

# AGENDA

Meeting of the

## CITY COUNCIL OF THE CITY OF TROY

FEBRUARY 18, 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.

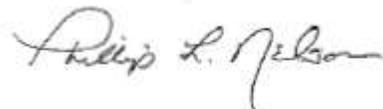
Identified below are goals for the City, which have been advanced by the governing body; and Agenda items submitted for your consideration are on course with these goals.

### **Goals**

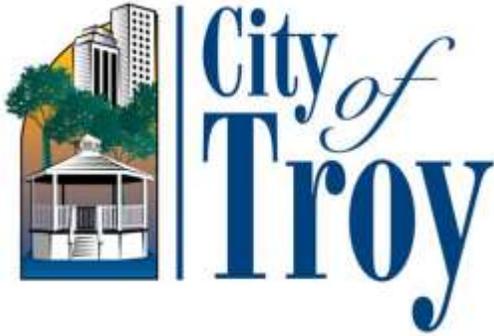
- I. Enhance the livability and safety of the community
- II. Minimize the cost and increase the efficiency and effectiveness of City government
- III. Retain and attract investment while encouraging redevelopment
- IV. Effectively and professionally communicate internally and externally
- V. Maintain 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**

**February 18, 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: Pastor Tony Boos – Faith Lutheran Church** **1**

**ROLL CALL** **1**

**CERTIFICATES OF RECOGNITION:** **1**

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**CALL TO ORDER:**

**INVOCATION & PLEDGE OF ALLEGIANCE:** Pastor Tony Boos – Faith Lutheran 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)** Proclamation - Senior Home Assistance Repair Program (SHARP) – First Anniversary – Presentation by Mayor Schilling to Dave Taylor

**CARRYOVER ITEMS:**

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- B-1 No Carryover Items**

**PUBLIC HEARINGS:**

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**C-1 Michigan NextEnergy Exemptions**

Suggested Resolution  
Resolution #2008-02-  
Moved by  
Seconded by

RESOLVED, That Troy City Council hereby **AFFIRMS** the Michigan NextEnergy Exemption of Alternative Energy Personal Property located at 1100 W. Maple, 1414 Combermere, and 1857 Technology Drive, Troy, MI, as certified by the City Assessor, in an amount not to exceed \$1,025,780.00, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to forward a copy of this resolution and attachments to the Michigan NextEnergy Authority at 300 N. Washington Square, Lansing, MI 48913.

Yes:

No:

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**C-2 Establishment of an Industrial Development District (IDD) – IACNA, International Automotive Components Group, North America, 750-800 Chicago**

Suggested Resolution

Resolution #2008-02-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **ESTABLISHES** an Industrial Development District (IDD) for IACNA, for property known as 750 – 800 Chicago, Troy, MI 48083, Parcels # 88-20-35-276-003 and 88-20-35-276-004, in accordance with City Council Policy Resolution #2006-06-238; and

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

Yes:

No:

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**C-3 Granting of an Industrial Facilities Exemption Certificate (IFEC) to IACNA, International Automotive Components Group, North America, 750-800 Chicago**

Suggested Resolution

Resolution #2008-02-

Moved by

Seconded by

WHEREAS, After due notice and proper hearing, the Troy City Council on February 18, 2008, established an Industrial Development District (IDD) for property known as 750 – 800 Chicago, Troy, MI 48083, Parcels # 88-20-35-276-003 and 88-20-35-276-004;

WHEREAS, An Application has been submitted by IACNA (International Automotive Components Group North America), for an Industrial Facilities Exemption Certificate (IFEC) for personal property at 750 – 800 Chicago, Troy, MI 48083, for five (5) years; and

WHEREAS, After due and proper notice by the City Clerk, the Troy City Council, on February 18, 2008, 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 IACNA, at 750 – 800 Chicago, 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 it has **FOUND THAT THE GRANTING** of an Industrial Facilities Exemption Certificate (IFEC) for IACNA, at, 750 – 800 Chicago, 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 IACNA, at 750 – 800 Chicago, Troy, MI, 48083, Parcels #88-20-35-276-003 and 88-20-35-276-004, for personal property for a term of five (5) years, **CONTINGENT** upon the execution of a Letter of Agreement between the City of Troy and IACNA, 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 IACNA, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

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

Yes:

No:

## POSTPONED ITEMS:

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### D-1 Mayoral Appointment to Planning Commission

#### (a) Mayoral Appointments

##### Pending Resolution

Moved by Schilling

Seconded by Beltramini

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

#### Planning Commission

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

**Mark Maxwell**

Term Expires 12/31/10

Yes:

No:

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

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

**REGULAR BUSINESS:**

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

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

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**E-1 Appointments to Boards and Committees: a) Mayoral Appointments: Planning Commission b) City Council Appointments: Cable Advisory Committee; and Historic District Commission**

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

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

**(a) Mayoral Appointments**

Suggested Resolution

Resolution #2008-02-

Moved by

Seconded by

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

**Planning Commission**

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

Unexpired Term 12/31/08

Term Expires 12/31/10

Yes:  
No:

**(b) City Council Appointments**

Suggested Resolution  
Resolution #2008-02-  
Moved by  
Seconded by

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

**Cable Advisory Committee**

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

Term Expires 02/28/11

**Historic District Commission**

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

**\*Recommendations from Historical Commission & Historical Society are pending.**

Term Expires 03/01/11

**\*Historical Commission Recommendation**

Term Expires 03/01/11

**\*Historical Society Recommendation**

Term Expires 03/01/11

Yes:  
No:

**E-2 Bid Waiver – Sole Source Purchase – Traffic Radar Trailer**

Suggested Resolution  
Resolution #2008-02-  
Moved by  
Seconded by

WHEREAS, Decatur Electronics is the manufacturer of the Onsite 450 Radar Trailer;

WHEREAS, It is necessary to replace one trailer due to its inability to record and report traffic counts and speeds for statistical reporting; and

WHEREAS, The Onsite 450 is the only trailer made with a motorized sign lift enabling any employee to set-up the unit without fear of injury;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and hereby **AUTHORIZES** the purchase of a Traffic Radar Trailer directly from the manufacturer, Decatur Electronics at an estimated cost of \$19,995.00.

Yes:

No:

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**E-3 Contract Ratification – Michigan Association of Police (MAP) Clerical and Non-Sworn Police Personnel and City of Troy (2007-2010)**

Suggested Resolution

Resolution #2008-02-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **RATIFIES** a collective bargaining agreement between the City of Troy and Michigan Association of Police (MAP) for the period July 1, 2007 through June 30, 2010, and **AUTHORIZES** the Mayor and City Clerk to execute the final agreement.

Yes:

No:

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**E-4 Adjustment to Building Permit Fees**

Suggested Resolution

Resolution #2008-02-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **APPROVES** the revisions to the building permit fees, as indicated in the attached memorandum; and

BE IT FURTHER RESOLVED, That said fee revisions shall **APPLY** to building permit applications submitted after April 1, 2008.

Yes:

No:

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**E-5 Correction to Resolution #2007-02-053**

Suggested Resolution

Resolution #2008-02-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **CORRECTS** Resolution #2007-02-053 as approved at the February 26, 2007 Regular City Council meeting *C-2 Street Vacation Application (File Number: SV 188) – A section of Alley Located North of Big Beaver between Louis and Troy, Section 22* due to an Administrative error by **STRIKING** “with the retention of public and private utility easements” in the third WHEREAS and by **STRIKING** “BE IT FURTHER RESOLVED, That City Council **RETAINS** easements for public and private easements and public turnaround within the vacated alley.” in its entirety.

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 #2008-02-

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 #2008-02-

RESOLVED, That the Minutes of the 7:30 PM Regular City Council Meeting of February 4, 2008 and the Regular City Council Meeting of February 13, 2008 be **APPROVED** as submitted.

**F-3 Proposed City of Troy Proclamation:**

Suggested Resolution  
Resolution #2008-02-

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

- a) Senior Home Assistance Repair Program (SHARP) – First Anniversary 2008
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**F-4 Standard Purchasing Resolutions**

- a) **Standard Purchasing Resolution 3: Exercise Renewal Option – Printing of City of Troy Newsletter – Troy Today**

Suggested Resolution  
Resolution #2008-02-

WHEREAS, On April 16, 2007, a contract to provide printing of the Troy Today quarterly newsletter with two one (1)-year options to renew was awarded to Grand River Printing and Imaging of Belleville, MI, the vendor with the highest weighted final score, as a result of a best value process (Resolution #2007-04-122-E-4a); and

WHEREAS, Grand River Printing and Imaging has agreed to exercise the first option to renew for the 2008-09 Troy Today under the same terms and conditions with a price increase of \$1,100.00 per quarterly issue to recover costs due to fluctuations in paper;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES** the first option to renew for the 2008-09 printing of the Troy Today quarterly newsletter with Grand River Printing and Imaging to provide printing and distribution of the 2008-2009 Troy Today for an estimated total cost of \$80,342.80, plus \$1,100.00 per quarterly issue for paper cost increases, as well as the actual cost of bulk rate postage and additional charges as needed not to exceed 10% of the original contract amount or \$8,034.28, with all other contract requirements the same to expire March 31, 2009.

- b) **Standard Purchasing Resolution 11: Rejection of Bids – Police Carports**

Suggested Resolution  
Resolution #2008-02-

RESOLVED, That Troy City Council hereby **REJECTS** all bid proposals for ITB-COT 07-35, to provide for the installation of carports at the City of Troy Police parking area opened January 22, 2008, and hereby **AUTHORIZES** the project to be immediately re-bid.

- c) **Standard Purchasing Resolution 3: Exercise Renewal Option – 2008 Summer/Winter Tax Bill Printing**

Suggested Resolution

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Resolution #2008-02-

WHEREAS, On December 6, 2006, a contract to provide printing services for the 2007 summer/winter tax bills with an option to renew for one additional tax year was awarded administratively to the low total bidder, Centron Data Services, Inc. of North Shores, MI; and

WHEREAS, Centron Data Services, Inc. has agreed to exercise the option to renew for one additional tax year under the same prices, terms and conditions as the original contract;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES** the option to renew for the 2008 printing of the summer/winter tax bills with Centron Data Services, Inc. for an estimated total cost of \$9,239.00, plus the actual cost of first class postage and over-runs not to exceed 5% with all other contract requirements the same to expire December 31, 2008.

**d) Standard Purchasing Resolution 1: Award to Low Bidder – Park Shelters**

Suggested Resolution

Resolution #2008-02-

RESOLVED, That Troy City Council hereby **AWARDS** a contract to furnish all labor, materials and equipment to install new park shelters at both the Civic Center and Boulan Park to the low bidder, Cedroni Associates, Inc. of Utica, MI, for an estimated total cost of \$102,065.00 including bonds, at prices contained in the bid tabulation opened December 20, 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 contractor submission of properly executed bid and contract documents, including insurance certificates, bonds and all other specified requirements.

**e) Standard Purchasing Resolution 4: Award – State of Michigan Cooperative Purchasing Agreement MiDEAL – Toro Mower**

Suggested Resolution

Resolution #2008-02-

RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase one (1) Toro Groundsmaster 4500-D rotary riding mower from Spartan Distributors, Inc. of Auburn Hills, MI, through the State of Michigan Cooperative Purchasing Agreement, MiDEAL, at an estimated net total cost of \$36,470.00, which includes the trade-in of a used mower.

**f) Standard Purchasing Resolution 1: Award to Low Bidder – Ball Diamond Fencing**

Suggested Resolution

Resolution #2008-02-

RESOLVED, That Troy City Council hereby **AWARDS** a contract to furnish all labor, materials and equipment to install new backstops and ball diamond fencing at Flynn and Boulan Parks to the low total bidder, American Fence & Supply Co, Inc. of Warren, MI, for an estimated total

cost of \$179,219.00, at prices contained in the bid tabulation opened January 24, 2008, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

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

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**F-5 Private Agreement for Starbucks Troy – Project 07.910.3**

Suggested Resolution

Resolution #2008-02-

RESOLVED, That Troy City Council hereby **APPROVES** the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and SSS Somerset, LLC, for the installation of water main, underground detention system, concrete approach and curb and gutter on the site and in the adjacent right of way, and **AUTHORIZES** the Mayor and City Clerk to execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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**F-6 Request for Approval of Purchase Agreement and Acceptance of Regrading and Temporary Construction Permit for John R Road Improvements, Square Lake Road to South Boulevard – Project No. 02.204.5 – Parcel #28 – Sidwell #88-20-02-427-012 – Marguerite Kokanovich**

Suggested Resolution

Resolution #2008-02-

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for Public Purposes between Marguerite Kokanovich, owner of property having Sidwell #88-20-02-427-012, 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 \$52,800.00, 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 FURTHER RESOLVED, That Troy City Council hereby **ACCEPTS** the Regrading and Temporary Construction Permit in the amount of \$1,100.00 from Marguerite Kokanovich, owner of property having Sidwell #88-20-02-427-012; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to record the Warranty Deed and 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-7 Request for Acceptance of Regrading and Temporary Construction Permit, John R Road Improvements, Long Lake Road to Square Lake Road – Project No. 02.203.5 Parcel #11 – Sidwell #88-20-11-226-007- Wattles Square, Inc.**

Suggested Resolution  
Resolution #2008-02-

RESOLVED, That Troy City Council hereby **ACCEPTS** the Regrading and Temporary Construction Permit in the amount of \$750.00 from Wattles Square, Inc., owners of property having Sidwell #88-20-11-226-007; and

RESOLVED, That Troy City Council hereby **AGREES** to pay Wattles Square, Inc. an amount not to exceed \$750.00 for permission to use land for construction; and

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

---

**F-8 Request for Acceptance of Regrading and Temporary Construction Permit, John R Road Improvements, Long Lake Road to Square Lake Road – Project No. 02.203.5 Parcel #12 – Sidwell #88-20-11-226-006 – Garrett Family Limited Partnership**

Suggested Resolution  
Resolution #2008-02-

RESOLVED, That Troy City Council hereby **ACCEPTS** the Regrading and Temporary Construction Permit in the amount of \$750.00 from Garrett Family Limited Partnership, owners of property having Sidwell #88-20-11-226-006; and

RESOLVED, That Troy City Council hereby **AGREES** to pay Garrett Family Limited Partnership an amount not to exceed \$750.00 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-9 Request for Approval of Purchase Agreement and Acceptance of Regrading and Temporary Construction Permit, John R Road Improvements, Square Lake Road to South Boulevard – Project No. 02.204.5 – Parcel #53 – Sidwell #88-20-02-228-026 – Elena Minetos**

Suggested Resolution  
Resolution #2008-02-

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for Public Purposes between Elena Minetos, owner of property having Sidwell #88-20-02-228-026, 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 \$35,600.00, 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 FURTHER RESOLVED, That Troy City Council hereby **ACCEPTS** the Regrading and Temporary Construction Permit in the amount of \$100.00 from Elena Minetos, owner of property having Sidwell #88-20-02-228-026; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to record the Warranty Deed and 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-10 Request for Approval of Purchase Agreement, John R Road Improvements, Square Lake Road to South Boulevard – Project No. 02.204.5 – Parcel #49 – Sidwell #88-20-02-228-030 – Jack T. Crawford and Marlene L. Crawford**

Suggested Resolution

Resolution #2008-02-

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for Public Purposes between Jack T. Crawford, aka John T. Crawford and Marlene L. Crawford, owners of property having Sidwell #88-20-02-228-030, 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 \$23,700.00, 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-11 Application for Transfer of Class C License for Hari Om Restaurants, Inc.**

**(a) New License**

Suggested Resolution

Resolution #2008-02-

RESOLVED, That Troy City Council **CONSIDERS** for **APPROVAL** the request from Hari Om Restaurants, Inc., to transfer ownership of 2007 Class C licensed business from Paragon of Michigan, located at 2360 Rochester Ct, Troy, MI 48084, Oakland County; and

BE IT FURTHER RESOLVED, That it is the consensus of this legislative body that the application **BE RECOMMENDED** for issuance.

**(b) Agreement**

Suggested Resolution  
Resolution #2008-02-

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

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** an agreement with Hari Om Restaurants, Inc. to transfer ownership of 2007 Class C licensed business from Paragon of Michigan, located at 2360 Rochester Ct, Troy, MI 48084, Oakland County, and **AUTHORIZES** the Mayor and City Clerk to execute the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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**F-12 Request for Public Hearing on March 17, 2008 for Community Development Block Grant (CDBG) Program Year 2005 Reprogramming of Unexpended Funds**

Suggested Resolution  
Resolution #2008-02-

RESOLVED, That Troy City Council hereby **SCHEDULES** a Public Hearing on March 17, 2008 at 7:30 PM or as soon thereafter as the agenda will permit for the purpose of hearing public comments on the re-programming of Community Development Block Grant (CDBG) program year 2005 unexpended funds from the Flood Drain Improvements Project and CDBG Program Year 2005 unexpended funds from the Special Assessment Project to the Public Facilities and Improvements, Section 36 Park Improvement Project, and the addition of Public Facilities and Improvements, Section 36 Park Improvement Project, to the list of CDBG projects for 2005.

**MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:**

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

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**G-2 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:**

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**I-1 No Council Comments Advanced**

**REPORTS:**

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

- a) Civil Service Commission (Act 78)/Final – September 24, 2007
  - b) Youth Council/Final – November 28, 2007
  - c) Building Code Board of Appeals/Final – January 2, 2008
  - d) Ethnic Issues Advisory Board Minutes/Final – January 8, 2008
  - e) Liquor Advisory Committee/Final – January 14, 2008
  - f) Planning Commission Special/Study/Draft – January 22, 2008
  - g) Youth Council/Draft – January 23, 2008
  - h) Ethnic Issues Advisory Board/Draft – February 5, 2008
  - i) Planning Commission/Special/Study/Draft – February 5, 2008
  - j) Liquor Advisory Committee/Draft – February 11, 2008
  - k) Civil Service Commission (Act 78)/Draft – February 13, 2008
- 

**J-2 Department Reports:**

- a) Finance Department – City Council Expense Report – February, 2008
  - b) Building Department – Permits Issued During the Month of January, 2008
  - c) SOCRRA Quarterly Report – January, 2008
- 

**J-3 Letters of Appreciation:**

- a) Letter of Appreciation to Mayor Schilling from Raymond Mach, Comfort Craft Construction Company, Regarding the Exceptional Efforts of the Building Department
- 

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

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**J-5 Calendar**

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**J-6 Oakland County Drain Commissioner's 2007 Annual Report**

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**J-7 Communication from Parks and Recreation Director Carol Anderson Regarding Lloyd A. Stage Nature Center Donation**

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**J-8 Communication from City Attorney Lori Grigg Bluhm Regarding Blight Article in Public Corporation Law Quarterly**

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**J-9 Communication from Information Technology Director Gert Paraskevin Regarding Auction Computers and Computer Replacement**

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**J-10 Communication from Library Director Cathleen Russ and Museum Manager Loraine Campbell Regarding Troy Museum Hours of Operation**

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**J-11 Communication from City Attorney Lori Grigg Bluhm Regarding *People of the City of Troy v. Megan Nairne***

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**STUDY ITEMS:**

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**K-1** Next Steps in the Library Planning and Development Process**PUBLIC COMMENT:** Address of "K" Items

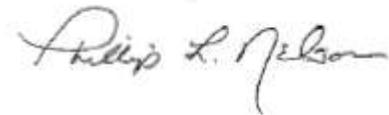
*Persons interested in addressing the City Council on items, which appear on the printed Agenda, will be allowed to do so at the time the item is discussed upon recognition by the Chair in accordance with the Rules of Procedure of the City Council, Article 16, during the Public Comment section under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

**CLOSED SESSION:**

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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, March 17, 2008

1. Community Development Block Grant (CDBG) Program Year 2005  
Reprogramming of Unexpended Funds (pending approval)

**SCHEDULED CITY COUNCIL MEETINGS:**

Wednesday, February 20, 2008 (Liquor Violation Hearing) ..... Regular City Council  
Monday, March 3, 2008..... Regular City Council  
Monday, March 17, 2008..... Regular City Council  
Monday, April 7, 2008..... Regular City Council  
Monday, April 21, 2008..... Regular City Council  
Monday, May 12, 2008 ..... Regular City Council  
Monday, May 19, 2008 ..... Regular City Council

**PROCLAMATION  
SENIOR HOME ASSISTANCE REPAIR PROGRAM (SHARP)  
FIRST ANNIVERSARY 2008**

**WHEREAS**, After Dave Taylor heard the story of his Big Beaver United Methodist Church Minister's visit to a shut-in who asked if he could change a light bulb for her, he had an idea that has now become a successful reality in Troy; and

**WHEREAS**, Dave's dream was to start a program to help seniors over the age of 60, regardless of income, by providing free labor with homeowners only having to pay for supplies. Working with Carla Vaughan, the senior coordinator with the Troy Parks and Recreation Department, the program took its initial steps; and

**WHEREAS**, A positive response clearly demonstrated the need for a City wide program so a partnership was established between Dave Taylor, his fellow church volunteers, Troy Parks and Recreation, and the Community Foundation of Troy. Together they developed an implementation plan and organizational structure and the **Senior Home Assistance Repair Program (SHARP)** to include seniors and homeowners with disabilities was officially launched in January 2007; and

**WHEREAS**, One year later, the program has exceeded all projections, fulfilling 304 requests for 197 homeowners by two dozen volunteers who receive heartwarming appreciation for their work in survey responses and testimonials; and

**WHEREAS**, In a true sense of community spirit, grants from the Community Foundation, and sponsorships from Home Depot and Trevarrow Hardware enabled the program to evolve. Combined with the generous donations from appreciative homeowners, the program reported a fund balance at the end of its first year; and

**WHEREAS**, As volunteer workers for the program, especially seniors, are willing to give their time and talents to this worthy effort and requests for help continues to come, **SHARP** is poised to continue its growth; and

**WHEREAS**, Testimonials on surveys reflect the positive response to SHARP, including one that sums it all up by saying "Not only the people who volunteer their services but the program itself should be recognized and honored in Troy. What a truly beneficial and worthwhile program this is. Thank you!"

