

# AGENDA

Meeting of the

## CITY COUNCIL OF THE CITY OF TROY

JANUARY 7, 2008

CONVENING AT 7:30 P.M.

Submitted By  
The City Manager

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

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TO: The Honorable Mayor and City Council  
Troy, Michigan

FROM: Phillip L. Nelson, City Manager

SUBJECT: Background Information and Reports

Ladies and Gentlemen:

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

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

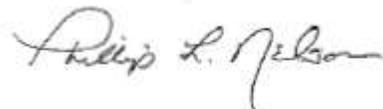
Identified below are goals for the City, which have been advanced by the governing body; and Agenda items submitted for your consideration are on course with these goals.

### **Goals**

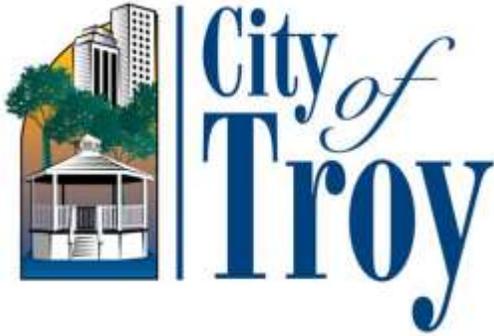
- I. Enhance the livability and safety of the community
- II. Minimize the cost and increase the efficiency and effectiveness of City government
- III. Retain and attract investment while encouraging redevelopment
- IV. Effectively and professionally communicate internally and externally
- V. Maintain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

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

Respectfully submitted,



Phillip L. Nelson, City Manager



## CITY COUNCIL

### AGENDA

January 7, 2008 – 7:30 PM  
Council Chambers  
City Hall - 500 West Big Beaver  
Troy, Michigan 48084  
(248) 524-3317

**CALL TO ORDER:** 1

**INVOCATION & PLEDGE OF ALLEGIANCE: David Huffstutler – First Baptist Church** 1

**ROLL CALL** 1

**CERTIFICATES OF RECOGNITION:** 1

A-1 Presentations: 1  
a) On behalf of the City of Troy Employee's *Casual for a Cause* Program, Carol Anderson, Parks & Recreation Director will present a check to Senior Home Assistance Repair Program (SHARP) ..... 1

**CARRYOVER ITEMS:** 1

B-1 No Carryover Items 1

**PUBLIC HEARINGS:** 1

C-1 No Public Hearings 1

**POSTPONED ITEMS:** 1

D-1 No Postponed Items 1

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**PUBLIC COMMENT: Limited to Items Not on the Agenda** **1**

**REGULAR BUSINESS:** **1**

- E-1 Appointments to Boards and Committees: a) Mayoral Appointments: Board of Review; Brownfield Redevelopment Authority; and Planning Commission b) City Council Appointments: Board of Zoning Appeals; Election Commission; Liquor Advisory Committee; Municipal Building Authority; and Traffic Committee 2
  
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  - F-1b Address of “F” Items Removed for Discussion by City Council and/or the Public 8
  
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  - F-3 Proposed City of Troy Proclamations for School Board Recognition Month – January, 2008 8
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    - b) Avondale School Board Members ..... 8
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	f) Downtown Development Authority/Draft – November 21, 2007 .....	11
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1.	Rezoning Application – East Side of John R, North of Big Beaver, Section 24 – From P-1 and R-1E to B-1 (File Number: Z 677 B) .....	12
2.	IACNA, International Automotive Components Group, North America, 750-800 Chicago – Request for Industrial Development District (IDD).....	12
3.	IACNA, International Automotive Components Group, North America, 750-800 Chicago – Issuance of an Industrial Facilities Exemption Certificate (IFEC).....	12

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Monday, January 28, 2008 Regular City Council .....	12
Monday, February 4, 2008 Regular City Council .....	12
Wednesday, February 13, 2008 (Liquor Violation Hearing) Regular City Council .	12
Monday, February 18, 2008 Regular City Council .....	12
Wednesday, February 20, 2008 (Liquor Violation Hearing) Regular City Council .	12
Monday, March 3, 2008 Regular City Council .....	12
Monday, March 17, 2008 Regular City Council .....	12

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**CALL TO ORDER:**

**INVOCATION & PLEDGE OF ALLEGIANCE:** David Huffstutler – First Baptist Church

**ROLL CALL**

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

**CERTIFICATES OF RECOGNITION:**

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**A-1 Presentations:**

- a) On behalf of the City of Troy Employee’s *Casual for a Cause* Program, Carol Anderson, Parks & Recreation Director will present a check to Senior Home Assistance Repair Program (SHARP)

**CARRYOVER ITEMS:**

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- B-1** No Carryover Items

**PUBLIC HEARINGS:**

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- C-1** No Public Hearings

**POSTPONED ITEMS:**

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- D-1** No Postponed Items

**PUBLIC COMMENT:** Limited to Items Not on the Agenda

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

**REGULAR BUSINESS:**

*Persons interested in addressing the City Council on items, which appear on the printed Agenda, will be allowed to do so at the time the item is discussed upon recognition by the Chair in accordance with the Rules of Procedure of the City Council, Article 16,*

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*during the Public Comment section under item 10“E” of the agenda. Other than asking questions for the purposes of gaining insight or clarification, Council shall not interrupt or debate with members of the public during their comments. Once discussion is brought back to the Council table, persons from the audience will be permitted to speak only by invitation by Council, through the Chair. Council requests that if you do have a question or concern, to bring it to the attention of the appropriate department(s) whenever possible. If you feel that the matter has not been resolved satisfactorily, you are encouraged to bring it to the attention of the City Manager, and if still not resolved satisfactorily, to the Mayor and Council.*

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

**E-1 Appointments to Boards and Committees: a) Mayoral Appointments: Board of Review; Brownfield Redevelopment Authority; and Planning Commission b) City Council Appointments: Board of Zoning Appeals; Election Commission; Liquor Advisory Committee; Municipal Building Authority; and Traffic Committee**

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

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

**(a) Mayoral Appointments**

Suggested Resolution

Resolution #2008-01-

Moved by

Seconded by

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

**Board of Review**

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

Term Expires 01/31/11

**Brownfield Redevelopment Authority**

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

Unexpired Term 04/30/08

**Planning Commission**

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

Unexpired Term 12/31/08

Term Expires 12/31/10

Yes:

No:

**(b) City Council Appointments**

Suggested Resolution

Resolution #2008-01-

Moved by

Seconded by

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

**Board of Zoning Appeals**

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

**Planning Commission Rep** Term Expires 01/31/09

**Planning Commission Alternate Rep** Term Expires 01/31/09

**Election Commission**

Appointed by Council (2-Regular) – 1 Year Term

Term Expires 01/31/09

Term Expires 01/31/09

**Liquor Advisory Committee**

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

Term Expires 01/31/11

Term Expires 01/31/11

**Municipal Building Authority**

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

Term Expires 01/31/11

Term Expires 01/31/11

**Traffic Committee**

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

Term Expires 01/31/11

Term Expires 01/31/11

Term Expires 01/31/11

Yes:

No:

**E-2 Amendment to City of Troy Incentive Plan for Volunteer Firefighters**

Suggested Resolution

Resolution #2008-01-

Moved by

Seconded by

BE IT RESOLVED, That Troy City Council hereby **AMENDS** Section 4.3 of the City of Troy *Incentive Plan for Volunteer Firefighters* to provide for a four percent (4%) increase in the annual payment amount, equating to an annual incentive of \$582.00 per year for volunteer firefighters retiring on or after January 1, 2008 and \$605.00 per year for volunteer firefighters retiring on or after January 1, 2009, with an additional payment of \$10.00 per month for current retirees for the next two years.

Yes:

No:

**E-3 Proposed Cable Resolution**

Suggested Resolution

Resolution #2008-01-

Moved by

Seconded by

WHEREAS, Comcast Cablevision, is among the companies that furnish or will be furnishing cable television subscriptions to residential customers;

WHEREAS, The City of Troy and other governmental entities have committed substantial resources to deliver programming on governmental and educational access channels, also known as PEG and has participated with other governmental entities in the Community Media Network (CMN) and the Intergovernmental Cable Communication Authority (ICCA);

WHEREAS, Comcast Cablevision has indicated that it intends to change the channel lineup and location of the public, educational and government access channels (PEG) from present locations, where they have been situated for many years, to the channel lineup in the 900's, which will require customers to have a digital converter set-top box, a cable card or a QAM\* capable television;

WHEREAS, The result is added costs, inconvenience, and confusion with respect to citizens who intend to view educational and governmental access channels; and

WHEREAS, Since Comcast's announcement, many citizens have voiced their opposition to the news that Comcast intends to change the location of PEG channels and require customers to have a digital converter box to receive the channels;

NOW, THEREFORE, it is resolved that:

1. Comcast Cablevision is requested to preserve the channel locations for public, educational and governmental access channels (PEG) and agree that they will not be changed in the future without the written consent of the City or governmental entity or entities which provide programming on such channels;
2. The City of Troy requests that Comcast respond to the questions posed by the Michigan Chapter of the National Association of Telecommunications Officers and Advisors in its letter dated November 2007 addressing operational and legal issues related to Comcast's actions; and
3. The City of Troy requests that Public Act 480 of 2006 be immediately amended to require that public, educational and governmental access channels remain at the current locations and that the same not be subject to change unless the written consent of the affected governmental entity providing the programming is obtained;
4. The City of Troy requests that ICCA legal counsel explore sections of Michigan's Public Act 480 of 2006, for provisions that already exist to potentially assist the City in maintaining the best delivery of its programming to Troy residents via the cable TV and video systems. In addition, that ICCA continue talks with local providers, as well as investigate appropriate measures, to protect the City's investment in providing programming for local access channels, as these channels are important means of communicating with residents.

\* QAM tuners in televisions enable direct reception of digital cable channels without the use of a set-top box.

Yes:

No:

**E-4 Proposed City of Troy Precinct Boundary Alterations and Relocations**Suggested Resolution

Resolution #2008-01-

Moved by

Seconded by

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

<b>PCT #</b>	<b>BOUNDARY DESCRIPTION</b>	<b>POLLING LOCATION</b>	
1	Section 1	A	Evanswood Church of God 2601 E. Square Lake
2	Section 2 in the Troy School District	B	Kensington Community Church 1825 E. Square Lake
3	Sections 2, 3 and 4 in the Avondale School District	C	Woodside Bible Church 6600 Rochester
4	Sections 3, 4 and 5 in the Troy School District	H	St. Elizabeth Ann Seton Catholic Church 280 E. Square Lake
5	Sections 5 and 6 in the Avondale School District	D	Faith Apostolic Church 6710 Crooks
6	Section 6 in the Troy School District	E	Nature Center 6685 Coolidge Hwy.
7	Section 7 in the Troy School District and Section 8 west of Coolidge Highway	F	St. Stephen Episcopal Church 5500 Adams
8	Section 8 east of Coolidge Highway	G	Northfield Hills Baptist Church 1800 W. Long Lake
9	Sections 9 & 10	H	St. Elizabeth Ann Seton Catholic Church 280 E. Square Lake
10	Section 11	B	Kensington Community Church 1825 E. Square Lake
11	Section 12 north of Highbury, east of Harbor, north of Willard, north and east of English	A	Evanswood Church of God 2601 E. Square Lake
12	Section 12 south of Highbury, west of Harbor, south of Willard, south and west of English	C	Woodside Bible Church 6660 Rochester Road
13	Section 13	I	Bethesda Romanian Pentecostal Church 2075 E. Long Lake
14	Section 14	J	St. Anastasia Catholic Church 4571 John R
15	Section 15	O	St. Lucy Catholic Croatian Church 200 E. Wattles
16	Section 16 east of I-75 and Section 21 east of I-75	K	First Presbyterian Church 4328 Livernois

PCT #	BOUNDARY DESCRIPTION	POLLING LOCATION	
17	Section 16 west of I-75 and Section 17	L	St. Nicholas Greek Orthodox Church 760 W. Wattles
18	Section 18 in the Troy School District	F	St. Stephen Episcopal Church 5500 Adams
19	Sections 19 and 30 in the Troy School District	Q	St. Alan Catholic Church 3077 Gloucester
20	Section 20 and Section 21 west of I-75	L	St. Nicholas Greek Orthodox Church 760 W. Wattles
21	Section 22	O	St. Lucy Catholic Croatian Church 200 E. Wattles
22	Section 23	J	St. Anastasia Catholic Church 4571 John R
23	Section 24	P	St. Joseph Chaldean Catholic Church 2442 E. Big Beaver
24	Sections 25 and 26 in the Warren Consolidated School District	R	St. George Antiochian Orthodox Church 2160 E. Maple
25	Sections 35 and 36 in the Warren Consolidated School District	R	St. George Antiochian Orthodox Church 2160 E. Maple
26	Sections 26, 27, 34 and 35 south of I-75 in the Troy School District	N	Troy Community Center 3179 Livernois
27	Section 28 and Sections 25, 26, and 27 north of I-75 and south of E. Big Beaver in Sections in the Troy School District	N	Troy Community Center 3179 Livernois
28	Sections 29 and 32 in the Troy School District	Q	St. Alan Catholic Church 3077 Gloucester
29	Sections 18, 19, 30, and 31 in the Birmingham School District	M	North Hills Christian Reformed Church 3150 N. Adams
30	Section 35 in the Royal Oak School District and the Section 36 in the Lamphere School District	N	Troy Community Center 3179 Livernois
31	Sections 6, 7, and 18 in the Bloomfield Hills School District	E	Nature Center 6685 Coolidge Hwy.

Yes:

No:

**CONSENT AGENDA:**

***The Consent Agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the Consent Agenda. Any Council Member may ask a question regarding an item as well as speak in opposition to the recommended action by removing an item from the Consent Agenda***

*and have it considered as a separate item. Any item so removed from the Consent Agenda shall be considered after other items on the consent portion of the agenda have been heard. Public comment on Consent Agenda Items will be permitted under Agenda Item 12 "F".*

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

Resolution #2008-01-

Moved by

Seconded by

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Item(s) \_\_\_\_\_, which **SHALL BE CONSIDERED** after Consent Agenda (F) items, as printed.

Yes:

No:

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

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**F-2 Approval of City Council Minutes**Suggested Resolution

Resolution #2008-01-

RESOLVED, That the Minutes of the 7:30 PM Regular City Council Meeting of December 17, 2007 be **APPROVED** as submitted.

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**F-3 Proposed City of Troy Proclamations for School Board Recognition Month – January, 2008**Suggested Resolution

Resolution #2008-01-

RESOLVED, That Troy City Council hereby **APPROVES** the following City of Troy Proclamations for School Board Recognition Month – January, 2008:

- a) Troy School Board Members
- b) Avondale School Board Members
- c) Birmingham School Board Members
- d) Bloomfield Hills School Board Members
- e) Lamphere School Board Members
- f) Royal Oak School Board Members
- g) Warren Consolidated School Board Members

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**F-4 Standard Purchasing Resolutions: None Submitted**

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**F-5 Request for Approval of Purchase Agreement for John R Road Improvements, Square Lake Road to South Boulevard, Project No. 02.204.5 – Parcel #52 – Sidwell #88-20-02-228-038 – Byung Ho Kim and Soon Hee Kim**

Suggested Resolution  
Resolution #2008-01-

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for Public Purposes between Byung Ho Kim and Soon Hee Kim, owners of property having Sidwell #88-20-02-228-038, and the City of Troy, for the acquisition of right-of-way for John R Road Improvements, Square Lake Road to South Boulevard in the amount of \$21,450.00, plus closing costs; and

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

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

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**F-6 Traffic Signal Maintenance Agreement – Crooks and Bridge Park**

Suggested Resolution  
Resolution #2008-01-

WHEREAS, The Crooks Road Project created a 4-lane boulevard and the existing traffic signal at Crooks Road and Bridge Park became two separate signals, one for northbound and one for southbound; and

WHEREAS, Bridge Park is a City Road and Crooks Road is under the jurisdiction of the Road Commission for Oakland County;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the cost agreement with the Road Commission for Oakland County and the City for the maintenance of the traffic signals at Crooks Road and Bridge Park for sharing costs at 50% City and 50% Road Commission for Oakland County, and **AUTHORIZES** the Mayor and City Clerk to execute the agreement, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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**F-7 Parks and Recreation Department Grant Approval and Authorization to Expend City Funds for Access to Recreation Initiative Matching Grant**

Suggested Resolution  
Resolution #2008-01-

RESOLVED, That Troy City Council hereby **AUTHORIZES** the Troy Parks and Recreation Department to receive a Michigan Parks and Recreation Foundation Access to Recreation Initiative Matching Grant and expend \$4,081.00 for the purchase of equipment in accordance with the award; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AMENDS** the Parks and Recreation Department budget to receive the grant funding of \$12,243.00.

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**MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:**

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**G-1 Announcement of Public Hearings:**

- a) Rezoning Application – East Side of John R, North of Big Beaver, Section 24 – From P-1 and R-1E to B-1 (File Number: Z 677 B) – January 28, 2008
- b) IACNA, International Automotive Components Group, North America, 750-800 Chicago – Request for Industrial Development District (IDD) and the Issuance of an Industrial Facilities Exemption Certificate (IFEC) – January 28, 2008

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**G-2 Green Memorandums: None Submitted**

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

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**H-1 No Council Referrals Advanced**

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**COUNCIL COMMENTS:**

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**I-1 No Council Comments Advanced**

**REPORTS:**

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**J-1 Minutes – Boards and Committees:**

- a) Retiree Health Care Benefits Plan & Trust/Final – September 12, 2007
  - b) Building Code Board of Appeals/Final – November 7, 2007
  - c) Liquor Advisory Committee/Final – November 12, 2007
  - d) Employees' Retirement System Board of Trustees/Final – November 14, 2007
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  - l) Retiree Health Care Benefits Plan & Trust/Draft – December 12, 2007
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**J-2 Department Reports:**

- a) City Attorney's Office – 2007 Fourth Quarter Litigation Report
  - b) City Clerk's Office – Board and Committee Members Serving on Multiple Boards/Committees
- 

**J-3 Letters of Appreciation: None Submitted**

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**J-4 Proposed Proclamations/Resolutions from Other Organizations:**

- a) City of Oak Park – Resolution Requesting Preservation of Existing Channel Locations for Public, Governmental and Educational Access Channels, also known as PEG
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**J-5 Calendar**

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**STUDY ITEMS:**

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**K-1 No Study Items Submitted**

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**PUBLIC COMMENT: Address of "K" Items**

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

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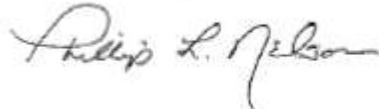
**CLOSED SESSION:**

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**L-1 Closed Session: No Closed Session Requested**

**ADJOURNMENT**

Respectfully submitted,



Phillip L. Nelson, City Manager

**FUTURE CITY COUNCIL PUBLIC HEARINGS:**

Monday, January 28, 2008

1. Rezoning Application – East Side of John R, North of Big Beaver, Section 24 – From P-1 and R-1E to B-1 (File Number: Z 677 B)
2. IACNA, International Automotive Components Group, North America, 750-800 Chicago – Request for Industrial Development District (IDD)
3. IACNA, International Automotive Components Group, North America, 750-800 Chicago – Issuance of an Industrial Facilities Exemption Certificate (IFEC)

**SCHEDULED CITY COUNCIL MEETINGS:**

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

**Subject:** Casual for a Cause Check Presentation

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**From:** Julie Hamilton

**Sent:** Wednesday, December 26, 2007 2:15 PM

**To:** Laura D Campbell

**Cc:** Barbara A Pallotta; Carol K Anderson; Cynthia A Stewart

**Subject:** Causal for a Cause Check Presentation

Laura,

Please add S.H.A.R.P. to the presentations for January 7<sup>th</sup> council meeting. This is for November's donations.

Julie



**CITY COUNCIL  
AGENDA  
January 7, 2008  
Back-Up Documentation  
Council Chambers  
City Hall - 500 West Big Beaver  
Troy, Michigan 48084  
(248) 524-3317**

**CARRYOVER ITEMS:**

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**B-1 No Carryover Items**

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



**CITY COUNCIL  
AGENDA  
January 7, 2008  
Back-Up Documentation  
Council Chambers  
City Hall - 500 West Big Beaver  
Troy, Michigan 48084  
(248) 524-3317**

**PUBLIC HEARINGS:**

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**C-1 No Public Hearings**

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



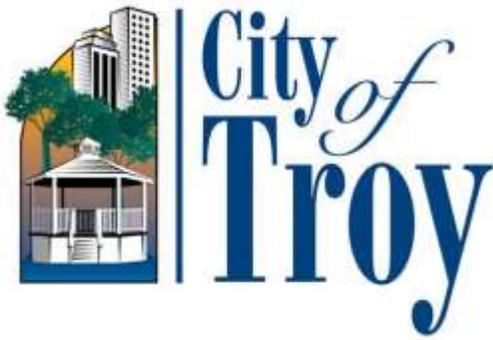
**CITY COUNCIL  
AGENDA  
January 7, 2008  
Back-Up Documentation  
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Troy, Michigan 48084  
(248) 524-3317**

**POSTPONED ITEMS:**

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**D-1 No Postponed Items**

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



**CITY COUNCIL  
AGENDA  
January 7, 2008  
Back-Up Documentation  
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- 
- E-1** Appointments to Boards and Committees: a) Mayoral Appointments: Board of Review; Brownfield Redevelopment Authority; and Planning Commission b) City Council Appointments: Board of Zoning Appeals; Election Commission; Liquor Advisory Committee; Municipal Building Authority; and Traffic Committee

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



## CITY COUNCIL ACTION REPORT

December 17, 2007

TO: Phillip L. Nelson, City Manager  
FROM: John M. Lamerato, Assistant City Manager/Finance & Administration  
SUBJECT: Amendment to City of Troy Incentive Plan for Volunteer Firefighters

### Background:

- City management met with representatives of all six fire stations in the late fall to review the incentive plan for volunteer firefighters.
- At that meeting, the volunteers proposed an increase in benefits contained in Proposal 1 as prepared by our actuaries.
- City management also had an alternative proposal computed to determine what affect it would have on our annual contribution.
- After reviewing all proposals both City management and the station representatives have agreed to a 4% increase in the annual payment amount equating to annual incentive of \$582 per year for volunteer firefighters retiring on or after January 1, 2008 and \$605 per year for volunteer firefighters retiring on or after January 1, 2009, plus an additional \$10 per month for current retirees for the next two years.

### Financial Considerations:

- The proposed amendment to the plan will increase the City contribution by approximately \$60,000 per year, far less than the annual contribution increases contained in Proposal 1 or 2.

### Legal Considerations:

- There are no legal considerations.

### Policy Considerations:

- Providing incentives for our volunteer firefighters enhances the livability and safety of the community (Goal I) and having volunteer firefighters minimizes the cost and increases the efficiency and effectiveness of City government (Goal II).

### Options:

- It is recommended that Section 4.3 of the City of Troy *Incentive Plan for Volunteer Firefighters* be amended as stated.



## **Incentive Plan for Volunteer Firefighters**

### **Definitions**

- 1.1 “City” means the City of Troy, Michigan
- 1.2 “Plan” means the City of Troy Incentive Plan for Volunteer Firefighters established by resolution of the City Council and contained herein.
- 1.3 “Participant” means an individual who is a participant in the Plan.
- 1.4 “Vested former participant” means a former participant who has ten or more years of incentive service.
- 1.5 “Incentive service” means personal service rendered by the City as a volunteer firefighter and credited a participant in accordance with this plan.

### **Participation**

- 2.1 Each volunteer firefighter of the City shall be a participant in the Plan.
- 2.2 Participation shall terminate upon termination of duties as a volunteer firefighter.

### **Incentive Service**

- 3.1 A participant shall be credited with one month of incentive service for each complete calendar month the participant is a volunteer firefighter on active duty. Service shall be totaled in years and months.
- 3.2 Incentive service shall be forfeited five years after the date an individual ceases to be a participant unless the former participant is vested OR returns to active duty for ten consecutive years.

