 7.9 An advancement in rank, ~~and/or pay grade, or to a salary range beyond the limits defined in the rules for the administration of the pay plan for the incumbent's current position~~ shall constitute a promotion. **All advancements will be on based on merit. When in the best interest of the City, the City Manager can promote an employee without competitive evaluation.**
- 7.10 ~~In preparation of a promotional eligible list, consideration shall be given to the qualifications of a candidate, including training and experience, and the individual's record of performance.~~

Chapter 11 - Personnel ~~Board~~ Policy

~~7.11 — Vacancies in positions above the entrance level shall be filled by promotion rather than original appointment except when in the judgment of the City Manager it is not in the best interests of the City to do so.~~

~~7.12 — Policies and procedures for administering eligible lists shall be provided in the personnel rules covering the duration, cancellation, replacement and consolidation of such lists, and the removal or suspension of the names of eligibles therefrom.~~

This section excludes the hiring process for periodic election inspectors.

8. RECORDS.

~~8.1 — The City Clerk shall maintain adequate records of the proceedings of the Board.~~

8.2 The Human Resources Department shall maintain the examination record of every candidate for one (1) year, and shall maintain the employment record of every employee for a period of five (5) years after separation of employment with the City.

(Rev. 06-19-2006)

~~9. — INVESTIGATIONS, HEARINGS.~~

~~9.1 — During the course of any investigation or hearing the Board or the City Manager may direct any employee of the City to attend and give witness. Any employee refusing to do so may be subject to disciplinary action.~~

~~9.2 — The Board shall have power to subpoena and require the attendance of witnesses and the production thereby of records, books and papers pertinent to the investigations and hearings.~~

~~10. — GENERAL PROHIBITIONS.~~

~~10.1 — Employees in the Classified service shall be selected on merit and qualifications without regard to political considerations, shall not be required to contribute to any political purpose and shall not engage in improper political activity. The rules shall define the scope of improper political activity.~~

~~10.2 — There shall be no discrimination against any qualified person seeking employment or employed in the classified service because of any considerations of political or religious affiliation or belief, race, color, national origin, age, sex, marital status, height, weight, arrest record or disability.~~

~~11. — TERMINATION APPEAL.~~

~~11.1 — Any member of the Classified service, who is being considered for discharge shall be provided prior written notice of the reasons for the possible disciplinary action and an opportunity to respond to or discuss the contemplated action with the decision-maker prior to a final decision being made. If the employee is discharged, the employee shall be entitled to appeal the discharge to the Personnel Board as set forth below.~~

~~11.2 — A discharged employee is entitled to appeal the discharge to the Personnel Board by filing a written notice of appeal no later than ten (10) calendar days after receiving notice of discharge. Said notice shall be filed with the City Clerk who is Secretary of the Board. Upon receipt of a notice of appeal, the Secretary of the Personnel Board shall schedule a hearing before the Personnel Board within thirty (30) calendar days. At the hearing, the discharged employee shall be entitled to present~~

Chapter 11 - Personnel ~~Board~~ Policy

~~evidence and testimony on his or her behalf and to question the witnesses called in support of the discharge. The employee and the City may retain a representative for the hearing. A record of the hearing may be kept at the request of the employee or the City.~~

~~11.3 The Personnel Board shall then review the evidence presented at the hearing and, within thirty (30) days after the close of the hearing, render a written determination. The authority of the Personnel Board shall be limited to determining whether the discharge was arbitrary or capricious. The determination of the Personnel Board shall be final and binding on both the employee on both the employee and the City and shall constitute the sole and exclusive remedy for the employee.~~

~~11.4 At any hearing held subject to this appeal procedure, no member of the Personnel Board shall serve if he or she has been involved in the process leading to the discharge of the employee. In addition, the employee shall be entitled to challenge any member of the Personnel Board for bias or prejudice by providing the Personnel Board written notice of such claim prior to or at the hearing scheduled as set forth above.~~



Clawson Police Department

425 North Main Street, Clawson, Michigan 48017 Phone (248) 435-5000 FAX (248) 435-4847

July 22, 2016

Troy Police Department
500 W Big Beaver
Troy MI, 48084

Sgt. Hadadd:

On behalf of the Clawson Police Department, I would like to say thank you to all the communication personnel that worked to help keep our July 4th festivities running smoothly throughout the day.

I would also like to acknowledge Communications Curtis Reynolds for all he did during the evening. He conducted herself in a professional manner not only over the air but also during my briefing.

Thank you again for providing a valuable resource

Sincerely,

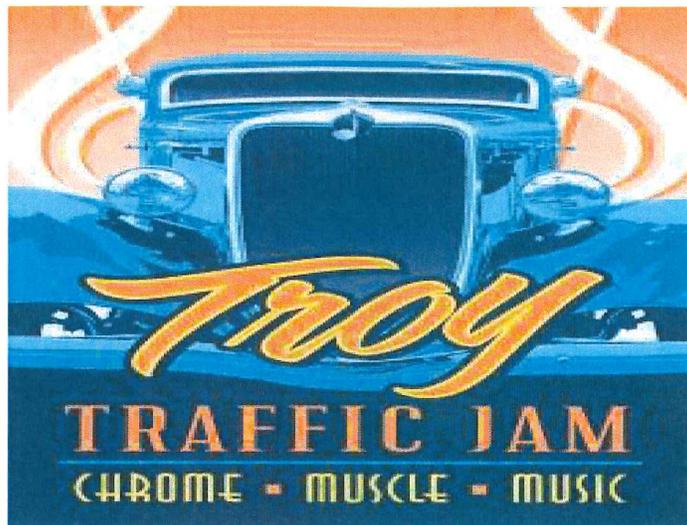
Sgt. David Scott
Clawson Police Department

RECEIVED
CHIEF OF POLICE
Gary Anderson

COMMUNICATIONS SUPERVISOR CURTIS REYNOLDS.
CURT. THANK YOU FOR DOING SUCH A GOOD JOB
AT THE 2016 CLAWSON FIREWORKS.
I APPRECIATE IT
Gary

Chief Harry Anderson

Det Lt S Sarvello Sgt D Scott Sgt. K. Bauss Sgt. J. Horne



August 15, 2016

Mr. Brian Kischnick
 City Manager
 City of Troy
 500 W. Big Beaver Road
 Troy, MI 48084

RECEIVED

AUG 22 2016

CITY OF TROY
 CITY MANAGER'S OFFICE

Dear Brian:

On behalf of the Troy Traffic Jam Planning Committee and Troy Historical Society, we wish to thank you for the City of Troy's support as a Platinum Sponsor of the 2016 Troy Traffic Jam. Your active support of the Traffic Jam as our community's signature family-friendly summer event and a fundraiser for the Troy Historical Society is deeply appreciated.

The 2016 Traffic Jam was an unprecedented success that featured 273 classic cars, trucks, and specialty vehicles, including Tucker #1044. We are happy to report that 2,800 visitors strolled among this exceptional gathering of automotive designs, technologies, and craftsmanship while they enjoyed great food and music. Sponsorships and registration fees generated over \$30,000 that will support the education programs provided by the Troy Historical Society at the Troy Historic Village.

Brian we look forward to working with you, Mark Miller and appropriate City Staff in 2017 as we plan a very special 10th Annual Troy Traffic Jam. We are confident that this exciting event will continue to showcase the City and Big Beaver Corridor as a wonderful place to live, work, and play.

Sincerely,

Cheryl McClintock
 Property Manager/TTJ Oversight Committee
 Columbia Center/KIRCO

Loraine Campbell
 Executive Director
 Troy Historic Village