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Troy does hereby proclaim the **Senior Home Assistance Repair Program** a success on its First Anniversary and encourages all citizens to express sincere appreciation to this organization and its supporters for their work on behalf of Troy seniors and homeowners with disabilities;

**BE IT FURTHER RESOLVED**, That the City Council encourages the citizens of this community to consider joining the ranks of our **SHARP** volunteers in order for the program to assist even more seniors and persons with disabilities in Troy.

Presented this 18<sup>th</sup> day of February 2008.



## CITY COUNCIL ACTION REPORT

February 18, 2008

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Agenda Item – Public Hearing – Michigan NextEnergy Exemptions

### Background:

- The Michigan Next Energy Authority (MNEA) was created by Public Act 549 of 2002. The Authority is charged with certifying alternative energy businesses, and alternative energy Personal Property.

Under provisions of the Act, alternative energy Personal Property (as certified by the local Assessor) purchased between 2002 and 2011 (since amended to extend to 2013) may be exempt from taxation through the process of eliminating all, or some, of the millages levied against its Taxable Value.

The Act provides that the local taxing authorities may 'opt out' of the exemption process by failure to pass a resolution approving the exemption at a public hearing, within sixty (60) days of receipt of the MNEA certifying resolution. (Local taxing authorities include: Transportation Authority, County, Intermediate Schools, Community College, City {township, village}, and Local Schools).

Compact Power, Ovonic Battery Company, and United Solar Ovonic Corp. have received certification from MNEA as alternative energy companies. They all have current Next Energy exemptions in Troy. They have applied for further exemptions of Personal Property totaling \$1,025,780 in Market Value.

United Solar Ovonic Corp. is at 1100 W. Maple. Ovonic Battery Company is at 1414 Combermere. Compact Power is at 1857 Technology Drive.

### Financial Considerations:

- As shown on the attached chart, the City of Troy's total exempted taxes for the six (6) years available to the companies is estimated at \$21,573.34, including administration fees. This amounts to \$3,595.56 per year.

These companies have exemptions dating back to the 2005 assessment year. All exempted taxes for the City of Troy, through 2013 now total \$81,960.69. (\$21,573.34 in 2008; \$13,018.96 in 2007; \$35,368.39 in 2006; and \$12,000.00 in 2005).

Legal Considerations:

- There are no legal considerations attached to this item.

Policy Considerations:

- This item is in keeping with City Council Goal #3 "*Retain and attract investment while encouraging redevelopment.*"

Options:

- City Council may continue to participate in the MNEA program by passing the suggested resolution, or City Council may 'opt out' of this exemption process by its failure to pass the suggested resolution.

**City of Troy - Assessing Department  
Estimated NextEnergy Exempt Tax Calculation**

Taxing Authority	Mills	Estimated Exempt Taxes 2008	Estimated Exempt Taxes 2009	Estimated Exempt Taxes 2010	Estimated Exempt Taxes 2011	Estimated Exempt Taxes 2012	Estimated Exempt Taxes 2013	Totals
City of TROY	9.2800	4,426.45	3,983.80	3,585.42	3,226.88	2,904.19	2,613.77	20,740.51
Admin Fee Troy	0.3831	33.39	30.05	27.05	24.34	21.91	19.72	156.47
Admin Fee Warren	0.3703	144.35	129.91	116.92	105.23	94.71	85.24	676.36
Transportation	0.5900	281.42	253.28	227.95	205.16	184.64	166.18	1,318.63
Oakland County	4.6461	2,216.13	1,994.52	1,795.07	1,615.56	1,454.00	1,308.60	10,383.89
Oakland Intermediate	3.3690	293.67	264.30	237.87	214.09	192.68	173.41	1,376.03
Macomb Intermediate	2.9430	1,147.24	1,032.51	929.26	836.34	752.70	677.43	5,375.48
Community College	1.5844	755.74	680.17	612.15	550.93	495.84	446.26	3,541.08
Troy School Debt	4.1300	360.01	324.01	291.61	262.45	236.20	212.58	1,686.85
Warren School Debt	3.2764	1,277.20	1,149.48	1,034.53	931.08	837.97	754.18	5,984.45
School Operating Troy	5.2856	460.74	414.67	373.20	335.88	302.29	272.06	2,158.84
School Operating Warren	5.9594	2,323.09	2,090.78	1,881.70	1,693.53	1,524.18	1,371.76	10,885.03
State Education	0.0000	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Totals by Year</b>		<b>13,719.43</b>	<b>12,347.49</b>	<b>11,112.74</b>	<b>10,001.46</b>	<b>9,001.32</b>	<b>8,101.19</b>	<b>64,283.62</b>
Est'd Taxable Value Troy SD	93,730	87,169	78,452	70,607	63,546	57,192	51,472	
Est'd Taxable Value Warren SD	419,160	389,819	350,837	315,753	284,178	255,760	230,184	
Total Est'd Taxable Value	512,890	476,988	429,289	386,360	347,724	312,952	281,656	
Market Value Exempted Troy	187,460	174,338	156,904	141,214	127,092	114,383	102,945	
Market Value Exempted Warren	838,320	779,638	701,674	631,506	568,356	511,520	460,368	
Total Market Value Exempted	1,025,780	953,975	858,578	772,720	695,448	625,903	563,313	
<b>Total Troy Exempted Taxes 6 Years</b>								<b>21,573.34</b>

01/21/08



MICHIGAN ECONOMIC DEVELOPMENT CORPORATION

January 11, 2008

1100 W MAPLE  
260 TROY

300 N. WASHINGTON SQ.  
LANSING, MI 48913

CUSTOMER  
ASSISTANCE CENTER  
517 373 9808

WWW.MICHIGAN.ORG

Mr. Leger A. Licari, Assessor  
City of Troy  
500 W. Big Beaver  
Troy, Michigan 48084

\$ 125,511.43

NOT EXEMPTED: \$50,200.00

Dear Mr. Licari:

EXECUTIVE COMMITTEE

MATTHEW P. CULLEN  
Chair  
General Motors

PHILIP H. POWER  
Vice-Chair  
The Center for Michigan, Inc.

JAMES C. EPOLITO  
President & CEO

RICHARD E. BLOUSE JR., CCE  
Detroit Regional Chamber

JOHN W. BROWN  
Stryker Corporation

DR. DAVID E. COLE  
Center for  
Automotive Research

KEITH W. COOLEY  
Michigan Department of Labor &  
Economic Growth

JOANN CRARY  
Saginaw Future Inc.

DR. HAIFA FAKHOURI  
Arab American and  
Chaldean Council

STEVEN K. HAMP  
Ford Motor Company

HAYDEN H. HARRIS  
EDF Ventures

PAUL HILLEGONDS  
DTE Energy Company

GEORGE JACKSON JR.  
Detroit Economic Growth  
Corporation

MICHAEL J. JANDERNOA  
Bridge Street Capital  
Partners, LLC.

BIRGIT M. KLOHS  
The Right Place, Inc.

F. THOMAS LEWAND  
Bodman LLP

DR. IRVIN D. REID  
Wayne State University

MICHAEL B. STAEBLER  
Pepper Hamilton LLP

DENNIS R. TOFFOLO  
Oakland County

PETER S. WALTERS  
Guardian Industries Corp.

The Michigan NextEnergy Authority (MNEA) is charged by law (Public Act 593 of 2002) with the certification of alternative energy technology businesses and alternative energy personal property (Public Act 549 of 2002). The MNEA is also charged with notifying the assessors and treasurers of the local tax collecting unit and the secretary of the school district, in which the property is located, of such certification.

The enclosed resolution, certifying the attached list of personal property of United Solar Ovonic, LLC as Alternative Energy Personal Property exempt from certain property taxes, was adopted at a meeting of the MNEA held on December 18, 2007. As indicated in the enclosed resolution, the maximum value of the exempted property located in City of Troy is \$175,711 and is subject to the assessor's concurrence.

City of Troy has sixty days from receipt of this letter in which to adopt a resolution to opt-out of the exemption of the alternative energy personal property from local personal property taxes.

The Troy Public Schools also have sixty days from receipt of this letter in which to adopt a resolution to opt out of specific school-related taxes levied against the personal property.

Personal property acquired by United Solar Ovonic, LLC prior to January 1, 2013 may be eligible for certification as Alternative Energy Personal Property by the MNEA in future years. City of Troy and the Troy Public Schools will be notified of any future certification and will have sixty days in which to adopt a resolution to opt-out of the exemption on that personal property.

If you have questions, please contact me at 517-373-9014.

Sincerely,

Peter C. Anastor  
Secretary to the MNEA Board

Enclosures



MICHIGAN ECONOMIC DEVELOPMENT CORPORATION

50 N. WASHINGTON SQ.  
ANSING, MI 48913

CUSTOMER  
ASSISTANCE CENTER  
17 373 9808

WWW.MICHIGAN.ORG

Michigan NextEnergy Authority (MNEA)

Certificate

Resolution 2007-11

United Solar Ovonic LLC

EXECUTIVE COMMITTEE

ATTHEW P. CULLEN  
Chair  
General Motors

HILIP H. POWER  
Vice-Chair  
The Center for Michigan, Inc.

JAMES C. EPOLITO  
President & CEO

RICHARD E. BLOUSE JR., CCE  
Detroit Regional Chamber

JOHN W. BROWN  
Stryker Corporation

R. DAVID E. COLE  
Center for  
Automotive Research

KEITH W. COOLEY  
Michigan Department of Labor &  
Economic Growth

DANN CRARY  
Saginaw Future Inc.

R. HAIFA FAKHOURI  
Arab American and  
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Ford Motor Company

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DTE Energy Company

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The Right Place, Inc.

THOMAS LEWAND  
Bodman LLP

R. IRVIN D. REID  
Wayne State University

MICHAEL B. STAEBLER  
Pepper Hamilton LLP

KENNIS R. TOFFOLO  
Oakland County

DEETER S. WALTERS  
Guardian Industries Corp.

I, Peter C. Anastor, Secretary to the MNEA Board, do hereby certify that the attached is a true and complete copy of a resolution adopted by the MNEA board at a meeting on December 18, 2007, and that public notice of said meeting was given pursuant to Act No. 24, Public Acts of Michigan, 1995, including the case of a special or rescheduled regular meeting, or a meeting recessed for more than 36 hours, notice by posting at least 18 hours prior to the time set for the meeting.

IN WITNESS WHEREOF, I have hereto affixed my signature this 7<sup>th</sup> day of January, A.D. 2008

Peter C. Anastor  
Secretary to the MNEA Board

  
Stacy Bowerman, Recording Secretary  
MNEA Board

**Resolution 2007-11**  
**Michigan NextEnergy Authority**

**United Solar Ovonic, LLC**

At the meeting of the Michigan NextEnergy Authority (MNEA) held on December 18, 2007 in Lansing, Michigan.

WHEREAS, United Solar Ovonic, LLC (the "Company"), EIN 38-3529885, is a business entity located at 3800 Lapeer Road, Auburn Hills, Michigan 48326, that also has property located at 2705 Commerce Parkway, Auburn Hills, Michigan 48326, and 1100 West Maple Road, Troy, Michigan 48084,

WHEREAS, on December 16, 2003, the Company was certified as an Alternative Energy Technology Business under the Michigan NextEnergy Authority Act, 2002 PA 593,

WHEREAS, an officer of the Company has certified in writing that the Company continues to be engaged solely in the research, development or manufacturing of the alternative energy technology described as the process of generating and putting into usable form the energy generated by an alternative energy system,

WHEREAS, the alternative energy technology is related to the alternative energy system known as a photovoltaic energy system,

WHEREAS, all personal property of an Alternative Energy Technology Business that has not previously been subject to collection of taxes, and has not previously been exempted from taxes, under the general property tax act is eligible for certification,

WHEREAS, the Company has provided a list of such property acquired, or to be acquired, in calendar year 2007 valued at \$4,113,198 that is attached to this resolution,

BE IT RESOLVED, that the MNEA certifies that United Solar Ovonic, LLC's personal property as listed on the attached schedule is Alternative Energy Personal Property and is exempt from taxes levied before January 1, 2013, provided that the local Assessor determines that the property listed:

- 1) is properly classified as personal rather than real property,
- 2) has not been previously subject to taxation under the general property tax act, and
- 3) has not previously been exempted from taxes under the general property tax act.

BE IT FURTHER RESOLVED that notices of these certifications will be forwarded to the Company, the secretary of the local school district, and the treasurer and assessor of the local tax collecting unit in which the Company and the Alternative Energy Personal Property are located.

ADOPTED:

AYES: Faye Alexander Nelson, Keith Cooley, Jim Epolito, Baldomero Garcia, and Andrew Lockwood (acting on behalf of Robert Kleine, authorization attached)

NAYS:

December 18, 2007  
Lansing, Michigan

### 2007 Alternative Energy Technology Business Personal Property Listing

Issued Under Authority of P.A. 593 of 2002, as Amended. Filing is Mandatory to Request an Exemption on Alternative Energy Personal Property.

This completed form must be received by Michigan NextEnergy Authority no later than 11/01/2007.

If personal property is located in multiple townships, villages and/or cities, submit an Exempt Personal Property Information Attachment for each township, village or city.  
If personal property is located in more than one school district within the same township, village or city, submit an Exempt Personal Property Information Attachment for each school district.

The information you provide in this Personal Property Listing is subject to audit and verification by the Authority and/or its designee. To be exempt from assessment under the General Property Tax Act (PA 206 of 1993), the personal property listed on this form must, except as provided in section 9c or 9l of the Act:

Be the personal property of the Certified Alternative Energy Technology Business filing the form - and -

Be subject to assessor's approval - and

Not have been previously subject to the collection of taxes under the General Property Tax Act - and -

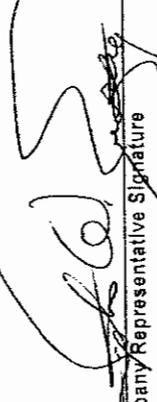
Not have been previously exempt from the collection of taxes under the General Property Tax Act.

Questions?? Contact Michigan NextEnergy Authority. (517) 373-9014.

<b>Alternative Energy Technology Business (AETB) General Information</b>	
Business Name:	United Solar Ovonic LLC
Mailing Address:	3800 Lapeer Road, Auburn Hills MI 48326
Contact Person Name:	Stephan Zumsteg
Contact Person Phone No. (NNN) NNN-NNNN):	(248) 475-0100
Contact Person Email Address:	szumsteg@uni-solar.com
Taxpayer EIN:	38-3529885

I certify that all the information contained in this Personal Property Listing and all attachments is true and correct to the best of my knowledge. Also, I am an officer of the company and/or authorized to sign the company's tax returns.

Stephan Zumsteg, VP & CFO  
Company Representative Printed Name and Title

  
Company Representative Signature

10/29/07  
Date Signed

This completed form must be received by Michigan NextEnergy Authority no later than 11/01/2007

Forward the original completed, signed Personal Property Listing and all attachments to:

Michigan Economic Development Corporation  
Michigan NextEnergy Authority  
300 N. Washington Sq.  
Lansing, MI 48913-0001

Michigan NextEnergy Authority  
**2007 Alternative Energy Technology Business Personal Property Listing**  
**Exempt Personal Property Information Attachment**

If personal property is located in multiple townships, villages and/or cities,  
 submit an Exempt Personal Property Information Attachment for each township, village or city.

If personal property is located in more than one school district within the same township, village or city,  
 submit an Exempt Personal Property Information Attachment for each school district.

Business Name: <b>United Solar Ovonic LLC</b>	Troy
School District Where Personal Property Listed on This Form Will Be Located on 12/31/2007:	

Date Acquired	Street Address Where Property is Located	Description	Serial No.	New or Used*	Original Cost, Installed, including Sales Tax and Freight
1/22/07	1100 West Maple Road Troy, MI 48084	Telephone Upgrade	N/A	New	5,816.67
2/1/07	1100 West Maple Road Troy, MI 48084	DK100 Vacuum	60001281	New	5,300.00
3/30/07	1100 West Maple Road Troy, MI 48084	Cesar Generator	640000060000003	New	8,779.69
5/11/07	1100 West Maple Road Troy, MI 48084	Flow Meter & Transmitter	701804507	New	7,700.00
8/29/07	1100 West Maple Road Troy, MI 48084	30 Ton Chiller	807702313	New	52,778.00
9/21/07	1100 West Maple Road Troy, MI 48084	Reflection Probe	100-240-V12VDC-1A	New	7,094.00
7/14/07	1100 West Maple Road Troy, MI 48084	Production Machine Tooling	Various	New	32,305.00

\* If Personal Property is used (not new), attach an additional sheet listing the specifics of the acquisition, including property's previous location (city, township, etc.).

Continued on Page 2

**Submit this Attachment with the corresponding 2007  
 Alternative Energy Technology Business Personal  
 Property Listing. Do not submit this page separately.**

Michigan NextEnergy Authority  
**2007 Alternative Energy Technology Business Personal Property Listing**  
**Exempt Personal Property Information Attachment**

If personal property is located in multiple townships, villages and/or cities,  
 submit an Exempt Personal Property Information Attachment for each township, village or city.

If personal property is located in more than one school district within the same township, village or city,  
 submit an Exempt Personal Property Information Attachment for each school district.

Business Name: United Solar Ovonic LLC School District Where Personal Property Located on This Form Will Be Located on 12/31/2007: Troy

Date Acquired	Street Address Where Property is Located	Description	Serial No.	New or Used*	Original Cost, Installed, Including Sales Tax and Freight
9/30/07	1100 West Maple Road Troy, MI 48084	Office Upgrade	-None-	New	5,738.07
TBD	1100 West Maple Road Troy, MI 48084	Anticipated Purchases thru 12/31/2007 ←	-None- NO →	New	50,200.00
			1100 West Maple Road Location Total		175,711.43
			(page 2 of 2)		
			ACCEPTABLE		125,511.43

\* If Personal Property is used (not new), attach an additional sheet listing the specifics of the acquisition, including property's previous location (city, township, etc.).

Submit this Attachment with the corresponding 2007  
 Alternative Energy Technology Business Personal  
 Property Listing. Do not submit this page separately.



STATE OF MICHIGAN  
DEPARTMENT OF TREASURY  
LANSING

JENNIFER M. GRANHOLM  
GOVERNOR

ROBERT J. KLEINE  
STATE TREASURER

December 18, 2007

Michigan Next Energy Authority  
300 North Washington Square  
Lansing, MI 48913

To Whom It May Concern:

I hereby designate Andrew Lockwood, Tax Analysis Division, Department of Treasury, to represent me at the Michigan Next Energy Authority Board meetings, which I am unable to attend.

Sincerely,

A handwritten signature in cursive script that reads "Robert J. Kleine".

Robert J. Kleine  
State Treasurer



MICHIGAN ECONOMIC DEVELOPMENT CORPORATION

January 11, 2008

1414 COMBERMERE  
260 TROY  
\$ 61,948.50

300 N. WASHINGTON SQ.  
LANSING, MI 48913

CUSTOMER  
ASSISTANCE CENTER  
517 373 9808

WWW.MICHIGAN.ORG

Mr. Leger A. Licari, Assessor  
City of Troy  
500 W. Big Beaver  
Troy, Michigan 48084

Dear Mr. Licari:

The Michigan NextEnergy Authority (MNEA) is charged by law (Public Act 593 of 2002) with the certification of alternative energy technology businesses and alternative energy personal property (Public Act 549 of 2002). The MNEA is also charged with notifying the assessors and treasurers of the local tax collecting unit and the secretary of the school district, in which the property is located, of such certification.

The enclosed resolution, certifying the attached list of personal property of Ovonc Battery Company as Alternative Energy Personal Property exempt from certain property taxes, was adopted at a meeting of the MNEA held on December 18, 2007. As indicated in the enclosed resolution, the maximum value of the exempted property located in City of Troy is \$61,949 and is subject to the assessor's concurrence.

City of Troy has sixty days from receipt of this letter in which to adopt a resolution to opt-out of the exemption of the alternative energy personal property from local personal property taxes.

The Troy Public Schools also have sixty days from receipt of this letter in which to adopt a resolution to opt out of specific school-related taxes levied against the personal property.

Personal property acquired by Ovonc Battery Company prior to January 1, 2013 may be eligible for certification as Alternative Energy Personal Property by the MNEA in future years. City of Troy and the Troy Public Schools will be notified of any future certification and will have sixty days in which to adopt a resolution to opt-out of the exemption on that personal property.

If you have questions, please contact me at 517-373-9014.

Sincerely,

Peter C. Anastor  
Secretary to the MNEA Board

Enclosures

EXECUTIVE COMMITTEE

MATTHEW P. CULLEN  
Chair  
General Motors

PHILIP H. POWER  
Vice-Chair  
The Center for Michigan, Inc.

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President & CEO

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Saginaw Future Inc.

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Bodman LLP

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Wayne State University

MICHAEL B. STAEBLER  
Pepper Hamilton LLP

DENNIS R. TOFFOLO  
Oakland County

PETER S. WALTERS  
Guardian Industries Corp.