### **Incentive Payments**

- 4.1 A vested former participant, upon written application filed with the City, shall be eligible to be paid incentive payments after attainment of age 60. The incentive payment due a vested former participant shall be determined at the time he terminates participation, as provided in the plan that is in effect on that date.
- 4.2 Incentive payments shall be made in monthly installments on the last day of each month during the life of the vested former participant.



## **Incentive Plan for Volunteer Firefighters**

4.3 The amount of each annual incentive shall be equal to the following amounts:

**\$582/year, retiring on or after January 1, 2008**

**\$605/year, retiring on or after January 1, 2009**

4.4 Prior to the date of his first incentive payment, but not thereafter, a vested former participant may elect to receive his incentive payment payable throughout his life; or, he may elect to receive the actuarial equivalent at that time; or, his incentive payment in a reduced amount payable throughout his life, and nominate a beneficiary, in accordance with the provisions of the Options as set forth below:

Option A - Upon the death of a vested former participant, who elected Option A, his reduced incentive payment shall be continued throughout the life of and paid to such person having an insurable interest in his life, as he shall have nominated; or,

Option B - Upon the death of a vested former participant, who elected Option B, one-half of his reduced incentive payment shall be continued throughout the life of and paid to such person, having an insurable interest in his life, as he shall have nominated.

Option C - Joint and Survivor Pension (pop-up A): Upon the death of a vested former participant who elected Option C, his reduced incentive payment shall be continued through the life and paid to such person having an insurable interest in his life, as he shall have nominated. If the selected beneficiary predeceases the participant, the incentive payment shall revert to a straight-life payment payable throughout the remainder of his life.

Option D - Modified Joint and Survivor Pension (pop-up B): Upon the death of a vested former participant who elected Option D, one-half of his reduced incentive payment shall be continued throughout the life of and paid to such person having an insurable interest in his life, as he shall have nominated. If

the selected beneficiary predeceases the participant, the incentive payment shall revert to a straight-life payment payable throughout the remainder of his life.

Option E - Lump-Sum Payout: Equal to the present value of all benefit payments under Option A computed using the applicable group annuity mortality table and interest rate compounded annually.



## **Incentive Plan for Volunteer Firefighters**

- 4.5 In the event a participant dies who has ten or more years of incentive service, his widow shall receive an incentive payment computed in the same manner in all respects as if the participant had retired the day preceding his death, elected Option A, and nominated his spouse as beneficiary.
- 4.6 A participant may elect to receive payment upon his termination as a participant based on the following:
- Ten years of service and age 55;
  - Twenty-five or more years of service and has attained 50 years of age;
  - A participant having attained 30 years of service regardless of age.

### **Administration**

- 5.1 The City may, as a means of making provision for the potential financial obligations of the Plan, purchase securities or make deposits in interest-bearing accounts from its general assets. Any securities purchased or deposits made shall at all times be part of the general assets of the City. The purchase of securities or the making of deposits shall not of themselves entitle any individual to any right or claim for incentive payments under the Plan.
- 5.2 Nothing in this plan shall be construed as creating a trust fund for the participants or otherwise make the participants an equitable owner of or have any claim against any assets of the City.

### **Amendment and Termination**

- 6.1 The City reserves the right to amend or terminate the plan at any time. No such amendment or termination shall affect the amount of any incentive payment made prior to the date of the amendment or termination. Upon termination, the City shall be free of any liability for incentive payments which otherwise would become payable after the date of termination.

### **Miscellaneous**

- 7.1 Each participant shall be deemed to have assented to the terms and conditions of the Plan. An individual may not sell, assign or hypothecate, in any manner, all or any part of the individual's potential payments under the Plan.
- 7.2 Nothing in this Plan shall in any way affect the rights of the City or a participant to terminate the volunteer firefighter relationship between them.

December 7, 2007

Mr. John Lamerato  
Assistant City Manager-Finance  
City of Troy  
500 W. Big Beaver Road  
Troy, Michigan 48084

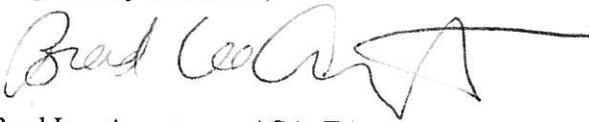
**Re: City of Troy Fire Incentive Plan for Volunteer Firefighters**

Dear John:

Enclosed is the requested supplemental actuarial valuation report regarding the proposed changes to the Plan.

Please contact me with any questions or comments.

Respectfully submitted,



Brad Lee Armstrong, ASA, EA

BLA:jtt  
Enclosures

**CITY OF TROY INCENTIVE PLAN FOR VOLUNTEER FIREFIGHTERS  
SUPPLEMENTAL ACTUARIAL VALUATION  
AS OF DECEMBER 31, 2006**

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**REQUESTED BY:** Mr. John Lamerato, Assistant City Manager - Finance

**DATE:** December 7, 2007

**SUBMITTED BY:** Brad Lee Armstrong, ASA, EA, MAAA  
Gabriel, Roeder, Smith & Company

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This report contains the results of the supplemental actuarial valuation requested to determine the costs associated with the proposal for Volunteer Firefighters covered by the City of Troy Incentive Plan for Volunteer Firefighters.

The date of the valuation was December 31, 2006. The results of the supplemental valuation indicate the increase in cost over existing benefits if the proposal had been in effect on that date. Supplemental valuations do not predict the result of future actuarial valuations. (Future activities can affect future valuation results in an unpredictable manner.) Rather, supplemental valuations give an indication of the probable effect of **only the benefit change** on future valuations without comment on the complete end result of the future valuations.

Actuarial assumptions and methods were the same as those used in the regular actuarial valuation of the Plan on the valuation date.

A brief summary of the active data used in these valuations is presented below:

<b>Active Volunteer Firefighters*</b>		
<b>Number</b>	<b>Average in Years</b>	
	<b>Age</b>	<b>Service</b>
162	40.8	11.1

*\*Includes 3 members on leave of absence.*

**CITY OF TROY INCENTIVE PLAN FOR VOLUNTEER FIREFIGHTERS  
SUPPLEMENTAL ACTUARIAL VALUATION  
AS OF DECEMBER 31, 2006**

**Proposal 1: Increase Incentive Payments**

***Present Provisions:***

The annual incentive payment under normal payment conditions in 2007 is \$560 per year of incentive service.

***Proposed Provisions:***

The annual incentive payment under normal payment conditions would increase according to the following calendar year schedule:

2008	\$598 per year of service
2009	\$639 per year of service
2010	\$683 per year of service
2011	\$729 per year of service
2012	Cost-of-living (3.5%)
2013	Cost-of-living (3.5%)

In addition, \$10 per month increases for retirees each year from 2007 through 2013.

**Actuarial Statement**

The effect of the proposed provisions on computed employer contributions is shown below:

<b>Contribution for</b>	<b>Present Provisions</b>	<b>Proposed Provisions</b>	<b>Increases in Total Cost</b>
<b>Normal Cost</b>			
Total	\$ 318,112	\$ 412,362	\$ 94,250
<b>Accrued Liabilities</b>			
Present recipients	3,409,856	3,728,249	318,393
Active participants and vested former participants	8,522,049	10,369,163	1,847,114
Total	11,931,905	14,097,412	2,165,507
<b>Assets</b>	\$6,006,600	\$6,006,600	
<b>Amortization of UAL over 25 years</b>	\$ 470,630	\$ 642,630	\$ 172,000
<b>City's Total Annual Contribution</b>	\$ 788,742	\$1,054,992	\$ 266,250
<b>Percent Funded</b>	50.3%	42.6%	

**CITY OF TROY INCENTIVE PLAN FOR VOLUNTEER FIREFIGHTERS  
SUPPLEMENTAL ACTUARIAL VALUATION  
AS OF DECEMBER 31, 2006**

**Proposal 2: Increase Incentive Payments**

***Present Provisions:***

The annual incentive payment under normal payment conditions in 2007 is \$560 per year of incentive service.

***Proposed Provisions:***

The annual incentive payment under normal payment conditions would increase according to the following calendar year schedule:

2008	\$588 per year of service
2009	\$617 per year of service
2010	\$648 per year of service
2011	\$680 per year of service
2012	Cost-of-living (3.5%)
2013	Cost-of-living (3.5%)

In addition, \$10 per month increases for retirees each year from 2007 through 2013.

**Actuarial Statement**

The effect of the proposed provisions on computed employer contributions is shown below:

<u>Contribution for</u>	<u>Present Provisions</u>	<u>Proposed Provisions</u>	<u>Increases in Total Cost</u>
<b>Normal Cost</b>			
Age and service payments	\$ 318,112	\$ 390,654	\$ 72,542
<b>Accrued Liabilities</b>			
Present recipients	3,409,856	3,728,249	318,393
Active participants and vested former participants	8,522,049	9,953,564	1,431,515
<b>Total</b>	<u>11,931,905</u>	<u>13,681,813</u>	<u>1,749,908</u>
<b>Assets</b>	\$6,006,600	\$6,006,600	
<b>Amortization of UAL over 25 years</b>	\$ 470,630	\$ 609,621	\$ 138,990
<b>City's Total Annual Contribution</b>	\$ 788,742	\$1,000,275	\$ 211,532
<b>Percent Funded</b>	50.3%	43.9%	

**CITY OF TROY INCENTIVE PLAN FOR VOLUNTEER FIREFIGHTERS  
SUPPLEMENTAL ACTUARIAL VALUATION  
AS OF DECEMBER 31, 2006**

**Disclaimer**

This report is intended to describe the financial effect of the proposed changes on the plan. Except as otherwise noted, potential effects on other benefit plans were not considered. No statement in this report is intended to be interpreted as a recommendation in favor of the changes, or in opposition to them.

The calculations are based upon assumptions regarding future events, which may or may not materialize. They are also based upon present and proposed plan provisions that are outlined in the report. If you have reason to believe that the assumptions that were used are unreasonable, that the plan provisions are incorrectly described, that important plan provisions relevant to this proposal are not described, or that conditions have changed since the calculations were made, you should contact the author of this report prior to relying on information in the report.

If you have reason to believe that the information provided in this report is inaccurate, or is in any way incomplete, or if you need further information in order to make an informed decision on the subject matter of this report, please contact the author of the report prior to making such decision.

In the event that more than one plan change is being considered, it is very important to remember that the results of separate actuarial valuations cannot generally be added together to produce a correct estimate of the combined effect of all of the changes. The total can be considerably greater than the sum of the parts due to the interaction of various plan provisions with each other, and with the assumptions that must be used.



## CITY COUNCIL ACTION REPORT

January 2, 2008

TO: Phillip L. Nelson, City Manager  
FROM: Cindy Stewart, Community Affairs Director  
SUBJECT: Agenda Item: Proposed Cable Resolution

Recently, one of our Cable providers, Comcast, has announced that it plans to move its current channel lineup of public, educational and government access channels (PEG) from their present locations to a channel lineup in the 900 series.

For residents of our community who do not have a cable connection to this digital hookup, it will now be impossible for them to receive the benefits of viewing public educational and government access channels.

If they are to view these channels in the future, it will require an additional expense to install the proper equipment. This can be a great hardship to those who cannot afford such installations and, particularly, those who may be on fixed incomes within our community.

For these reasons, it is requested that the Troy City Council approve the attached resolution requesting preservation of the existing channel locations for public governmental and educational access channels, also known as PEG, and that a copy of this resolution be provided to Comcast, our regional consortium, Intergovernmental Cable Communication Authority (ICCA), and the Community Media Network (CMN). A copy of the resolution should also be sent to all of our County, State and Federal officials seeking their assistance in this matter.



## CITY COUNCIL ACTION REPORT

Date January 3, 2008

TO: Phillip L. Nelson, City Manager

FROM: Tonni L. Bartholomew, City Clerk

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

Background:

- Following the December 17, 2007 City Council Meeting, the City Clerk's Office reviewed City precincts and polling locations. The following are recommendations to City Council of possible adjustments to polling locations to address Council member's concerns with available resources at this time. It should be noted that the distance adjustment requested for two proposed precinct locations could be resolved for one of the precincts. However relocating Precinct 30 to St George Antiochian Orthodox Church would cause either of the two dislocated precincts to suffer a greater driving distance for some of its voters greater than those experienced by voters in Precinct 30. For that reason there is no proposal for Precinct 30. The following adjustments are proposed to address the following concerns:
  - Polling Locations have received new map identification letters. The identification letters follow the Section numbering sequence.
  - Precinct 5 is proposed for Polling Location D - Faith Apostolic Church at 6710 Crooks. Precinct 5 will be a stand alone precinct. Precincts 5 and 3 will service Avondale School District.
  - Precinct 12 is proposed for Polling Location C - Woodside Bible Church at 6660 Rochester Road. While we understand the concerns voiced by the relocation and we do recognize that Bethesda Romanian Pentecostal Church has been a very good neighbor to Precinct 12, the facility layout does not provide good flow for large volume elections. In visiting the location, it appears more than adequate to house two precincts; however limited electrical outlets and room layouts are not conducive for voters and precinct workers. It should be noted that the Clerk's Office has received several complaints directly tied to large volume elections and precinct flow. Usage of the Fire and Police Training Center best fits the needs of the City for election administration and precinct flow with one major exception being insufficient parking. The lack of parking initially prompted the relocation from that location. Due to Precinct 5 being moved out of Woodside, it was determined that Woodside would better service the voters of Precinct 12. The Fire and Police Training Center is no longer being considered as a polling location.

The remainder of the initial proposal remains intact and while we understand and appreciate the concerns voiced in regards to driving distances, we do believe that the

proposal best serves the Troy voting community. It merits noting that Troy voters will be routinely requested to attend the polls one time on odd-years and two times on even years, with the exception of voters in the Warren Consolidated School District as they will additionally vote every May until such time that the district chooses to relocate their election day.

Attached, is a copy of the revised Voting Precinct Map and the original Council Agenda item submitted to Council at their meeting on December 17, 2007.

#### Financial Considerations:

- The financial considerations will be quite similar to the prior submittal with the exception of one additional precinct initial costs being an additional approximately \$15,000.00 for additional equipment and supplies.

The reoccurring costs will be for ballots, coding, inspectors and miscellaneous supplies are approximately \$3,000 for every election.

#### Legal Considerations:

- There are no known policy considerations.

#### Policy Considerations:

- There are no known policy considerations.

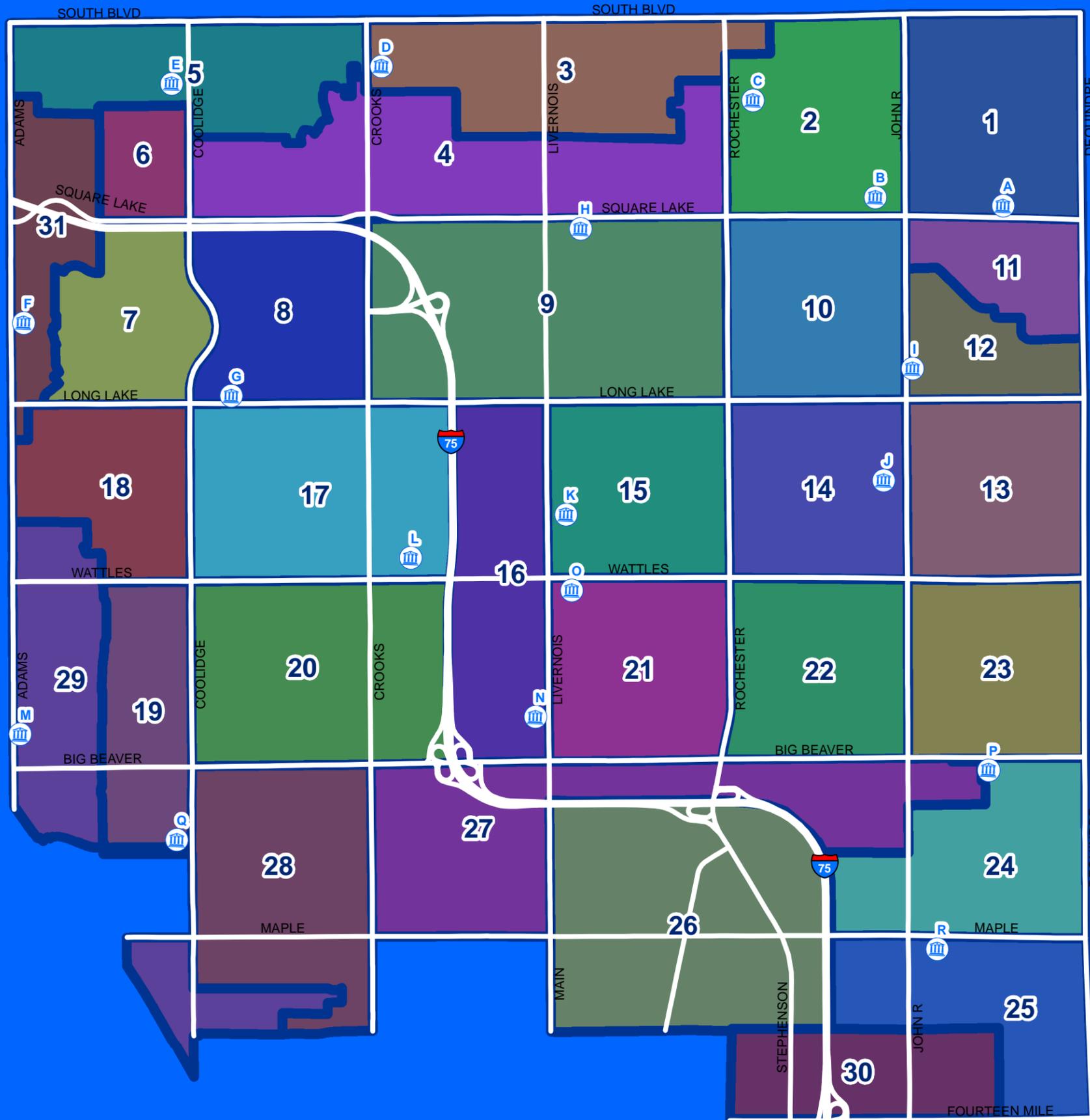
#### Options:

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



City of  
Troy

# Voting Precinct Map



PRECINCT	ADDRESS	LOCACTION	MAP ID
1	2601 E SQUARE LAKE	EVANSWOOD CHURCH OF GOD	A
2	1825 E SQUARE LAKE	KENSINGTON COMMUNITY CHURCH	B
3	6660 ROCHESTER	WOODSIDE BIBLE CHURCH	C
4	280 E SQUARE LAKE	ST ELIZABETH ANN SETON CATHOLIC CHURCH	H
5	6710 CROOKS	FAITH APOSTOLIC CHURCH	D
6	6685 COOLIDGE HWY.	TROY NATURE CENTER	E
7	5500 ADAMS	ST STEPHEN EPISCOPAL CHURCH	F
8	1800 W LONG LAKE	NORTHFIELD HILLS BAPTIST CHURCH	G
9	280 E SQUARE LAKE	ST ELIZABETH ANN SETON CATHOLIC CHURCH	H
10	1825 E SQUARE LAKE	KENSINGTON COMMUNITY CHURCH	B
11	2601 E SQUARE LAKE	EVANSWOOD CHURCH OF GOD	A
12	6660 ROCHESTER	WOODSIDE BIBLE CHURCH	C
13	2075 E LONG LAKE	BETHESDA ROMANIAN PENTECOSTAL CHURCH	I
14	4571 JOHN R	ST ANASTASIA CATHOLIC CHURCH	J
15	200 E WATTLES	ST LUCY CROATIAN CHURCH	O
16	4328 LIVERNOIS	FIRST PRESBYTERIAN CHURCH	K
17	760 W WATTLES	ST NICHOLAS GREEK ORTHODOX CHURCH	L
18	5500 ADAMS	ST STEPHEN EPISCOPAL CHURCH	F
19	2345 COOLIDGE	ST ALAN CATHOLIC CHURCH	Q
20	760 W WATTLES	ST NICHOLAS GREEK ORTHODOX CHURCH	L
21	200 E WATTLES	ST LUCY CROATIAN CHURCH	O
22	4571 JOHN R	ST ANASTASIA CATHOLIC CHURCH	J
23	2442 E BIG BEAVER	ST JOSEPH CHALDEAN CATHOLIC CHURCH	P
24	2160 E MAPLE	ST GEORGE ANTIOCHIAN ORTHODOX CHURCH	R
25	2160 E MAPLE	ST GEORGE ANTIOCHIAN ORTHODOX CHURCH	R
26	3179 LIVERNOIS	TROY COMMUNITY CENTER	N
27	3179 LIVERNOIS	TROY COMMUNITY CENTER	N
28	2345 COOLIDGE	ST ALAN CATHOLIC CHURCH	Q
29	3150 N ADAMS	NORTH HILLS CHRISTIAN REFORMED CHURCH	M
30	3179 LIVERNOIS	TROY COMMUNITY CENTER	N
31	6685 COOLIDGE HWY.	TROY NATURE CENTER	E

## E- Proposed Precinct Alterations & Relocation

### Suggested Resolution

#2007-12-

Moved by

Seconded by

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

<b>PCT #</b>	<b>BOUNDARY DESCRIPTION</b>	<b>POLLING LOCATION</b>	
1	Section 1	A	Evanswood Church of God 2601 E. Square Lake
2	Section 2 in the Troy School District	B	Kensington Community Church 1825 E. Square Lake
3	Sections 2, 3 and 4 in the Avondale School District	C	Woodside Bible Church 6600 Rochester
4	Sections 3, 4 and 5 in the Troy School District	H	St. Elizabeth Ann Seton Catholic Church 280 E. Square Lake
5	Sections 5 and 6 in the Avondale School District	D	Faith Apostolic Church 6710 Crooks
6	Section 6 in the Troy School District	E	Nature Center 6685 Coolidge Hwy.
7	Section 7 in the Troy School District and Section 8 west of Coolidge Highway	F	St. Stephen Episcopal Church 5500 Adams
8	Section 8 east of Coolidge Highway	G	Northfield Hills Baptist Church 1800 W. Long Lake
9	Sections 9 & 10	H	St. Elizabeth Ann Seton Catholic Church 280 E. Square Lake
10	Section 11	B	Kensington Community Church 1825 E. Square Lake
11	Section 12 north of Highbury, east of Harbor, north of Willard, north and east of English	A	Evanswood Church of God 2601 E. Square Lake
12	Section 12 south of Highbury, west of Harbor, south of Willard, south and west of English	C	Woodside Bible Church 6660 Rochester Road
13	Section 13	I	Bethesda Romanian Pentecostal Church 2075 E. Long Lake
14	Section 14	J	St. Anastasia Catholic Church 4571 John R
15	Section 15	O	St. Lucy Catholic Croatian Church 200 E. Wattles
16	Section 16 east of I-75 and Section 21 east of I-75	K	First Presbyterian Church 4328 Livernois
17	Section 16 west of I-75 and Section 17	L	St. Nicholas Greek Orthodox Church 760 W. Wattles

<b>PCT #</b>	<b>BOUNDARY DESCRIPTION</b>	<b>POLLING LOCATION</b>	
<b>18</b>	Section 18 in the Troy School District	F	St. Stephen Episcopal Church 5500 Adams
<b>19</b>	Sections 19 and 30 in the Troy School District	Q	St. Alan Catholic Church 3077 Gloucester
<b>20</b>	Section 20 and Section 21 west of I-75	L	St. Nicholas Greek Orthodox Church 760 W. Wattles
<b>21</b>	Section 22	O	St. Lucy Catholic Croatian Church 200 E. Wattles
<b>22</b>	Section 23	J	St. Anastasia Catholic Church 4571 John R
<b>23</b>	Section 24	P	St. Joseph Chaldean Catholic Church 2442 E. Big Beaver
<b>24</b>	Sections 25 and 26 in the Warren Consolidated School District	R	St. George Antiochian Orthodox Church 2160 E. Maple
<b>25</b>	Sections 35 and 36 in the Warren Consolidated School District	R	St. George Antiochian Orthodox Church 2160 E. Maple
<b>26</b>	Sections 26, 27, 34 and 35 south of I-75 in the Troy School District	N	Troy Community Center 3179 Livernois
<b>27</b>	Section 28 and Sections 25, 26, and 27 north of I-75 and south of E. Big Beaver in Sections in the Troy School District	N	Troy Community Center 3179 Livernois
<b>28</b>	Sections 29 and 32 in the Troy School District	Q	St. Alan Catholic Church 3077 Gloucester
<b>29</b>	Sections 18, 19, 30, and 31 in the Birmingham School District	M	North Hills Christian Reformed Church 3150 N. Adams
<b>30</b>	Section 35 in the Royal Oak School District and the Section 36 in the Lamphere School District	N	Troy Community Center 3179 Livernois
<b>31</b>	Sections 6, 7, and 18 in the Bloomfield Hills School District	E	Nature Center 6685 Coolidge Hwy.