MICHIGAN ECONOMIC DEVELOPMENT CORPORATION

30 N. WASHINGTON SQ.  
ANN ARBOR, MI 48103

CUSTOMER ASSISTANCE CENTER  
17 373 9808

WWW.MICHIGAN.ORG

Michigan NextEnergy Authority (MNEA)

Certificate

Resolution 2007-09

Ovonic Battery Company

EXECUTIVE COMMITTEE

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Vice-Chair  
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JAMES C. EPOLITO  
President & CEO

RICHARD E. BLOUSE JR., CCE  
Detroit Regional Chamber

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Stryker Corporation

R. DAVID E. COLE  
Center for  
Automotive Research

EITH W. COOLEY  
Michigan Department of Labor &  
Economic Growth

DANN CRARY  
Saginaw Future Inc.

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Arab American and  
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Bodman LLP

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Wayne State University

MICHAEL B. STAEBLER  
Pepper Hamilton LLP

ENNIS R. TOFFOLO  
Oakland County

ETER S. WALTERS  
Guardian Industries Corp.

I, Peter C. Anastor, Secretary to the MNEA Board, do hereby certify that the attached is a true and complete copy of a resolution adopted by the MNEA board at a meeting on December 18, 2007, and that public notice of said meeting was given pursuant to Act No. 24, Public Acts of Michigan, 1995, including the case of a special or rescheduled regular meeting, or a meeting recessed for more than 36 hours, notice by posting at least 18 hours prior to the time set for the meeting.

IN WITNESS WHEREOF, I have hereto affixed my signature this 7<sup>th</sup> day of January, A.D. 2008

Peter C. Anastor  
Secretary to the MNEA Board

Stacy Bowerman, Recording Secretary  
MNEA Board

**Resolution 2007-09**  
**Michigan NextEnergy Authority**

**Ovonic Battery Company, Inc.**

At the meeting of the Michigan NextEnergy Authority (MNEA) held on December 18, 2007 in Lansing, Michigan.

WHEREAS, Ovonic Battery Company, Inc. (the "Company"), EIN 38-3017723, is a business entity located at 2956 Waterview Drive, Rochester Hills, Michigan 48309, that has property located at 2968 Waterview Drive, Rochester Hills, Michigan 48309 and 1414 Combermere, Troy, Michigan 48084,

WHEREAS, on December 16, 2003, the Company was certified as an Alternative Energy Technology Business under the Michigan NextEnergy Authority Act, 2002 PA 593,

WHEREAS, an officer of the Company has certified in writing that the Company continues to be engaged solely in the research, development or manufacturing of the alternative energy technology described as the process of generating and putting into usable form the energy generated by an alternative energy system,

WHEREAS, the alternative energy technology is related to two alternative energy systems; battery cell energy systems and fuel cell energy systems,

WHEREAS, all personal property of an Alternative Energy Technology Business that has not previously been subject to collection of taxes, and has not previously been exempted from taxes, under the general property tax act is eligible for certification,

WHEREAS, the Company has provided a list of such property acquired, or to be acquired, in calendar year 2007 valued at \$96,038 that is attached to this resolution,

BE IT RESOLVED, that the MNEA certifies that Ovonic Battery Company, Inc. property as listed on the attached schedule is Alternative Energy Personal Property and is exempt from taxes levied before January 1, 2013, provided that the local Assessor determines that the property listed:

- 1) is properly classified as personal rather than real property
- 2) has not been previously subject to taxation under the general property tax act, and
- 3) has not previously been exempted from taxes under the general property tax act.

BE IT FURTHER RESOLVED that notice of these certifications will be forwarded to the Company, the secretary of the local school district, and the treasurer and assessor of the local tax collecting unit in which the Company and the Alternative Energy Personal Property are located.

ADOPTED:

AYES: Faye Alexander Nelson, Keith Cooley, Jim Epolito, Baldomero Garcia, and Andrew Lockwood (acting on behalf of Robert Kleine, authorization attached)

NAYS:

December 18, 2007  
Lansing, Michigan

### 2007 Alternative Energy Technology Business Personal Property Listing

Issued Under Authority of P.A. 593 of 2002, as Amended. Filing is Mandatory to Request an Exemption on Alternative Energy Personal Property.

This completed form must be received by Michigan NextEnergy Authority no later than 11/01/2007.

If personal property is located in multiple townships, villages and/or cities, submit an Exempt Personal Property Information Attachment for each township, village or city. If personal property is located in more than one school district within the same township, village or city, submit an Exempt Personal Property Information Attachment for each school district.

The information you provide in this Personal Property Listing is subject to audit and verification by the Authority and/or its designee. To be exempt from assessment under the General Property Tax Act (PA 206 of 1893), the personal property listed on this form must, except as provided in section 9c or 9l of the Act:

- Be the personal property of the Certified Alternative Energy Technology Business filing the form - and -
- Be subject to assessor's approval - and
- Not have been previously subject to the collection of taxes under the General Property Tax Act - and -
- Not have been previously exempt from the collection of taxes under the General Property Tax Act.

Questions?? Contact Michigan NextEnergy Authority, (517) 373-9014.

<b>Alternative Energy Technology Business (AETB) General Information</b>			
Business Name: Ovonic Battery Company	City:	Taxpayer EIN: 38-3017723	Zip Code: 48309
Mailing Address: 2956 Waterview Drive Marla Callaghan	Rochester Hills 248.299.6006	State: MI	Contact Person Email Address: mcallaghan@ovonic.com
Contact Person Name: Marla Callaghan	Contact Person Phone No. (NNN)NNN-NNNN: 248.299.6006	Contact Person Email Address: mcallaghan@ovonic.com	

I certify that all the information contained in this Personal Property Listing and all attachments is true and correct to the best of my knowledge. Also, I am an officer of the company and/or authorized to sign the company's tax returns.

This completed form must be received by Michigan NextEnergy Authority no later than 11/01/2007

Forward the original completed, signed Personal Property Listing and all attachments to:

Sanjeev Kumar, Vice President & Chief Financial Officer  
Company Representative Printed Name and Title

Michigan Economic Development Corporation  
Michigan NextEnergy Authority  
300 N. Washington Sq.  
Lansing, MI 48913-0001

OVONIC BATTERY COMPANY, INC.  
ALTERNATIVE ENERGY TECHNOLOGY

ADDRESS: 2956 WATERVIEW DRIVE  
ATTN: Maria Callaghan  
ROCHESTER HILLS, MI 48309  
FEIN 38-3017723

ATTACHMENT TO THE 2007 ALTERNATE ENERGY TECHNOLOGY BUSINESS PROPERTY LISTING

<u>Date Acquired</u>	<u>Plant</u>	<u>Description</u>	<u>Serial #</u>	<u>New/Used</u>	<u>Cost</u>	<u>Tag #</u>	<u>Account</u>	<u>FAS #</u>
CIP	5	STORAGE TANKS AND MIXERS		N	32,649.50		MACH&EQUIP	
CIP	5	STORAGE TANKS ACCESS PLATFORM		N	9,680.00		MACH&EQUIP	
CIP	5	BOILER		N	19,619.00		MACH&EQUIP	

TOTAL CALENDAR YEAR 2007 ADDITIONS 61,948.50

PLANT 5 1414 COMBERMERE TROY, MI 48084



STATE OF MICHIGAN  
DEPARTMENT OF TREASURY  
LANSING

JENNIFER M. GRANHOLM  
GOVERNOR

ROBERT J. KLEINE  
STATE TREASURER

December 18, 2007

Michigan Next Energy Authority  
300 North Washington Square  
Lansing, MI 48913

To Whom It May Concern:

I hereby designate Andrew Lockwood, Tax Analysis Division, Department of Treasury, to represent me at the Michigan Next Energy Authority Board meetings, which I am unable to attend.

Sincerely,

A handwritten signature in cursive script that reads "Robert J. Kleine".

Robert J. Kleine  
State Treasurer



MICHIGAN ECONOMIC DEVELOPMENT CORPORATION

January 11, 2008

1857 TECHNOLOGY  
750 WARREN

300 N. WASHINGTON SQ.  
LANSING, MI 48913

CUSTOMER  
ASSISTANCE CENTER  
517 373 9808

WWW.MICHIGAN.ORG

Mr. Leger A. Licari, Assessor  
City of Troy  
500 W. Big Beaver  
Troy, Michigan 48084

\$ 838,322.09

Dear Mr. Licari:

The Michigan NextEnergy Authority (MNEA) is charged by law (Public Act 593 of 2002) with the certification of alternative energy technology businesses and alternative energy personal property (Public Act 549 of 2002). The MNEA is also charged with notifying the assessors and treasurers of the local tax collecting unit and the secretary of the school district, in which the property is located, of such certification.

The enclosed resolution, certifying the attached list of personal property of Compact Power, Inc. as Alternative Energy Personal Property exempt from certain property taxes, was adopted at a meeting of the MNEA held on December 18, 2007. As indicated in the enclosed resolution, the maximum value of the exempted property located in City of Troy is \$838,322 and is subject to the assessor's concurrence.

City of Troy has sixty days from receipt of this letter in which to adopt a resolution to opt-out of the exemption of the alternative energy personal property from local personal property taxes.

The Troy Public Schools also have sixty days from receipt of this letter in which to adopt a resolution to opt out of specific school-related taxes levied against the personal property.

Personal property acquired by Compact Power, Inc. prior to January 1, 2013 may be eligible for certification as Alternative Energy Personal Property by the MNEA in future years. City of Troy and the Troy Public Schools will be notified of any future certification and will have sixty days in which to adopt a resolution to opt-out of the exemption on that personal property.

If you have questions, please contact me at 517-373-9014.

Sincerely,

Peter C. Anastor  
Secretary to the MNEA Board

Enclosures

EXECUTIVE COMMITTEE

MATTHEW P. CULLEN  
Chair  
General Motors

PHILIP H. POWER  
Vice-Chair  
The Center for Michigan, Inc.

JAMES C. EPOLITO  
President & CEO

RICHARD E. BLOUSE JR., CCE  
Detroit Regional Chamber

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Michigan Department of Labor &  
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DTE Energy Company

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Detroit Economic Growth  
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Bridge Street Capital  
Partners, LLC.

BIRGIT M. KLOHS  
The Right Place, Inc.

F. THOMAS LEWAND  
Bodman LLP

DR. IRVIN D. REID  
Wayne State University

MICHAEL B. STAEBLER  
Pepper Hamilton LLP

DENNIS R. TOFFOLO  
Oakland County

PETER S. WALTERS  
Guardian Industries Corp.



**MICHIGAN ECONOMIC DEVELOPMENT CORPORATION**

600 N. WASHINGTON SQ.  
ANN ARBOR, MI 48103

CUSTOMER  
ASSISTANCE CENTER  
(734) 373-9808

WWW.MICHIGAN.ORG

**Michigan NextEnergy Authority (MNEA)**

**Certificate**

**Resolution 2007-07**

**Compact Power**

**EXECUTIVE COMMITTEE**

MATTHEW P. CULLEN  
Chair  
General Motors

HILIP H. POWER  
Vice-Chair  
The Center for Michigan, Inc.

JAMES C. EPOLITO  
President & CEO

RICHARD E. BLOUSE JR., CCE  
Detroit Regional Chamber

JOHN W. BROWN  
Stryker Corporation

R. DAVID E. COLE  
Center for  
Automotive Research

KEITH W. COOLEY  
Michigan Department of Labor &  
Economic Growth

DANN CRARY  
Saginaw Future Inc.

R. HAIFA FAKHOURI  
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Ford Motor Company

RYDEN H. HARRIS  
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The Right Place, Inc.

THOMAS LEWAND  
Bedman LLP

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Wayne State University

MICHAEL B. STAEBLER  
Pepper Hamilton LLP

ENNIS R. TOFFOLO  
Oakland County

DETER S. WALTERS  
Guardian Industries Corp.

I, Peter C. Anastor, Secretary to the MNEA Board, do hereby certify that the attached is a true and complete copy of a resolution adopted by the MNEA board at a meeting on December 18, 2007, and that public notice of said meeting was given pursuant to Act No. 24, Public Acts of Michigan, 1995, including the case of a special or rescheduled regular meeting, or a meeting recessed for more than 36 hours, notice by posting at least 18 hours prior to the time set for the meeting.

IN WITNESS WHEREOF, I have hereto affixed my signature this 7<sup>th</sup> day of January, A.D. 2008

Peter C. Anastor  
Secretary to the MNEA Board

Stacy Boweman, Recording Secretary  
MNEA Board

**Resolution 2007-07**  
**Michigan NextEnergy Authority**

**Compact Power, Inc.**

At the meeting of the Michigan NextEnergy Authority (MNEA) held on December 18, 2007 in Lansing, Michigan.

WHEREAS, Compact Power, Inc. (the "Company"), EIN 84-1563669, is a business entity located at 1857 Technology Drive, Troy, Michigan 48083,

WHEREAS, on December 20, 2005, the Company was certified as an Alternative Energy Technology Business under the Michigan NextEnergy Authority Act, 2002 PA 593,

WHEREAS, an officer of the Company has certified in writing that the Company continues to be engaged solely in the research, development or manufacturing of the alternative energy technology described as the process of generating and putting into usable form the energy generated by an alternative energy system,

WHEREAS, the alternative energy technology is related to the alternative energy system known as a battery cell energy system,

WHEREAS, all personal property of an Alternative Energy Technology Business that has not previously been subject to collection of taxes, and has not previously been exempted from taxes, under the general property tax act is eligible for certification,

WHEREAS, the Company has provided a list of such property acquired, or to be acquired, in calendar year 2007 valued at \$838,322 that is attached to this resolution,

BE IT RESOLVED, that the MNEA certifies that Compact Power, Inc. is an Alternative Energy Technology Business and that the property listed on the attached schedule is certified as Alternative Energy Personal Property and is exempt from taxes levied before January 1, 2013, provided that the local Assessor determines that the property listed:

- 1) is properly classified as personal rather than real property
- 2) has not been previously subject to taxation under the general property tax act, and
- 3) has not previously been exempted from taxes under the general property tax act.

BE IT FURTHER RESOLVED that notice of these certifications will be forwarded to the Company, the secretary of the local school district, and the treasurer and assessor of the local tax collecting unit in which the Company and the Alternative Energy Personal Property are located.

ADOPTED:

AYES: Faye Alexander Nelson, Keith Cooley, Jim Epolito, Baldomero Garcia, and Andrew Lockwood (acting on behalf of Robert Kleine, authorization attached)

NAYS:

December 18, 2007  
Lansing, Michigan

**Michigan NextEnergy Authority**  
**2007 Alternative Energy Technology Business Personal Property Listing**

Issued Under Authority of P.A. 593 of 2002, as Amended. Filing is Mandatory to Request an Exemption on Alternative Energy Personal Property.

**This completed form must be received by Michigan NextEnergy Authority no later than 11/01/2007.**

If personal property is located in multiple townships, villages and/or cities, submit an Exempt Personal Property Information Attachment for each township, village or city.  
 If personal property is located in more than one school district within the same township, village or city, submit an Exempt Personal Property Information Attachment for each school district.

The information you provide in this Personal Property Listing is subject to audit and verification by the Authority and/or its designee. To be exempt from assessment under the General Property Tax Act (PA 206 of 1893), the personal property listed on this form must, except as provided in section 9c or 9i of the Act:

- Be the personal property of the Certified Alternative Energy Technology Business filing the form - and -
- Be subject to assessor's approval - and
- Not have been previously subject to the collection of taxes under the General Property Tax Act - and -
- Not have been previously exempt from the collection of taxes under the General Property Tax Act.

Questions?? Contact Michigan NextEnergy Authority, (517) 373-9014.

<b>Alternative Energy Technology Business (AETB) General Information</b>			
Business Name: <b>Compact Power, Inc.</b>	City: <b>TROY</b>	Contact Person Phone No. (NNN) NNN-NNNN: <b>248-291-2385</b>	Taxpayer EIN: <b>84-1563669</b>
Mailing Address: <b>1857 TECHNOLOGY DRIVE</b>	State: <b>MI</b>	Contact Person Email Address: <b>KARAZIANI@compactpower.com</b>	Zip Code: <b>48083</b>
Contact Person Name: <b>KEVIN GRAZIANI</b>			

I certify that all the information contained in this Personal Property Listing and all attachments is true and correct to the best of my knowledge. Also, I am an officer of the company and/or authorized to sign the company's tax returns.

This completed form must be received by Michigan NextEnergy Authority no later than 11/01/2007

Forward the original completed, signed Personal Property Listing and all attachments to:

Michigan Economic Development Corporation  
 Michigan NextEnergy Authority  
 300 N. Washington Sq.  
 Lansing, MI 48913-0001

**KEVIN GRAZIANI - CONTROLLER**  
 Company Representative Printed Name and Title

  
 Company Representative Signature

10/18/07  
 Date Signed

Michigan NextEnergy Authority  
**2007 Alternative Energy Technology Business Personal Property Listing**  
**Exempt Personal Property Information Attachment**

If personal property is located in multiple townships, villages and/or cities,  
 submit an Exempt Personal Property Information Attachment for each township, village or city.

If personal property is located in more than one school district within the same township, village or city,  
 submit an Exempt Personal Property Information Attachment for each school district.

Business Name: COMPACT POWER, INC. School District Where Personal Property Listed on This Form Will Be Located on 12/31/2007: TROY

Date Acquired	Street Address Where Property is Located	Description	Serial No.	New or Used*	Original Cost, Installed, Including Sales Tax and Freight
	SEE ATTACHED				

\* If Personal Property is used (not new), attach an additional sheet listing the specifics of the acquisition, including property's previous location (city, township, etc.).

Submit this Attachment with the corresponding 2007 Alternative Energy Technology Business Personal Property Listing. Do not submit this page separately.

**Michigan Next Energy Authority  
2007 Alternative Energy Technology Business Personal Property Listing  
Exempt Personal Property Information Attachment**

**Business Name:** Compact Power, Inc.  
**School District:** Troy School District  
**Computer Equipment**

<u>Date Acquired</u>	<u>Street Address Where Property is Located</u>	<u>Description</u>	<u>Serial No. (Note 1)</u>	<u>New or Used</u>	<u>Cost</u>
2/20/2007	1857 Technology Drive, Troy, MI 48083	AccuRev Enterprise Edition	CE21	New When Purchased	14,950.00
2/20/2007	1857 Technology Drive, Troy, MI 48083	Computer Hardware-Tower Server	CE22	New When Purchased	6,602.22
3/20/2007	1857 Technology Drive, Troy, MI 48083	Computer Hardware	CE23	New When Purchased	1,330.80
2/16/2007	1857 Technology Drive, Troy, MI 48083	Upgrade SolidWorks to SolidWorks Office Professional	CE24	New When Purchased	1,750.00
4/3/2007	1857 Technology Drive, Troy, MI 48083	HP Compaq dc5700 Microtower/HP BIOS Microsoft Office Ultra Pack 3.0	CE25	New When Purchased	1,299.01
4/12/2007	1857 Technology Drive, Troy, MI 48083	HP Compaq dc5700 Microtower/HP BIOS Microsoft Office	CE26	New When Purchased	1,395.00
6/14/2007	1857 Technology Drive, Troy, MI 48083	HP Compaq nx7400 Notebook PC	CE27	New When Purchased	1,318.01
5/23/2007	1857 Technology Drive, Troy, MI 48083	(2) HP Compaq nc8430 Notebook PC	CE28	New When Purchased	1,978.77
7/16/2007	1857 Technology Drive, Troy, MI 48083	SolidWorks 2007 Office Professional Network	CE29	New When Purchased	5,228.55
6/30/2007	1857 Technology Drive, Troy, MI 48083	HP Compaq 6510b/nc8430 Notebooks (2) HP Workstation .xw6400	CE30	New When Purchased	7,495.00
8/2/2007	1857 Technology Drive, Troy, MI 48083	(2) SolidWorks 2007 Office Professional Network PK 166-Professional Developer's Kit	CE31	New When Purchased	10,663.61
8/31/2007	1857 Technology Drive, Troy, MI 48083	(2) HP Workstation .xw6400	CE32	New When Purchased	5,136.76
9/14/2007	1857 Technology Drive, Troy, MI 48083	(2) SolidWorks 2007 Office Professional Network	CE33	New When Purchased	15,723.00
9/14/2007	1857 Technology Drive, Troy, MI 48083	PK 166-Professional Developer's Kit	CE34	New When Purchased	3,524.50
10/2/2007	1857 Technology Drive, Troy, MI 48083	Higher Level Laptop	CPI Control No. Pending	New When Purchased	1,772.53
10/11/2007	1857 Technology Drive, Troy, MI 48083	Mid Level Laptop	CPI Control No. Pending	New When Purchased	1,665.54
10/17/2007	1857 Technology Drive, Troy, MI 48083	(3) HP Workstation	CPI Control No. Pending	New When Purchased	1,477.48
Planned in 2007	1857 Technology Drive, Troy, MI 48083			Plan to Purchase New	10,000.00

**93,311.78**

**Note 1 All items to be assigned CPI Control Number by December 31, 2007**

**Michigan Next Energy Authority**  
**2007 Alternative Energy Technology Business Personal Property Listing**  
**Exempt Personal Property Information Attachment**