Yes:

No:



# CITY COUNCIL REPORT

E-06

Date December 12, 2007

TO: Phillip L. Nelson, City Manager

FROM: Tonni L. Bartholomew, City Clerk

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

Background:

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

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

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

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

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

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

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

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

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

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

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

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

#### Financial Considerations:

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

#### Legal Considerations:

- There are no known policy considerations.

#### Policy Considerations:

- There are no known policy considerations.

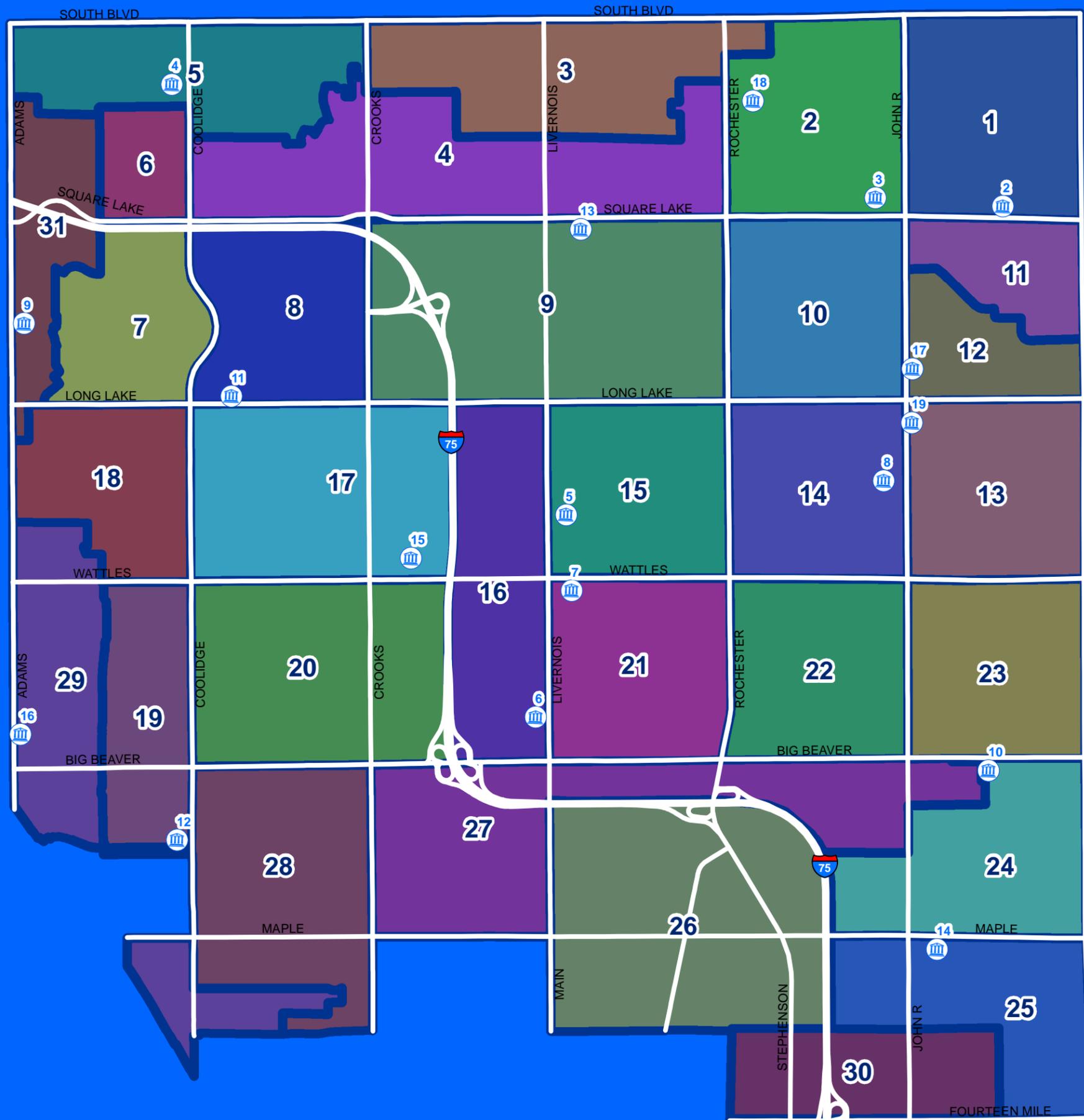
#### Options:

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



City of  
Troy

# Voting Precinct Map



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

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

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**ROLL CALL:**

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

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**Minutes: Regular Meeting of October 1, 2007**

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

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

Yes: Anderson, Bartholomew  
No: None  
Absent: Dewan

MOTION CARRIED

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

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

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

Yes: Anderson, Bartholomew  
No: None  
Absent: Dewan

MOTION CARRIED

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**Approval of Proposed Precinct Alterations and Relocations**

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

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

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

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

Yes: Anderson, Bartholomew

No: None

Absent: Dewan

MOTION CARRIED

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**Adjournment:**

The meeting was adjourned at 7:41 AM.

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Tonni L. Bartholomew, MMC  
City Clerk

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

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

A Regular Meeting of the Troy City Council was held Monday, December 17, 2007, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:32 PM.

Pastor Jerry Hines of Woodside Bible Church gave the Invocation and the Pledge of Allegiance to the Flag was given.

## ROLL CALL

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

## CERTIFICATES OF RECOGNITION:

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### A-1 Presentations:

- a) State Senator John Pappageorge and State Representative Marty Knollenberg paid special tribute to the City of Troy in recognition of the city's *Safest City in Michigan* award.
- b) On behalf of the City of Troy, Mayor Schilling presented a *Service Commendation* to David Waller in recognition of his outstanding service to the community.

## CARRYOVER ITEMS:

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### B-1 No Carryover Items

## PUBLIC HEARINGS:

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

The Mayor opened the Public Hearing for public comment.

The Mayor closed the Public Hearing after receiving no comment from the public.

Resolution #2007-12-348

Moved by Beltramini

Seconded by Fleming

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

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

Yes: All-7

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

The Mayor opened the Public Hearing for public comment.

The Mayor closed the Public Hearing after receiving no comment from the public.

Resolution #2007-12-349

Moved by Fleming

Seconded by Beltramini

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

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

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

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

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

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

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

Yes: All-7

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

The Mayor opened the Public Hearing.

Resolution #2007-12-350  
Moved by Beltramini  
Seconded by Howrylak

RESOLVED, That Troy City Council hereby **POSTPONES** the rezoning application for the proposed Rite Aid Pharmacy development located on the north side of Long Lake and the east side of Rochester Road in Section 11 from B-1 to B-2 (File Number Z-729) until such time that the petitioner is present.

Yes: All-7

**POSTPONED ITEMS:**

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**D-1 Alcohol Sales on Golf Courses**

Resolution #2007-12-351  
Moved by Beltramini  
Seconded by Eisenbacher

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

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

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

**MOTION CARRIED**

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**D-2 Appointments to Boards and Committees**

**(b) City Council Appointments**

Resolution  
Moved by Howrylak  
Seconded by Fleming

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

**Advisory Committee for Persons with Disabilities**

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

<u>Michael J. Chaffee</u>	Unexpired Term 11/01/09
<u>Paul Lin</u>	Unexpired Term 11/01/09
<u>Edward Kempen</u>	Unexpired Term 11/01/09
<u>Jeffrey Stewart (Alternate)</u>	Term Expires 11/01/09
<u>Larry W. Patton</u>	Term Expires 11/01/10
<u>Barbara Harrell</u>	Term Expires 11/01/10

**Charter Revision Committee**

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

<u>Mary Ann Bernardi</u>	Unexpired Term 04/30/09
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**Ethnic Issues Advisory Board**

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

<u>Cathleen M. Francois</u>	Unexpired Term 09/30/08 (3 Year Term)
<u>William B. Lawrence</u>	Unexpired Term 09/30/08 (3 Year Term)

**Vote on Resolution to Separate the Vote on City Council Appointments to Boards and Committees**

Resolution #2007-12-352

Moved by Kerwin

Seconded by Beltramini

RESOLVED, That Troy City Council hereby **SEPARATES** the vote for City Council Appointments to the Advisory Committee for Persons with Disabilities, the Charter Revision Committee, and Ethnic Issues Advisory Board.

Yes: Howrylak, Kerwin, Schilling, Beltramini, Broomfield, Eisenbacher

No: Fleming

**MOTION CARRIED**

**(b) City Council Appointments-Advisory Committee for Persons with Disabilities**

Resolution #2007-12-353  
 Moved by Howrylak  
 Seconded by Fleming

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

**Advisory Committee for Persons with Disabilities**

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

<u>Michael J. Chaffee</u>	Unexpired Term 11/01/09
<u>Paul Lin</u>	Unexpired Term 11/01/09
<u>Edward Kempen</u>	Unexpired Term 11/01/09
<u>Jeffrey Stewart (Alternate)</u>	Term Expires 11/01/09
<u>Larry W. Patton</u>	Term Expires 11/01/10
<u>Barbara Harrell</u>	Term Expires 11/01/10

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

**MOTION CARRIED**

**(b) City Council Appointments-Charter Revision Committee**

<b><u>Nominated by:</u></b>	<b><u>Applicant:</u></b>
Howrylak/Fleming	Mary Ann Bernardi
Beltramini/Kerwin	William Weisgerber

Resolution #2007-12-354  
 Moved by Howrylak  
 Seconded by Fleming

RESOLVED, That the following person is hereby **APPOINTED** by the City Council to serve on the Charter Revision Committee as indicated:

**Charter Revision Committee**

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

<u>Mary Ann Bernardi</u>	Unexpired Term 04/30/09
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**Roll Call Vote:**

**Mary Ann Bernardi:** Broomfield, Eisenbacher, Fleming, Howrylak  
**William Weisgerber:** Kerwin, Schilling, Beltramini

**MOTION CARRIED to appoint Mary Ann Bernardi to the Charter Revision Committee.**

**(b) City Council Appointments-Ethnic Issues Advisory Board**

Resolution #2007-12-355

Moved by Howrylak

Seconded by Fleming

**Ethnic Issues Advisory Board**

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

Cathleen M. Francois

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

William B. Lawrence

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

Yes: All-7

**Vote on Resolution to Suspend Rules of Procedure for the City Council, Rule #6 – Order of Business, Article 15 I.**

Resolution #2007-12-356

Moved by Beltramini

Seconded by Howrylak

RESOLVED, That Troy City Council hereby **SUSPENDS** Rules of Procedure for the City Council to take action on postponed agenda item C-3 Rezoning Application – Proposed Rite Aid Pharmacy Development, North Side of Long Lake, East Side of Rochester Road, Section 11 – B-1 to B-2 (File Number Z-729) due to the arrival of the petitioner.

Yes: All-7

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

The Mayor reopened the Public Hearing.

The Mayor closed the Public Hearing after receiving comment from the petitioner. There was no public comment.

Resolution #2007-12-357

Moved by Kerwin

Seconded by Eisenbacher

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

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

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

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

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

Yes: All-7

**PUBLIC COMMENT: Limited to Items Not on the Agenda**

**REGULAR BUSINESS:**

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**E-7 Limousine Permit Revocation Appeal - Reinstatement of Limousine Permit for Two Vehicles Owned by Michael Saad of Nautical Mile Transportation**

Resolution #2007-12-358

Moved by Broomfield

Seconded by Kerwin

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

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

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

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

THEREFORE, BE IT ALSO RESOLVED, That Troy City Council hereby **REINSTATES** Nautical Mile Transportation's limousine vehicle permit (Number 2007-031) for that vehicle, described as a 2006 black Lincoln Town Car, VIN Number: 1LNHM82V06YG49236, and also a 1999 Lincoln, VIN Number: 1L1FM81W4XY70155, since Michael Saad has demonstrated his ownership of these vehicles, conditioned upon Mr. Saad's continuing ownership of the vehicles;

THEREFORE, BE IT FINALLY RESOLVED, That this resolution **SHALL NOT** preclude Nautical Mile Transportation from applying for additional vehicles, as long as the applications are submitted to the Troy Police Department, and that Nautical Mile Transportation can demonstrate ownership and satisfactory inspections for each such vehicle.

Yes: All-7

The meeting **RECESSED** at 8:57 PM.

The meeting **RECONVENED** at 9:05 PM.

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**E-1 Appointments to Boards and Committees: a) Mayoral Appointments: No Appointments Made**

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**E-2 Bid Waiver – Purchase of Additional In-Car Video Systems**

Resolution #2007-12-359

Moved by Eisenbacher

Seconded by Fleming

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

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

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

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

Yes: All-7

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**E-3 Traffic Committee Recommendations – November 28, 2007**

Resolution #2007-12-360

Moved by Beltrami

Seconded by Eisenbacher

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

RESOLVED, That Traffic Control Order No. 07-02-P be **ISSUED** for the installation of two signs indicating "NO PARKING/ STOPPING/STANDING 8:00 a.m. to 3:30 p.m. School Days Only" on the east side of Jack Street between the driveway of 2187 Lancer and the corner of Jack and Lancer Drive, and on Lancer between 2175 Lancer and Jack.

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

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

BE IT FURTHER RESOLVED, That Traffic Control Order No. 07-09-SS be **ISSUED** for the installation of YIELD signs on High Oaks at Scone.

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

RESOLVED, That Traffic Control Order No. 07-03-P be **ISSUED** for the installation of NO STOPPING/STANDING/PARKING signs along Northfield Parkway between Durand and Long Lake.

**(d) Installation of Pavement Markings on Northfield Parkway**

RESOLVED, That Traffic Control Order No. 07-12-MR be **ISSUED** for the pavement markings on Northfield Parkway to facilitate two through lanes and one center two-way left turn lane in the vicinity of Troy High School.

**(e) Establishment of Fire Lanes at 1101 Rochester Road**

RESOLVED, That Traffic Control Order No. 07-13-MR be **ISSUED** for the establishment of fire lanes at 1101 Rochester Road, as shown in the attached sketch.

Yes: All-7

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

Resolution #2007-12-361  
 Moved by Eisenbacher  
 Seconded by Kerwin

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

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon submission of proper contract and bid documents, including bonds, insurance certificates and all specified

requirements, and if additional work is required, Troy City Council hereby **AUTHORIZES** such additional work in an amount not to exceed 25% of the total project cost.

Yes: All-7

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

Resolution #2007-12-362

Moved by Eisenbacher

Seconded by Beltramini

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

Yes: All-7

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#### **E-6 Approval of City of Troy Precinct Boundary Alterations and Relocations**

Resolution #2007-12-363

Moved by Broomfield

Seconded by Fleming

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

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

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

PCT #	BOUNDARY DESCRIPTION	POLLING LOCATION
	Hills School District	6685 Coolidge Hwy.

Yes: Broomfield, Fleming, Schilling

No: Beltramini, Eisenbacher, Howrylak, Kerwin

### **MOTION FAILED**

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#### **E-8 Goodman Investments, LLC**

Resolution

Moved by Eisenbacher

Seconded by Beltramini

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

#### **Vote on Resolution to Amend First Amendment to the Consent Order and Judgment between Goodman Investments, LLC**

Resolution #2007-12-364

Moved by Kerwin

Seconded by Beltramini

RESOLVED, That Troy City Council hereby **AMENDS** the resolution to *Amend First Amendment to the Consent Order and Judgment between Goodman Investments, LLC* by **INSERTING** "CONTINGENT upon revisiting the Consent Order and Judgment in one years time" **AFTER** "Parcel Number 88-20-24-352-045".

Yes: Broomfield, Fleming, Kerwin, Schilling, Beltramini

No: Eisenbacher, Howrylak

### **MOTION CARRIED**

#### **Vote on Resolution for First Amendment to the Consent Order and Judgment between Goodman Investments, LLC as Amended**

Resolution #2007-12-365

Moved by Eisenbacher

Seconded by Beltramini

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

revisiting the Consent Order and Judgment in one years time, and **AUTHORIZES** the Mayor and City Clerk and City Attorney to execute the document on behalf of the City of Troy.

Yes: All-7

## **CONSENT AGENDA:**

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

Resolution #2007-12-366  
Moved by Beltramini  
Seconded by Eisenbacher

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

Yes: All-7

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

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### **F-2 Approval of City Council Minutes**

Resolution #2007-12-366-F-2

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

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

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### **F-4 Standard Purchasing Resolutions**

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

Resolution #2007-12-366-F-4a

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

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

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

Resolution #2007-12-366-F-4b

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide architectural services for the Troy Museum and Historic Village to the highest rated bidder, Hopkins Burns Design Studio of Ann Arbor, MI, as a result of a best value process at an estimated cost of \$219,265.00 to be funded by monies received from the Troy Historical Society, at prices as listed on the tabulation opened October 8, 2007, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

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

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

Resolution #2007-12-366-F-4c

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

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

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

Resolution #2007-12-366-F-4d

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

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

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

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

Resolution #2007-12-366-F-4e

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

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**F-5 Acceptance of Fireman’s Fund Insurance Company Grant**

Resolution #2007-12-366-F-5

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

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

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**F-6 Municipal Credit and Community Credit Agreement**

Resolution #2007-12-366-F-6

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

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

Resolution #2007-12-366-F-7

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

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

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

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

Resolution #2007-12-366-F-8

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

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

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

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

Resolution #2007-12-366-F-9

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

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

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

Resolution #2007-12-366-F-10

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

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

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

Resolution #2007-12-366-F-11

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

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

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

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

Resolution #2007-12-366-F-12

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

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**F-13 Kocenda v. Troy et. al.**

Resolution #2007-12-366-F-13

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

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

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**MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:**

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**G-1 Announcement of Public Hearings: None Submitted**

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**G-2 Green Memorandums: None Submitted**

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

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**H-1 No Council Referrals Advanced****COUNCIL COMMENTS:**

Council Member Beltramini would like the Planning Commission review issues related to drive thru restaurants adjacent to residential districts.

Council Member Beltramini suggested retaining board and committee applications for three years.

Council Member Howrylak understands that board and committee resumes are not destroyed but updated every two years. City Clerk Bartholomew responded that the applications are purged every two years and indicated that she will bring back the directive in regard to the retention of board and committee applications/resumes to Council at their next meeting.

**REPORTS:**

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**J-1 Minutes – Boards and Committees:**

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

**J-2 Department Reports:**

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

**J-3 Letters of Appreciation:**

- a. Letter of Thanks to Mayor Schilling from Bob Ottaway, President Bloomfield Woods Condominium Association Regarding the Assistance Received from the Troy Fire Department
  - b. Letter of Appreciation to Chief Nelson from Thomas Burke Regarding the Outstanding Service Provided by Lt. Janusz Bora
  - c. Letter of Thanks to Chief Craft from Beatrice Smits Regarding the Compassion and Support Received from the Troy Police Department and Legal Staff
  - d. Letter of Thanks to Bill Huotari from Tim and Anna Backers Regarding the Assistance from Jennifer Lawson and the Engineering Staff during the Widening of Crooks Road  
Noted and Filed
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**J-4 Proposed Proclamations/Resolutions from Other Organizations: None Submitted**

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**J-5 Calendar**

Noted and Filed

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

Noted and Filed

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

Noted and Filed

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

Noted and Filed

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**STUDY ITEMS:**

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**K-1 No Study Items Submitted**

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**PUBLIC COMMENT: Address of "K" Items**

**CLOSED SESSION:**

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**L-1 Closed Session: No Closed Session Requested**

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**CLOSED SESSION:**

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**L-1 Closed Session: No Closed Session Requested**

The meeting **ADJOURNED** at 9:57 PM.

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Louise E. Schilling, Mayor

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Tonni L. Bartholomew, MMC  
City Clerk

**PROCLAMATION  
SCHOOL BOARD RECOGNITION MONTH  
JANUARY 2008**

**WHEREAS**, Providing for the education of Michigan's school-aged children is a fundamental duty of state government, as stated in Article VIII, Section 2, of the Michigan Constitution of 1963; and

**WHEREAS**, The education of our youth is the foundation upon which the economic, social and intellectual capital of our state is built; and

**WHEREAS**, **School Board Recognition Month** is celebrated in January by 523 local and 57 intermediate school districts in Michigan, as 4,200 elected school board members are honored by their schools and communities for untiring dedication to school governance; and

**WHEREAS**, Our locally-elected school boards play an important and vital role in developing policies and making tough decisions on complex educational and social issues impacting the entire community; and

**WHEREAS**, School Board members make important decisions that affect 1.7 million Michigan children and over \$12 billion in educational expenditures. They preserve the core of our democracy - public education; and

**WHEREAS**, The **Troy Board of Education** has been honored at both national and state levels for its effective dedication to promoting student achievement in our community; and

**WHEREAS**, As Benjamin Franklin said, "An investment in knowledge pays the best interest," and our dedicated **Troy School Board members, President Paula Fleming, Vice President Carol Pochodylo, Secretary Gary Hauff, and Trustees Ida Edmunds, Mary Beth Halushka, Todd Milette and Wendy Underwood** have invested hundreds of hours on behalf of our children; and

**WHEREAS**, This year's theme – ***School Board Members Lead Strong*** - reflects the efforts of thousands of men and women whose actions and decisions help to shape the direction of Michigan public education and the future of our next generation so it can successfully compete in a global society; and

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Troy does hereby proclaim **January 2008 to be School Board Recognition Month** in the City of Troy and encourages all citizens to express sincere appreciation to our dedicated **Troy School Board Members** for their work on behalf of children, youth and families.

Signed this 7<sup>th</sup> day of January 2008.

**PROCLAMATION  
SCHOOL BOARD RECOGNITION MONTH  
JANUARY 2008**

**WHEREAS**, Providing for the education of Michigan's school-aged children is a fundamental duty of state government, as stated in Article VIII, Section 2, of the Michigan Constitution of 1963; and

**WHEREAS**, The education of our youth is the foundation upon which the economic, social and intellectual capital of our state is built; and

**WHEREAS**, **School Board Recognition Month** is celebrated in January by 523 local and 57 intermediate school districts in Michigan, as 4,200 elected school board members are honored by their schools and communities for untiring dedication to school governance; and

**WHEREAS**, Our locally-elected school boards play an important and vital role in developing policies and making tough decisions on complex educational and social issues impacting the entire community; and

**WHEREAS**, School Board members make important decisions that affect 1.7 million Michigan children and \$12 billion in educational expenditures. They preserve the core of our democracy - public education; and

**WHEREAS**, As Benjamin Franklin said, "An investment in knowledge pays the best interest," and our dedicated **Avondale School Board members, President Stephen Sucher, Vice President Cynthia Tischer, Secretary Kessie Kaltsounis, Treasurer Cyndi Pettit and Trustees Ken Hedrick, Deb LaMothe, and Tammy Muczynski** have invested hundreds of hours on behalf of our children; and

**WHEREAS**, This year's theme – ***School Board Members Lead Strong*** - reflects the efforts of thousands of men and women whose actions and decisions help to shape the direction of Michigan public education and the future of our next generation so it can successfully compete in a global society; and

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Troy does hereby proclaim **January 2008 to be School Board Recognition Month** in the City of Troy and encourages all citizens to express sincere appreciation to the dedicated Avondale School Board members for their work on behalf of children, youth and families.

Signed this 7<sup>th</sup> day of January 2008.

**PROCLAMATION  
SCHOOL BOARD RECOGNITION MONTH  
JANUARY 2008**

**WHEREAS**, Providing for the education of Michigan's school-aged children is a fundamental duty of state government, as stated in Article VIII, Section 2, of the Michigan Constitution of 1963; and

**WHEREAS**, The education of our youth is the foundation upon which the economic, social and intellectual capital of our state is built; and

**WHEREAS**, **School Board Recognition Month** is celebrated in January by 523 local and 57 intermediate school districts in Michigan, as 4,200 elected school board members are honored by their schools and communities for untiring dedication to school governance; and

**WHEREAS**, Our locally-elected school boards play an important and vital role in developing policies and making tough decisions on complex educational and social issues impacting the entire community; and

**WHEREAS**, School Board members make important decisions that affect 1.7 million Michigan children and \$12 billion in educational expenditures. They preserve the core of our democracy - public education; and

**WHEREAS**, As Benjamin Franklin said, "An investment in knowledge pays the best interest," and our dedicated **Birmingham School Board members, President Michael Fenberg, Vice President Geri Rinschler, Secretary Lori Soifer, Treasurer Susan Hill, and Trustees Christopher Conti, Deborah L. Roberts and Robert Lawrence** have invested hundreds of hours on behalf of our children; and

**WHEREAS**, This year's theme – ***School Board Members Lead Strong*** - reflects the efforts of thousands of men and women whose actions and decisions help to shape the direction of Michigan public education and the future of our next generation so it can successfully compete in a global society; and

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Troy does hereby proclaim **January 2008 to be School Board Recognition Month** in the City of Troy and encourages all citizens to express sincere appreciation to the dedicated Birmingham School Board members for their work on behalf of children, youth and families.

Signed this 7<sup>th</sup> day of January 2008.

**PROCLAMATION  
SCHOOL BOARD RECOGNITION MONTH  
JANUARY 2008**

**WHEREAS**, Providing for the education of Michigan's school-aged children is a fundamental duty of state government, as stated in Article VIII, Section 2, of the Michigan Constitution of 1963; and

**WHEREAS**, The education of our youth is the foundation upon which the economic, social and intellectual capital of our state is built; and

**WHEREAS**, **School Board Recognition Month** is celebrated in January by 523 local and 57 intermediate school districts in Michigan, as 4,200 elected school board members are honored by their schools and communities for untiring dedication to school governance; and

**WHEREAS**, Our locally-elected school boards play an important and vital role in developing policies and making tough decisions on complex educational and social issues impacting the entire community; and

**WHEREAS**, School Board members make important decisions that affect 1.7 million Michigan children and \$12 billion in educational expenditures. They preserve the core of our democracy - public education; and

**WHEREAS**, As Benjamin Franklin said, "An investment in knowledge pays the best interest," and our dedicated Bloomfield Hills School Board members, **President Mary Ellen Miller, Vice President Martin Brook, Secretary Cynthia von Oeyen, Treasurer David Lubin and Trustees Ingrid Day, Michael Scadron and Carol Stencel** have invested hundreds of hours on behalf of our children; and

**WHEREAS**, This year's theme – ***School Board Members Lead Strong*** - reflects the efforts of thousands of men and women whose actions and decisions help to shape the direction of Michigan public education and the future of our next generation so it can successfully compete in a global society; and

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Troy does hereby proclaim **January 2008 to be School Board Recognition Month** in the City of Troy and encourages all citizens to express sincere appreciation to the dedicated Bloomfield Hills School Board members for their work on behalf of children, youth and families.

Signed this 7<sup>th</sup> day of January 2008

**PROCLAMATION  
SCHOOL BOARD RECOGNITION MONTH  
JANUARY 2008**

**WHEREAS**, Providing for the education of Michigan's school-aged children is a fundamental duty of state government, as stated in Article VIII, Section 2, of the Michigan Constitution of 1963; and

**WHEREAS**, The education of our youth is the foundation upon which the economic, social and intellectual capital of our state is built; and

**WHEREAS**, **School Board Recognition Month** is celebrated in January by 523 local and 57 intermediate school districts in Michigan, as 4,200 elected school board members are honored by their schools and communities for untiring dedication to school governance; and

**WHEREAS**, Our locally-elected school boards play an important and vital role in developing policies and making tough decisions on complex educational and social issues impacting the entire community; and

**WHEREAS**, School Board members make important decisions that affect 1.7 million Michigan children and \$12 billion in educational expenditures. They preserve the core of our democracy - public education; and

**WHEREAS**, As Benjamin Franklin said, "An investment in knowledge pays the best interest," and our dedicated **Lamphere School Board members, President Robert T. Borngesser, Jr., Vice President Lynn D. Nowak, Secretary Diane E. Backhus, Treasurer William J. Dixon and Trustees Terrie D. Junkin, Brad Lyon and David B. Crawford** have invested hundreds of hours on behalf of our children; and

**WHEREAS**, This year's theme – ***School Board Members Lead Strong*** - reflects the efforts of thousands of men and women whose actions and decisions help to shape the direction of Michigan public education and the future of our next generation so it can successfully compete in a global society; and

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Troy does hereby proclaim **January 2008 to be School Board Recognition Month** in the City of Troy and encourages all citizens to express sincere appreciation to the dedicated Lamphere School Board members for their work on behalf of children, youth and families.

Signed this 7<sup>th</sup> day of January 2008.

**PROCLAMATION  
SCHOOL BOARD RECOGNITION MONTH  
JANUARY 2008**

**WHEREAS**, Providing for the education of Michigan's school-aged children is a fundamental duty of state government, as stated in Article VIII, Section 2, of the Michigan Constitution of 1963; and

**WHEREAS**, The education of our youth is the foundation upon which the economic, social and intellectual capital of our state is built; and

**WHEREAS**, **School Board Recognition Month** is celebrated in January by 523 local and 57 intermediate school districts in Michigan, as 4,200 elected school board members are honored by their schools and communities for untiring dedication to school governance; and

**WHEREAS**, Our locally-elected school boards play an important and vital role in developing policies and making tough decisions on complex educational and social issues impacting the entire community; and

**WHEREAS**, School Board members make important decisions that affect 1.7 million Michigan children and \$12 billion in educational expenditures. They preserve the core of our democracy - public education; and

**WHEREAS**, As Benjamin Franklin said, "An investment in knowledge pays the best interest," and our dedicated **Royal Oak School Board members, President Gary Briggs, Vice President Christine Hartwig, Secretary Kevin McLogan, Treasurer Michael Hartman, and Trustees Deborah Anderson, Lisa Bradford, and Daniel Champagne** have invested hundreds of hours on behalf of our children; and

**WHEREAS**, This year's theme – ***School Board Members Lead Strong*** - reflects the efforts of thousands of men and women whose actions and decisions help to shape the direction of Michigan public education and the future of our next generation so it can successfully compete in a global society; and

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Troy does hereby proclaim **January 2008 to be School Board Recognition Month** in the City of Troy and encourages all citizens to express sincere appreciation to the dedicated Royal Oak School Board members for their work on behalf of children, youth and families.

Signed this 7<sup>th</sup> day of January 2008.

**PROCLAMATION  
SCHOOL BOARD RECOGNITION MONTH  
JANUARY 2008**

**WHEREAS**, Providing for the education of Michigan's school-aged children is a fundamental duty of state government, as stated in Article VIII, Section 2, of the Michigan Constitution of 1963; and

**WHEREAS**, The education of our youth is the foundation upon which the economic, social and intellectual capital of our state is built; and

**WHEREAS**, **School Board Recognition Month** is celebrated in January by 523 local and 57 intermediate school districts in Michigan, as 4,200 elected school board members are honored by their schools and communities for untiring dedication to school governance; and

**WHEREAS**, Our locally-elected school boards play an important and vital role in developing policies and making tough decisions on complex educational and social issues impacting the entire community; and

**WHEREAS**, School Board members make important decisions that affect 1.7 million Michigan children and \$12 billion in educational expenditures. They preserve the core of our democracy - public education; and

**WHEREAS**, As Benjamin Franklin said, "An investment in knowledge pays the best interest," and our dedicated **Warren Consolidated School Board members, President Loretta Crow, Vice President Brendan P. Wagner, Secretary Brian White, Treasurer Susan Kattula, and Trustees Sherry Brasza, and Jon L. Green and Diane Holden** have invested hundreds of hours on behalf of our children; and

**WHEREAS**, This year's theme – ***School Board Members Lead Strong*** - reflects the efforts of thousands of men and women whose actions and decisions help to shape the direction of Michigan public education and the future of our next generation so it can successfully compete in a global society; and

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Troy does hereby proclaim **January 2008 to be School Board Recognition Month** in the City of Troy and encourages all citizens to express sincere appreciation to the dedicated **Warren Consolidated School Board Members** for their work on behalf of children, youth and families.

Signed this 7<sup>th</sup> day of January 2008



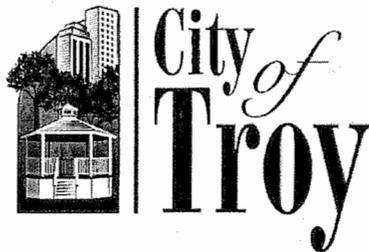
**CITY COUNCIL  
AGENDA  
January 7, 2008  
Back-Up Documentation  
Council Chambers  
City Hall - 500 West Big Beaver  
Troy, Michigan 48084  
(248) 524-3317**

**STANDARD PURCHASING RESOLUTIONS:**

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**F-4 No Standard Purchasing Resolutions**

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



## CITY COUNCIL ACTION REPORT

December 17, 2007

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Economic Development Services  
 Steven J. Vandette, City Engineer  
 Patricia A. Petitto, Real Estate Consultant, Greenstar & Associates, LLC *PAP*

SUBJECT: Request for Approval of Purchase Agreement  
 John R Road Improvements, Square Lake Road to South Boulevard  
 Project No. 02.204.5 – Parcel #52 – Sidwell #88-20-02-228-038 – Byung Ho Kim and  
 Soon Hee Kim

### Background:

- In connection with the proposed improvements to John R Road, from Square Lake Road to South Boulevard, the Real Estate & Development Department received a Purchase Agreement from Byung Ho Kim and Soon Hee Kim. This parcel is located on the west side of John R Road, between Chancery and South Boulevard in the northeast ¼ of Section 2.

### Financial Considerations:

- An appraisal was prepared by Andrew Reed, State Certified Appraiser and reviewed by Kimberly Harper, Deputy Assessor and State Licensed Appraiser, and Larysa Figol, Limited Real Estate Appraiser. Staff believes that \$21,450, plus closing costs for the acquisition of the property described in the purchase agreement is a justifiable amount for this acquisition.
- Eighty percent of these costs will be reimbursed from Federal funds. Funds for the City of Troy's share are included in the 2007-08 Major Road fund, account number 401479.7989.022045.

### Legal Considerations:

- The format and content of the purchase agreement is consistent with documents previously accepted by City Council.

### Policy Considerations:

- The purpose of this project is to relieve congestion, improve safety and improve the flow of traffic. (Goals I and V)

Options:

- City Management recommends that City Council approve the attached Purchase Agreement from Byung Ho Kim and Soon Hee Kim so that the City can proceed with the acquisition of this right-of-way.

PAP\G\MEMOS TO MAYOR & CC\Kim Purchase Agreement

CITY OF TROY  
AGREEMENT TO PURCHASE REALTY  
FOR PUBLIC PURPOSES

The CITY OF TROY (the "Buyer"), agrees to purchase from Byung Ho Kim and Soon Hee Kim, husband and wife (the "Sellers"), the following described premises (the "Property"):

SEE ATTACHED EXHIBIT "A"

for a public project within the City of Troy and to pay the sum of Twenty-One Thousand, Four Hundred, Fifty and no/100 Dollars (\$21,450) under the following terms and conditions:

1. Seller shall assist Buyer in obtaining all releases necessary to remove all encumbrances from the property so as to vest a marketable title in Buyer.
2. Seller shall pay all taxes, prorated to the date of closing, including all special assessments, now due or which may become a lien on the property prior to the conveyance.
3. Seller shall deliver the Warranty Deed upon payment of the purchase money by check drawn upon the account of the City of Troy.
4. Buyer shall, at its own expense, provide title insurance information, and the Seller shall disclose any encumbrances against the property.
5. This Agreement is binding upon the parties and closing shall occur within ninety (90) days of the date that all liens have been released and encumbrances have been extinguished to the satisfaction of the Buyer, unless extended by agreement of the parties in writing. It is further understood and agreed that this period of time is for the preparation and authorization of purchase money.
6. Buyer shall notify the Seller immediately of any deficiencies encumbering marketable title, and Seller shall then proceed to remove the deficiencies. If the Seller fails to remove the deficiencies in marketable title to Buyer's approval, the Buyer shall have the option of proceeding under the terms of this Agreement to take title in a deficient condition or to render the Agreement null and void, and any deposit tendered to the Seller shall be returned immediately to the Buyer upon demand.
7. The City of Troy's sum paid for the property being acquired represents the property being free of all environmental contamination. Although the City of Troy will not withhold or place in escrow any portion of this sum, the City reserves its rights to bring Federal and/or State and/or local cost recovery actions against the present owners and any other potentially responsible parties, arising out of a release of hazardous substances at the property.
8. Seller acknowledges that this offer to purchase is subject to final approval by Troy City Council.
9. Seller grants to Buyer temporary possession and use of the property commencing on this date and continuing to the date of closing in order that the Buyer may proceed with the public project.
10. Additional conditions, if any:

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**Exhibit "A"**

Section 2, John R Widening Project  
Parcel: 88-20-02-228-038  
Parcel #52

PARENT PARCEL #52 DESCRIPTION:

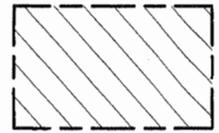
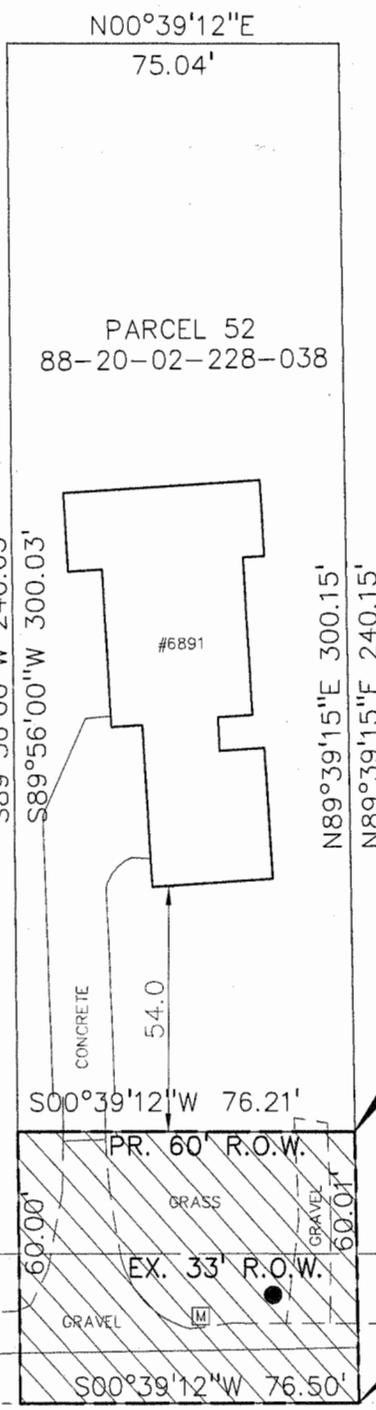
T2N, R11E, SEC 2, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS PART OF THE NORTHEAST 1/4: BEGINNING AT A POINT DISTANT S 00°39'12" W 573.45 FT FROM NORTHEAST SECTION CORNER, THENCE S 00°39'12" W 76.50 FT, THENCE S 89°56'00" W 300.03 FT, THENCE N 00°39'12" E 75.04 FT, THENCE N 89°39'15" E 300.15 FT TO BEGINNING, THE EAST 33 FEET OF WHICH IS CURRENTLY BEING USED FOR ROADWAY PURPOSES. CONTAINING 0.52 ACRES.

REMAINDER PARCEL DESCRIPTION:

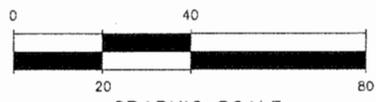
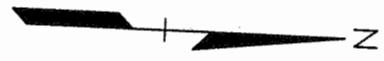
T2N, R11E, SEC 2, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS PART OF THE NORTHEAST 1/4: BEGINNING AT A POINT DISTANT S 00°39'12" W 573.45 FT & S 89°39'15" W 60 FT FROM THE NORTHEAST SECTION CORNER, THENCE S 00°39'12" W 76.21 FT, THENCE S 89°56'00" W 240.03 FT, THENCE N 00°39'12" E 75.04 FT, THENCE N 89°39'15" E 240.15 FT TO BEGINNING. CONTAINING 0.41 ACRES.

PROPOSED RIGHT OF WAY ACQUISITION:

T2N, R11E, SEC 2, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS PART OF THE NORTHEAST 1/4: BEGINNING AT A POINT DISTANT S 00°39'12" W 573.45 FT FROM NORTHEAST SECTION CORNER, THENCE S 00°39'12" W 76.50 FT, THENCE S 89°56'00" W 60.00 FT, THENCE N 00°39'12" E 76.21 FT, N89°39'15"E 60.00 FT TO THE POINT OF BEGINNING, ALSO KNOWN AS R.O.W. PARCEL #52, THE EAST 33 FEET OF WHICH IS CURRENTLY BEING USED FOR ROADWAY PURPOSES. CONTAINING 4,581 SQUARE FEET; 0.11 ACRES (GROSS) OR 2,061 SQUARE FEET; 0.05 ACRES (NET).



Right-of-Way Acquisition  
 Gross Area=4,581 sf; 0.11 AC  
 Net Area=2,061 sf; 0.05 AC



GRAPHIC SCALE  
 1" = 40'

POB REMAINDER PARCEL

POB PARENT PARCEL  
 POB ACQUISITION PARCEL

PARCEL 52

NE CORNER  
 SECTION 2  
 T2N-R11E

ORCHARD, HILTZ & McCLIMENT, INC.  
 34000 Plymouth Road  
 Livonia, MI, 48150 (734)522-6711



500 W. Big Beaver Rd.  
 Troy, Michigan 48084  
 (248) 524-3594  
 www.ci.troy.mi.us

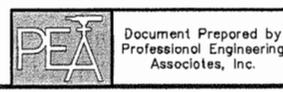
6891 John R  
 Right-of-Way  
 Acquisition Sketch

EAST LINE OF SEC 2  
 JOHN R ROAD (120' WIDE)

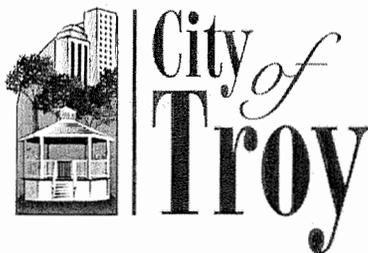
S 00°39'12" W 573.45'

4-06	2
3-06	1
DATE	REV.

CONTRACT No.



SCALE: 1" = 40'	DRAWN BY: JRV	CHECK BY: GWC	FILE P52-SEC2_ROW
	1-27-06	2-17-06	
STEVEN J. VANDETTE CITY ENGINEER		SHEET No. 1 of 2	JOB No. 2002-234



## CITY COUNCIL ACTION REPORT

December 17, 2007

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Asst. City Manager/Economic Dev. Services  
Steve Vandette, City Engineer  
John K. Abraham, Traffic Engineer

SUBJECT: Traffic Signal Maintenance Agreement  
Crooks and Bridge Park

### Background:

- The RCOC requests a City Council resolution approving the attached cost agreement and a copy of the signed agreement for their files. The Crooks Road project created a 4-lane boulevard, and the existing traffic signal became two separate signals, one for the northbound and one for the southbound lanes.

### Financial Considerations:

- Average signal maintenance cost for a year is approximately \$1,800; City share \$900.

### Legal Considerations:

- The agreement is the same as the ones for all other traffic signals in the City reviewed by the Legal Department.

### Policy Considerations:

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



December 10, 2007

RECEIVED  
DEC 12 2007  
ENGINEERING

Mr. John Abraham, PhD, P.E., P.T.O.E.  
Traffic Engineer  
City of Troy  
500 West Big Beaver Road  
Troy, MI. 48084

**Board of Road Commissioners**

*Larry P. Crake*  
Commissioner

*Richard G. Skarritt*  
Commissioner

*Eric S. Wilson*  
Commissioner

*Brent O. Bair*  
Managing Director

*Dennis G. Kolar*  
Deputy Managing Director  
County Highway Engineer

Dear John,

As part of the Crooks Road Project which created a 4-lane boulevard, the existing traffic signal at Crooks Road and Bridge Park became two separate signals. One signal for the northbound and one for the southbound. Enclosed are three copies of the traffic signal maintenance agreement for each of the traffic signals at the following locations:

- Crooks Road N/B and Bridge Park
- Crooks Road S/B and Bridge Park

Please have all the agreements signed by the appropriate official and return them to us for further processing. A fully executed copy of the agreements will be returned to you for your records.

If you have any questions, please feel free to contact me at (248) 858-4830.

Sincerely,

Charles Keller, P.E.  
Traffic Engineer  
Traffic-Safety Department

CK/ch

Enclosures

Traffic Safety Department

2420 Pontiac Lk. Rd.  
Waterford, MI  
48328

248-858-4802

FAX  
248-858-4814

TDD  
248-858-8005

www.rcocweb.org

**STATE OF MICHIGAN  
BOARD OF COUNTY ROAD COMMISSIONERS  
OAKLAND COUNTY  
AGREEMENT FOR TRAFFIC CONTROL DEVICE**

Type of Work: Signal Installation

Location: Crooks Road S/B & Bridge Park

Signal No.: CO 1269  
Date Effective:

Under authority of state law and by virtue of resolution formally adopted by their respective governing bodies, the under-signed hereby agree to participate in the cost of installation, maintenance and operation of the above traffic control device on the basis of the following division of costs. (Title to equipment shall remain with the purchasing agency, unless purchased for roads not under the jurisdiction of the Board of County Road Commissioner.) The proportionate share of all costs are to be billed monthly. This agreement is terminable on thirty days written notice by any party.

**DIVISION OF COSTS**

AGENCY	INSTALLATION		MAINTENANCE
	Percent	Estimated Cost	Percent
Road Commission for Oakland County	%	\$	50 %
City of Troy			50 %
Total	100 %	\$	100 %

It is further agreed that the agency responsible for payment of energy billings and/or leased line interconnection billings included in maintenance costs, shall be the ROAD COMMISSION FOR OAKLAND COUNTY.

It is further agreed that the agency responsible for making original and replacement installations and performing maintenance shall be the ROAD COMMISSION FOR OAKLAND COUNTY.

"In the event the traffic control device referred to in this agreement is located on a road or street that is not under the jurisdiction of the Road Commission for Oakland County, the authority having the jurisdiction over the road or street hereby agrees to save harmless, indemnify, represent, and defend the Road Commission for Oakland County from any and all claims, demands, or suits arising out of or relating to the installation, maintenance and operation of the traffic control device which is the subject matter of this agreement."

"In the event the traffic control device referred to in this agreement is located on a road or street that is under the jurisdiction of the Road Commission for Oakland County and by virtue of this agreement will be maintained by an agency other than the Road Commission for Oakland County, then and in that event the said agency hereby acknowledges that it is undertaking the Road Commission for Oakland County's duty to maintain the said traffic control device and further agrees to provide insurance coverage protecting the Road Commission for Oakland County."

APPROVED:  
ROAD COMMISSION FOR OAKLAND COUNTY

Date \_\_\_\_\_

By \_\_\_\_\_  
Gary Piotrowicz

DIRECTOR OF TRAFFIC-SAFETY  
Title of Authorized Official

APPROVED:  
CITY OF TROY

Date \_\_\_\_\_

By \_\_\_\_\_

\_\_\_\_\_  
Title of Authorized Official

\*Certified copy of resolution must be submitted with this form for new installations.

**STATE OF MICHIGAN  
BOARD OF COUNTY ROAD COMMISSIONERS  
OAKLAND COUNTY  
AGREEMENT FOR TRAFFIC CONTROL DEVICE**

Type of Work: Signal Modernization

Location: Crooks Road N/B & Bridge Park

Signal No.: C0 1025  
Date Effective:

Under authority of state law and by virtue of resolution formally adopted by their respective governing bodies, the under-signed hereby agree to participate in the cost of installation, maintenance and operation of the above traffic control device on the basis of the following division of costs. (Title to equipment shall remain with the purchasing agency, unless purchased for roads not under the jurisdiction of the Board of County Road Commissioner.) The proportionate share of all costs are to be billed monthly. This agreement is terminable on thirty days written notice by any party.