**Business Name:** Compact Power, Inc.  
**School District:** Troy School District  
**Development Lab**

<u>Date Acquired</u>	<u>Street Address Where Property is Located</u>	<u>Description</u>	<u>Serial No. (Note 1)</u>	<u>New or Used</u>	<u>Cost</u>
1/1/2007	1857 Technology Drive, Troy, MI 48083	ESD Bench	DL25	New When Purchased	2,285.25
1/23/2007	1857 Technology Drive, Troy, MI 48083	Rectangular Block Horn	DL26	New When Purchased	3,750.00
1/18/2007	1857 Technology Drive, Troy, MI 48083	American P International Smart-UPS	DL27	New When Purchased	1,109.91
1/24/2007	1857 Technology Drive, Troy, MI 48083	Install Arbin Battery Cycler	DL13	New When Purchased	8,492.00
2/27/2007	1857 Technology Drive, Troy, MI 48083	Ultrasonic Clean Station	DL28	New When Purchased	3,070.00
3/8/2007	1857 Technology Drive, Troy, MI 48083	EMC Analyzer	DL21	New When Purchased	5,586.74
6/22/2007	1857 Technology Drive, Troy, MI 48083	Welder	DL29	New When Purchased	36,638.41
6/29/2007	1857 Technology Drive, Troy, MI 48083	Battery Cycler ABC-170	DL30	New When Purchased	150,500.00
9/20/2007	1857 Technology Drive, Troy, MI 48083	DC Power Supply	DL31	New When Purchased	2,205.00
Planned in 2007	1857 Technology Drive, Troy, MI 48083	Vibration Table-Multi Axis	CPI Control No. Pending	Plan to Purchase New	45,000.00
Planned in 2007	1857 Technology Drive, Troy, MI 48083	Remote Testing (Laptops, Telemetry...)	CPI Control No. Pending	Plan to Purchase New	5,000.00
Planned in 2007	1857 Technology Drive, Troy, MI 48083	Failure Analysis Digital Microscope	CPI Control No. Pending	Plan to Purchase New	40,000.00
Planned in 2007	1857 Technology Drive, Troy, MI 48083	He Leak Tester	CPI Control No. Pending	Plan to Purchase New	40,000.00
Planned in 2007	1857 Technology Drive, Troy, MI 48083	X-Y Laser Cutter	CPI Control No. Pending	Plan to Purchase New	25,000.00
Planned in 2007	1857 Technology Drive, Troy, MI 48083	Rotex Turret Punch	CPI Control No. Pending	Plan to Purchase New	12,000.00
Planned in 2007	1857 Technology Drive, Troy, MI 48083	Thermal Chamber	CPI Control No. Pending	Plan to Purchase New	35,000.00
Planned in 2007	1857 Technology Drive, Troy, MI 48083	Multichannel Cycler	CPI Control No. Pending	Plan to Purchase New	245,000.00
Planned in 2007	1857 Technology Drive, Troy, MI 48083	Thermal Validation Equipment	CPI Control No. Pending	Plan to Purchase New	50,000.00

**710,622.31**

Note 1 All items to be assigned CPI Control Number by December 31, 2007

**Michigan Next Energy Authority**  
**2007 Alternative Energy Technology Business Personal Property Listing**  
**Exempt Personal Property Information Attachment**

**Business Name:** Compact Power, Inc.  
**School District:** Troy School District  
**Office Equipment**

<u>Date Acquired</u>	<u>Street Address Where Property Is Located</u>	<u>Description</u>	<u>Serial No. (Note 1)</u>	<u>New or Used</u>	<u>Cost</u>
3/16/2007	1857 Technology Drive, Troy, MI 48083	Portable Projector	OE3	New When Purchased	1,390.00
8/15/2007	1857 Technology Drive, Troy, MI 48083	Office Furniture-Cubicles	OE4	New When Purchased	32,998.00
					<b>34,388.00</b>

**Note 1 All items to be assigned CPI Control Number by December 31, 2007**



STATE OF MICHIGAN  
DEPARTMENT OF TREASURY  
LANSING

JENNIFER M. GRANHOLM  
GOVERNOR

ROBERT J. KLEINE  
STATE TREASURER

December 18, 2007

Michigan Next Energy Authority  
300 North Washington Square  
Lansing, MI 48913

To Whom It May Concern:

I hereby designate Andrew Lockwood, Tax Analysis Division, Department of Treasury, to represent me at the Michigan Next Energy Authority Board meetings, which I am unable to attend.

Sincerely,

A handwritten signature in cursive script that reads "Robert J. Kleine".

Robert J. Kleine  
State Treasurer

OVONIC MEDIA LLC  
2956 WATERVIEW DR  
ROCHESTER HILLS MI 48309

UNITED SOLAR OVONIC CORP  
1100 W MAPLE  
TROY MI 48084-5352

COMPACT POWER INC  
1857 TECHNOLOGY DRIVE  
TROY MI 48083

DAVE HEIBER  
OAKLAND COUNTY EQUALIZATION  
250 ELIZABETH LAKE #1000W  
PONTIAC MI 48231

PATRICK DOHANY  
OAKLAND CO PUBL TRANSPORT'N  
1200 N TELEGRAPH 49W  
PONTIAC MI 48231-0049

OAKLAND INTERMEDIATE SCHOOLS  
2111 PONTIAC LAKE RD  
WATERFORD MI 48328

OAKLAND COMMUNITY COLLEGE  
GEORGE A BEE ADMIN CNTR  
2480 OPDYKE  
BLOOMFIELD HILLS MI 48304-2266

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

WARREN CONSOLIDATED SCHOOLS  
31300 ANITA  
WARREN MI 48093-1697

MACOMB INTERMEDIATE SCHOOLS  
44001 GARFIELD  
CLINTON TWP MI 48038-1100

Formatted for Avery 5160 Labels

**CITY OF TROY**  
**PUBLIC HEARING**

A Public Hearing will be held by and before the City Council of the City of Troy at City Hall, 500 W. Big Beaver, Troy, Michigan on Monday, February 18, 2008 at 7:30 P.M. to consider Alternative Energy Personal Property Exemptions approved by the Michigan NextEnergy Authority for the following three (3) locations in the City of Troy:

T2N, R11E, of Section 28  
1100 W Maple, Troy, Michigan

United Solar Ovonic Corp.

T2N, R11E, of Section 34  
1414 Combermere, Troy, Michigan

Ovonic Battery Company

T2N, R11E, of Section 35  
1857 Technology, Troy, Michigan

Compact Power, Inc.

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

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Tonni Bartholomew, MMC  
City Clerk

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



## CITY COUNCIL ACTION REPORT

February 18, 2008

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Public Hearing for Establishment of an Industrial Development District (IDD) for IACNA, 750 – 800 Chicago, Troy, MI. 48083

### Background:

- IACNA (International Automotive Components Group, North America) is currently located in Dearborn. They will be moving their validation/prototypes center, that does testing and development of automotive interior products into two (2) building on Chicago, 750 and 800, in Troy. They have a five (5) year lease, with additional years optional. They will be purchasing \$1,906,500 in new equipment and leasehold improvements. There are also \$801,745 in for tear down, and reinstallation of used equipment that is abatable. This makes the total Market Value of the abatement \$2,708,245.00.

They are requesting an Industrial Facilities Exemption Certificate (IFEC) to be issued by the City of Troy (application attached). This is according to Public Act 198 of 1974 (as amended) and local City policy. As you will recall, this amounts to an approximate 50% reduction in personal property taxes that they would pay, over a twelve (12) year period. This percentage is not inclusive of State Education Tax (6.00 Mill) or School Operating Tax (18.00 mills). These taxes have been exempted on Personal Property of Industrial companies by the new Michigan Business Tax of 2007. It does now include Supplemental Millage in the calculation.

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

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

### Financial Considerations:

- The estimated amount of investment in personal property is \$2,708,245 for the project. Over a five (5) year life, the estimated total taxes are \$110,908.06, of which \$35,924.65 would be City taxes.

An abatement amounts to a savings of \$55,454.03 in total taxes, of which \$17,962.32 would be saved on City taxes. This is the financial cost to all taxing authorities.

### Legal Considerations:

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

### Policy Considerations:

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

City Council Goal II, "Retain and attract investment while encouraging redevelopment" is met with this re-location. IACNA will be occupying a 51,376 square feet of vacant industrial space.

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

### Options:

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

# Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

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

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

**APPLICANT INFORMATION**  
All boxes must be completed.

▶ 1a. Company Name (Applicant must be the occupant/operator of the facility) <b>International Automotive Components Group North America, Inc.</b>		▶ 1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) <b>3714</b>	
▶ 1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) <b>750 &amp; 800 Chicago Road, Troy, MI 48083</b>		▶ 1d. City/Township/Village (indicate which) <b>City of Troy</b>	▶ 1e. County <b>Oakland</b>
▶ 2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(1)) <input type="checkbox"/> Research and Development (Sec. 2(9))		▶ 3a. School District where facility is located <b>WARREN CONSOLIDATED</b>	▶ 3b. School Code <b>50230</b>
		▶ 4. Amount of years requested for exemption (1-12 Years) <b>12 Years - Personal Property</b>	

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

This facility will be IACNA's validation/prototype center that will be testing and developing IACNA's automotive interior products. The project will include the relocating of used equipment, building leasehold improvements and the purchase and installation of new machinery & equipment and furniture & fixtures estimated at \$2.7 million.

6a. Cost of land and building improvements (excluding cost of land) .....	▶ <b>\$0.00</b>
* Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	
6b. Cost of machinery, equipment, furniture and fixtures .....	▶ <b>\$2,708,245.00</b>
* Attach itemized listing with month, day and year of beginning of installation, plus total	
6c. Total Project Costs .....	▶ <b>\$2,708,245.00</b>
* Round Costs to Nearest Dollar	
<b>Total of Real &amp; Personal Costs</b>	

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

	Begin Date (M/D/Y)	End Date (M/D/Y)	
Real Property Improvements ▶	_____	_____	▶ <input type="checkbox"/> Owned <input checked="" type="checkbox"/> Leased
Personal Property Improvements ▶	1/1/08	6/30/08	▶ <input type="checkbox"/> Owned <input type="checkbox"/> Leased

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

▶ 9. No. of existing jobs at this facility that will be retained as a result of this project. <b>0</b>	▶ 10. No. of new jobs at this facility expected to create within 2 years of completion. <b>30</b>
---	--

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

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

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

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

**APPLICANT CERTIFICATION - complete all boxes.**

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

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

13a. Preparer Name <b>Kirk L. Fisher, Tax Manager</b>	13b. Telephone Number <b>(248) 447-5540</b>	13c. Fax Number <b>(248) 447-1788</b>	13d. E-mail Address <b>kfisher02@lear.com</b>
14a. Name of Contact Person <b>Kirk L. Fisher, Tax Manager</b>	14b. Telephone Number <b>(248) 447-5540</b>	14c. Fax Number <b>(248) 447-1788</b>	14d. E-mail Address <b>kfisher02@lear.com</b>
▶ 15a. Name of Company Officer (No Authorized Agents) <b>Claudia Obermueller, VP - Tax, International Automotive Components Group, North America, Inc.</b>			
15b. Signature of Company Officer (No Authorized Agents) <i>C. Obermueller</i>		15c. Fax Number <b>(313) 240-3944</b>	15d. Date <b>11/30/07</b>
▶ 15e. Mailing Address (Street, City, State, ZIP Code) <b>5300 Auto Club Drive, Dearborn, MI 48126</b>		15f. Telephone Number <b>(313) 240-3619</b>	15g. E-mail Address <b>cobermueller@iacna.com</b>

**LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.**

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

▶ 16. Action taken by local government unit <input type="checkbox"/> Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Denied (Include Resolution Denying)	16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: <b>Check or Indicate N/A if Not Applicable</b> <input checked="" type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input checked="" type="checkbox"/> 2. Resolution establishing district <input checked="" type="checkbox"/> 3. Resolution approving/denying application. <input checked="" type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input checked="" type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input type="checkbox"/> 6. Building Permit for real improvements if project has already begun <b>N/A</b> <input checked="" type="checkbox"/> 7. Equipment List with dates of beginning of installation <input checked="" type="checkbox"/> 8. Form 3222 (if applicable) <input type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable) <b>N/A</b>
16a. Documents Required to be on file with the Local Unit <b>Check or Indicate N/A if Not Applicable</b> <input checked="" type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input checked="" type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing. <input checked="" type="checkbox"/> 3. List of taxing authorities notified for district and application action. <input checked="" type="checkbox"/> 4. Lease Agreement showing applicants tax liability.	
16c. LUCI Code <b>63223</b>	16d. School Code <b>50230</b>
17. Name of Local Government Body <b>CITY OF TROY</b>	▶ 18. Date of Resolution Approving/Denying this Application

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

19a. Signature of Clerk	19b. Name of Clerk <b>TOMMI BARTHOLOMEW</b>	19c. E-mail Address <b>T.BARTHOLOMEW@TROYMI.GOV</b>
19d. Clerk's Mailing Address (Street, City, State, ZIP Code) <b>500 W BIG BEAVER TROY MI 48064</b>		
19e. Telephone Number <b>248-524-3316</b>	19f. Fax Number <b>248 524-1770</b>	

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

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

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

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

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

Applicant Name International Automotive Components Group North America
---

## Fiscal Statement (to be completed by local unit)

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

Estimated Project Investment (not assessed value):

Real Property	Personal Property \$2,708,245.00	Total \$2,708,245.00
---------------	-------------------------------------	-------------------------

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

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

### LOCAL UNIT CERTIFICATION

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

Signature	Name and Title of Local Governmental Unit Official Leger A. (Nino) Licari, City Assessor
-----------	---



International Automotive Components  
5300 Auto Club Drive  
Dearborn, MI 48126  
USA

(313) 240-3000

November 29, 2007

Leger A. Licari  
City Assessor  
City of Troy  
500 W. Big Beaver Road  
Troy, MI 48084

**Re: International Automotive Components Group North America, Inc. ("IACNA") – Request to Establish An Industrial Development District and for an approval of IACNA's Application for An Industrial Facilities Exemption Certificate for its new facility located at 750 & 800 Chicago Road, Troy, MI 48083**

Dear Mr. Licari:

As discussed briefly this morning, IACNA plans to open a new validation/prototype center at leased facilities located at 750 and 800 Chicago Road, Troy, MI 48083 (lease documentation enclosed). The project will include relocating approximately \$600,000 used machinery and equipment, building leasehold improvements and will include new capital expenditures for machinery and equipment and furniture and fixtures estimated at \$2.7 million. More importantly, the project will create 30 new jobs for the City of Troy.

We look forward to discussing the project with the Council Members of the City of Troy and would appreciate your support and the support of the City of Troy Council Members in establishing an Industrial Development District and ultimately an approval of IAC's Application for An Industrial Facilities Tax Exemption Certificate.

We have enclosed one (1) original and 8 copies of our IFT application. If you have any questions or need any additional information please contact me at (248) 447-5540.

Very truly yours,

Kirk L. Fisher  
Tax Manager  
(248) 447-5540

Enc.

Cc: Claudia Obermueller, VP, Tax – IACNA  
Steve Delmarle, Finance Director - IACNA

88-20-35-276-003 (800)  
88-20-35-276-004 (750)  
WARREN CONS.

International Automotive Components Group North America, Inc.  
750 & 800 Chicago Road  
Troy, MI 48083

Asset Description	Capital Investment Cost	Asset Type	Installation Date	Capitalization Date
Tear Down and Set Up SHO Lab Equipment w/Certification Costs	\$ 683,545.00	ME	1/1/2008	6/30/2008
Tear Down and Set Up of SHO Prototype Equipment	\$ 73,200.00	ME	1/1/2008	6/30/2008
Tear Down and Set Up of Dearborn Equipment	\$ 30,000.00	ME	1/1/2008	6/30/2008
Tear Down and Set Up of Robotic Cell	\$ 15,000.00	ME	1/1/2008	6/30/2008
Move & Installation of Injection Molding Machine	\$ 75,000.00	ME	1/1/2008	6/30/2008
Purchase and Install 2 Double Wide Chambers	\$ 500,000.00	ME	1/1/2008	6/30/2008
Purchase and install Multi Axis Shaker Table	\$ 150,000.00	ME	1/1/2008	6/30/2008
New Chiller / Water Systems (new Tower & Piping)	\$ 185,000.00	ME	1/1/2008	6/30/2008
New Air Compressor and Lines to Equipment	\$ 100,000.00	ME	1/1/2008	6/30/2008
Electrical (excluding move of equipment)	\$ 275,000.00	ME	1/1/2008	6/30/2008
Electrical - Additional Power Supply	\$ 200,000.00	ME	1/1/2008	6/30/2008
Concrete Work (A/Bag Pit & Tapered Floors)	\$ 40,000.00	ME	1/1/2008	6/30/2008
Isolated Floors (Sound Room & Rapid Proto)	\$ 2,500.00	ME	1/1/2008	6/30/2008
Foundation for Injection Molding Machine	\$ 35,000.00	ME	1/1/2008	6/30/2008
Acoustical Room (includes humidity control for conditioning)	\$ 80,000.00	ME	1/1/2008	6/30/2008
Dust collector installation	\$ 5,000.00	ME	1/1/2008	6/30/2008
Office Furniture	\$ 20,000.00	FF	1/1/2008	6/30/2008
Conf Room Furniture (includes two projectors)	\$ 15,000.00	FF	1/1/2008	6/30/2008
Cubicles & Furniture	\$ 54,000.00	FF	1/1/2008	6/30/2008
Lunch Room Furniture	\$ 7,500.00	FF	1/1/2008	6/30/2008
Telephones	\$ 45,000.00	FF	1/1/2008	6/30/2008
IT Communication Lines (LAN/WAN)	\$ 75,000.00	FF	1/1/2008	6/30/2008
Additional Card readers (includes new PC)	\$ 15,000.00	FF	1/1/2008	6/30/2008
New Security System	\$ 25,000.00	FF	1/1/2008	6/30/2008
Floor Cleaning Machine	\$ 2,500.00	ME	1/1/2008	6/30/2008
<b>Total</b>	<b>\$ 2,708,245.00</b>			

CHICAGO

850

800

750



CHICAGO

850

800

750



Legal Descriptions For IACNA IDD and IFEC request 12/04/07

88-20-35-276-003 800 Chicago Rd, Troy MI 48083

T2N, R11E, SEC 35

SUPERVISOR'S PLAT NO 29

NLY 199.67 FT OF LOT 13

05/01/86 TRAN FR 226-082

88-20-35-276-004 750 Chicago Rd, Troy MI 48083

T2N, R11E, SEC 35

SUPERVISOR'S PLAT NO 29

LOT 13 EXC NLY 199.67 FT, ALSO

ALL OF LOT 14

05/01/86 TRAN FR 226-083

**City of Troy - Assessing Department**  
**International Automotive Components Group North America**  
**Estimate of Total Taxes and Tax Savings for IFEC Application**

<b>Market Value</b>	2,708,245	2,482,648	2,069,039	1,551,986	1,034,864	603,843	302,042	125,921	42,007	10,514	1,756	147	0
<b>50% of Value</b>	1,354,122	1,241,324	1,034,520	775,993	517,432	301,922	151,021	62,961	21,004	5,257	878	73	0
<b>Year</b>		<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>
<b>Depreciation</b>		0.9167	0.8334	0.7501	0.6668	0.5835	0.5002	0.4169	0.3336	0.2503	0.1670	0.0837	0.0004
<b>Taxable Value</b>		1,241,324	1,034,520	775,993	517,432	301,922	0	0	0	0	0	0	0
<b>Taxes</b>		<b>Taxes</b>											
	<b>100% of Millage</b>												
<b>Trans County</b>	0.59000	\$732.38	\$610.37	\$457.84	\$305.28	\$178.13	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Int Schools</b>	4.64610	\$5,767.32	\$4,806.48	\$3,605.34	\$2,404.04	\$1,402.76	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Comm Coll</b>	2.94300	\$3,653.22	\$3,044.59	\$2,283.75	\$1,522.80	\$888.56	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>State Ed</b>	1.58440	\$1,966.75	\$1,639.09	\$1,229.48	\$819.82	\$478.36	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>School Op</b>	0.00000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Sch Debt</b>	5.95940	\$7,397.55	\$6,165.12	\$4,624.45	\$3,083.59	\$1,799.27	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Admin</b>	3.27640	\$4,067.07	\$3,389.50	\$2,542.46	\$1,695.31	\$989.22	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>City</b>	0.37030	\$459.66	\$383.08	\$287.35	\$191.61	\$111.80	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total</b>	9.28000	\$11,519.49	\$9,600.34	\$7,201.22	\$4,801.77	\$2,801.83	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	28.64960	\$35,563.44	\$29,638.57	\$22,231.89	\$14,824.23	\$8,649.94	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total 5 Years</b>		\$110,908.06											
<b>Total City 5 Yr</b>		\$35,924.65											

<b>50% Total 12 Yr</b>	\$55,454.03	<b>Net Total Taxes Abated</b>
<b>50% Total City 12</b>	\$17,962.32	<b>Net Total City Taxes Abated</b>

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

Resolution #2006-06-238

Moved by Beltramini

Seconded by Fleming

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

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

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

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

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

Yes: Fleming, Lambert, Schilling, Beltramini

No: Howrylak

Absent: Broomfield, Stine

**MOTION CARRIED**

December 18, 2007

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

From: Leger (Nino) Licari, Assessor

Re: Affidavit of Application Fees For IFEC

This affidavit attests that no payment of any kind has been made or promised in exchange for favorable consideration of an exemption certificate application by the City of Troy, in regards to the application of IACNA, 750 – 800 Chicago, Troy, Michigan 48083.

\_\_\_\_\_  
Signed, Leger (Nino) Licari, City Assessor

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Signed,

\_\_\_\_\_  
Dated

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

This agreement between **International Automotive Components Group North America, Inc. ("IACNA")**, ("Company") and the **City of Troy**, is for the purpose of fulfilling the requirements of Public Act 198, as amended in Public Act 334, Section 22.

In consideration of approval of an Industrial Facilities Exemption Certificate (IFEC), **IACNA**, understands that through its investment of **\$2,708,245** and its qualification for Michigan Economic Growth Authority incentives, and the City of Troy, by its investment of the Industrial Facilities Exemption Certificate, are mutually investing in and benefiting from this economic development project, and furthermore, agree to the following:

- 1.) The length of time for which the abatement is approved is \_\_\_ years after either completion of construction of the facilities, or December 31, 20\_\_\_, whichever is sooner.
- 2.) At the end of two (2) years or no later than December 31, 20\_\_\_, will report to the Assessing Department of the City of Troy the actual cost of this project and indicate any differences and the reason for any differences in the cost or scope of the project as compared to the IFEC application submitted by the Company.
- 3.) **IACNA**, agrees to remain within the City of Troy for the period of the Industrial Facilities Tax (IFT) abatement in order to retain the benefits of the IFT, unless permission for relocation is granted by the City Council of the City of Troy.

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

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- 4.) **IACNA**, understands that the City of Troy may reduce the term of the IFEC, revoke the IFEC and/or recover from the Company, the amount of taxes which were abated if the project has not been completed, expenditures made, as represented by the Company, in Section 12'C of its application, by sending a copy of this Agreement along with a copy of the City Council Resolution authorizing such action to the State Tax Commission.
  - 5.) **IACNA**, agrees that it will operate the Project in accordance with all applicable Federal, State and Local laws or regulations, including but not limited to zoning, outside storage, industrial waste disposal, air and water quality, noise control, other environmental regulations, and all of the terms and conditions of the Consent Judgment governing the parcel.

- 6.) By execution of the Agreement, it is understood that the Company's investment in the Project, and the City of Troy's investment in the granting of the IFEC is to encourage economic growth within the City of Troy.

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

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

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

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

Signed: C. Obermueller 11/30/07  
(date)

Name: Claudia Obermueller

Title: Vice President - Tax  
International Automotive Components Group North America, Inc.

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

Signed: \_\_\_\_\_  
Tonni L. Bartholomew (date)  
City Clerk

Note: To insure the confidentiality of the Landlord/Tenant relationship, only pertinent sections of the leases are attached.

FINAL

**STANDARD FORM  
INDUSTRIAL BUILDING LEASE  
(SINGLE-TENANT)**

1. **BASIC TERMS.** This Section 1 contains the Basic Terms of this Lease between Landlord and Tenant, named below. Other Sections of the Lease referred to in this Section 1 explain and define the Basic Terms and are to be read in conjunction with the Basic Terms.

- 1.1. Effective Date of Lease: January 1, 2008
- 1.2. Landlord: First Industrial, L.P., a Delaware limited partnership
- 1.3. Tenant: International Automotive Components Group North America, Inc., a Delaware corporation
- 1.4. Premises: A building commonly known as 750 Chicago Road, Troy, Michigan 48083 and containing approximately 26,709 rentable square feet, as legally described on Exhibit A attached hereto.
- 1.5. Lease Term: Five (5) years six (6) months ("Term"), commencing January 1, 2008 ("Commencement Date") and ending June 30, 2013, subject to Section 2.3 below ("Expiration Date").
- 1.6. Permitted Uses: (See Section 4.1) Testing and prototype part assembly facility, automotive air bag testing, warehouse, and related office use; provided that if any assignee or sublessee of Tenant desires to use the Premises for another use, Landlord will not unreasonably withhold its consent.
- 1.7. Tenant's Guarantor: None
- 1.8. Brokers: (See Section 23; if none, so state): (A) Tenant's Broker: CB Richard Ellis and (B) Landlord's Broker: CB Richard Ellis
- 1.9. Security/Damage Deposit: (See Section 4.3) \$0
- 1.10. Exhibits to Lease: The following exhibits are attached to and made a part of this Lease. (If none, so state): A (legal description); B (Tenant Operations Inquiry Form); C (Landlord's Work), D (Confirmation of Commencement Date), E (Broom Clean Condition and Repair Requirements), and F (Form of Confidentiality Agreement); Rider 1 (Option to Renew); Rider 2 (Termination Right).

2. **LEASE OF PREMISES; RENT.**

2.1. **Lease of Premises for Lease Term.** Landlord hereby leases the Premises to Tenant, and Tenant hereby rents the Premises from Landlord, for the Term and subject to the conditions of this Lease.

2.2. **Types of Rental Payments.** Tenant shall pay net base rent to Landlord in monthly installments, in advance, on the first day of each and every calendar month during the Term of this Lease (the "Base Rent") in the amounts and for the periods as set forth below:

<u>Lease Period</u>	<u>Base Rent for referenced Lease Period</u>	<u>Monthly Base Rent</u>
January 1, 2008 – December 31, 2008	Confidential	
January 1, 2009 – February 28, 2009		
March 1, 2009 – December 31, 2009		
January 1, 2010 – February 28, 2010		
March 1, 2010 – December 31, 2010		

January 1, 2011 – February 28, 2011

March 1, 2011 – December 31, 2011

January 1, 2012 – June 30, 2013

Confidential

Tenant shall also pay all Operating Expenses (defined below) and any other amounts owed by Tenant hereunder (collectively, "Additional Rent"). In the event any monthly installment of Base Rent or Additional Rent, or both, is not paid within 10 days of the date when due, a late charge in an amount equal to 5% of the then delinquent installment of Base Rent and/or Additional Rent (the "Late Charge"; the Late Charge, Default Interest, as defined in Section 22.3 below, Base Rent and Additional Rent shall collectively be referred to as "Rent"), shall be paid by Tenant to Landlord, c/o First Industrial, L.P., 75 Remittance Drive, Suite 1475, Chicago, Illinois 60675-1475, or if sent by overnight courier, First Industrial, L.P., Suite 1475, The Northern Trust Co., 350 North Orleans Street, Receipt and Dispatch 8<sup>th</sup> Floor, Chicago, IL 60654 (or such other entity designated as Landlord's management agent, if any, and if Landlord so appoints such a management agent, the "Agent"), or pursuant to such other directions as Landlord shall designate in this Lease or otherwise in writing. Notwithstanding this paragraph to the contrary, Landlord will not charge Tenant a Late Charge for the first time in each calendar year during the Term in which a Late Charge would otherwise be payable.

**2.3. Covenants Concerning Rental Payments; Initial and Final Rent Payments.** Tenant shall pay the Rent promptly when due, without notice or demand, and without any abatement, deduction or setoff. No payment by Tenant, or receipt or acceptance by Agent or Landlord, of a lesser amount than the correct Rent shall be deemed to be other than a payment on account, nor shall any endorsement or statement on any check or letter accompanying any payment be deemed an accord or satisfaction, and Agent or Landlord may accept such payment without prejudice to its right to recover the balance due or to pursue any other remedy available to Landlord. If the Commencement Date occurs on a day other than the first day of a calendar month, the Rent due for the first calendar month of the Term shall be prorated on a per diem basis (based on a 360 day, 12 month year) and paid to Landlord on the Commencement Date, and the Term will be extended to terminate on the last day of the calendar month in which the Expiration Date stated in Section 1.5 occurs.

**2.4. Net Lease.** Except as may be expressly and specifically provided otherwise in this Lease, this is an absolutely net lease to Landlord. Except as may be expressly and specifically provided otherwise in this Lease, it is the intent of the parties hereto that the Base Rent payable under this Lease shall be an absolutely net return to Landlord and that Tenant shall pay all costs and expenses relating to the ownership and operation of the Premises and the business carried on therein, unless otherwise expressly provided to the contrary in this Lease. Any amount or obligation relating to the Premises that is not expressly declared (under this Lease) to be that of Landlord shall be deemed to be an obligation of Tenant to be performed by Tenant, at Tenant's expense. It is the intention of the parties hereto that the obligations of Tenant hereunder shall be separate and independent covenants and agreements, that the Base Rent and the Additional Rent shall continue to be payable in all events, and that the obligations of Tenant hereunder shall continue unaffected in all events, unless the requirement to pay or perform the same shall have been terminated pursuant to an express provision of this Lease. Notwithstanding anything to the contrary contained above in this Section 2.4, Tenant retains a separate and independent right to sue Landlord or seek equitable remedies against Landlord with respect to any claim Tenant may have against Landlord or in any way relating to this Lease or the Premises; provided, however, any judgment, order or injunction or equitable relief granted in favor of Tenant shall not abate, be set-off against, reduce or otherwise affect Tenant's obligation to pay Base Rent or Additional Rent or terminate or suspend this Lease or reduce, defer or otherwise affect any Tenant's obligations hereunder.

### **3. OPERATING EXPENSES.**

**3.1. Definitional Terms Relating to Additional Rent.** For purposes of this Section and other relevant provisions of the Lease:

**3.1.1. Operating Expenses.** The term "Operating Expenses" shall mean all of the following: (i) the actual (not to exceed) market-based premiums for the insurance policies that Landlord obtains pursuant to Section 10.1 of this Lease, all reasonable out of pocket administrative costs incurred in connection with the procurement and implementation of such insurance policies, and up to \$50,000 of all deductibles paid by Landlord pursuant to insurance policies required to be maintained by Landlord under this Lease; (ii) management fees to Landlord or Agent in an amount equal to \$0; (iii) Taxes, as hereinafter defined in Section

3.1.2; (iv) dues, fees or other costs and expenses, of any nature, due and payable to any association or comparable entity to which Landlord, as owner of the Premises, is a member or otherwise belongs and that governs or controls any aspect of the ownership and operation of the Premises; and (v) any real estate taxes and common area maintenance expenses levied against, or attributable to, the Premises under any declaration of covenants, conditions and restrictions, reciprocal easement agreement or comparable arrangement that encumbers and benefits the Premises and other real property (e.g. a business park).

3.1.2. Taxes. The term "Taxes," as referred to in Section 3.1.1(iii) above shall mean (i) all governmental taxes, assessments, fees and charges of every kind or nature (other than Landlord's income taxes and transfer taxes in connection with Landlord's transfer of the Premises), whether general, special, ordinary or extraordinary, due at any time or from time to time, during the Term and any extensions thereof, in connection with the ownership, leasing, or operation of the Premises, or of the personal property and equipment located therein or used in connection therewith, provided, that Tenant shall be permitted to pay property assessments in installment payments over the longest period permitted or agreed to (without any penalty or additional charge) by the state or local municipality and Tenant shall be responsible for only those installments due during the Term; and (ii) any reasonable expenses incurred by Landlord in contesting such taxes or assessments and/or the assessed value of the Premises in an amount not to exceed, in any one Operating Year the amount by which the assessed value of the Premises is reduced as a result of the contest. For purposes hereof, Tenant shall be responsible for any Taxes that are due and payable at any time or from time to time during the Term and for any Taxes that are assessed, become a lien, or accrue during any Operating Year, which obligation shall survive the termination or expiration of this Lease. Taxes for the first and last years of the Term, as may be extended, will be appropriately prorated and Landlord shall be responsible for payment of the portion of Taxes applicable to the periods preceding the Commencement Date and following the Expiration Date. Notwithstanding anything in this section 3.1.2 to the contrary, Landlord represents and warrants to Tenant that as of the Effective Date of Lease, there are currently no special assessments and Landlord has not received any notice of any pending special assessments to be levied against the Premises.

3.1.3. Operating Year. The term "Operating Year" shall mean the calendar year commencing January 1st of each year (including the calendar year within which the Commencement Date occurs) during the Term.

3.2. Payment of Operating Expenses. Tenant shall pay, as Additional Rent and in accordance with the requirements of Section 3.3, all of the Operating Expenses, as set forth in Section 3.3. Additional Rent commences to accrue upon the Commencement Date. The Operating Expenses payable hereunder for the Operating Years in which the Term begins and ends shall be prorated to correspond to that portion of said Operating Years occurring within the Term. The Operating Expenses and any other sums due and payable under this Lease shall be adjusted upon receipt of the actual bills therefor, and the obligations of this Section 3 shall survive the termination or expiration of the Lease.

3.3. Payment of Additional Rent. Landlord shall have the right to reasonably estimate the Operating Expenses for each Operating Year. Upon Landlord's or Agent's notice to Tenant of such estimated amount, Tenant shall pay, on the first day of each month during that Operating Year, an amount (the "Estimated Additional Rent") equal to the estimate of the Operating Expenses divided by 12 (or the fractional portion of the Operating Year remaining at the time Landlord delivers its notice of the estimated amounts due from Tenant for that Operating Year). If the aggregate amount of Estimated Additional Rent actually paid by Tenant during any Operating Year is less than Tenant's actual ultimate liability for Operating Expenses for that particular Operating Year, Tenant shall pay the deficiency within 30 days of Landlord's written demand therefor. If the aggregate amount of Estimated Additional Rent actually paid by Tenant during a given Operating Year exceeds Tenant's actual liability for such Operating Year, the excess shall be credited against the Estimated Additional Rent next due from Tenant during the immediately subsequent Operating Year, except that in the event that such excess is paid by Tenant during the final Lease Year, then upon the expiration of the Term, Landlord or Agent shall pay Tenant the then-applicable excess promptly after determination thereof. Tenant shall have the right to review Landlord's calculation pertaining to Landlord's annual reconciliation of Operating Expense upon Tenant's written request made within ninety (90) days after Landlord delivers its annual Operating Expenses reconciliation for a particular Operating Year. Landlord shall, upon Tenant's request, provide copies of Landlord's general ledger and/or invoices. If after such a review (which review Tenant shall complete within thirty (30) after Tenant receives the requested documents) Tenant reasonably believes that any such calculations are in error and Landlord and Tenant are unable to agree on the amount to be paid by Tenant within 30 days after Tenant notifies Landlord of a presumed error, Tenant and Landlord shall each designate a certified public accountant of their choosing and the two accountants so chosen shall designate a third certified public accountant to serve as arbitrator of the dispute, which arbitrator shall not charge for its services on a contingent fee basis. The arbitrator's decision as to the amount to be paid by Tenant shall be binding upon the parties. Landlord and Tenant shall each bear one-half (1/2) of the expense incurred under this Section in determining the amount to be paid by Tenant; provided, however, that if the arbitrator determines that Tenant has overpaid its required Operating Expenses of the Operating Year in question by more than five percent (5%), then Landlord shall reimburse Tenant for up to \$2,500 of Tenant's out of pocket expenses incurred under this Section in determining the amount of Operating

STANDARD FORM  
INDUSTRIAL BUILDING LEASE  
(SINGLE-TENANT)

1. **BASIC TERMS.** This Section 1 contains the Basic Terms of this Lease between Landlord and Tenant, named below. Other Sections of the Lease referred to in this Section 1 explain and define the Basic Terms and are to be read in conjunction with the Basic Terms.

- 1.1. Effective Date of Lease: January 1, 2008
- 1.2. Landlord: First Industrial, L.P., a Delaware limited partnership
- 1.3. Tenant: International Automotive Components Group North America, Inc., a Delaware corporation
- 1.4. Premises: A building commonly known as 800 Chicago Road, Troy, Michigan 48083 and containing approximately 24,340 rentable square feet, as legally described on Exhibit A attached hereto.
- 1.5. Lease Term: Five (5) years six (6) months ("Term"), commencing January 1, 2008 ("Commencement Date") and ending June 30, 2013, subject to Section 2.3 below ("Expiration Date").
- 1.6. Permitted Uses: (See Section 4.1) Testing and prototype part assembly facility, automotive air bag testing, warehouse, and related office use; provided that if any assignee or sublessee of Tenant desires to use the Premises for another use, Landlord will not unreasonably withhold its consent.
- 1.7. Tenant's Guarantor: None
- 1.8. Brokers: (See Section 2.3; if none, so state): (A) Tenant's Broker: CB Richard Ellis and (B) Landlord's Broker: CB Richard Ellis
- 1.9. Security/Damage Deposit: (See Section 4.3) \$0
- 1.10. Exhibits to Lease: The following exhibits are attached to and made a part of this Lease. (If none, so state): A (legal description); B (Tenant Operations Inquiry Form); C (Landlord's Work), D (Confirmation of Commencement Date), E (Broom Clean Condition and Repair Requirements), and F (Form of Confidentiality Agreement); Rider 1 (Option to Renew); Rider 2 (Termination Right).

2. **LEASE OF PREMISES; RENT.**

2.1. **Lease of Premises for Lease Term.** Landlord hereby leases the Premises to Tenant, and Tenant hereby rents the Premises from Landlord, for the Term and subject to the conditions of this Lease.

2.2. **Types of Rental Payments.** Tenant shall pay net base rent to Landlord in monthly installments, in advance, on the first day of each and every calendar month during the Term of this Lease (the "Base Rent") in the amounts and for the periods as set forth below:

**Rental Payments**

<u>Lease Period</u>	<u>Base Rent for referenced Lease Period</u>	<u>Monthly Base Rent</u>
January 1, 2008 – December 31, 2008	Confidential	
January 1, 2009 – February 28, 2009		
March 1, 2009 – December 31, 2009		
January 1, 2010 – February 28, 2010		
March 1, 2010 – December 31, 2010		

January 1, 2011 – February 28, 2011

March 1, 2011 – December 31, 2011

January 1, 2012 – June 30, 2013

Confidential

Tenant shall also pay all Operating Expenses (defined below) and any other amounts owed by Tenant hereunder (collectively, "Additional Rent"). In the event any monthly installment of Base Rent or Additional Rent, or both, is not paid within 10 days of the date when due, a late charge in an amount equal to 5% of the then delinquent installment of Base Rent and/or Additional Rent (the "Late Charge"; the Late Charge, Default Interest, as defined in Section 22.3 below, Base Rent and Additional Rent shall collectively be referred to as "Rent"), shall be paid by Tenant to Landlord, c/o First Industrial, L.P., 75 Remittance Drive, Suite 1475, Chicago, Illinois 60675-1475, or if sent by overnight courier, First Industrial, L.P., Suite 1475, The Northern Trust Co., 350 North Orleans Street, Receipt and Dispatch 8<sup>th</sup> Floor, Chicago, IL 60654 (or such other entity designated as Landlord's management agent, if any, and if Landlord so appoints such a management agent, the "Agent"), or pursuant to such other directions as Landlord shall designate in this Lease or otherwise in writing. Notwithstanding this paragraph to the contrary, Landlord will not charge Tenant a Late Charge for the first time in each calendar year during the Term in which a Late Charge would otherwise be payable.

**2.3. Covenants Concerning Rental Payments; Initial and Final Rent Payments.** Tenant shall pay the Rent promptly when due, without notice or demand, and without any abatement, deduction or setoff. No payment by Tenant, or receipt or acceptance by Agent or Landlord, of a lesser amount than the correct Rent shall be deemed to be other than a payment on account, nor shall any endorsement or statement on any check or letter accompanying any payment be deemed an accord or satisfaction, and Agent or Landlord may accept such payment without prejudice to its right to recover the balance due or to pursue any other remedy available to Landlord. If the Commencement Date occurs on a day other than the first day of a calendar month, the Rent due for the first calendar month of the Term shall be prorated on a per diem basis (based on a 360 day, 12 month year) and paid to Landlord on the Commencement Date, and the Term will be extended to terminate on the last day of the calendar month in which the Expiration Date stated in Section 1.5 occurs.

**2.4. Net Lease.** Except as may be expressly and specifically provided otherwise in this Lease, this is an absolutely net lease to Landlord. Except as may be expressly and specifically provided otherwise in this Lease, it is the intent of the parties hereto that the Base Rent payable under this Lease shall be an absolutely net return to Landlord and that Tenant shall pay all costs and expenses relating to the ownership and operation of the Premises and the business carried on therein, unless otherwise expressly provided to the contrary in this Lease. Any amount or obligation relating to the Premises that is not expressly declared (under this Lease) to be that of Landlord shall be deemed to be an obligation of Tenant to be performed by Tenant, at Tenant's expense. It is the intention of the parties hereto that the obligations of Tenant hereunder shall be separate and independent covenants and agreements, that the Base Rent and the Additional Rent shall continue to be payable in all events, and that the obligations of Tenant hereunder shall continue unaffected in all events, unless the requirement to pay or perform the same shall have been terminated pursuant to an express provision of this Lease. Notwithstanding anything to the contrary contained above in this Section 2.4, Tenant retains a separate and independent right to sue Landlord or seek equitable remedies against Landlord with respect to any claim Tenant may have against Landlord or in any way relating to this Lease or the Premises; provided, however, any judgment, order or injunction or equitable relief granted in favor of Tenant shall not abate, be set-off against, reduce or otherwise affect Tenant's obligation to pay Base Rent or Additional Rent or terminate or suspend this Lease or reduce, defer or otherwise affect any Tenant's obligations hereunder.