**DIVISION OF COSTS**

AGENCY	INSTALLATION		MAINTENANCE
	Percent	Estimated Cost	Percent
Road Commission for Oakland County	%	\$	50 %
City of Troy			50 %
Total	100 %	\$	100 %

It is further agreed that the agency responsible for payment of energy billings and/or leased line interconnection billings included in maintenance costs, shall be the ROAD COMMISSION FOR OAKLAND COUNTY.

It is further agreed that the agency responsible for making original and replacement installations and performing maintenance shall be the ROAD COMMISSION FOR OAKLAND COUNTY.

"In the event the traffic control device referred to in this agreement is located on a road or street that is not under the jurisdiction of the Road Commission for Oakland County, the authority having the jurisdiction over the road or street hereby agrees to save harmless, indemnify, represent, and defend the Road Commission for Oakland County from any and all claims, demands, or suits arising out of or relating to the installation, maintenance and operation of the traffic control device which is the subject matter of this agreement."

"In the event the traffic control device referred to in this agreement is located on a road or street that is under the jurisdiction of the Road Commission for Oakland County and by virtue of this agreement will be maintained by an agency other than the Road Commission for Oakland County, then and in that event the said agency hereby acknowledges that it is undertaking the Road Commission for Oakland County's duty to maintain the said traffic control device and further agrees to provide insurance coverage protecting the Road Commission for Oakland County."

APPROVED:  
ROAD COMMISSION FOR OAKLAND COUNTY

Date \_\_\_\_\_

By \_\_\_\_\_  
Gary Piotrowicz

DIRECTOR OF TRAFFIC-SAFETY  
Title of Authorized Official

APPROVED:  
CITY OF TROY

Date \_\_\_\_\_

By \_\_\_\_\_

\_\_\_\_\_  
Title of Authorized Official

\*Certified copy of resolution must be submitted with this form for new installations.



## CITY COUNCIL ACTION REPORT

Date: December 19, 2007

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Parks and Recreation Department Grant Approval and Authorization to Expend City Funds for Access to Recreation Initiative Matching Grant

### Background:

- In October, 2007 the City of Troy Parks and Recreation Department submitted a grant application to the Michigan Recreation and Park Association Foundation to purchase ADA accessible equipment for the Community Center with a total project cost of \$16,324.00. This grant was awarded in full to the Troy Parks and Recreation Department in December 2007.
- The grant will pay 75% of the total project cost, while the City of Troy pays the remaining 25%.
- The grant includes the following equipment:
  - An automatic door opener for the senior citizen's men's and women's restrooms which will make it easier for seniors and disabled patrons to open the door to these areas.
  - Two (2) Invacare Lynx Portable Scooters that will assist individuals who have a difficult time getting around the Community Center.
  - Two (2) Total Body Recumbent Stepper Machines (ADA compliant and wheelchair accessible) for the fitness room that will provide cardiovascular machines for disabled and handicap individuals.
  - One (1) Vista Ensemble Seating Table (ADA compliant and wheelchair accessible) for the front courtyard. This will match the other two seating tables the currently exist in this area and provide another table that is wheelchair accessible.

### Financial Considerations:

- The total cost of the project is \$16,324.
- The grant amount awarded (75%) to the City of Troy is \$12,243.
- The amount of matching funds required (25%) by the City of Troy is \$4,081.
- Funds for this match are available through the City of Troy's 2007-2008 Budget, Community Center Account #755.7962

### Legal Considerations:

- There are no legal considerations.

Policy Considerations:

- The acceptance of the Access to Recreation Initiative Matching Grant furthers the goals and objectives of the Troy City Council by enhancing the livability and safety of the community by providing accessibility to the Troy Community Center and its programs to all citizens of Troy, regardless of their physical abilities (Goal #1).

Options:

- The Council can approve the receipt of the Access to Recreation Initiative Matching Grant and allow for the distribution of 25% matching funds from the Community Center Account.
- The purchase of the equipment funded by the grant would not be funded in the foreseeable future.



## CITY COUNCIL REPORT

DATE: December 13, 2007

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Announcement of Public Hearing – Rezoning Application – East side of John R, North of Big Beaver, Section 24 – From P-1 and R-1E to B-1 (File Number: Z 677 B)

### Background:

- A public hearing is scheduled for the January 28, 2008 City Council meeting.
- The Planning Commission recommended approval of the request to rezone the subject parcels to B-1 at the December 11, 2007 Regular meeting.
- The subject parcels are classified on the Future Land Use Plan as Local Service Area. The Local Service Area classification has a primary correlation with the B-1 Local Business Zoning District. The application therefore is consistent with the Future Land Use Plan.
- The applicant is the City of Troy. The B-1 zoning is more consistent with existing zoning and land use in the adjacent area than the underlying zoning.
- The subject property is approximately 1.30 acres in area and is comprised of two separate parcels. The northern property is approximately 0.88 acres in size, is zoned R-1E One Family Residential, is owned by Detroit Edison and used as a utility sub-station. The southern property is approximately 0.42 acres in size, is zoned P-1 Vehicular Parking, is owned by Grace Christian Learning Center and is used as an off-street parking area for a child daycare facility.
- Child care centers and utility buildings are permitted in the B-1 Local Business District. The northern portion of the subject property will continue to be used as a utility sub-station. The southern portion of the subject property will continue to be used as an off-street parking area and for a possible expansion of the existing child daycare facility.

- The application is consistent with the general character of the area and compatible with adjacent zoning districts and land uses.

Financial Considerations:

- There are no financial considerations for this item.

Legal Considerations:

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

Policy Considerations:

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

Options:

- City Council can approve or deny the rezoning application.
- No City Council action required until the January 28, 2008 public hearing.

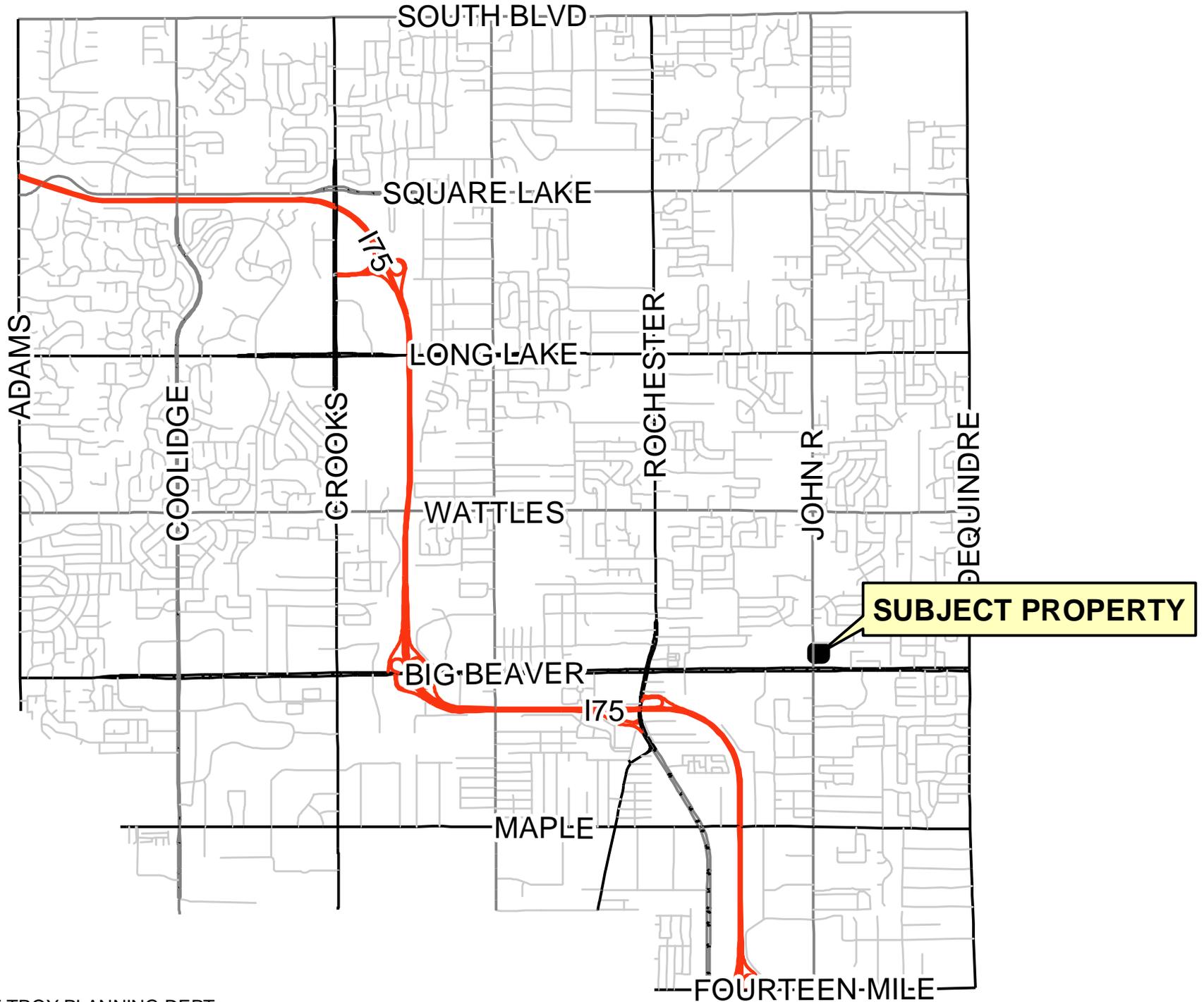
Attachments:

1. Maps.
2. Planning Commission report dated December 3, 2007.
3. Minutes (draft) from the December 11, 2007 Planning Commission Regular meeting.

Prepared by RBS/MFM

cc: Applicant  
File /Z-677 B

# CITY OF TROY



REZONING REQUEST  
EXISTING DAYCARE & UTILITY SUB-STATION  
FROM P-1 & R-1E TO B-1  
E SIDE OF JOHN R, N OF BIG BEAVER  
(2051 E. BIG BEAVER & 3080 JOHN R)  
SEC. 24 (Z-677 B)

ORPINGTON

JOHN R

SUBJECT PARCEL



E BIG BEAVER

REZONING REQUEST  
EXISTING DAYCARE & UTILITY SUB-STATION  
FROM P-1 & R-1E TO B-1  
E SIDE OF JOHN R, N OF BIG BEAVER  
(2051 E. BIG BEAVER & 3080 JOHN R)  
SEC. 24 (Z-677 B)

R-EC

ORPINGTON

CJ-31

R-1E

SUBJECT PARCEL

JOHN R

P-1

B-2

B-1

CJ-16

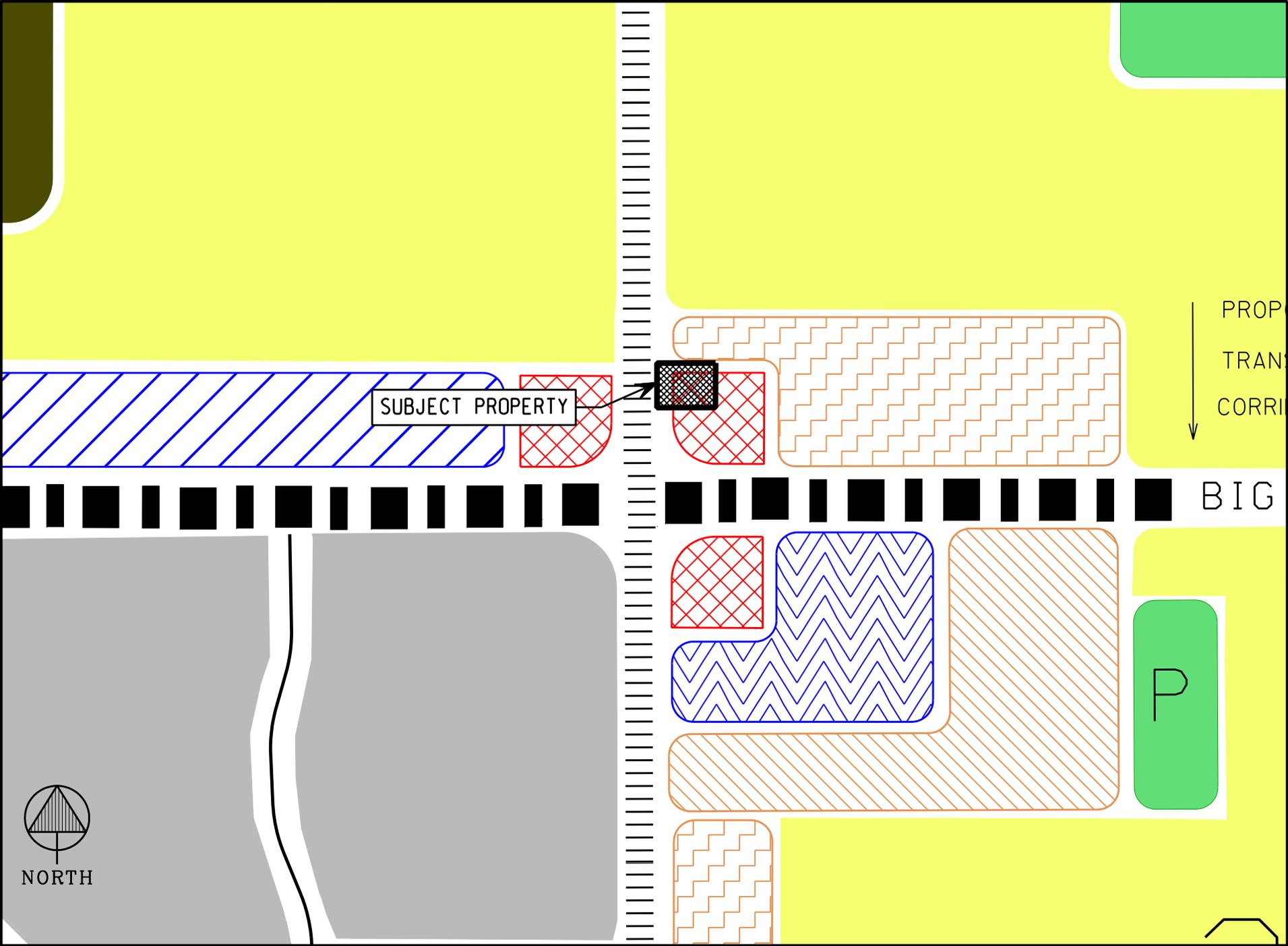
CJ-22

PUD #8 PUD

B-3



E BIG BEAVER



SUBJECT PROPERTY

PROP  
TRAN  
CORRI

BIG

P



NORTH

DATE: December 3, 2007

TO: Planning Commission

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

SUBJECT: PUBLIC HEARING – REZONING APPLICATION – Proposed Child Care Outdoor Play Area, East side of John R, North of Big Beaver, Section 24 – From P-1 and R-1E to B-1 (Z 677 B)

### **GENERAL INFORMATION**

Name of Owner / Applicant:

The owners are Grace Christian Learning Center LLC and Detroit Edison. The applicant is the City of Troy.

Location of Subject Property:

The property is located on the east side of John R and north of Big Beaver, in section 24.

Size of Subject Property:

The subject property is approximately 1.30 acres in area and is comprised of two separate parcels. The northern property is approximately 0.88 acres in size and is owned by Detroit Edison. The southern property is approximately 0.42 acres in size and is owned by Grace Christian Learning Center.

Current Use of Subject Property:

The northern portion of the subject property owned by Detroit Edison is used as a utility sub-station. The southern portion of the subject property owned by Grace Christian Learning Center is used as an off-street parking area for a child daycare facility.

Current Zoning Classification:

The northern portion of the subject property is zoned R-1E One Family Residential. The southern portion of the subject property is zoned P-1 Vehicular Parking.

Proposed Zoning of Subject Parcel:

B-1 Local Business.

Proposed Uses and Buildings on Subject Parcel:

Child care centers and utility buildings are permitted in the B-1 Local Business District. The northern portion of the subject property owned by Detroit Edison will continue to be used as a utility sub-station. The southern portion of the subject property owned by Grace Christian Learning Center will continue to be used as an off-street parking area and for a possible expansion of the existing child daycare facility.

Zoning Classification of Adjacent Parcels:

North: R-1E One Family Residential (one parcel controlled by consent judgment).

South: B-1 Local Business.

East: R-1E One Family Residential.

West: B-2 Community Business.

Current Use of Adjacent Parcels:

North: Medical office and single family residential.

South: Child care center.

East: Single family residential.

West: Grocery store.

**ANALYSIS**

Range of Uses Permitted in Proposed B-1 Zoning District and Potential Build-out Scenario:

PRINCIPAL USES PERMITTED:

Local retail businesses which supply commodities on the premises, for persons residing in adjacent residential areas, such as but not limited to: groceries, meats, dairy products, baked goods or other foods dispensed for consumption off the site, hardware, drugs and pharmaceuticals.

Specialty shops such as, but not limited to: antique shops, craft shops, and shops for the sale of gifts and notions.

Personal service establishments which perform services on the premises, such as, but not limited to: repair shops, beauty parlors and barber shops, and self-service laundries.

Dry cleaning establishments.

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

Professional services including the following: medical clinics, (out-patient only) and offices of doctors, dentists, osteopaths and similar or allied professions.

Post office and similar governmental office buildings, serving persons living in the adjacent residential area.

Other uses similar to the above uses.

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

**USES PERMITTED SUBJECT TO SPECIAL CONDITIONS:**

City and school district buildings, public utility buildings, telephone exchange buildings, electric transformer stations and substations, gas regulator stations, and water and sewage pumping stations, without storage yards.

Nursery schools, day nurseries and child care centers (not including dormitories).

Incidental customer seating as an accessory to food sales establishments.

**Vehicular and Non-motorized Access:**

The parcel fronts on John R Road.

**Natural Features and Floodplains:**

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

**Compliance with Future Land Use Plan:**

The parcel is classified on the Future Land Use Plan as Local Service Area. The Local Service Area classification has a primary correlation with the B-1 Local Business District Zoning District. The application therefore is consistent with the intent of the Future Land Use Plan.

**Compliance with Location Standards of the B-1 District:**

There are no Location Standards for the B-1 Local Commercial District.

**CITY MANAGEMENT RECOMMENDATION**

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

City Management recommends approval of the rezoning request.

cc: Applicant  
File / Z 677 B

G:\REZONING REQUESTS\Z-677 B Daycare and Utility Substation Sec 24\PC Rezoning Report 12 11 07.doc

## **REZONING REQUEST**

6. PUBLIC HEARING – REZONING APPLICATION (Z 677-B) – Existing Grace Christian Child Care and DTE Sub-Station, East side of John R Road (2051 E. Big Beaver and 3080 John R), North of Big Beaver, Section 24, From P-1 (Vehicular Parking) and R-1E (One Family Residential) to B-1 (Local Business)

Mr. Tagle recused himself from discussion and vote on this item. He said his company has had a contractual relationship with an organization associated to the matter.

[Mr. Tagle exited the meeting.]

Mr. Miller presented a summary of the Planning Department report on the proposed City-initiated rezoning request, and reported it is the recommendation of City Management to approve the rezoning request.

Chair Schultz advised that five (5) affirmative votes are required for a recommendation of approval of the rezoning request, and asked Mr. Miller if the City would like to go forward with the request at this time.

Mr. Miller, as the City's representative, requested to go forward with the matter.

### **PUBLIC HEARING OPENED**

No one was present to speak.

### **PUBLIC HEARING CLOSED**

There was brief discussion on:

- Required wall on small section of property abutting P-1.
- DTE's responsibility to put up wall on northern portion of site at the time of future site plan revisions.
- Effects of potential expansion of existing child care facility.

### **Resolution # PC-2007-12-179**

Moved by: Troshynski

Seconded by: Wright

**RESOLVED**, That the Planning Commission hereby recommends to the City Council that the R-1E and P-1 to B-1 rezoning request, located on the east side of John R, north of Big Beaver, within Section 24, being approximately 1.30 acres in size, be granted.

Yes: Hutson, Schultz, Strat, Troshynski, Wright

Absent: Littman, Vleck

### **MOTION CARRIED**

[Mr. Tagle returned to meeting.]



## CITY COUNCIL ACTION REPORT

December 18, 2007

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Announcement of Public Hearing for IACNA, 750-800 Chicago

### Background:

- IACNA, International Automotive Components Group, North America, has requested the establishment of an Industrial Development District (IDD), and the issuance of an Industrial Facilities Exemption Certificate (IFEC) for their move to buildings at 750 and 800 Chicago, in Section 35.

### Financial Considerations:

- The financial considerations cannot be determined at this time.

### Legal Considerations:

- The legal considerations cannot be determined at this time.

### Policy Considerations:

- Policy considerations will occur at the Public Hearings.

### Options:

- The public hearings will be on January 28, 2008 to conform to State law.



**CITY COUNCIL  
AGENDA  
January 7, 2008  
Back-Up Documentation  
Council Chambers  
City Hall - 500 West Big Beaver  
Troy, Michigan 48084  
(248) 524-3317**

**COUNCIL REFERRALS:**

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**H-1 No Council Referrals Advanced**

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



**CITY COUNCIL  
AGENDA  
January 7, 2008  
Back-Up Documentation  
Council Chambers  
City Hall - 500 West Big Beaver  
Troy, Michigan 48084  
(248) 524-3317**

**COUNCIL COMMENTS:**

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I-1 No Council Comments Advanced

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

A meeting of the Retiree Health Care Benefits Plan & Trust Board of Trustees was held on Wednesday, September 12, 2007, at Troy City Hall, 500 W. Big Beaver Rd., Troy, MI. The meeting was called to order at 12:44 p.m.

TRUSTEES PRESENT:       Mark Calice  
                                  Michael Geise  
                                  Thomas Houghton, Chair  
                                  Martin F. Howrylak  
                                  William R. Need (Ex-Officio)  
                                  Phillip L. Nelson

ABSENT:                     Nancy Bowren  
                                  John M. Lamerato

**OTHER BUSINESS - EXCUSE ABSENT MEMBERS**

***Resolution # RH – 2007 – 09 - 006***

Moved by Howrylak  
Seconded by Calice

*RESOLVED*, That Nancy Bowren and John Lamerato be excused.

Yeas:             All 5  
Absent:          Bowren, Lamerato

**MINUTES**

***Resolution # RH – 2007 – 09 - 007***

Moved by Nelson  
Seconded by Houghton

*RESOLVED*, That the minutes of the June 13, 2007 meeting be approved.

Yeas:             All 5  
Absent:          Bowren, Lamerato

**OTHER BUSINESS – 2008 MEETING DATES**

**Resolution # RH – 2007 – 09 - 008**

Moved by Houghton

Seconded by Calice

*RESOLVED*, That the board approve the following meeting dates for 2008 as amended to include Wednesday, January 9, 2008:

Wednesday, April 9<sup>th</sup>, 2008

Wednesday, July 9<sup>th</sup>, 2008

Wednesday, October 8<sup>th</sup>, 2008

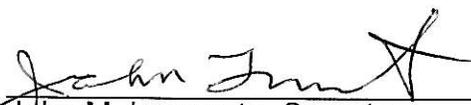
Yeas: All 5

Absent: Bowren, Lamerato

The next meeting is December 12, 2007 at 1:00 p.m. at City Hall, Conference Room C, 500 W Big Beaver, Troy, MI.

The meeting adjourned at 12:50 p.m.

  
\_\_\_\_\_  
Thomas Houghton, Chairman

  
\_\_\_\_\_  
John M. Lamerato, Secretary

The Chairman, Ted Dziurman, called the meeting of the Building Code Board of Appeals to order at 8:30 A.M., on Wednesday, November 7, 2007 in the Lower Level Conference Room of the Troy City Hall.

PRESENT: Ted Dziurman  
Rick Kessler  
Bill Nelson  
Tim Richnak  
Frank Zuazo

ALSO PRESENT: Paul Evans, Housing & Zoning Inspector Supervisor  
Pamela Pasternak, Recording Secretary

**ITEM #1 – APPROVAL OF MINUTES – MEETING OF OCTOBER 24, 2007**

Motion by Kessler  
Supported by Richnak

MOVED, to approve the minutes of the meeting of October 24, 2007 as written.

Yeas: All - 5

MOTION TO APPROVE MINUTES AS WRITTEN CARRIED

**ITEM #2 – VARIANCE REQUEST. SIGNGRAPHIX, 900 TOWER,** for relief of Chapter 85 to erect two (2) wall signs.

Mr. Evans stated that the petitioner is requesting relief of Chapter 85 to erect two (2) wall signs. Chapter 85.02.05 allows one wall sign for each building, not to exceed a maximum of 200 square feet in area. The plans submitted indicate a total of two (2) wall signs, each measuring 324 square feet in area.

This item last appeared before this Board at a Special Meeting of October 24, 2007 and was postponed to allow the petitioners the opportunity to present the Board members with the data from the University of Pennsylvania study; and, to allow the Building Department to recalculate the area of the signs as presented by Signgraphix.

Mr. Evans explained that Building Department staff had recalculated the area of signs as presented and determined that each sign would be 209 square feet. The two existing signs on this building are calculated as 130 square feet each.

Mr. Dziurman asked about the results of the University of Pennsylvania study, which was mentioned by the petitioner at the last meeting.

Mr. Keith Murray was present and gave each Board member a handout, which included excerpts from this study. Mr. Murray stated that they had broken it down in easier terms

**ITEM #2 – con't.**

so it would be understood by the Board members. Mr. Murray further stated that this study is based on speed and reaction time, and said this study is very subjective. Mr. Murray had taken pictures of the existing signage showing the approximate distance from I-75.

Mr. Kessler stated that in the picture presented to Board members, the building itself was quite fuzzy. Mr. Kessler also stated that he does not have a problem identifying this building with the existing signs. Furthermore, according to the documents submitted to the Board, visibility was based on vehicles traveling 75 miles per hour and the speed limit on I-75 is actually 70 miles per hour.

Mr. Murray said that although he understood that, the study by the University of Pennsylvania was done based on a speed of 75 miles per hour. Mr. Murray also stated that based on the position of the building, the first time you would see the sign was when you were trying to get off the expressway. Mr. Murray said that he had driven the expressway in both directions a number of times and took the picture at the best location for visibility of the existing sign. The study indicates the speed traveled and the distance required allowing a person to make a decision to exit the expressway.

Mr. Kessler asked if a person would be able to read the sign from the location the photo was taken.

Mr. Murray stated that as you get closer you can make out the word "Bank", but it is difficult to see from a distance.

Mr. Kessler stated that although he wears glasses, he did not believe it was difficult to see the existing sign. Mr. Kessler also stated that he does not believe the proposed height of the signs is necessary.

Mr. Dziurman stated that he believes the proposed signs would be more in keeping with advertising rather than directional signs. Mr. Dziurman also stated that there a lot of buildings in the area that do not have signs that are this size and agrees with Mr. Kessler that the proposed size of these signs is too large.

Mr. Kessler asked what the height was of the existing signs.

Mr. Evans stated that they are 50" in height and the "Bank" sign extends 2' below the name sign. The logo measures 74 ½" from top to bottom.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are no written approvals or objections on file.

**ITEM #2 – con't.**

Motion by Kessler  
Supported by Richnak

MOVED, to approve the request of Signgraphix, 900 Tower, for relief of Chapter 85 to erect two (2) wall signs where Chapter 85.02.05 allows one wall sign for each building not to exceed 200 square feet in area.

- Height of the signs will not exceed 5'.
- Additional height of the proposed sign will increase visibility based on vehicle speed and line of sight.
- Variance would not be contrary to public interest.

Yeas: All – 5

MOTION TO GRANT VARIANCE CARRIED

**ITEM #3 – VARIANCE REQUEST. RON FLOYD, VALEO, INC., 150 STEPHENSON,** relief of Chapter 85 to erect four (4) wall signs totaling 396.4 square feet.

Mr. Evans explained that the petitioner is requesting relief of Chapter 85 to erect four (4) wall signs totaling 396.4 square feet. Chapter 85.02.05 limits the number of signs to one wall sign for each building, a maximum of 200 square feet in area.

Mr. Evans stated that the Building Department had recalculated the wall signage as presented by Johnson Sign Company and the north and south signs would be 66 square feet each, and the signs on the east and west elevations would be 88.17 square feet each.

Mr. Larry Lyng, Manager of Valeo was present and stated that they are asking for these signs in order to increase visibility of this building. The building has frontage along Stephenson, Fourteen Mile and I-75. They are proposing relatively small signs and believe they will aid customers, suppliers and other visitors in locating the building. Mr. Lyng went on to say that they do not want to put up any signs that would be considered gaudy. This is a large company and the signage would be in keeping with the signs utilized by both Behr America and Delphi.

Mr. Dziurman asked if these signs would be illuminated.

Mr. Lyng stated that they had not decided at this point whether they would use a spotlight or some other type of illumination.

Mr. Kessler asked why the petitioner needed four (4) signs.

**ITEM #3 – con't.**

Mr. Lyng stated that it was because of the direction of the building. This building straddles thoroughfares and if traveling north on I-75 it is not visible until you are just about on top of it. This same condition also applies to vehicles traveling on Stephenson.

Mr. Kessler asked if the ground sign would have the name of the company on it.

Mr. Lyng stated it is very small and only has the address on it.

Mr. Zuazo asked if there were other occupants in the building.

Mr. Lyng stated that their company is the only occupant in the building.

Mr. Jay Johnson of Johnson Sign Company was present and stated that they are proposing to put up small readable signs on the building. The petitioner could put up a 10' x 20' sign on the corner of the building, but the signs they are proposing would be smaller. They are hoping to get away from putting up a large ground sign.

Mr. Kessler asked what type of sign the petitioner was planning to put near the entranceway of the building.

Mr. Johnson stated that according to the Ordinance as long as they put up a sign, that was less than 36 square feet, and not visible from any adjacent right of way, a permit was not required.

Mr. Evans confirmed that was correct.

Mr. Kessler asked if the signs would be considered one sign if they were wrapped around the building.

Mr. Evans stated that if they butt up next to each other they would be considered one sign.

Mr. Kessler asked if the checkmark was part of the sign.

Mr. Evans confirmed that it was.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are no written approvals or objections on file.

Mr. Nelson asked what would happen if another tenant moved into this location.

**ITEM #3 – con't.**

Mr. Evans stated that for each building one ground sign is allowed and an additional ground sign is allowed as long as it does not exceed 36 square feet.

Motion by Nelson  
Supported by Kessler

MOVED, to grant Ron Floyd, Valeo, Inc., 150 Stephenson, relief of Chapter 85 to erect four (4) wall signs totaling 396.4 square feet where Chapter 85.02.05 limits the number of signs to one wall sign per building, with a maximum of 200 square feet in area.

- These signs will take the place of any other monument sign.
- Any ground sign that would normally require a sign permit would not be allowed.

Yeas: All – 5

**MOTION TO GRANT VARIANCE CARRIED**

**ITEM #4 – VARIANCE REQUEST. SIGNS & MORE, 4415 LANCASHIRE**, for relief of Chapter 85 to erect a ground sign for a subdivision entrance.

Mr. Evans explained that the petitioner is requesting relief of Chapter 85 to erect a ground sign for a subdivision entrance at the property at the northeast corner of the intersection of Cumberland and John R. Table 85.02.05 requires a minimum setback of 10' from the street right of way lines. The site plan submitted indicates a 2.5' setback from the John R. Road right of way and a 4.33' setback from the Cumberland right of way. At a 30" height the sign does comply with the corner clearance requirements of Section 7.01.02.

Mr. Dziurman indicated that he would not be voting on this request as he is a resident of Mt. Vernon estates Subdivision.

Ms. Molly Smith of Signs & More was present. Ms. Smith stated that this is a very old subdivision and has approximately 400 homes in it. The original sign was put in before the Ordinance was established. There are four (4) entrances to this subdivision, and three (3) sign permits have been reviewed by the Building Department and now will go before City Council for approval. This item is before this Board as the proposed setback does not meet the required 10' setback. If they conformed to the 10' setback, the sign would be in the homeowner's fence line. Visibility would also be questionable. The existing brick pillars will be taken down, the landscaping re-planted and the proposed sign would be 30" in height.

Mr. Zuazo asked how far the existing sign was from the right of way.

**ITEM #4 – con't.**

Mr. Charles Folkerts, 4290 Washington Crescent was present and he stated that in his opinion it was probably at the right of way line. There is approximately 1' between the existing sign and sidewalk and the proposed sign would be moved an additional 1 ½' back.

Mr. Richnak asked how high a fence would be allowed in this area.

Mr. Evans stated that this sign would not be any taller than what is allowed for a fence located in a front setback.

Mr. Zuazo asked what was behind the fence.

Mr. Folkerts stated that it is a private yard and this sign will be put on property owned by the homeowner. The existing landscaping will be replanted.

Ms. Smith stated that the sign will parallel the street to increase visibility.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

Mr. Richnak asked if the homeowner was in favor of this request.

Mr. Roland Eagle, the homeowner at 4415 Lancashire, was present and stated that he agrees with this proposal 100%.

Motion by Richnak  
Supported by Nelson

MOVED, to grant Signs & More, 4415 Lancashire, relief of Chapter 85 to erect a ground sign for a subdivision entrance that the located 2.5' from the John R. Road right of way and 4.33' setback from the Cumberland right of way, where Table 85.02.05 requires a minimum setback of 10' from the street right of way lines.

- Variance is not contrary to public interest.
- Variance will not have an adverse effect to surrounding property.
- The existing brick pillars will be removed as stated by the applicant.

Yeas: 4 – Kessler, Nelson, Richnak, Zuazo  
Abstain: 1 – Dziurman

**MOTION TO GRANT VARIANCE CARRIED**

Mr. Richnak stated that he thought the new sign will be an improvement to this area.

The Building Code Board of Appeals meeting adjourned at 9:10 A.M.

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Ted Dziurman, Chairman

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Pamela Pasternak, Recording Secretary

A regular meeting of the Liquor Advisory Committee was held on Monday, November 12, 2007 in the Lower Level Conference Room of Troy City Hall, 500 West Big Beaver Road. Chairman Max K. Ehlert called the meeting to order at 6:55 p.m.

**ROLL CALL:**

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

**ABSENT:** Clark Yuan, Student Representative

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**Resolution to Approve Minutes of September 17, 2007 Meeting**

Resolution #LC2007-11-022  
Moved by Allemon  
Seconded by Payne

RESOLVED, that the Minutes of the September 17, 2007 meeting of the Liquor Advisory Committee be approved.

Yes: 7  
No: 0  
Absent: None

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**Agenda Items**

1. **Konja 1, Inc, 5945 John R, Troy, MI 48085, Oakland County** requests transfer ownership of 2007 SDD and SDM licensed business from Troy Paradise, Inc. {MLCC Request #429800}

Present to answer questions from the Committee were Danial Konja and Louay Joulakh. Mr. Konja is purchasing this business from Mr. Joulakh. Mr. Konja has owned a similar business in Highland Park for over 13 years. Mr. Konja will attend TIPS/TAMS training, as will any future employees.

Sgt. Cantlon stated that his background investigation revealed no disqualifying factors.

Resolution #LC2007-11-023

Moved by Allemon

Seconded by Ukrainec

RESOLVED, that Konja 1, Inc, 5945 John R, Troy, MI 48085, Oakland County be allowed to transfer ownership of 2007 SDD and SDM licensed business from Troy Paradise, Inc.

Yes: 7  
No: 0  
Absent: None

- 
2. **Capital Grille Holdings, Inc.** requests to transfer ownership through merger of 2007 Class C licensed business with official permit (food) located at Somerset Collection North, 2800 W. Big Beaver, space #Q 123, Troy, MI 48084, Oakland County, from the Capital Grille of Troy, Inc.; requests a new SDM license to be held in conjunction; and requests to add space. {MLCC Request #62150}

Present to answer questions from the Committee was Kelly Allen, attorney for Capital Grille Holdings, Inc. Ms. Allen stated this is a merger issue that has been held up at the MLCC for approximately three years. She also advised the Committee of the space that has been added to the restaurant. Capital Grille Holdings is also requesting an SDM license to enable them to sell wine for off-premise consumption.

Sgt. Cantlon advised the Committee that Capital Grille has had only one violation (2001) since they opened for business. He confirmed the paperwork processing problems with an investigator at the MLCC. The delay was not the fault of the licensee

Resolution #LC2007-11-024

Moved by Allemon

Seconded by Ogg

RESOLVED, that Capital Grille Holdings, Inc. be allowed to transfer ownership through merger of 2007 Class C licensed business with official permit (food) located at Somerset Collection North, 2800 W. Big Beaver, space #Q 123, Troy, MI 48084, Oakland County, from the Capital Grille of Troy, Inc.; requests a new SDM license to be held in conjunction; and requests to add space.

Yes: 7  
No: 0  
Absent: None

- 
- 3. TKE Restaurants, Inc.** requests to transfer ownership of 2007 Class C licensed business located in escrow at 1811 E. Ten Mile, Madison Heights, MI 48071, Oakland County, from Daily Double Lounge, Inc.: transfer location (governmental unit) (MLC 436.1531(1) to 1686 John R, Troy, MI 48084, Oakland County and requests a new Official Permit (Food). {MLCC Request #430628}

Present to answer questions from the Committee were Kelly Allen, attorney, and Ted Evans, owner. Ms. Allen advised the Committee that Mr. Evans has leased the former Hooters location, has purchased a liquor license from a bar in Madison Heights, and will open a franchised restaurant called Rib City Grill. Rib City Grill has a strong training program and Mr. Evans will also attend the TIPS training. Approximately 50 employees will be hired. The restaurant will have 150 seats and has ample parking.

Sgt. Cantlon stated that his background investigation revealed no disqualifying factors.

Resolution #LC2007-11-025

Moved by Ogg

Seconded by Godlewski

RESOLVED, that **TKE Restaurants, Inc.** be allowed to transfer ownership of 2007 Class C licensed business located in escrow at 1811 E. Ten Mile, Madison Heights, MI 48071, Oakland County, from Daily Double Lounge, Inc.: transfer location (governmental unit) (MLC 436.1531(1) to 1686 John R, Troy, MI 48084, Oakland County and requests a new Official Permit (Food).

Yes: 7  
No: 0  
Absent: None

- 
- 4. Hospitality Ventures Management, Inc. (A Georgia Corporation) and RBHV Troy, LLC (A Delaware Limited Liability Company) (Co-Licensees)** request to transfer ownership of 2007 B-Hotel licensed business with Dance Permit, Official Permit (Food), Outdoor Service (1 Area), Direct Connection-1, 3 bars, and 251 rooms, located at 850 Tower, Troy, MI 48098, Oakland County, from DJONT/JPM Troy Leasing, LLC. (A Delaware Limited Liability Company); Felcor/JPM Troy Hotel, LLC (A Delaware Limited Liability Company) and Promus Hotels, Inc. A Delaware Corporation (Co-Licensees). {MLCC Request #426097}

Present to answer questions from the Committee were John Carlin, attorney, and James Miskulin. This is a transfer of ownership and management of the Embassy Suites Hotel. Mr. Miskulin advised the Committee that Hospitality Ventures Management operates specifically under Hilton and Marriott franchised hotels. This location will undergo major cosmetic renovations beginning in December.

Sgt. Cantlon stated that his background investigation revealed no disqualifying factors.

Resolution #LC2007-11-026

Moved by Allemon

Seconded by Ukrainec

RESOLVED, that Hospitality Ventures Management, Inc. (A Georgia Corporation) and RBHV Troy, LLC (A Delaware Limited Liability Company) (Co-Licensees) be allowed to transfer ownership of 2007 B-Hotel licensed business with Dance Permit, Official Permit (Food), Outdoor Service (1 Area), Direct Connection-1, 3 bars, and 251 rooms, located at 850 Tower, Troy, MI 48098, Oakland County, from DJONT/JPM Troy Leasing, LLC. (A Delaware Limited Liability Company); Felcor/JPM Troy Hotel, LLC (A Delaware Limited Liability Company) and Promus Hotels, Inc. A Delaware Corporation (Co-Licensees).

Yes: 7  
No: 0  
Absent: None

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- 5. Hospitality Wal-Mart Stores East**, Limited partnership requests new SDM license with 2 new Direct Connections to be located at 2001 W Maple, Troy, MI 48084, Oakland County. (Public Chain) {MLCC Request #431440}

Present to answer questions from the Committee were Sandra Cotter, attorney, Nicole Chase, store manager, and Diane Behnke, market manager. Ms. Cotter explained that Wal-Mart is requesting an SDM license in order to sell self-serve beer and wine from their grocery department. Wal-Mart has an extensive computer-based learning module that will train all cashiers and managers. Also, the cash registers are programmed to allow only those transactions with a legal birth date of the purchaser, legal day of week/time of day, and will prohibit sales by underage employees.

Sgt. Cantlon stated that his background investigation revealed no disqualifying factors. Also, he has reviewed the computer-based learning module that will be used for training and agrees that it meets the City's requirements.

Resolution #LC2007-11-027  
Moved by Allemon  
Seconded by Ogg

**RESOLVED, Wal-Mart Stores East**, Limited partnership be granted new SDM license with 2 new Direct Connections to be located at 2001 W Maple, Troy, MI 48084, Oakland County. (Public Chain)

Yes: 7  
No: 0  
Absent: None

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The Committee discussed the informational items on the agenda, as well as the recent sale-to-minor violations.

The meeting adjourned at 7:40 p.m.

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Max K. Ehlert, Chairman

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Patricia A. Gladysz, Secretary II

A meeting of the Employees' Retirement System Board of Trustees was held on Wednesday, November 14, 2007, at Troy City Hall, 500 W. Big Beaver Rd., Troy, MI. The meeting was called to order at 12:12 p.m.

TRUSTEES PRESENT:            Nancy Bowren  
   Mark Calice  
   Michael Geise  
   Thomas Houghton, Chair  
   Martin Howrylak  
   John M. Lamerato  
   William R. Need (Ex-Officio)  
   Phillip L. Nelson

**MINUTES**

***Resolution # ER – 2007 – 11 - 41***

Moved by Bowren  
Seconded by Lamerato

*RESOLVED*, That the minutes of the October 10, 2007 meeting be approved.

Yeas:            All 7

**OTHER BUSINESS – RETIREMENT REQUESTS**

***Resolution # ER – 2007 – 11 - 42***

Moved by Lamerato  
Seconded by Geise

*RESOLVED*, That the retirement request of Patricia R. Conflitti, DB, 1/10/08, 10 years; Edwin W. Klute Jr., DB, 1/21/08, 29 years, 1 month; Shelly Brown, DB (EDRO), 9/07/07 be approved.

Yeas:            All 7

**OTHER BUSINESS – QUARTERLY FINANCIAL REPORT**

The September 30, 2007 Quarter Financial Report was received and filed.

**OTHER BUSINESS – RETIREE NEWSLETTER**

The next edition of the Retiree Newsletter is in the works.

**INVESTMENTS**

**Resolution # ER – 2007 – 11 - 43**

Moved by Houghton  
Seconded by Nelson

RESOLVED, That the Board buy and sell the following investments:

**Buy:**           \$500,000 Caterpillar, 5.125% due 11/15/14  
                  \$500,000 Wal Mart Stores, 4.125% due 2/15/11  
                  \$500,000 Clorox, 4.20% due 1/15/10

**Sell:**           Citadel Broadcasting; 7,000 shares JP Morgan; Radiation Therapy;  
                  CBL & Associates; Kayden; Kinetic Concepts; Linear Holdings and  
                  10,000 O Reilly Automotive.

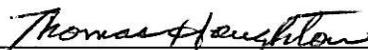
Yeas:           All 7

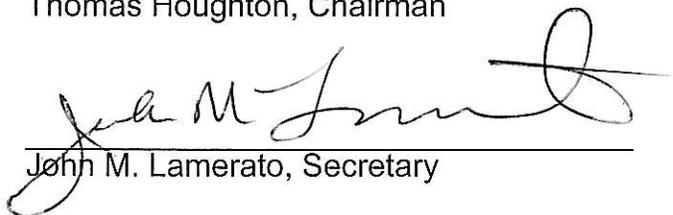
**PUBLIC COMMENT**

There was no public comment.

The next meeting is December 12, 2007 at 1:00 p.m. at City Hall, Conference Room C, 500 W Big Beaver, Troy, MI.

The meeting adjourned at 1:05 p.m.

  
\_\_\_\_\_  
Thomas Houghton, Chairman

  
\_\_\_\_\_  
John M. Lamerato, Secretary

LIBRARY ADVISORY BOARD - FINAL

November 15, 2007

A Regular Meeting of the Troy Library Board was held on Thursday, November 15, 2007 at the Office of the Library Director. Kul Gauri, Chairman, called the meeting to order at 7:31 P.M.

**ROLL CALL**

PRESENT: Heather Eisenbacher  
Kul B. Gauri  
Lynne Gregory  
Nancy Wheeler  
Arthi Krishna

Cathleen Russ, Library Director

The Pledge of Allegiance to the Flag was given

**Resolution #LB-2007-10-01**

Moved by Wheeler

Seconded by Eisenbacher

**RESOLVED, That Audre Zembrzuski and Shruthi Subramanian be excused.**

**Yes: 4—Eisenbacher, Gauri, Gregory, Wheeler**

**No: 0**

**MOTION CARRIED**

**Resolution #LB-2007-10-02**

Moved by Eisenbacher

Seconded by Gregory

**RESOLVED, That Minutes of October 11, 2007 be approved.**

**Yes: 4—Eisenbacher, Gauri, Gregory, Wheeler**

**No: 0**

**MOTION CARRIED**

**Resolution #LB-2007-10-03**

Moved by Gregory

Seconded by Wheeler

**RESOLVED, That the Agenda be approved.**

**Yes: 4—Eisenbacher, Gauri, Gregory, Wheeler**

**No: 0**

## **MOTION CARRIED**

## **POSTPONED ITEMS**

There were no Postponed items.

## **NEW BUSINESS.**

A. Statistics Discussion—the statistics are fairly stable, and in many instances, such as computer usage and website hits, increasing.

B. Tour of New Collections and Changes to TPL—C. Russ showed the LAB members the Special Needs Collection (in Youth Services), the Playaways, the self-checkout machine, and the reduction of the VHS collection (in Adult Services).

## **OLD BUSINESS.**

A. **Library Needs Assessment/Feasibility Study**—Russ discussed the early findings of Jim Mumby and George Lawson. Heavy usage of the print collection by Troy residents. Also, the non-fiction is heavily usage. Russ hasn't received information yet about the structural aspect of the building. Jim Mumby will talk to the LAB at the December meeting. Future meetings with city management and city council will be scheduled.

## **REPORTS & COMMUNICATIONS**

### **Director's Report.**

The MLA conference was not very good this year. Waiting for staffing proposal to be approved. Bathroom renovation is continuing, hope to be finished by December 9.

### **Board Members' Comments**

Gauri would like a staff organization chart when staffing changes take place. Eisenbacher wondered how the Birthday Books program is working out. The program needs to be promoted more.

### **Student Representatives' Comments—none**

### **Suburban Library Cooperative--Gregory**

Election of officers to the SLC board took place at the last meeting. Ron Black was elected President, and Mark Wollenweber was elected VP. A committee headed by the state librarian has been formed to make a recommendation about the future of library cooperatives. There used to be 14 in the state. Due to budget cuts, retirements, and consolidation, there are now 9. MelCat is also behind schedule.

### **Friends of the Troy Public Library**

Maria Hunciag distributed the new roster of Executive Board members of the Friends of the Troy Library. Mary Kerwin has resigned from the board, but Jeanne Stine has agreed to join the board. Howard Adams is the new treasurer, but Julie Sigler will also remain on the board.

### **Gifts.**

None.

**Informational Items.**

November TPL Calendar.

**Contacts and Correspondence.**

29 written comments from the public were reviewed.

**Public Participation.**

There was no public participation.

The Library Board meeting adjourned at 9 P.M.