### **3. OPERATING EXPENSES.**

**3.1. Definitional Terms Relating to Additional Rent.** For purposes of this Section and other relevant provisions of the Lease:

**3.1.1. Operating Expenses.** The term "Operating Expenses" shall mean all of the following: (i) the actual (not to exceed) market-based premiums for the insurance policies that Landlord obtains pursuant to Section 10.1 of this Lease, all reasonable out of pocket administrative costs incurred in connection with the procurement and implementation of such insurance policies, and up to \$50,000 of all deductibles paid by Landlord pursuant to insurance policies required to be maintained by Landlord under this Lease; (ii) management fees to Landlord or Agent in an amount equal to \$0; (iii) Taxes, as hereinafter defined in Section

3.1.2; (iv) dues, fees or other costs and expenses, of any nature, due and payable to any association or comparable entity to which Landlord, as owner of the Premises, is a member or otherwise belongs and that governs or controls any aspect of the ownership and operation of the Premises; and (v) any real estate taxes and common area maintenance expenses levied against, or attributable to, the Premises under any declaration of covenants, conditions and restrictions, reciprocal easement agreement or comparable arrangement that encumbers and benefits the Premises and other real property (e.g. a business park).

3.1.2. Taxes. The term "Taxes," as referred to in Section 3.1.1(iii) above shall mean (i) all governmental taxes, assessments, fees and charges of every kind or nature (other than Landlord's income taxes and transfer taxes in connection with Landlord's transfer of the Premises), whether general, special, ordinary or extraordinary, due at any time or from time to time, during the Term and any extensions thereof, in connection with the ownership, leasing, or operation of the Premises, or of the personal property and equipment located therein or used in connection therewith, provided, that Tenant shall be permitted to pay property assessments in installment payments over the longest period permitted or agreed to (without any penalty or additional charge) by the state or local municipality and Tenant shall be responsible for only those installments due during the Term; and (ii) any reasonable expenses incurred by Landlord in contesting such taxes or assessments and/or the assessed value of the Premises in an amount not to exceed, in any one Operating Year the amount by which the assessed value of the Premises is reduced as a result of the contest. For purposes hereof, Tenant shall be responsible for any Taxes that are due and payable at any time or from time to time during the Term and for any Taxes that are assessed, become a lien, or accrue during any Operating Year, which obligation shall survive the termination or expiration of this Lease. Taxes for the first and last years of the Term, as may be extended, will be appropriately prorated and Landlord shall be responsible for payment of the portion of Taxes applicable to the periods preceding the Commencement Date and following the Expiration Date. Notwithstanding anything in this section 3.1.2 to the contrary, Landlord represents and warrants to Tenant that as of the Effective Date of Lease, there are currently no special assessments and Landlord has not received any notice of any pending special assessments to be levied against the Premises.

3.1.3. Operating Year. The term "Operating Year" shall mean the calendar year commencing January 1st of each year (including the calendar year within which the Commencement Date occurs) during the Term.

3.2. Payment of Operating Expenses. Tenant shall pay, as Additional Rent and in accordance with the requirements of Section 3.3, all of the Operating Expenses, as set forth in Section 3.3. Additional Rent commences to accrue upon the Commencement Date. The Operating Expenses payable hereunder for the Operating Years in which the Term begins and ends shall be prorated to correspond to that portion of said Operating Years occurring within the Term. The Operating Expenses and any other sums due and payable under this Lease shall be adjusted upon receipt of the actual bills therefor, and the obligations of this Section 3 shall survive the termination or expiration of the Lease.

3.3. Payment of Additional Rent. Landlord shall have the right to reasonably estimate the Operating Expenses for each Operating Year. Upon Landlord's or Agent's notice to Tenant of such estimated amount, Tenant shall pay, on the first day of each month during that Operating Year, an amount (the "Estimated Additional Rent") equal to the estimate of the Operating Expenses divided by 12 (or the fractional portion of the Operating Year remaining at the time Landlord delivers its notice of the estimated amounts due from Tenant for that Operating Year). If the aggregate amount of Estimated Additional Rent actually paid by Tenant during any Operating Year is less than Tenant's actual ultimate liability for Operating Expenses for that particular Operating Year, Tenant shall pay the deficiency within 30 days of Landlord's written demand therefor. If the aggregate amount of Estimated Additional Rent actually paid by Tenant during a given Operating Year exceeds Tenant's actual liability for such Operating Year, the excess shall be credited against the Estimated Additional Rent next due from Tenant during the immediately subsequent Operating Year, except that in the event that such excess is paid by Tenant during the final Lease Year, then upon the expiration of the Term, Landlord or Agent shall pay Tenant the then-applicable excess promptly after determination thereof. Tenant shall have the right to review Landlord's calculation pertaining to Landlord's annual reconciliation of Operating Expense upon Tenant's written request made within ninety (90) days after Landlord delivers its annual Operating Expenses reconciliation for a particular Operating Year. Landlord shall, upon Tenant's request, provide copies of Landlord's general ledger and/or invoices. If after such a review (which review Tenant shall complete within thirty (30) after Tenant receives the requested documents) Tenant reasonably believes that any such calculations are in error and Landlord and Tenant are unable to agree on the amount to be paid by Tenant within 30 days after Tenant notifies Landlord of a presumed error, Tenant and Landlord shall each designate a certified public accountant of their choosing and the two accountants so chosen shall designate a third certified public accountant to serve as arbitrator of the dispute, which arbitrator shall not charge for its services on a contingent fee basis. The arbitrator's decision as to the amount to be paid by Tenant shall be binding upon the parties. Landlord and Tenant shall each bear one-half (1/2) of the expense incurred under this Section in determining the amount to be paid by Tenant; provided, however, that if the arbitrator determines that Tenant has overpaid its required Operating Expenses of the Operating Year in question by more than five percent (5%), then Landlord shall reimburse Tenant for up to \$2,500 of Tenant's out of pocket expenses incurred under this Section in determining the amount of Operating

**AFFIDAVIT OF MAILING & PUBLISHING**

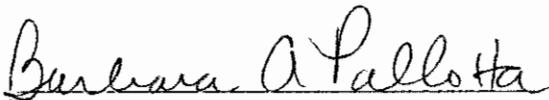
**State of Michigan**

**County of Oakland**

**City of Troy**

**RE: NOTICE OF PUBLIC HEARING – CITY COUNCIL – Monday, February 18, 2008 at 7:30 PM – To Consider a Request for the establishment of an Industrial Development District (IDD) from IACNA – 800 Chicago Rd. & 750 Chicago Rd. – Section 35**

I hereby certify that the attached notice was e-mailed to the Somerset Gazette Newspapers on Wednesday, January 30, 2008 and mailed by first class mail to the attached list, on Wednesday, January 30, 2008.



Barbara A. Pallotta, CMC  
Deputy City Clerk

**PUBLISHED:** Monday, February 4, 2008

**CITY OF TROY**  
**PUBLIC HEARING**

A Public Hearing will be held by and before the City Council of the City of Troy at City Hall, 500 W. Big Beaver, Troy, Michigan on Monday, February 18, 2008 at 7:30 P.M. to consider the request from IACNA, for the establishment of an Industrial Development District (IDD) at the following location:

Parcel #88-20-35-276-003 - 800 Chicago Rd, Troy, MI. 48083  
T2N, R11E, Section 35

and

Parcel #88-20-35-276-004 - 750 Chicago Rd, Troy, MI. 48083  
T2N, R11E, Section 35

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

---

Tonni L. Bartholomew, MMC  
City Clerk

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

**WARREN CONSOLIDATED SCHOOLS**  
31300 ANITA  
WARREN MI 48093-1697

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

**MACOMB INTERMEDIATE SCHOOLS**  
44001 GARFIELD  
CLINTON TWSHP MI 48038-1100

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

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

**INTERNATIONAL AUTOMOTIVE  
COMPONENTS GROUP**  
750 CHICAGO  
TROY MI 48083

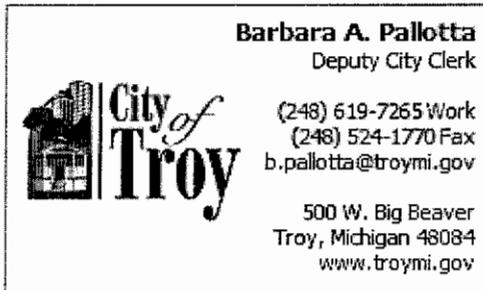
## Barbara A Pallotta

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**From:** Barbara A Pallotta  
**Sent:** Wednesday, January 30, 2008 9:02 AM  
**To:** editor@troy-somersetgazette.com  
**Subject:** PUBLISH: February 4, 2008 20080218 IDD-IACNA-Renotice  
**Attachments:** Barbara A Pallotta.vcf; 20080218 IDD-IACNA-Renotice.doc

Hi Cindy & Patti,

Please publish the attached notice in the February 4, 2008 edition of the Gazette & confirm receipt of this e-mail. Thx!





## CITY COUNCIL ACTION REPORT

December 18, 2007

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Public Hearing to consider granting an Industrial Facilities Exemption Certificate (IFEC) to IACNA, 750 – 800 Chicago, Troy, MI. 48083

### Background:

- IACNA (International Automotive Components North America) is currently located in Dearborn. They are seeking an Industrial Facilities Exemption Certificate (IFEC) to facilitate their ability to move to Troy.

This is according to Public Act 198 of 1974 (as amended) and local City policy.

### Financial Considerations:

- The estimated amount of investment in personal property is \$2,708,245 for the project. Over a five (5) year life, the estimated total taxes are \$110,908.06, of which \$35,924.65 would be City taxes.

A 50% abatement amounts to a savings of \$55,454.03 in total taxes, of which \$17,962.32 would be saved on City taxes. This is the financial cost to all taxing authorities.

### Legal Considerations:

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

### Policy Considerations:

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

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

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

Options:

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

This is company currently holds a 5 (five) year lease on the properties, with five (5) year options. Staff recommends that the Exemption be granted for a five (5) year period, with options to extend being executable by application from the company, and Council approval.

NL/nl H:\I.F.T.\ACNA\CouncilPakIFEC PH

**AFFIDAVIT OF MAILING & PUBLISHING**

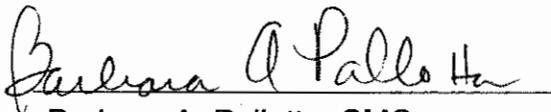
**State of Michigan**

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**RE: NOTICE OF PUBLIC HEARING – CITY COUNCIL – Monday, February 18, 2008 at 7:30 PM – To Consider a Request for the establishment of an Industrial Facilities Exemption Certificate (IFEC) from IACNA – 800 Chicago Rd. & 750 Chicago Rd. – Section 35**

I hereby certify that the attached notice was e-mailed to the Somerset Gazette Newspapers on Wednesday, January 30, 2008 and mailed by first class mail to the attached list, on Wednesday, January 30, 2008.



Barbara A. Pallotta, CMC  
Deputy City Clerk

**PUBLISHED:** Monday, February 4, 2008

**CITY OF TROY**  
**PUBLIC HEARING**

A Public Hearing will be held by and before the City Council of the City of Troy at City Hall, 500 W. Big Beaver, Troy, Michigan on Monday, February 18, 2008 at 7:30 P.M. to consider the request from IACNA for the granting of an Industrial Facilities Exemption Certificate (IFEC) for a period not to exceed 5 years, beginning December 31, 2008, for personal property located at:

Parcel #88-20-35-276-003 - 800 Chicago Rd, Troy, MI. 48083

T2N, R11E, Section 35

and

Parcel #88-20-35-276-004 - 750 Chicago Rd, Troy, MI. 48083

T2N, R11E, Section 35

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

---

Tonni L. Bartholomew, MMC  
City Clerk

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

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**Barbara A Pallotta**

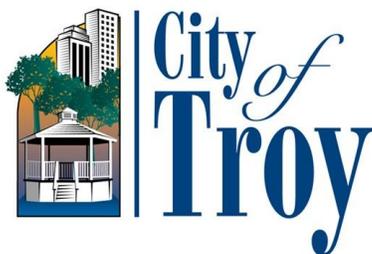
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**From:** Barbara A Pallotta  
**Sent:** Wednesday, January 30, 2008 9:03 AM  
**To:** editor@troy-somersetgazette.com  
**Subject:** PUBLISH: February 4, 2008 20080218 IFEC-IACNA-Renotice  
**Attachments:** Barbara A Pallotta.vcf; 20080218 IFEC-IACNA-Renotice.doc

Hi Cindy & Patti,

Please publish the attached notice in the February 4, 2008 edition of the Gazette & confirm receipt of this e-mail. Thx!

	<b>Barbara A. Pallotta</b> Deputy City Clerk
	(248) 619-7265 Work (248) 524-1770 Fax b.pallotta@troymi.gov
	500 W. Big Beaver Troy, Michigan 48064 www.troymi.gov



## **CITY COUNCIL ACTION REPORT**

January 29, 2008

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Bid Waiver - Sole Source Purchase -Traffic Radar Trailer

### **Background**

- The Traffic Safety Unit of the Police Department currently has two older Mobile Radar Trailers that are used daily to assist in enforcement and education of the public in problem areas, where speeding vehicles are reported. It is necessary to replace one these trailers due to its inability to record and report traffic counts and speeds for statistical reporting.
- Decatur Electronics is the sole supplier and manufacturer of Model #450 that meets the needs of the Police Department. Their unit has the only motorized sign lift that will enable our employees to set up the unit without fear of injury due to the weight of the device. It also has the most accurate and easiest to use computer system for record keeping.
- The department will be able to use the sign board on major investigations and also loan it to Community Services for JamFest, Troy Daze and other events.

### **Financial Considerations**

- Funds are available in the Police Department operating budget, account #401305.7978.065.

### **Legal Considerations**

- Formal bidding procedures are waived, as no benefit would be derived from soliciting formal bids.

### **Policy Considerations**

- This purchase will enable and assist the Police Department in its mission to protect the public. Goal #1

### **Options**

- The Police Department recommends the purchase of this trailer directly from the manufacturer, Decatur Electronics of Decatur, Illinois at an estimated cost of \$19,995.00.



# Quote

[www.decaturradar.com](http://www.decaturradar.com)

242 East North Street  
Decatur, IL 62523

Phone: 1-800-428-4315

Fax: 1-217-428-5302

October 24, 2007

Account # MITROY

Quote # **00004868**

TROY POLICE DEPT

500 WEST BIG BEAVER

TROY, MI 48084

Below is the pricing in response to your inquiry:

<u>Quantity</u>	<u>Part #</u>	<u>Name/Description</u>	<u>Price</u>	<u>Total (US)</u>
1	ONSITE 450	3-LINE VARIABLE MESSAGE TRAILR	19,995.00	19,995.00
1	S792-OS450-0	THREE LINE VARIABLE MSG. TRLR.	\$19,995.00	
1	S792-625-0	EZ-STAT COMPLETE PACK - ONSITE	\$0.00	
1	XSI3-1	SI-3 MPH SOFTWARE	\$0.00	
1	W1	WARRANTY 1 YEAR FULL	\$0.00	
			<b>Total:</b>	<b>19,995.00</b>

We will contact you next week to discuss this quotation. If you would like to discuss this quotation prior to that time, please contact me direc



## CITY COUNCIL REPORT

February 13, 2008

TO: Phillip L. Nelson, City Manager

FROM: Peggy E. Sears, Human Resources Director

SUBJECT: **AGENDA ITEM** – Contract Ratification – Michigan Association of Police (MAP) Clerical and Non-Sworn Police Personnel and City of Troy (2007-2010)

### Background:

- The City of Troy and MAP entered into negotiations for a successor collective bargaining agreement that will replace the contract that expired June 30, 2007.
- The MAP membership ratified a tentative agreement for a three-year collective bargaining agreement between the City of Troy and MAP on January 3, 2008.
- This is the 11<sup>th</sup> collective bargaining agreement to be settled using the Interest-Based Bargaining (IBB) method.
- The IBB method has reduced costs associated with the negotiation process by reducing the amount of time spent negotiating, and has had a positive effect on employee-employer relations thus contributing to effective and professional communications.
- City administration continues efforts to bring consistency and reduce costs in the benefit package provided to employees.

### Financial Considerations:

- The proposed tentative agreement results in a wage increase 3.0% effective 7/1/07, 3.0% effective 7/1/08 and 2.5% effective 7/1/09.
- Replacing retiree health insurance with a Retirement Health Savings (RHS) plan for new hires will result in an annualized cost savings of approximately .125% of payroll per year per retiree
- Instituting a five-year maximum on the receipt of long-term disability benefits for non-duty-related injuries will reduce the City's financial liability by .167% per year per occurrence, and is consistent with the long-term disability provision for other employee groups

## Agenda Item-Contract Ratification-MAP and City of Troy 2007-2010

Page Two

- Adding to the contract language the elimination of duplicate health insurance for employees who are married to each other is consistent with the health insurance provision for other employee groups
- Funds are budgeted and available in the 2007-08 budget and will be incorporated in the 2008-09 and 2009-2010 budgets.

### Legal Considerations:

The MAP membership ratified the tentative agreement on January 3, 2008.

### Policy Considerations:

- Minimize the cost and increase the efficiency and effectiveness of City government by maintaining wage increases within the range of comparables and reducing the City's financial liability associated with health insurance for employees, retiree health insurance and long-term disability insurance (Goal II)
- Effectively and professionally communicate internally and externally by maintaining a fair and competitive total compensation package (Goal IV).

### Options:

- City management supports and recommends approval of the tentative agreement for a three-year collective bargaining agreement between the City of Troy and MAP for 2007-2010.

TENTATIVE AGREEMENT SUMMARY  
City of Troy and MAP  
2007-2010 Collective Bargaining Agreement

ISSUE

SOLUTION

Wages

- a. Three year contract with the following increases:
  - 7/01/2007 3.0%
  - 7/01/2008 3.0%
  - 7/01/2009 2.5%
- b. If a bargaining unit gets more than 8.5% over the same 3-year contract period through a voluntarily negotiated agreement, then MAP members will get the same percent increase.

Health Insurance

Eliminated dual coverage for employees who are married to each other; the employee opting out after ratification date is not eligible for the \$250 per month cash-in-lieu payment

Retiree Medical Insurance

- a. For employees hired after ratification date, retiree health insurance will be replaced with a Retirement Health Savings (RHS) plan; contribution rates: 2% (employee) and 4% (employer); vesting period: the same as under the DC pension plan.
- b. Language added to clarify that retiree health insurance applies only to early, normal and disability retirement (i.e. employees who leave the City's employ and defer their retirement are not eligible for retiree health insurance).

Shift Premium

Effective upon ratification: \$.35/hr and \$.45/hr for afternoon and midnight shifts respectively (increased from \$.25/hr and \$.35/hr)

Sick Leave

Language added to provide an enhancement for employees to reduce the total amount of sick leave used by the bargaining unit. (If total sick leave used by bargaining unit is reduced by 10%, employee would receive 2.5 hrs. additional holiday leave for each quarter in which the employee uses no sick leave, up to 10 hrs.)

Personal Business Time

Placed restrictions on use and timing of personal business time

Tentative Agreement Summary  
MAP 2007-2010 Agreement  
Page Two

- Long-Term Disability Insurance    Capped at 5 years for non-work related disabilities, consistent with all other employee groups
- Overtime
- a.    Provided a break period between shifts before employees are ordered or are eligible to sign up for overtime, unless there are no eligible employees available to work the overtime
  - b.    Clarified the process of offering overtime when employees are scheduled for a leave day
- Vacation                                    Added language describing vacation selection procedure for Police Service Aides and Animal Control Officers
- Miscellaneous “housekeeping” changes to correct citation numbers, legislation titles, section numbers, etc.

CITY OF TROY  
MAP SETTLEMENT COST  
(As % of Payroll)

<u>1<sup>st</sup> Year</u>	<u>2<sup>nd</sup> Year</u>	<u>3<sup>rd</sup> Year</u>
3.00	2.875	2.375



## CITY COUNCIL ACTION REPORT

February 13, 2008

TO: Phillip L. Nelson, City Manager

FROM: Brian Murphy, Assistant City Manager/ Economic Development Services  
Mark Stimac, Director of Building and Zoning

SUBJECT: Adjustment to Building Permit Fees

### Background:

- In the Zucker report on the development approval/permit process, one of their highest priority recommendations was to adjust fees for services to cover expenses. In reviewing the budget of the Building Department we find that in recent years the revenues generated by permit and inspection fees have not met the expenditures of the department. This shortfall was \$825,000 in the 2006/2007 fiscal year, and is estimated to be \$500,000 in the fiscal year ending July 2008. We have reviewed the fee structure for building permits and propose that they be increased. The proposed fee increases have been structured so that the small projects (\$0 - \$10,000 in construction value) will not be affected by the change. On those projects above \$10,000 in construction value, the fees are proposed to be increased by \$3 per \$1,000 value. On very large projects (over \$1,000,000) the fee per \$1,000 is proposed to be increased by \$2. This "price break" does two things. First, it recognizes the efficiency of providing inspection services to a very large size project. Second, it encourages developers to submit full permits rather than piecing projects into smaller submissions causing duplication of work.

### Financial Considerations:

- We have estimated that these fee increases will generate an additional \$285,000 in permit fees based upon the amount of work that was permitted in the 2007 calendar year. While this additional revenue will not by itself offset the current shortfall compared with expenditures, we believe that as the economy returns to a more robust condition, the revenues will balance out with expenditures. In addition, we are also looking at other adjustments in trade permit fees that will balance expenditures in those areas. We will bring those forward for your consideration when that analysis is complete.

### Legal Considerations:

- Permit fees are allowed to be set by City Council to cover expenditures per Public Act 230 of 1972

### Policy Considerations:

- Increasing the permit fees to cover expenses will reduce the burden of the Building Department's activities on the general taxpayer. (Goal II)

### Options:

- City Council can increase fees to more closely cover expenditures.
- City Council can deny the increase in fees.