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Kul Gauri  
Chairman

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Cathleen Russ  
Recording Secretary

## DOWNTOWN DEVELOPMENT AUTHORITY MINUTES DRAFT November 21, 2007

A meeting of the Downtown Development Authority was held on Wednesday, November 21, 2007 in the Lower Level Conference Room of Troy City Hall, 500 W. Big Beaver Troy, Michigan. Tom York called the meeting to order at 7:30 a.m.

**PRESENT:** Al Aceves  
Stuart Frankel  
David Hay  
Michele Hodges  
Ernest Reschke  
Louise Schilling (arrived @ 7:40)  
G. Thomas York  
Harvey Weiss

**ABSENT:** Michael Culpepper  
William Kennis  
Alan Kiriluk  
Daniel MacLeish  
Douglas Schroeder

**ALSO PRESENT:** Phil Nelson  
John M. Lamerato  
Brian Murphy  
Lori Bluhm  
Mark Miller  
Richard K. Carlisle

**APPROVAL OF MINUTES**

Resolution: DD-07-21  
Moved by: Reschke  
Seconded by: Hay

RESOLVED, That the minutes of the September 19, 2007 regular meeting be approved.

Yeas: All (7)  
Absent: Culpepper, Kennis, Kiriluk, MacLeish, Schilling, Schroeder

## **OLD BUSINESS**

None

## **NEW BUSINESS**

A. September 30, 2007 Monthly Financial Report was received and filed.

B. Big Beaver/I-75 Bridge proposal

Resolution: DD-07-22

Moved by: Hodges

Seconded by: Reschke

Resolved, That the Board hire Hubbell, Roth & Clark, Inc. to prepare conceptual designs for the Big Beaver/I-75 bridge enhancement project in the amount of \$16,500.

Yeas: All (7)

Nays: Frankel

Absent: Culpepper, Kennis, Kiriluk, MacLeish, Schroeder

C. Planning Department Update

Mark Miller gave an update on the Master Plan and Big Beaver Development Code.

D. Strategic Planning Proposal

Resolution: DD-07-23

Moved by: Hay

Seconded by: Weiss

RESOLVED, That the Board hire Carlisle/Wortman Associates, Inc. to prepare a strategic investment plan for the TDDA for a cost of \$9,140.

Yeas: All (7)

Nays: Frankel

Absent: Culpepper, Kennis, Kiriluk, MacLeish, Schroeder

## **PUBLIC COMMENT**

None

**MEMBER COMMENT**

None

**EXCUSE ABSENT MEMBERS**

Resolution: DD-07-24  
Moved by: Hodges  
Seconded by: Schilling

RESOLVED, That Culpepper, Kennis, Kiriluk, MacLeish and Schroeder be excused.

Yeas: All (8)  
Absent: Culpepper, Kennis, Kiriluk, MacLeish, Schroeder

**The meeting was adjourned at 8:53 a.m.**

**Next Meeting: December 19, 2007 @ 7:30 a.m. @ Lower Level Conference Room, City Hall.**

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Tom York, Vice Chair

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John M. Lamerato, Secretary/Treasurer

JL/ph

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chair Schultz at 7:33 p.m. on November 27, 2007 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:

Michael W. Hutson  
Robert M. Schultz  
Thomas Strat  
Kathleen Troshynski  
Wayne Wright

Absent:

Lawrence Littman  
John J. Tagle  
Mark J. Vleck

Also Present:

Mark F. Miller, Planning Director  
R. Brent Savidant, Principal Planner  
Allan Motzny, Assistant City Attorney  
Richard Carlisle, Carlisle/Wortman Associates, Inc.  
Zak Branigan, Carlisle/Wortman Associates, Inc.

**Resolution # PC-2007-11-169**

Moved by: Wright  
Seconded by: Strat

**RESOLVED**, That Members Littman, Tagle and Vleck are excused from attendance at this meeting for personal reasons.

Yes: All (5)  
Absent: Littman, Tagle, Vleck

**MOTION CARRIED**

2. APPROVAL OF AGENDA

**Resolution # PC-2007-11-170**

Moved by: Wright  
Seconded by: Troshynski

**RESOLVED**, To approve the Agenda as printed.

Yes: All (5)  
Absent: Littman, Tagle, Vleck

**MOTION CARRIED**

3. MINUTES

**Resolution # PC-2007-11-171**

Moved by: Wright  
Seconded by: Troshynski

**RESOLVED**, To approve the minutes of the November 13, 2007 Regular meeting as distributed.

Yes: All (5)  
Absent: Littman, Tagle, Vleck

**MOTION CARRIED**

4. PUBLIC COMMENT – For Items Not on the Agenda

There was no one present who wished to speak.

5. BOARD OF ZONING APPEALS (BZA) REPORT

Mr. Wright gave a brief report.

6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT

Mr. Miller gave a brief report.

7. PLANNING AND ZONING REPORT

Mr. Miller gave a brief report.

**STUDY ITEM**

8. CITY OF TROY MASTER PLAN – CHAPTER 9 LAND PATTERNS – Discussion with representatives of Carlisle/Wortman Associates, Inc.

Mr. Miller presented a photographic slide show of industrial buildings in Troy. The intent of the presentation was to illustrate the challenge of determining future use of industrial properties in Troy.

General discussion followed.

Zak Branigan summarized changes made to Chapter 9 since the last meeting. He then discussed the chapter section by section, providing an opportunity for Planning Commissioners to comment.

General discussion followed.

\_\_\_\_\_

Chairman Schultz called for a recess at 9:00 p.m.

The meeting reconvened at 9:10 p.m.

\_\_\_\_\_

The Planning Commission continued to discuss draft Chapter 9.

Mr. Miller stated that Chapter 10 Implementation will be discussed at the December 4, 2007 Planning Commission Special/Study meeting. There will also be an opportunity to discuss other sections of the Plan.

Richard Carlisle indicated a draft copy of the complete Master Plan would be distributed to the Planning Commission prior to the end of the year.

### **OTHER ITEMS**

9. **PUBLIC COMMENTS** – Items on Current Agenda

There was no one present who wished to speak.

10. **PLANNING COMMISSION COMMENTS**

There was general discussion related to the high quality of the draft Master Plan.

### **ADJOURN**

The Special/Study Meeting of the Planning Commission adjourned at 10:10 p.m.

Respectfully submitted,

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Robert M. Schultz, Chair

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R. Brent Savidant, Principal Planner

G:\Planning Commission Minutes\2007 PC Minutes\Final\11-27-07 Special Study Meeting\_Final.doc

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chair Schultz at 7:30 p.m. on December 4, 2007 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:

Michael W. Hutson  
Lawrence Littman  
Robert M. Schultz  
Thomas Strat  
John J. Tagle  
Kathleen Troshynski  
Mark J. Vleck  
Wayne Wright (arrived 7:37 pm)

Also Present:

Mark F. Miller, Planning Director  
R. Brent Savidant, Principal Planner  
Susan Lancaster, Assistant City Attorney  
Zak Branigan, Carlisle/Wortman Associates, Inc.

**Resolution # PC-2007-12-172**

Moved by: Littman  
Seconded by: Strat

**RESOLVED**, That Member Wright is excused from attendance at this meeting for personal reasons.

Yes: All (7)  
Absent: Wright (arrived 7:37 pm)

**MOTION CARRIED**

2. APPROVAL OF AGENDA

**Resolution # PC-2007-12-173**

Moved by: Tagle  
Seconded by: Hutson

**RESOLVED**, To approve the Agenda as printed.

Yes: All (7)  
Absent: Wright (arrived 7:37 pm)

**MOTION CARRIED**

3. MINUTES

**Resolution # PC-2007-12-174**

Moved by: Troshynski  
Seconded by: Hutson

**RESOLVED**, To approve the minutes of the November 27, 2007 Special/Study meeting as distributed.

Yes: Hutson, Schultz, Strat, Troshynski, Vleck  
Abstain: Littman, Tagle  
Absent: Wright (arrived 7:37 pm)

**MOTION CARRIED**

4. PUBLIC COMMENT – For Items Not on the Agenda

There was no one present who wished to speak.

[Mr. Wright arrived at 7:37 p.m.]

5. PLANNING AND ZONING REPORT

Mr. Miller gave a brief report on ZOTA 214 Group Day Care Homes. At the December 3, 2007 Regular meeting, City Council postponed action on the item until such time that the State of Michigan updates the current regulation related to Group Day Care Homes.

**STUDY ITEM**

6. CITY OF TROY MASTER PLAN – CHAPTER 10 IMPLEMENTATION – Discussion with representatives of Carlisle/Wortman Associates, Inc.

Mr. Miller indicated that Carlisle/Wortman Associates, Inc. (CWA) would provide a complete copy of the draft Master Plan to the Planning Commission prior to the end of the year.

Mr. Miller indicated that a public input session would also need to be scheduled. Although the meeting would be open to all residents, the participants of the SGRAT workshop that started off the planning process would be invited.

Zak Branigan of CWA presented Chapter 10 Implementation.

General discussion followed.

**OTHER ITEMS**7. **PUBLIC COMMENTS** – Items on Current Agenda

There was no one present who wished to speak.

8. **PLANNING COMMISSION COMMENTS**

Mr. Strat asked about the status of the Maple Road Corridor Study.

Mr. Miller indicated that if a digital copy were made available to the Planning Department, they would make copies of the document and provide it to the Planning Commission.

There was other general discussion.

**ADJOURN**

The Special/Study Meeting of the Planning Commission adjourned at 9:15 p.m.

Respectfully submitted,

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Robert M. Schultz, Chair

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R. Brent Savidant, Principal Planner

G:\Planning Commission Minutes\2007 PC Minutes\Final\12-04-07 Special Study Meeting\_Final.doc

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

**ROLL CALL:**

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

**ABSENT:** Clark Yuan, Student Representative

**Resolution to Approve Minutes of November 12, 2007 Meeting**

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

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

Yes: 7  
No: 0  
Absent: None

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**Agenda Items**

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

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

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

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

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

Resolution #LC2007-12-029

Moved by Hall

Seconded by Ukrainec

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

Yes: 6  
No: 1 - Allemon  
Absent: None

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The meeting adjourned at 7:42 p.m.

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Max K. Ehlert, Chairman

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Patricia A. Gladysz, Secretary II

The Chairman, Ted Dziurman, called the meeting of the Building Code Board of Appeals to order at 8:30 A.M. on Wednesday, December 12, 2007 in the Lower Level Conference Room of the Troy City Hall.

PRESENT: Ted Dziurman  
Rick Kessler  
Bill Nelson  
Tim Richnak  
Frank Zuazo

ALSO PRESENT: Mark Stimac, Director of Building & Zoning  
Paul Evans, Housing & Zoning Supervisor

**ITEM #1 – APPROVAL OF MINUTES – MEETING OF NOVEMBER 7, 2007**

Motion by Kessler  
Supported by Zuazo

MOVED, to approve the minutes of the meeting of November 7, 2007 as written.

Yeas: All – 5

MOTION TO APPROVE MINUTES CARRIED

**ITEM #2 – VARIANCE REQUEST. MONDRIAN PROPERTIES/CHOICE GROUP, 1233 W. WATTLES**, for relief of Chapter 85 to maintain a temporary sign installed at 1233 W. Wattles.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 85 to install a 54 square foot Real Estate Sign. Chapter 85, Section 85.03.02 allows temporary signs with a maximum size of six (6) square feet each and an aggregate area of fourteen (14) square feet on a site in the R-1B Zoning District. This sign is intended to advertise an adjacent residential development. However, this property, although owned by the same developer, is not part of the development. Therefore, the sign limitations are those that are applied to signs on any residential property.

Mr. Stimac further stated that the petitioner had submitted a request that this item be postponed until the next scheduled meeting of January 2, 2008.

Motion by Kessler  
Supported by Zuazo

MOVED, to postpone the request of Mondrian Properties/Choice Group, 1233 W. Wattles, for relief of Chapter 85 to install a temporary sign at 1233 W. Wattles until the next scheduled meeting of January 2, 2008.

**ITEM #2 – con't.**

- At the request of the petitioner.

Yeas: All – 5

MOTION TO POSTPONE REQUEST UNTIL THE MEETING OF JANUARY 2, 2008  
CARRIED

**ITEM #3 – VARIANCE REQUEST. GREAT LAKES ELECTRIC SIGN COMPANY, 1790 MAPLELAWN,** for relief of Chapter 85 to erect three (3) additional wall signs on an existing building.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 85 to erect three (3) additional wall signs. The petitioners are planning to keep an existing 24 square foot wall sign. The plans submitted indicate the three new wall signs will measure 90.25 square feet, 32.5 square feet and 31.875 square feet in area. Section 85.02.05 (C) (5) allows a maximum of three wall signs. One wall sign can measure up to 100 square feet in area, and the other two can measure up to 20 square feet each in area.

Additionally, Section 85.01.05 (C) does not allow a wall sign to project more than 12” out from the building wall or above the roof or parapet line. One of the signs (the largest) will project 4’-6” out from the front of the building and extend 3’-1” above the parapet line.

The petitioner was not present.

Motion by Kessler  
Supported by Zuazo

MOVED, to postpone the request of Great Lakes Electric Sign Company, 1790 Maple lawn, for relief of Chapter 85 to erect three (3) additional wall signs on an existing building until the meeting of January 2, 2008.

- To allow the petitioner the opportunity to be present.

Yeas: All – 5

MOTION TO POSTPONE REQUEST UNTIL JANUARY 2, 2008 CARRIED

Motion by Nelson  
Supported by Kessler

MOVED, to adjourn the meeting of the Building Code Board of Appeals

Yeas: All – 5

The Building Code Board of Appeals meeting adjourned at 8:45 A.M.

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Ted Dziurman, Chairman

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Pamela Pasternak, Secretary

A meeting of the Employees' Retirement System Board of Trustees was held on Wednesday, December 12, 2007, at Troy City Hall, 500 W. Big Beaver Rd., Troy, MI. The meeting was called to order at 1:25 p.m.

TRUSTEES PRESENT: Nancy Bowren  
Mark Calice  
Michael Geise  
Thomas Houghton, Chair  
Martin Howrylak  
John M. Lamerato  
William R. Need (Ex-Officio)  
Phillip L. Nelson

### MINUTES

#### ***Resolution # ER – 2007-12- 44***

Moved by Nelson  
Seconded by Calice

*RESOLVED*, That the minutes of the November 14, 2007 meeting be approved.

Yeas: All 7

### OTHER BUSINESS – RETIREMENT REQUESTS

#### ***Resolution # ER – 2007-12- 45***

Moved by Bowren  
Seconded by Nelson

*RESOLVED*, That the retirement request of Scott McWilliams, DC, 12/29/07, 32 years 2 months; Richard A. Bowers, DC, 12/29/07, 39 years 4 months; Janusz K. Bora, DB, 2/12/08, 11 years 6 months; Duane Blucher, DC, 1/12/08, 33 years 6 months; and Robert D. Matlick, DC, 2/9/08, 36 years 2 months be approved.

Yeas: All 7

#### ***Resolution #ER- 2007-12- 46***

Moved by Bowren  
Seconded by Lamerato

*RESOLVED*, That the retirement request of Thomas B. Houghton, DC, 12/29/07, 36 years 10 months be approved.

Yeas: All 6  
Abstain: Houghton

**OTHER BUSINESS – HOW TO RETIRE PACKET**

The City's *How to Retire Packet* was received and filed by the board.

**OTHER BUSINESS – RETIREE NEWSLETTER**

The board received a draft of the January, 2008 edition to review.

**OTHER BUSINESS- OPTION WRITING AUTHORITY**

***Resolution # ER – 2007 – 12- 47***

Moved by Howrylak

Seconded by Calice

*RESOLVED*, That if an option position has not been established by December 31, 2008, the authorization for that position will expire.

Yeas: All 7

**INVESTMENTS**

***Resolution # ER – 2007 – 12- 48***

Moved by Calice

Seconded by Nelson

*RESOLVED*, That the Board buy and sell the following investments:

***Buy:*** \$2 Million, Dreyfus Intermediate Term Bond Fund;  
2,000 shares of Monsanto

***Sell:*** Covidien LTD, and Ericsson Telephone

Yeas: All 7

**PUBLIC COMMENT**

There was no public comment.

The next meeting is January 9, 2008 at 12:00 p.m. at City Hall, Conference Room C, 500 W. Big Beaver, Troy, MI.

The meeting adjourned at 1:58 p.m.

A meeting of the Retiree Health Care Benefits Plan & Trust Board of Trustees was held on Wednesday, December 12, 2007, at Troy City Hall, 500 W. Big Beaver Rd., Troy, MI. The meeting was called to order at 2:00 p.m.

TRUSTEES PRESENT:            Nancy Bowren  
   Mark Calice  
   Michael Geise  
   Thomas Houghton, Chair  
   Martin F. Howrylak  
   John M. Lamerato  
   William R. Need (Ex-Officio)  
   Phillip L. Nelson

### **MINUTES**

#### ***Resolution # RH – 2007 – 12- 009***

Moved by Geise

Seconded by Nelson

*RESOLVED*, That the minutes of the September 12, 2007 meeting be approved.

Yeas:            All 7

### **OTHER BUSINESS – INVESTMENTS**

#### ***Resolution # RH – 2007 – 09 - 010***

Moved by Bowren

Seconded by Calice

*RESOLVED*, That the board invest \$1,000,000 in the Waddell & Reed Bond Fund.

Yeas:            All 7

The next meeting is January 9, 2008 at 1:00 p.m. at City Hall, Conference Room C, 500 W Big Beaver, Troy, MI.

The meeting adjourned at 2:04 p.m.



**TO:** Members of the Troy City Council

**FROM:** Lori Grigg Bluhm, City Attorney  
Robert F. Davisson, Assistant City Attorney  
Christopher J. Forsyth, Assistant City Attorney  
Susan M. Lancaster, Assistant City Attorney  
Allan T. Motzny, Assistant City Attorney

**DATE:** January 2, 2008

**SUBJECT:** 2007 Fourth Quarter Litigation Report

The following is the quarterly report of pending litigation and other matters of interest. **Developments during the FOURTH quarter of 2007 are in bold.**

A. ANATOMY OF THE CASE

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

B. ZONING CASES

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

1. *Troy v. Papadelis and Papadelis v. Troy* - This is a case filed by the City against Telly's Nursery, seeking to enjoin the business from using the northern parcel for commercial purposes. After a lengthy appellate history, an order was entered in the Oakland County Circuit Court, requiring compliance on or before April 29, 2002. The Papadelis family failed to comply with the court's order, and therefore

a Contempt Motion was filed. Oakland County Circuit Court Judge Colleen O'Brien determined that the defendants were in contempt of court, and required them to pay \$1,000 to the City of Troy. However, the court also determined that the defendants were in compliance with the City of Troy zoning ordinances as of the date of the court decision. The Troy City Council authorized an appeal of this decision to the Michigan Court of Appeals. It was filed on September 27, 2002. The neighbors filed an application for leave to appeal, which was denied by the Michigan Court of Appeals on 2/10/03. After receiving criminal citations from the City for expansion of the business, Papadelis filed a federal lawsuit against the City of Troy, alleging civil rights violations and seeking an injunction against the prosecution and/or further expansion. The neighboring property owners filed a Motion to Intervene, which was granted by Federal US District Court Judge Arthur Tarnow. Troy filed a counterclaim in the Federal Court case but it was dismissed by Judge Tarnow, who refused to exercise jurisdiction over the counter-complaint, since it would require him to interpret the opinion of the Oakland County Circuit Court Judge. Troy has subsequently filed two separate motions to dismiss the Papadelis complaint. One of the motions asserted the same jurisdictional claim that was raised against the counter-complaint. The Court granted Troy's motion based on jurisdictional issues and dismissed the case without prejudice. The court did not rule on the other motion, but instead, directed the Papadelises to re-file their case in state court. The Papadelis family then re-filed its lawsuit in Oakland County Circuit Court. Troy filed an answer and a counterclaim. Troy also immediately filed a motion for summary disposition seeking dismissal of the complaint and a judgment in favor of Troy. The counterclaim seeks an order requiring the Papadelis family to remove two greenhouses and other structures that have been built upon the property without approvals that are required under the zoning ordinance. The Court scheduled an early intervention conference (settlement conference) for October 18, 2005. The Court has set the hearing date for the Motion for Summary Disposition for January 4, 2006. Subsequent to the filing of Troy's Motion for Summary Disposition, Plaintiffs' filed a Cross Motion for Summary Disposition, and the hearing was rescheduled for January 18, 2006. On February 17, 2006, the Court entered its written Opinion and Order, dismissing the Papadelis claim for money damages and their claim for injunctive relief. However, the Court also granted Summary Disposition in favor of the Plaintiffs on their claim for declaratory relief, and held that "retail" activity was not occurring on the northern parcel, and that the "agricultural" activities on the northern parcel were protected under the Right to Farm Act. Additionally the Court ruled the Plaintiffs' were exempt from City permitting requirements under the agricultural building permit exemption of the State Construction Code Act. The Court also dismissed the City's counterclaim. Troy has filed an appeal with the Michigan Court of Appeals. Plaintiffs' have filed a cross appeal challenging the dismissal of their claims for money damages and injunctive relief. All the required briefs have been filed with the Court of Appeals, which will either schedule an oral argument or will inform the parties that the case will be decided without oral argument. Since this case was assigned to the expedited track for summary disposition appeals, a final decision on appeal is

expected before the end of September of this year. On June 16, 2006, the Building Department discovered that the Papadelis family was erecting a new, large pole barn structure on the property at 3301 John R. Road. This structure was likely in violation of local and/or state law. The Building Department followed the procedure for issuing a Stop Work Order. In addition, our office filed an emergency motion with the Court of Appeals, seeking to enjoin construction of the building pending final outcome of the appeal. On June 21, 2006, the Court of Appeals granted the motion for immediate consideration, but denied the motion to enjoin construction of the building. The denial of the motion has no bearing on the final outcome of this appeal, and if Troy ultimately prevails on appeal, the new building will have to be removed. Despite the issuance of the Stop Work Order, the construction continued on the new building. The Papadelis Family then filed a Motion to hold the City Attorney and the Director of Building and Zoning in contempt of court. In this Motion, the Papadelis family argued that the Circuit Court ruling (Judge Colleen O'Brien) allows the construction of the new building without a permit and without having to comply with the zoning ordinance provisions regulating the size and location of buildings. Judge O'Brien denied this Motion on June 28, 2006, and ruled that her earlier ruling (the ruling on appeal) was limited to the buildings on the property at the time of the ruling, and did not extend to allow for new construction on the site. On September 19, 2006, the Court of Appeals affirmed the decisions of the Circuit Court. Thus, the Court affirmed the declaratory judgment in favor of the plaintiffs, but it also affirmed the dismissal of plaintiff's civil rights claims against the City, Mark Stimac, and Marlene Struckman. Troy has filed an Application for Leave to Appeal with the Michigan Supreme Court. The Michigan Municipal League is also filing an amicus brief in support of the City's Application for Leave to Appeal. The Papadelis family filed a Cross Application for Leave to Appeal. If the Supreme Court denies both the Application for Leave to Appeal and the Cross Application for Leave to Appeal, the Court of Appeals decision becomes the final decision in this case. The Supreme Court may grant both the Application and Cross Application for Leave to Appeal, or it may grant one and deny the other, or it may grant either Application in part and limit the issues that it will review. The Michigan Municipal League (MML) has prepared an Amicus Brief in support of the municipal position, and the Papadelis family has opposed the MML's Motion for Leave To File the Amicus Brief. The parties are now waiting for the Michigan Supreme Court to take action. On June 29, 2007, in lieu of granting leave to appeal, the Michigan Supreme Court ruled in favor of the City, and reversed the decisions of the Oakland County Circuit Court and the Court of Appeals. The case will now be remanded back to the Oakland County Circuit Court for an order requiring the Papadelis family to comply with Troy's zoning ordinances. The Michigan Supreme Court declared that the greenhouses and pole barn are not "incidental to the use for agricultural purposes of the land on which they are located." Plaintiff's cross appeal against the City was denied. Troy filed a motion in Circuit Court to enforce the Supreme Court's ruling, which requires all of the buildings constructed on the Papadelis property to be in compliance with Troy's zoning ordinance. In the alternative, the structures need to be removed.