# CITY OF TROY BUILDING PERMIT FEES

## VALUATION OF WORK

Under \$1,000 -----	\$35.00
\$1,000.00 to \$10,000.00 -----	\$35.00 Plus \$20.00 for each additional \$1,000 or part thereof over \$1,001
\$10,001.00 to \$1,000,000.00	\$215.00 Plus <del>\$7.00</del> <u>10.00</u> for each additional \$1,000 or part thereof over \$10,001
\$1,000,001.00 and Over	<del>\$7145.00</del> <u>10,115.00</u> Plus <del>\$5.00</del> <u>7.00</u> for each additional \$1,000 or part thereof over \$1,000,001.00



DATE: February 11, 2008

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Correction to Resolution #2007-02-053

City Council held a public hearing on this item on February 26, 2007, and approved the proposed street vacation. The subject alley is 18 feet wide and 244 feet in length. The resolution incorrectly retained easements for public and private easements and public turnaround within the vacated alley. The City has no need to retain easements within the vacated alley.

The owner of the property intends to develop the property as a medical office. The easements must be vacated before the property can be developed.

Prepared by RBS/MFM

G:\STREET VACATION\SV 188 Alley btwn Louis and Troy Sec 22\CC Regular Meeting 02 18 08.doc

A Regular Meeting of the Troy City Council was held Monday, February 4, 2008, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:30 PM.

Pastor Paul Monson – St. Augustine Evangelical Lutheran 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) On behalf of the City of Troy Employee's *Casual for a Cause* program, Cindy Stewart, Community Affairs Director, presented a check in the amount of \$403.67 to Patricia Rosen, Executive Director of CARE House of Oakland County
- b) Jim Mumby, Principal Architect for Fanning/Howey Associates and George Lawson, George Lawson Consulting provided a presentation regarding the *Library Needs Assessment Study*.
- c) A presentation regarding the *Development Approval/Permit Process Report* was given by Paul Zucker of Zucker Systems.

## CARRYOVER ITEMS:

---

B-1 No Carryover Items

## PUBLIC HEARINGS:

---

C-1 No Public Hearings

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

The meeting **RECONVENED** at 9:15 PM.

## POSTPONED ITEMS:

---

D-1 Establishment of an Industrial Development District (IDD) – IACNA, International Automotive Components Group, North America, 750-800 Chicago

Pending Resolution  
Moved by Fleming  
Seconded by Kerwin

---

RESOLVED, That Troy City Council hereby **ESTABLISHES** an Industrial Development District (IDD) for IACNA, for property known as 750–800 Chicago, Troy, MI. 48083, Parcels # 88-20-35-276-003 and 88-20-35-276-004, 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.

**Vote on Resolution to Amend by Substitution**

Resolution #2008-02-027  
Moved by Beltramini  
Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **AMENDS BY SUBSTITUTION** the resolution to establish an Industrial Development District (IDD) for IACNA, International Automotive Components Group, North America by **STRIKING** it in its entirety and **INSERTING**, “RESOLVED, That Troy City Council hereby **POSTPONES INDEFINITELY** the Establishment of an Industrial Development District (IDD) – IACNA, International Automotive Components Group, North America, 750-800 Chicago”.

Yes: All-7

**Vote on Resolution as Amended by Substitution**

Resolution #2008-02-028  
Moved by Fleming  
Seconded by Kerwin

RESOLVED, That Troy City Council hereby **POSTPONES INDEFINITELY** the Establishment of an Industrial Development District (IDD) – IACNA, International Automotive Components Group, North America, 750-800 Chicago.

Yes: All-7

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**D-2 Granting of an Industrial Facilities Exemption Certificate (IFEC) to IACNA, International Automotive Components Group, North America, 750-800 Chicago**

Resolution #2008-02-029  
Moved by Beltramini  
Seconded by Fleming

RESOLVED, That Troy City Council hereby **POSTPONES INDEFINITELY** the Granting of an Industrial Facilities Exemption Certificate (IFEC) to IACNA, International Automotive Components Group, North America, 750-800 Chicago.

Yes: All-7

**D-3 Resolution for No Reason Absentee Voting**Pending Resolution

Moved by Beltramini

Seconded by Kerwin

WHEREAS, The City Council of the City of Troy believes that every opportunity should be provided to encourage voter participation;

WHEREAS, The City of Troy vigilantly advocates for the fundamental rights of voters;

WHEREAS, Michigan Law in some cases forces its residents to choose between going to work or losing their Constitutional right to vote;

WHEREAS, The City of Troy is the home of a major hospital that employs several Troy registered voters who are required to work during the hours the polls are open for voting and are therefore disenfranchised from voting as there is no provision under law for them to vote an Absentee Ballot;

WHEREAS, There are several other occupations that routinely require employees to work during the hours that the polls are open, these occupations can include police and fire personnel and other shift workers that work 12 hour days rendering them unavailable during the time the polls are open;

WHEREAS, The City of Troy has many voters whose polling locations are located some distance from their homes and traveling to their precinct on Election Day could be a hardship;

WHEREAS, The statutory reasons for acquiring an Absentee Ballot do not take into account voters without transportation and their inability to travel from their homes to their precincts;

WHEREAS, The unfortunate option available for voters in these circumstances is to commit a misdemeanor crime by fraudulently applying for an Absentee Ballot as a means to execute one of their fundamental rights as a United States citizen;

WHEREAS, Election Law has several safeguards against voter fraud including the comparison of the registered voter's signature on Absentee Voter Ballot Applications against their signature on the registration record on file in the Clerk's Office; and

WHEREAS, Voters should have equal and unobstructed access to all possible voting opportunities.

NOW, THEREFORE, BE IT RESOLVED, That the Troy City Council hereby **SUPPORTS** No Reason Absent Voting and encourages our representatives to do the same; and

BE IT FURTHER RESOLVED, That the City of Troy hereby **PETITIONS** the State of Michigan Legislature to adopt legislation providing for no reason absent voting, which is designed to promote voter participation, increase voter turn-out and assure that the fundamental rights of all voters are not diminished due to unwarranted restrictions in Election Law; and

BE IT FURTHER RESOLVED, That HB 4048 or HB 4134 accomplish the objectives as set forth above and therefore the Troy City Council **ENCOURAGES** our legislators to actively support the passage of this proposed legislation on behalf of the voters; and

BE IT FINALLY RESOLVED, That the City Clerk is hereby **DIRECTED** to forward a copy of this resolution to Governor Jennifer Granholm, Secretary of State Terri Lynn Land, Senator John Pappageorge, State Representative Marty Knollenberg, Michigan Municipal League, Michigan Association of Municipal Clerks ListSERV and all surrounding communities.

**Proposed Resolution to Amend by Substitution**

Resolution

Moved by Howrylak

Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **AMENDS BY SUBSTITUTION** the resolution for *No Reason Absentee Voting* by **STRIKING** it in its entirety and **INSERTING**:

WHEREAS, The City Council of the City of Troy believes that every opportunity should be provided to encourage voter participation;

WHEREAS, The City of Troy vigilantly advocates for the fundamental right of voters;

WHEREAS, Michigan Law in some cases forces its residents to choose between going to work or losing their Constitutional right to vote;

WHEREAS, The City of Troy is the home of a major hospital that employs many Troy registered voters who are required to work during the hours the polls are open for voting and are therefore disenfranchised from voting as there is no provision under law for them to vote an Absentee Ballot;

WHEREAS, There are other occupations that routinely require employees to work during the hours that the polls are open, these occupations can include police and fire personnel and other shift workers that work to such an extent that they are unable to vote during the time the polls are open;

WHEREAS, The City of Troy has many voters whose polling locations are located some distance from their homes and traveling to their precinct on Election Day could be a hardship;

WHEREAS, The statutory reasons for acquiring an Absentee Ballot do not take into account voters without transportation and their inability to travel from their homes to their precincts;

WHEREAS, The unfortunate option available for voters in these circumstances is to either not vote or to commit a misdemeanor crime by fraudulently applying for an Absentee Ballot as a means to execute one of their fundamental rights as a United States citizen;

WHEREAS, Voters should be able to vote without being forced to choose between losing their job and committing a misdemeanor crime;

WHEREAS, State law was recently enacted to require proof of residence when voting in person and there is a fundamental obligation to respect the intent of this statute when modifying absentee voting requirements; and

WHEREAS, At least 23 states currently allow for a form of early voting;

NOW, THEREFORE, BE IT RESOLVED, That the Troy City Council hereby **SUPPORTS** No Reason Absent Voting, provided that this option requires the application be submitted in person at a government facility (i.e. Clerk's office) with requisite proof of residence, and encourages our representatives to do the same; and

BE IT FURTHER RESOLVED, That the City of Troy hereby **PETITIONS** the State of Michigan Legislature to adopt legislation providing for No Reason Absent Voting in person at a government facility (i.e. city, village or township hall) and/or a period of early voting, thus assuring that the fundamental right of all voters are not diminished due to unwarranted restrictions in Election Law; and

BE IT FURTHER RESOLVED, That HB 4048 or HB 4134 will accomplish the objectives as set forth above, provided that they are amended to require no reason absent voting to occur in-person at a government facility (i.e. city, village or township hall), and therefore the Troy City Council hereby **ENCOURAGES** our legislators to actively work to amend these bills as noted above and then to actively support the passage of this proposed legislation, if amended as noted here, on behalf of the voters of the City of Troy and the State of Michigan; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to forward a copy of this resolution to Governor Jennifer Granholm, Secretary of State Terri Lynn Land, Senator John Pappageorge, State Representative Marty Knollenberg, the Michigan Municipal League, the Michigan Association of Municipal Clerks ListSERV, and all surrounding communities.

### **Vote on Resolution to Amend**

Resolution #2008-02-030

Moved by Beltramini

Seconded by Schilling

RESOLVED, That Troy City Council hereby **AMENDS** the proposed substitute resolution amending the resolution for *No Reason Absentee Voting* by **STRIKING** "to require no reason absent voting to occur in-person at a government facility (i.e. city, village or township hall)".

Yes: Fleming, Howrylak, Schilling, Beltramini, Broomfield

No: Eisenbacher, Kerwin

**MOTION CARRIED**

**Vote on Resolution to Amend**

Resolution #2008-02-031  
Moved by Schilling  
Seconded by Kerwin

RESOLVED, That Troy City Council hereby **AMENDS** the proposed substitute resolution amending the resolution for *No Reason Absentee Voting* by **STRIKING** “NOW, THEREFORE, BE IT RESOLVED, That the Troy City Council hereby **SUPPORTS** No Reason Absent Voting, provided that this option requires the application be submitted in person at a government facility (i.e. Clerk’s office) with requisite proof of residence, and encourages our representatives to do the same; and”.

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

**MOTION FAILED****Vote on Resolution to Amend**

Resolution #2008-02-032  
Moved by Kerwin  
Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **AMENDS** the proposed substitute resolution amending the resolution for *No Reason Absentee Voting* by **STRIKING** “many” in the fourth WHEREAS paragraph.

Yes: All-7

**Vote on Resolution to Amend Resolution by Substitution as Amended**

Resolution #2008-02-033  
Moved by Howrylak  
Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **AMENDS BY SUBSTITUTION** the resolution for *No Reason Absentee Voting* by **STRIKING** it in its entirety and **INSERTING**:

WHEREAS, The City Council of the City of Troy believes that every opportunity should be provided to encourage voter participation;

WHEREAS, The City of Troy vigilantly advocates for the fundamental right of voters;

WHEREAS, Michigan Law in some cases forces its residents to choose between going to work or losing their Constitutional right to vote;

WHEREAS, The City of Troy is the home of a major hospital that employs Troy registered voters who are required to work during the hours the polls are open for voting and are therefore

disenfranchised from voting as there is no provision under law for them to vote an Absentee Ballot;

WHEREAS, There are other occupations that routinely require employees to work during the hours that the polls are open, these occupations can include police and fire personnel and other shift workers that work to such an extent that they are unable to vote during the time the polls are open;

WHEREAS, The City of Troy has many voters whose polling locations are located some distance from their homes and traveling to their precinct on Election Day could be a hardship;

WHEREAS, The statutory reasons for acquiring an Absentee Ballot do not take into account voters without transportation and their inability to travel from their homes to their precincts;

WHEREAS, The unfortunate option available for voters in these circumstances is to either not vote or to commit a misdemeanor crime by fraudulently applying for an Absentee Ballot as a means to execute one of their fundamental rights as a United States citizen;

WHEREAS, Voters should be able to vote without being forced to choose between losing their job and committing a misdemeanor crime;

WHEREAS, State law was recently enacted to require proof of residence when voting in person and there is a fundamental obligation to respect the intent of this statute when modifying absentee voting requirements; and

WHEREAS, At least 23 states currently allow for a form of early voting;

NOW, THEREFORE, BE IT RESOLVED, That the Troy City Council hereby **SUPPORTS** No Reason Absent Voting, provided that this option requires the application be submitted in person at a government facility (i.e. Clerk's office) with requisite proof of residence, and encourages our representatives to do the same; and

BE IT FURTHER RESOLVED, That the City of Troy hereby **PETITIONS** the State of Michigan Legislature to adopt legislation providing for No Reason Absent Voting in person at a government facility (i.e. city, village or township hall) and/or a period of early voting, thus assuring that the fundamental right of all voters are not diminished due to unwarranted restrictions in Election Law; and

BE IT FURTHER RESOLVED, That HB 4048 or HB 4134 will accomplish the objectives as set forth above, provided that they are amended and therefore the Troy City Council hereby **ENCOURAGES** our legislators to actively work to amend these bills as noted above and then to actively support the passage of this proposed legislation, if amended as noted here, on behalf of the voters of the City of Troy and the State of Michigan; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to forward a copy of this resolution to Governor Jennifer Granholm, Secretary of State Terri Lynn Land, Senator John Pappageorge, State Representative Marty Knollenberg, the Michigan Municipal League, the Michigan Association of Municipal Clerks ListSERV, and all surrounding communities.

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

**MOTION CARRIED**

**Vote on Resolution as Amended by Substitution**

Resolution #2008-02-034  
Moved by Beltramini  
Seconded by Kerwin

WHEREAS, The City Council of the City of Troy believes that every opportunity should be provided to encourage voter participation;

WHEREAS, The City of Troy vigilantly advocates for the fundamental right of voters;

WHEREAS, Michigan Law in some cases forces its residents to choose between going to work or losing their Constitutional right to vote;

WHEREAS, The City of Troy is the home of a major hospital that employs Troy registered voters who are required to work during the hours the polls are open for voting and are therefore disenfranchised from voting as there is no provision under law for them to vote an Absentee Ballot;

WHEREAS, There are other occupations that routinely require employees to work during the hours that the polls are open, these occupations can include police and fire personnel and other shift workers that work to such an extent that they are unable to vote during the time the polls are open;

WHEREAS, The City of Troy has many voters whose polling locations are located some distance from their homes and traveling to their precinct on Election Day could be a hardship;

WHEREAS, The statutory reasons for acquiring an Absentee Ballot do not take into account voters without transportation and their inability to travel from their homes to their precincts;

WHEREAS, The unfortunate option available for voters in these circumstances is to either not vote or to commit a misdemeanor crime by fraudulently applying for an Absentee Ballot as a means to execute one of their fundamental rights as a United States citizen;

WHEREAS, Voters should be able to vote without being forced to choose between losing their job and committing a misdemeanor crime;

WHEREAS, State law was recently enacted to require proof of residence when voting in person and there is a fundamental obligation to respect the intent of this statute when modifying absentee voting requirements; and

WHEREAS, At least 23 states currently allow for a form of early voting;

NOW, THEREFORE, BE IT RESOLVED, That the Troy City Council hereby **SUPPORTS** No Reason Absent Voting, provided that this option requires the application be submitted in person at a government facility (i.e. Clerk's office) with requisite proof of residence, and encourages our representatives to do the same; and

BE IT FURTHER RESOLVED, That the City of Troy hereby **PETITIONS** the State of Michigan Legislature to adopt legislation providing for No Reason Absent Voting in person at a government facility (i.e. city, village or township hall) and/or a period of early voting, thus assuring that the fundamental right of all voters are not diminished due to unwarranted restrictions in Election Law; and

BE IT FURTHER RESOLVED, That HB 4048 or HB 4134 will accomplish the objectives as set forth above, provided that they are amended and therefore the Troy City Council hereby **ENCOURAGES** our legislators to actively work to amend these bills as noted above and then to actively support the passage of this proposed legislation, if amended as noted here, on behalf of the voters of the City of Troy and the State of Michigan; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to forward a copy of this resolution to Governor Jennifer Granholm, Secretary of State Terri Lynn Land, Senator John Pappageorge, State Representative Marty Knollenberg, the Michigan Municipal League, the Michigan Association of Municipal Clerks ListSERV, and all surrounding communities.

Yes: Beltramini, Broomfield, Eisenbacher, Fleming, Howrylak

No: Schilling, Kerwin

#### **MOTION CARRIED**

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

#### **REGULAR BUSINESS:**

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**E-1 Appointments to Boards and Committees: a) Mayoral Appointments: Planning Commission-Postponed b) City Council Appointments: No appointments**

**(a) Mayoral Appointments**

Resolution

Moved by Schilling

Seconded by Beltramini

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

**Planning Commission**

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

**Mark Maxwell**

Term Expires 12/31/10

**Vote on Resolution to Postpone**

Resolution #2008-02-035  
Moved by Eisenbacher  
Seconded by Fleming

RESOLVED, That Troy City Council hereby **POSTPONES** the appointment of Mark Maxwell to the Planning Commission until a candidate for the Unexpired Term 12/31/08 is brought forward for appointment.

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

**MOTION CARRIED**

(b) **City Council Appointments – No Appointments**

**CONSENT AGENDA:**

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**F-1a Approval of “E” Items NOT Removed for Discussion**

Resolution #2008-02-036  
Moved by Beltramini  
Seconded by Kerwin

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 #2008-02-036-F-2

RESOLVED, That the Minutes of the 7:30 PM Regular City Council Meeting of January 28, 2008 be **APPROVED** as corrected.

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

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

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**F-5 Approval of Purchase Agreement, John R Road Improvements, Long Lake Road to Square Lake Road – Project No. 02.203.5 – Parcel #14 – Sidwell #88-20-11-226-003 – Nashat and Wafaa Gatie**

Resolution #2008-02-036-F-5

RESOLVED, That Troy City Council hereby **APPROVES** the agreement to purchase realty for public purposes between Nashat and Wafaa Gatie, owners of property having Sidwell #88-20-11-226-003, 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 \$27,600.00, 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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**MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:**

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

- a) 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) – February 18, 2008  
Noted and Filed

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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 Council Comments**

Council Member Howrylak reported that *Troy People Concerned* is holding its 3<sup>rd</sup> Annual Pasta Dinner at the Big Beaver United Methodist Church on Saturday, March 8, 2008 at 5:00 PM. He added that the cost for tickets is \$15.00 per adult and \$5.00 for children over 5 years old.

Council Member Eisenbacher requested information regarding the city's policy for the disposal of its old computers. He would like to see a more creative reuse of them rather than disposing them by auction.

**REPORTS:**

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

- a) Traffic Committee/Final – October 17, 2007
  - b) Historic Commission/Final – October 23, 2007
  - c) Traffic Committee/Final – November 28, 2007
  - d) Liquor Advisory Committee/Final – December 10, 2007
  - e) Planning Commission/Final – January 8, 2008
  - f) Board of Zoning Appeals/Draft – January 15, 2008
- Noted and Filed
- 

**J-2 Department Reports: None Submitted**

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

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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 Planning Director Mark Miller Regarding Master Plan Workshop**

Noted and Filed

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**J-7 Correspondence from Senator Carl Levin Congratulating Troy on Receiving Tree City, USA Recognition by the USDA Forest Service and the National Arbor Day Foundation**

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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The meeting **ADJOURNED** at 11:32 PM.

\_\_\_\_\_  
Louise E. Schilling, Mayor

\_\_\_\_\_  
Barbara A. Pallotta, CMC  
Deputy City Clerk

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A Regular Meeting of the Troy City Council was held Monday, February 13, 2008, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:32 PM.

Mayor Pro Tem Howrylak gave the Invocation and the Pledge of Allegiance to the Flag was given.

## ROLL CALL

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

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## Vote on Resolution to Excuse Council Member Broomfield

Resolution #2008-02-037  
Moved by Fleming  
Seconded by Howrylak

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of Council Member Broomfield at the Regular City Council meeting of February 13, 2008 due to being out of the county.

Yes: All-6  
No: None  
Absent: Broomfield

## OUTLINE OF PUBLIC HEARING PROCEDURE:

Under the Laws of the State of Michigan, Council is vested with the authority to take adverse action against a liquor licensee that has committed a violation of the Liquor Code or the local or state laws. However, prior to any adverse action, the licensee is entitled to a due process hearing to challenge the charged violation. For those licensees that choose to challenge the charged violation, the following procedure is recommended for the hearing.

1. The Mayor calls the licensee whose case is to be heard.
2. The licensee and/or his attorney should be asked to the front of the Chamber to acknowledge their presence for the record and can be seated.
3. The Assistant City Attorney makes a very short opening statement regarding the violation(s), and presents proofs.
4. When witnesses are called, they should be sworn by the City Clerk to tell the truth.
5. Once the witness is sworn, the Assistant City Attorney will question the witness.
6. The police report and other documents may be offered into evidence as part of the case and should be kept by the City Clerk as part of the records.