The Court scheduled an evidentiary hearing on our Motion for October 17, 2007. **A hearing/bench trial began on October 17<sup>th</sup> and continued on October 23<sup>rd</sup>. The City presented evidence in support of its request for an Order requiring the Papadelis family to remove two large greenhouses, eight smaller greenhouse type structures (cold frames) and a pole barn from the subject property. The Papadelis Family has started to present evidence in support of their defense and opposition to the City's requested relief. They contend the zoning ordinance is not applicable to the buildings. The Court has set the next hearing/ bench trial continuation date for January 30, 2008.**

2. *Milano Development Company, Inc. v. City of Troy, et. al.* – This lawsuit was filed on December 11, 2006. It seeks to amend part of a plat to vacate an easement reserved on the original plat of the Square Acres Subdivision Plat, located in Section 14. The Plaintiff is proposing to develop a 13-unit site condominium project on Lot 17. The City has already granted preliminary site plan approval of the proposed Athens Park Site Condominium Project. However, the development cannot be completed in accordance with the approved site plan unless the private roadway easement is vacated. The Plaintiff is currently working on a proposed Consent Judgment, which will incorporate the requests of the attorneys of record. Once finalized, the proposed Consent Judgment will be forwarded to City Council for action. There has been a delay to this case, since Plaintiff needs to add some recently discovered parties who are necessary to the lawsuit, and delete some originally named but unnecessary parties from the lawsuit. Once the issue of the proper defendants is resolved, we will submit a proposed Consent Judgment to amend the plat as a future City Council action item. **Plaintiff is still working on the proposed Consent Judgment.**
  
3. *Karagiannakis and Garrett Family Ltd.Partnership v. City of Troy, et. al.*  
The Plaintiffs, Nick and Leslie Karagiannakis, are the owners of property that is designated as "Outlot B" in the Troy Villas Subdivision No. 1 (north of Square Lake Road, west of Rochester Road). The Co-Plaintiff, Garrett Family Limited Partnership (hereinafter "Garrett") has a purchase agreement with the Karagiannakis family for a portion of this property, which has or will be combined with the rear portions of other parcels that front on Square Lake Road. Garrett proposes to build a 12-unit site condominium on this approximately 6.04 acre parcel, which is currently landlocked and is located behind several homes that front on Ottawa and Donaldson. The plat for the property does not expressly designate a public roadway easement that would allow for a roadway to be constructed over the property owned by co-defendants Arthur and Delphine Lubiarz (480 Ottawa) and James and Cynthia Smith (536 Ottawa- actually on the adjoining plat). The express language of the plat grants only a 43-foot private easement- not a public road. In 1981, a private driveway agreement over this 43-foot private easement allowed for the construction of the Karagiannakis' residence (500 Ottawa). However, this agreement is extremely limited, and authorizes only a private driveway to a single-family residence. It could not be used to service a 12-unit condominium site. Plaintiffs seek to convert the private easement to a public road, which is required for the proposed development. The Plaintiffs previously filed an action for Declaratory Judgment, and the City argued that the

complaint was not correctly filed, since the requested relief could only be granted through a re-plat lawsuit under the Michigan Subdivision Control Act. Under this law, a plat revision complaint needs to be filed against all persons having an interest that could be impacted by revisions to the plat. Plaintiffs thereafter agreed to voluntarily dismiss their Declaratory Judgment action lawsuit, and have now filed this plat revision lawsuit. In the alternative, Plaintiffs have also pled a count asking the Court to allow it to put in a public or private road that is less than the 60- foot width required by City ordinance. The City has filed an Answer to the Complaint and discovery is continuing. Trial is scheduled for April 3, 2008. Prior to the trial date, we will file a Motion for Summary Disposition, seeking dismissal of the case. **Plaintiffs filed a motion to adjourn the April trial date, and the new trial date is May 5, 2008. In the meantime, Plaintiffs recently submitted interrogatories to a number of Defendants, including the City. The City is in the process of preparing answers to those interrogatories.**

#### C. EMINENT DOMAIN CASES

These are cases in which the City wishes to acquire property for a public improvement and the property owner wishes to contest either the necessity or the compensation offered. In cases where only the compensation is challenged, the City obtains possession of the property almost immediately, which allows for major projects to be completed.

**There are no pending eminent domain cases at this time.**

#### D. CIVIL RIGHTS CASES

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

1. *Gerald Molnar v. Janice Pokley, the City of Troy et al.*- Plaintiff filed this lawsuit against the City and Troy Detective Janice Pokley, after a jury found him not guilty of the charge of Criminal Sexual Conduct in the Second Degree. Plaintiff alleges that the City and Detective Pokley violated his constitutional rights to be from an unreasonable seizure, due process, and equal protection. These constitutional violations allegedly occurred during the criminal sexual conduct investigation of Plaintiff. Plaintiff also claims that the Troy defendants conspired with other named defendants to violate his constitutional rights, and intentionally inflicted emotional distress on Plaintiff. Plaintiff is requesting an unspecified amount of compensatory, exemplar, and punitive damages. On February 27, 2007, Troy filed a motion to dismiss, or in the alternative summary judgment. Plaintiff filed his response to our motion to dismiss on May 21, 2007. As of the end of the **fourth** quarter, the Court had not yet set a date for oral argument on the motion or otherwise ruled on our motion to dismiss. Since the other

defendant, Care House, subsequently filed its motion to dismiss the lawsuit, it is possible that the Court will simultaneously rule on both of these pending motions.

2. *Kenneth Morrell v Troy, et al.* Plaintiff Kenneth Morrell filed a lawsuit against the City of Troy and Troy Police Officer Meghan Broderick. In the complaint, Mr. Morrell alleges a count of assault, gross negligence, a violation of Michigan's Persons with Disabilities Civil Rights Act (PWDCRA), Constitutional violations, false imprisonment, and racial discrimination. The lawsuit was filed in Oakland County Circuit Court and assigned to Judge Steven N. Andrews. According to the complaint, the Plaintiff is a disabled person who is African-American. He contends that the PWDCRA entitles him to have employees of self-service gas stations pump gasoline into his car on demand. He alleges that on April 28, 2006 he drove to the BP gas station at Maple and John R., seeking some gasoline for his car. Plaintiff claims that his request for gasoline was denied, and that the gas station owner/ operator instead contacted the Troy Police, who sent Officer Broderick to the scene. In his complaint, he alleges that Officer Broderick aided and abetted the gas station employees in violating his rights under the PWDCRA. He also complains that Officer Broderick drew a weapon (a handgun) on the Plaintiff without justification. Officer Broderick denies that she drew a handgun, although the circumstances may have justified it. She did take her department issued taser out of the holster, but did not use it. Plaintiff also complains that another unidentified Troy police sergeant told him he was permanently barred from the BP gas station, and that he would be arrested for trespassing if he returned. He claims the incident resulted in emotional agitation, forcing him to seek medical help, including medication for his nerves. He is seeking over \$25,000 in damages, plus attorney fees and costs. Plaintiff has also named the gas station owners and its manager as co-defendants in this lawsuit. Troy has filed a Motion for Summary Disposition. The hearing on the motion is scheduled for July 11, 2007. The Court granted Troy's motion in part and dismissed the assault, gross negligence and false imprisonment claims against the City of Troy. The Court also initially dismissed the alleged violation of PWDCRA claim against both Troy and Officer Broderick, but reinstated the claim in response to Plaintiff's Motion for Reconsideration. The case is now in the discovery phase. **Plaintiff filed a motion to extend discovery. The motion was granted and the discovery phase has been extended to February 1, 2008.**

#### E. PERSONAL INJURY AND DAMAGE CASES

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

or damage to another; e) trespass nuisance exception, which imposes liability for the flooding cases.

1. Mary Ann Hennig v. City of Troy- Plaintiff has filed this lawsuit, claiming that the City is liable for injuries she sustained after her vehicle was struck by a Troy Police Officer as he was pursuing a suspected drug dealer. Her complaint alleges serious impairment of a bodily function, in that she has neurological damages. The City has filed an answer to the complaint, and the parties are now conducting discovery. The parties have exchanged witness list, expert witness lists and exhibit lists. The Plaintiff has been examined by an orthopedic physician chosen by the City and is scheduled to be examined by a clinical neuropsychologist chosen by the City during the week of October 22<sup>nd</sup>. Discovery is continuing. **On December 12, 2007, the Court ordered facilitation of the case, which is scheduled to start on March 4, 2008. If the parties are unable to settle the case with facilitation, then a jury trial is scheduled for April 22, 2008.**

#### F. MISCELLANEOUS CASES

1. Nardi v Troy, et al. - Plaintiff Leroy S. Nardi named the City of Troy, the County of Oakland, and the State of Michigan as Defendants in this lawsuit filed in the United States District Court for the Eastern District of Michigan. The Plaintiff owns a parcel of land located at 97 East Wattles. On April 26, 2001, he received a letter from the Building Department, advising him that public sanitary sewer would soon be available to service his property, since there was a new subdivision that abutted his property. The letter informed Mr. Nardi of Chapter 20, which at that time required connection to the newly available public sewer within 18 months. This mandatory connection included a \$200.00 Interceptor Connection fee (tap fee) and a \$3,400.00 Lateral Benefit Charge. These costs could be financed over a 40- year period of time, through a Sewer Contract with the City. In November 2001, Plaintiff's septic system on the property was showing signs of failure, and the Oakland County Health Department was investigating the matter. On November 21, 2001, the Plaintiff signed a Sewer Contract with the City, where he agreed to pay the sewer connection fees for the hook up in quarterly installments of \$57.00 each. Pursuant to the contract, unpaid installments are collected in the same manner as taxes, which mean that all delinquent payments are forwarded to Oakland County for collection and/or foreclosure proceedings. As a result of Plaintiff's failure to pay the quarterly installments, Oakland County initiated foreclosure proceedings for the property.

In the lawsuit, Plaintiff seeks an injunction to stop the foreclosure proceeding, as well as reimbursement for all sewer fees previously paid, and punitive damages in the amount of \$500,000.00. Plaintiff filed the complaint without the assistance of an attorney, and his basis for relief is not exactly clear. He contends all defendants have violated his rights under the 5<sup>th</sup>, 7<sup>th</sup>, and 14<sup>th</sup> Amendments of the United States Constitution and he alleges fraud, extortion, a violation of Article VI, Section

2 of the Constitution, and a taking of property without due process of law. Essentially, he claims the Sewer Contract is not valid because he signed it under duress. He did make a note on the contract when signing that said that he was signing it under duress. However, without such a contract, the entire collection fee would have been immediately due, rather than financing the payments over a 40 year period. Plaintiff also challenges the City's ability to collect a Benefit Charge, because a private developer constructed the portion of the sanitary sewer system to which his property is connected. The Benefit Charge is designed to reimburse the City for the proportional cost of operating the entire system. The City has filed a Motion to Dismiss, which is scheduled for April 23, 2007. After receiving Troy's Motion to Dismiss, Plaintiff hired an attorney to represent him. Plaintiff filed a response to the motion, and oral argument was held. Judge Anna Diggs Taylor granted the Motion in part and dismissed Plaintiff's state law (fraud, contract, duress, extortion and common law) claims. With regard to Plaintiff's federal claims, the Court indicated it would grant the Motion to Dismiss unless Plaintiff filed an amended complaint within 20 days. The Plaintiff filed an amended complaint and Troy has filed its Answer and Affirmative Defenses. The case is now in the discovery phase. Discovery is continuing. **The City filed a Motion for Summary Judgment, seeking a dismissal of the Lawsuit. The Court will set the hearing dates for the Motion.**

3. **Kocenda v City of Troy, et al. – David Kocenda has filed a complaint against the City of Troy, Chief Craft, Captain Murphy, Captain Mott, Lieutenant Hay, Lieutenant Pappas, and Lieutenant Rossman, alleging Defamation and Intentional Infliction of Emotional Distress. Plaintiff, a Troy police officer, claims he was offered a job as a police officer with the City of Palm Beach Gardens, Florida, but the offer was retracted because of false information provided by Troy and its officers. He contends remarks made by Troy employees constitute both Defamation and Intentional Infliction of Emotional Distress. He is seeking damages in excess of \$25,000. The lawsuit was filed in Oakland County Circuit Court and assigned to Judge Fred Mester. Troy's responsive pleading is due December 18, 2007. The City has filed a Motion for Summary Disposition, seeking a dismissal of the lawsuit against the City and its Officers. The Court will set the date for the hearing on our motion.**

#### G. CRIMINAL APPEALS

1. People v Megan B. Nairne – Ms. Nairne was charged with domestic assault. She was represented by a court appointed attorney, and pled no contest to the assault charge on December 21, 2006. Although a no contest plea is treated like a guilty plea, the Defendant is able to defer to the police report, instead of detailing the crime on the record. Since Ms. Nairne is deaf, there was an interpreter present at the time of the plea. Shortly after pleading no contest, Ms. Nairne hired a new attorney, who filed a motion asking the Court to allow Defendant to withdraw her plea. In this motion, Ms. Nairne claimed that her court appointed attorney did not adequately represent her, and her plea of no contest

was not voluntarily and knowingly made. On September 20, 2007, Judge Martone denied her motion. She then filed an application for leave to appeal Judge Martone's decision in the Oakland County Circuit Court. We responded to her motion, arguing that Judge Martone properly denied her motion to withdraw the no contest plea. **On October 11, 2007, Oakland County Circuit Court Judge Colleen O'Brien issued an opinion and order denying Defendant's application for leave to appeal. Defendant has now filed an application for leave to appeal in the Michigan Court of Appeals. The City's response is due in January.**

2. **People v Ravi Arya** – Ravi Arya is charged with domestic assault and battery. The victim, his mother in law, has left the country and is not expected to return. The defendant's wife witnessed the assault but has indicated she will exercise her spousal privilege. The City Attorney's Office advised Defendant's attorney of its intent to introduce into evidence the statements made by the victim and Defendant's wife to Troy Dispatch and to two Troy Police Officers. The Defendant filed a Motion to Suppress the Statements and a Motion to Dismiss The Case. At the hearing on the Motion, the City argued the statements were admissible under Michigan statute and the Rules of Evidence. Judge Drury agreed and denied both motions. The Defendant filed an interlocutory appeal (Application for Leave to Appeal) to Oakland County Circuit Court. The City has filed its response. The Court may schedule the case for oral argument or it may issue a written decision without oral argument. As of December 20<sup>th</sup>, a Court date has not been scheduled.
3. **People v Jennifer Langley-Stigleman** – Ms. Langley-Stigleman is charged with operating while intoxicated. She filed a motion asking the District Court to suppress the statements she gave to a Troy Police Officer shortly before her arrest. Defendant argued in her motion that the statements should be suppressed because the Troy Officer never informed her of the *Miranda* rights. Defendant also argued that the admission of the statements violates the *corpus delicti* rule because, according to Defendant, her statements are the only evidence of the crime of drunk driving. On September 27, 2007, Judge Bolle denied Defendant's motion. She then filed an application for leave to appeal Judge Bolle's decision in the Oakland County Circuit Court. We responded to her application, arguing that Judge Bolle properly denied her motion to suppress. On December 19<sup>th</sup>, Oakland County Circuit Court Judge Denise Langford-Morris held a hearing on Defendant's application for leave to appeal. Judge Langford-Morris will issue a written opinion and order shortly.

## H. ADMINISTRATIVE PROCEEDINGS

1. *In the Matter of the Application of International Transmission Company, d/b/a ITCTransmission, for a Certificate of Public Convenience and Necessity for the Construction of a Major Transmission Line Running From and Through Sterling Heights, Troy, Clawson, and Royal Oak, MI.* ITCTransmission has requested permission to construct a new major transmission line- the Bismark- Troy Project. After meeting with City Administration, ITC's proposed location for this new transmission line is primarily through industrial properties, and underground. Previously, a route traversing Maple Road was considered. Before any construction can commence, ITCTransmission needs to obtain a Certificate of Public Convenience and Necessity from the Public Service Commission (PSC). In this proceeding, the PSC determines whether the public benefits justify the construction of the new transmission line; whether the proposed route is feasible and reasonable; and whether the proposed line presents an unreasonable threat to public health or safety. In this particular case, Detroit Edison and Consumers Power filed to intervene. On appeal, these petitions were granted. The parties are now conducting discovery. The expert witnesses of the parties were cross examined on September 27 and 28, 2007. The parties are now preparing written legal briefs for the Administrative Law Judge. **Briefs have been filed, and the Administrative Law Judge issued his Notice of Proposal for Decision on December 5, 2007, concluding that ITC has not demonstrated that the quantifiable and nonquantifiable public benefits justify the line's construction, and/or that the proposed route is reasonable. Since Exceptions to this Notice of Proposal for Decision have been timely filed with the Michigan Public Service Commission, the Administrative Law Judge's Decision is not final, and the case will continue.**

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



## CITY COUNCIL REPORT

Date January 3, 2008

TO: Phillip L. Nelson, City Manager

FROM: Tonni L. Bartholomew, City Clerk

SUBJECT: **Board and Committee Members Serving on Multiple Boards/Committees**

Background:

- Pursuant to City Council request at their December 17, 2007 meeting, attached is a listing of board and committee members serving on multiple boards and/or committees.

Financial Considerations:

- n/a

Legal Considerations:

- n/a

Policy Considerations:

- n/a

Options:

- n/a
-

<b>MEMBER</b>	<b>B&amp;C #1</b>	<b>B&amp;C #2</b>	<b>B&amp;C #3</b>
Lin, Paul Chu	Advisory Committee for Persons with Disabilities	Historic District Commission	
Stewart, Jeffrey	Advisory Committee for Persons with Disabilities	Troy Daze	TD Rep on P&R Board
Ogg, David	Advisory Committee for Senior Citizens	Liquor Advisory Board	
Wattles, Brian	Cable Advisory Committee	Historical Commission	
Voigt, W. Kent	Cable Advisory Committee	Historic District Commission	
Noce, Pauline	Advisory Committee for Senior Citizens	<b>Sr. Rep on P&amp;R Board</b>	
Wright, Wayne	Planning Commission	<b>PC Rep on BZA</b>	
Littman, Larry	Planning Commission	<b>PC Rep on BZA</b>	



**CITY COUNCIL  
AGENDA  
January 7, 2008  
Back-Up Documentation  
Council Chambers  
City Hall - 500 West Big Beaver  
Troy, Michigan 48084  
(248) 524-3317**

**LETTERS of APPRECIATION:**

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**J-3 No Letters of Appreciation**

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

CITY OF OAK PARK  
OAKLAND COUNTY, MICHIGAN *RN*

**RESOLUTION REQUESTING PRESERVATION OF EXISTING  
CHANNEL LOCATIONS FOR PUBLIC, GOVERNMENTAL AND  
EDUCATIONAL ACCESS CHANNELS, ALSO KNOWN AS PEG**

At a regular meeting of the City Council of the City of Oak Park, Michigan, held at 13600 Oak Park Boulevard, Oak Park, MI 48237, on the 17th day of December, 2007, commencing at 7:30 p.m.

PRESENT: Mayor Naftaly, Mayor Pro Tem Horton, Council Member Jackson,  
Council Member Levine, Council Member Seligson

ABSENT: None

Motion by Seligson, seconded by Levine, CARRIED UNANIMOUSLY: To adopt the following resolution:

WHEREAS, Comcast Cablevision, is among the companies that furnish or will be furnishing cable television subscriptions to residential customers; and

WHEREAS, the City of Oak Park and other governmental entities have committed substantial resources to deliver programming on governmental and educational access channels, also known as PEG; and

WHEREAS, Comcast Cablevision has indicated that it intends to change the channel lineup and location of the public, educational and government access channels (PEG) from present locations, where they have been situated for many years, to the channel lineup in the 900's, which will require customers to have a digital converter set-top box, a cable card or a QAM\* capable television; and

WHEREAS, the result is added costs, inconvenience, and confusion with respect to viewers who intend to view educational and governmental access channels;

WHEREAS, since Comcast's announcement, concerned residents have contacted the City in opposition to the news that Comcast intends to change the location of PEG channels and require customers to have a digital converter boxes to receive the channels;

NOW, THEREFORE, BE IT RESOLVED that:

1. Comcast Cablevision is requested to preserve the channel locations for public, educational and governmental access channels (PEG) and agree that they will not be changed in the future without the written consent of the City/or governmental entity or entities which provide programming on such channels;

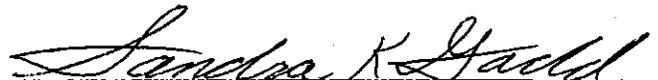
J4a

2. The City of Oak Park requests that Comcast respond to the questions posed by the Michigan Chapter of the National Association of Telecommunications Officers and Advisors in its letter dated November 2007 addressing operational and legal issues related to Comcast's actions; and
3. The City of Oak Park requests that Public Act 480 of 2006 be immediately amended to require that public, educational and governmental access channels remain at the current locations and that the same not be subject to change unless the written consent of the affected governmental entity providing the programming is obtained and that the Act be further modified in order to require that new providers of cable and video services furnish public, educational and governmental access channel lineups and selections that are consistent with existing providers, as of January 1, 2007, with respect to channel locations, ease of access, availability of features, quality parameters, and similarity of surrounding channels.
4. The City of Oak Park requests that legal counsel explore sections of Michigan's Public Act 480 of 2006, for provisions that already exist to potentially assist the City in maintaining the best delivery of its programming to Oak Park residents via the cable TV and video systems. In addition, the City of Oak Park pledges to continue talks with local providers, as well as investigate appropriate measures, to protect the City's investment in providing programming for local access channels, as these channels are important means of communicating with residents.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the Michigan Municipal League, Clinton Township, the City of Grand Rapids, the City of Warren, and other surrounding communities.

\* QAM tuners in televisions enable direct reception of digital cable channels without the use of a set-top box.

RESOLUTION DECLARED ADOPTED.

  
Sandra K. Gadd, City Clerk

#### CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Council of the City of Oak Park, Michigan, at a regular meeting held on the 17<sup>th</sup> day of December, 2007, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267 of the Michigan Public Acts of 1976, as amended.

  
Sandra K. Gadd, City Clerk  
Oak Park, Michigan

# January 2008

January 2008							February 2008						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
		1	2	3	4	5						1	2
6	7	8	9	10	11	12	3	4	5	6	7	8	9
13	14	15	16	17	18	19	10	11	12	13	14	15	16
20	21	22	23	24	25	26	17	18	19	20	21	22	23
27	28	29	30	31			24	25	26	27	28	29	

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Dec 30 - Jan 5	Dec 30	31	Jan 1, 08 City Hall Closed	2 8:30am Building Code I 7:00pm Persons with D	3 1:00pm Advisory Comn	4	5
	6	7 7:30pm City Council Me	8 7:00pm Ethnic Issues A 7:30pm Planning Comn	9 12:00pm Employee's Ref 1:00pm Retiree Health	10 7:30pm Library Advisor	11	12
Jan 6 - 12	13	14 7:00pm Liquor Advisor	15 7:00am ELECTION DAY 3:00pm Brownfield Rec 7:30pm BZA (Chambers 7:30pm Historic District	16 7:30am DDA Meeting; I 7:00pm Cable Advisory 7:30pm Traffic Commit	17 7:00pm Parks & Recrea	18	19
	20	21	22 7:00pm Troy Daze Advi 7:30pm Planning Comn 7:30pm Historical Comr	23 7:00pm Youth Council;	24	25	26
Jan 13 - 19	27	28 3:00pm Joint LDFA; Cou 7:30pm City Council Me	29	30	31	Feb 1	2
	Jan 20 - 26						
Jan 27 - Feb 2							



**CITY COUNCIL  
AGENDA  
January 7, 2008  
Back-Up Documentation  
Council Chambers  
City Hall - 500 West Big Beaver  
Troy, Michigan 48084  
(248) 524-3317**

**STUDY ITEMS:**

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**K-1 No Study Items Submitted**

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



**CITY COUNCIL  
AGENDA  
January 7, 2008  
Back-Up Documentation  
Council Chambers  
City Hall - 500 West Big Beaver  
Troy, Michigan 48084  
(248) 524-3317**

**CLOSED SESSION:**

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**L-1 No Closed Session Requested**

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