7. At the conclusion of the City's case, the licensee or his attorney should be asked to offer an explanation for the violations if they choose, make a statement, offer evidence, or otherwise make their presentation.
8. If the licensee offers evidence from witnesses who have not been previously sworn, the City Clerk should swear those witnesses.
9. Once the licensee has concluded his presentation, the Assistant City Attorney should be given an opportunity for rebuttal, if any is desired.
10. City Council members may ask questions at any time, but it is suggested that this questioning by Council members be conducted after the parties conclude their presentations.
11. When the presentation of evidence is concluded, the matter returns to the City Council for discussion, deliberation, and resolution.

## **PUBLIC COMMENT:**

## **PUBLIC HEARINGS:**

The following named licensees have been given notice to appear for this series of Public Hearings regarding alleged violations:

### **1.0 Liquor Violations (SDD/SDM):**

- (a) Name: Kroger Company of Michigan (dba: Kroger Store No. 487)  
Address: 31 E. Long Lake, 48085  
License No.: SDM (12595-2007)
- (b) Name: Kroger Company of Michigan (dba: Kroger Store No. 463)  
Address: 3125 John R, 48083  
License No.: SDM (161307-2007)
- (c) Name: Nino Salvaggio Fruit & Vegetable Market of Troy, Inc.  
(dba: Nino Salvaggio International Marketplace)  
Address: 6835 Rochester, 48085  
License No.: SDD (106341-2007 SS); SDM (11788-2007)
- (d) Name: ADI Realty, Inc. (dba: CVS Pharmacy No. 8242)  
Address: 4963 John R, 48085  
License No.: SDM (73139-2006)
- (e) Name: Arbor Drugs, Inc. (dba: CVS Pharmacy No. 8162)  
Address: 2045 W. South Blvd., 48098  
License No.: SDM (5815-2007)
- (f) Name: K-Mart Corporation (dba: K-Mart No. 4082)  
Address: 100 E. Maple Rd., 48083  
License No.: SDM (8174-2007)

- (g) Name: Cost Plus, Inc. (dba: Cost Plus Market)  
Address: 560 John R., 48083  
License No.: SDM (13248-2007)
- (h) Name: Czaryd Enterprises (dba: Troy Party Store)  
Address: 6990 John R., 48085  
License No.: SDD/SDM (15685/15856-2007SS)
- (i) Name: Jill-Nick Corporation (dba: Buscemi's Party Shoppe)  
Address: 3176 Rochester Road, 48083  
License No.: SDD/SDM (73920/14525-2007SS)
- (j) Name: Atlas Blue Sky, Inc. (dba: Atlas Market & Bakery)  
Address: 36949 Dequindre, 48083  
License No.: SDD/SDM (163695/163696-2007SS)

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### 1.0 Liquor Violations – SDD & SDM

The Mayor opened the Public Hearing for public comment for agenda items 1.0 Liquor Violations – SDD & SDM (a) *Kroger Company of Michigan (dba: Kroger Store No. 487)* and (b) *Kroger Company of Michigan (dba: Kroger Store No. 463)*.

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

#### (a) Kroger Company of Michigan (dba: Kroger Store No. 487)

Resolution #2008-02-038a  
Moved by Eisenbacher  
Seconded by Fleming

WHEREAS, The following liquor licensee operates within the City of Troy:

Name: Kroger Company of Michigan (dba: Kroger Store No. 487)  
Address: 31 E. Long Lake, 48085  
License No.: SDM (12595-2007)

WHEREAS, The licensee has entered into a contract with the City of Troy, where the licensee authorizes the Troy City Council to review the licensee's violations of the laws and regulations governing the sale of alcoholic liquor, and determine the appropriate course of action for any such violation that is allowed under Michigan law;

WHEREAS, The City Council has given public notice that the licensee has been charged with the following violation of the laws and regulations governing the sale of alcoholic liquor:

**SALE TO MINOR (DPU)** (Compliance Test) (Pending) on December 6, 2007  
and **SALE TO MINOR (DPU)** (Compliance Test) on August 23, 2007;

WHEREAS, The City provided notice that the charges against the licensee would be reviewed and Council would determine if any action should be taken against the licensee at a Public Hearing, scheduled for Wednesday, February 13, 2008;

WHEREAS, The licensee has had prior violations dated: July 25, 2000 – SALE TO MINOR (Compliance Test); April 1, 1993 – SALE TO MINOR (Compliance Test); May 23, 1991 – SALE TO MINOR (Compliance Test); October 26, 1989 – SALE TO MINOR (Compliance Test); October 23, 1987 - SALE TO MINOR (Compliance Test); May 25, 1985 - SALE TO MINOR (Compliance Test); and

WHEREAS, Licensee was given the opportunity to review these cited infractions, and the opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 13, 2008;

NOW THEREFORE, BE IT RESOLVED, That the Troy City Council, after the public hearing, **HAS DETERMINED** that the licensee did commit the above referenced violation of the laws and regulations governing the sale of alcoholic liquor; and

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDM License Number 12595-2007 in the name of Kroger Store No. 487 in the City of Troy), to have all its management and employees that are permitted to sell alcoholic liquor TIPS AND/OR TAM trained, and to **PROVIDE PROOF** of this training to the Troy Police Department within 90 days; and

BE IT FURTHER RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation.

BE IT FURTHER RESOLVED, That a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission for inclusion in the licensee's file.

Yes: All-6  
 No: None  
 Absent: Broomfield

**(b) Kroger Company of Michigan (dba: Kroger Store No. 463)**

Resolution #2008-02-038b  
 Moved by Eisenbacher  
 Seconded by Fleming

WHEREAS, The following liquor licensee operates within the City of Troy:

Name: Kroger Company of Michigan (dba: Kroger Store No. 463)  
 Address: 3125 John R, 48083  
 License No.: SDM (161307-2007)

WHEREAS, The licensee has entered into a contract with the City of Troy, where the licensee authorizes the Troy City Council to review the licensee's violations of the laws and regulations

governing the sale of alcoholic liquor, and determine the appropriate course of action for any such violation that is allowed under Michigan law;

WHEREAS, The City Council has given public notice that the licensee has been charged with the following violation of the laws and regulations governing the sale of alcoholic liquor:

**SALE TO MINOR** (Compliance Test) on August 23, 2007;

WHEREAS, The City provided notice that the charges against the licensee would be reviewed and Council would determine if any action should be taken against the licensee at a Public Hearing, scheduled for Wednesday, February 13, 2008;

WHEREAS, The licensee has had no prior violations; and

WHEREAS, Licensee was given the opportunity to review these cited infractions, and the opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 13, 2008;

NOW THEREFORE, BE IT RESOLVED, That the Troy City Council, after the public hearing, has **DETERMINED** that the licensee did commit the above referenced violation of the laws and regulations governing the sale of alcoholic liquor; and

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDM License Number 161307-2007 in the name of Kroger Store No. 463 in the City of Troy), to have all its management and employees that are permitted to sell alcoholic liquor TIPS AND/OR TAM trained, and to **PROVIDE PROOF** of this training to the Troy Police Department within 90 days; and

BE IT FURTHER RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation.

BE IT FURTHER RESOLVED, That a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission for inclusion in the licensee's file.

Yes: All-6  
No: None  
Absent: Broomfield

**(c) Nino Salvaggio Fruit & Vegetable Market of Troy, Inc. (dba: Nino Salvaggio International Market Place)**

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

Resolution #2008-02-039  
Moved by Beltramini  
Seconded by Eisenbacher

WHEREAS, The following liquor licensee operates within the City of Troy:

Name: Nino Salvaggio Fruit & Vegetable Market of Troy, Inc.  
(dba: Nino Salvaggio International Market Place)  
Address: 6835 Rochester, 48085  
License No.: SDD (106341-2007 SS); SDM (11788-2007)

WHEREAS, The licensee has entered into a contract with the City of Troy, where the licensee authorizes the Troy City Council to review the licensee's violations of the laws and regulations governing the sale of alcoholic liquor, and determine the appropriate course of action for any such violation that is allowed under Michigan law;

WHEREAS, The City Council has given public notice that the licensee has been charged with the following violation of the laws and regulations governing the sale of alcoholic liquor:

**SALE TO MINOR** (Compliance Test) on May 3, 2007;

WHEREAS, The City provided notice that the charges against the licensee would be reviewed and Council would determine if any action should be taken against the licensee at a Public Hearing, scheduled for Wednesday, February 13, 2008;

WHEREAS, This licensee has had prior violations dated: December 21, 2006 – MLCC SALE TO MINOR (Compliance Test); May 10, 2001 – MLCC SALE TO MINOR (Compliance Test); December 11, 1997- SALE TO MINOR (Compliance Test); and

WHEREAS, Licensee was given the opportunity to review these cited infractions, and the opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 13, 2008;

NOW THEREFORE, BE IT RESOLVED, That the Troy City Council, after the public hearing, has **DETERMINED** that the licensee did commit the above referenced violation of the laws and regulations governing the sale of alcoholic liquor; and

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDD License Number 106341-2007 SS & SDM License Number 11788-2007 in the name of Nino Salvaggio International Marketplace of Troy in the City of Troy), to have all its management and employees that are permitted to sell alcoholic liquor TIPS AND/OR TAM trained or RASS trained or receive some other training accepted by the Troy Police Department, and to **PROVIDE PROOF** of this training to the Troy Police Department within 90 days; and

BE IT FURTHER RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation.

BE IT FURTHER RESOLVED, That a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission for inclusion in the licensee's file.

Yes: All-6  
No: None  
Absent: Broomfield

**Vote on Resolution to Postpone 1.0 (d) ADI Realty, Inc. (dba: CVS Pharmacy No. 8242) and 1.0 (e) Arbor Drugs Inc. (dba: (CVS Pharmacy No. 8162)**

Resolution #2008-02-040  
 Moved by Beltramini  
 Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **POSTPONES** the Public Hearing for agenda items: *1.0 (d) ADI Realty, Inc. (dba: CVS Pharmacy No. 8242)* and *1.0 (e) Arbor Drugs Inc. (dba: (CVS Pharmacy No. 8162)* until a representative is present.

Yes: All-6  
 No: None  
 Absent: Broomfield

**(f) K-Mart Corporation (dba: K-mart No. 4082)**

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

Resolution #2008-02-041  
 Moved by Beltramini  
 Seconded by Eisenbacher

WHEREAS, The following liquor licensee operates within the City of Troy:

Name: K-Mart Corporation (dba: K-Mart No. 4082)  
 Address: 100 E. Maple Rd., 48083  
 License No.: SDM (8174-2007)

WHEREAS, The licensee has entered into a contract with the City of Troy, where the licensee authorizes the Troy City Council to review the licensee's violations of the laws and regulations governing the sale of alcoholic liquor, and determine the appropriate course of action for any such violation that is allowed under Michigan law;

WHEREAS, The City Council has given public notice that the licensee has been charged with the following violation of the laws and regulations governing the sale of alcoholic liquor:

**SALE TO MINOR** (Compliance Test) on August 23, 2007;

WHEREAS, The City provided notice that the charges against the licensee would be reviewed and Council would determine if any action should be taken against the licensee at a Public Hearing, scheduled for Wednesday, February 13, 2008;

WHEREAS, This licensee has had prior violations dated: June 30, 2004 – SALE TO MINOR (Compliance Test); May 17, 2001 – MLCC SALE TO MINOR (Compliance Test); July 25, 2000 – SALE TO MINOR (Compliance Test); October 28, 1998 – SALE TO MINOR (Compliance

Test); September 22, 1988 – SALE TO MINOR (Compliance Test); November 21, 1986 – SALE TO MINOR (Compliance Test); and

WHEREAS, Licensee was given the opportunity to review these cited infractions, and the opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 13, 2008;

NOW THEREFORE, BE IT RESOLVED, That the Troy City Council, after the public hearing, has **DETERMINED** that the licensee did commit the above referenced violation of the laws and regulations governing the sale of alcoholic liquor; and

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDM License Number 8174-2007 in the name of K-Mart Corporation in the City of Troy), to have all its management and employees that are permitted to sell alcoholic liquor TIPS AND/OR TAM trained or RASS trained or receive some other training accepted by the Troy Police Department, and to **PROVIDE PROOF** of this training to the Troy Police Department within 90 days; and

BE IT FURTHER RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation.

BE IT FURTHER RESOLVED, That a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission for inclusion in the licensee's file.

Yes: All-6  
No: None  
Absent: Broomfield

**(g) Cost Plus, Inc. (dba: Cost Plus Market)**

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

Resolution #2008-02-042  
Moved by Eisenbacher  
Seconded by Kerwin

WHEREAS, The following liquor licensee operates within the City of Troy:

Name: Cost Plus, Inc. (dba: Cost Plus Market)  
Address: 560 John R., 48083  
License No.: SDM (13248-2007)

WHEREAS, The licensee has entered into a contract with the City of Troy, where the licensee authorizes the Troy City Council to review the licensee's violations of the laws and regulations governing the sale of alcoholic liquor, and determine the appropriate course of action for any such violation that is allowed under Michigan law;

WHEREAS, The City Council has given public notice that the licensee has been charged with the following violation of the laws and regulations governing the sale of alcoholic liquor:

**SALE TO MINOR (DPU)** (Compliance Test) on December 6, 2007;

WHEREAS, The City provided notice that the charges against the licensee would be reviewed and Council would determine if any action should be taken against the licensee at a Public Hearing, scheduled for Wednesday, February 13, 2008;

WHEREAS, This licensee has had no prior violations; and

WHEREAS, Licensee was given the opportunity to review these cited infractions, and the opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 13, 2008;

NOW THEREFORE, BE IT RESOLVED, That the Troy City Council, after the public hearing, has **DETERMINED** that the licensee did commit the above referenced violation of the laws and regulations governing the sale of alcoholic liquor; and

BE IT FURTHER RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation.

BE IT FURTHER RESOLVED, That a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission for inclusion in the licensee's file.

Yes: All-6  
No: None  
Absent: Broomfield

**(h) Czaryd Enterprises (dba: Troy Party Store)**

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

Resolution #2008-02-043  
Moved by Fleming  
Seconded by Howrylak

WHEREAS, The following liquor licensee operates within the City of Troy:

Name: Czaryd Enterprises (dba: Troy Party Store)  
Address: 6990 John R, 48085  
License No.: SDD/SDM (15685/15856-2007SS)

WHEREAS, The licensee has entered into a contract with the City of Troy, where the licensee authorizes the Troy City Council to review the licensee's violations of the laws and regulations governing the sale of alcoholic liquor, and determine the appropriate course of action for any such violation that is allowed under Michigan law;

WHEREAS, The City Council has given public notice that the licensee has been charged with the following violation of the laws and regulations governing the sale of alcoholic liquor:

**SALE TO MINOR** (Compliance Test) on August 23, 2007;

WHEREAS, The City provided notice that the charges against the licensee would be reviewed and Council would determine if any action should be taken against the licensee at a Public Hearing, scheduled for Wednesday, February 13, 2008;

WHEREAS, This licensee has had prior violations dated: October 27, 2003 – SALE TO MINOR (Compliance Test); August 24, 1998 – MLCC SALE TO MINOR (Compliance Test); May 18, 1984 – SALE TO MINOR (Patrol Obs); and

WHEREAS, Licensee was given the opportunity to review these cited infractions, and the opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 13, 2008;

NOW THEREFORE, BE IT RESOLVED, That the Troy City Council, after the public hearing, has **DETERMINED** that the licensee did commit the above referenced violation of the laws and regulations governing the sale of alcoholic liquor; and

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDD/SDM License Numbers 15685/15856-2007SS in the name of Czaryd Enterprises in the City of Troy), to have all its management and employees that are permitted to sell alcoholic liquor TIPS AND/OR TAM trained or RASS trained or receive some other training accepted by the Troy Police Department, and to **PROVIDE PROOF** of this training to the Troy Police Department within 90 days; and

BE IT FURTHER RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation.

BE IT FURTHER RESOLVED, That a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission for inclusion in the licensee's file.

Yes: All-6  
No: None  
Absent: Broomfield

**(i) Jill-Nick Corporation (dba: Buscemi's Party Shoppe)**

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

Resolution #2008-02-044  
Moved by Kerwin  
Seconded by Eisenbacher

WHEREAS, The following liquor licensee operates within the City of Troy:

Name: Jill-Nick Corporation (dba: Buscemi's Party Shoppe)  
Address: 3176 Rochester Road, 48083  
License No.: SDD/SDM (73920/14525-2007SS)

WHEREAS, The licensee has entered into a contract with the City of Troy, where the licensee authorizes the Troy City Council to review the licensee's violations of the laws and regulations governing the sale of alcoholic liquor, and determine the appropriate course of action for any such violation that is allowed under Michigan law;

WHEREAS, The City Council has given public notice that the licensee has been charged with the following violation of the laws and regulations governing the sale of alcoholic liquor:

**SALE TO MINOR (DPU)** (Compliance Test) on December 6, 2007;

WHEREAS, The City provided notice that the charges against the licensee would be reviewed and Council would determine if any action should be taken against the licensee at a Public Hearing, scheduled for Wednesday, February 13, 2008;

WHEREAS, This licensee has had prior violations dated: February 11, 2005 – SALE TO MINOR (Compliance Test); October 17, 1990 – SALE TO MINOR (Compliance Test); and

WHEREAS, Licensee was given the opportunity to review these cited infractions, and the opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 13, 2008;

NOW THEREFORE, BE IT RESOLVED, That the Troy City Council, after the public hearing, has **DETERMINED** that the licensee did commit the above referenced violation of the laws and regulations governing the sale of alcoholic liquor; and

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDD/SDM License Numbers 73920/14525-2007SS in the name of Jill-Nick Corporation in the City of Troy), to have all its management and employees that are permitted to sell alcoholic liquor TIPS AND/OR TAM trained, and to **PROVIDE PROOF** of this training to the Troy Police Department within 90 days; and

BE IT FURTHER RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation.

BE IT FURTHER RESOLVED, That a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission for inclusion in the licensee's file.

Yes: All-6  
No: None  
Absent: Broomfield

(j) **Atlas Blue Sky, Inc. (dba: Atlas Market & Bakery)**

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

Resolution #2008-02-045

Moved by Beltramini

Seconded by Fleming

WHEREAS, The following liquor licensee operates within the City of Troy:

Name: Atlas Blue Sky, Inc. (dba: Atlas Market & Bakery)  
Address: 36949 Dequindre, 48083  
License No.: SDD/SDM (163695/163696-2007SS)

WHEREAS, The licensee has entered into a contract with the City of Troy, where the licensee authorizes the Troy City Council to review the licensee's violations of the laws and regulations governing the sale of alcoholic liquor, and determine the appropriate course of action for any such violation that is allowed under Michigan law;

WHEREAS, The City Council has given public notice that the licensee has been charged with the following violation of the laws and regulations governing the sale of alcoholic liquor:

**SALE TO MINOR (DPU)** (Compliance Test) on December 6, 2007;

WHEREAS, The City provided notice that the charges against the licensee would be reviewed and Council would determine if any action should be taken against the licensee at a Public Hearing, scheduled for Wednesday, February 13, 2008;

WHEREAS, This licensee has had no prior violations; and

WHEREAS, Licensee was given the opportunity to review these cited infractions, and the opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 13, 2008;

NOW THEREFORE, BE IT RESOLVED, That the Troy City Council, after the public hearing, has **DETERMINED** that the licensee did commit the above referenced violation of the laws and regulations governing the sale of alcoholic liquor;

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDD/SDM License Numbers 163695/163696-2007SS in the name of Atlas Market & Bakery in the City of Troy), to have all its management and employees that are permitted to sell alcoholic liquor TIPS AND/OR TAM trained or RASS trained or receive some other training accepted by the Troy Police Department, and to **PROVIDE PROOF** of this training to the Troy Police Department within 90 days; and

BE IT FURTHER RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation.

BE IT FURTHER RESOLVED, That a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission for inclusion in the licensee's file.

Yes: All-6  
No: None  
Absent: Broomfield

**ADJOURNMENT**

The meeting **ADJOURNED** at 9:25 PM.

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Louise E. Schilling, Mayor

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Barbara A. Pallotta, CMC  
Deputy City Clerk

**PROCLAMATION  
SENIOR HOME ASSISTANCE REPAIR PROGRAM (SHARP)  
FIRST ANNIVERSARY 2008**

**WHEREAS**, After Dave Taylor heard the story of his Big Beaver United Methodist Church Minister's visit to a shut-in who asked if he could change a light bulb for her, he had an idea that has now become a successful reality in Troy; and

**WHEREAS**, Dave's dream was to start a program to help seniors over the age of 60, regardless of income, by providing free labor with homeowners only having to pay for supplies. Working with Carla Vaughan, the senior coordinator with the Troy Parks and Recreation Department, the program took its initial steps; and

**WHEREAS**, A positive response clearly demonstrated the need for a City wide program so a partnership was established between Dave Taylor, his fellow church volunteers, Troy Parks and Recreation, and the Community Foundation of Troy. Together they developed an implementation plan and organizational structure and the **Senior Home Assistance Repair Program (SHARP)** to include seniors and homeowners with disabilities was officially launched in January 2007; and

**WHEREAS**, One year later, the program has exceeded all projections, fulfilling 304 requests for 197 homeowners by two dozen volunteers who receive heartwarming appreciation for their work in survey responses and testimonials; and

**WHEREAS**, In a true sense of community spirit, grants from the Community Foundation, and sponsorships from Home Depot and Trevarrow Hardware enabled the program to evolve. Combined with the generous donations from appreciative homeowners, the program reported a fund balance at the end of its first year; and

**WHEREAS**, As volunteer workers for the program, especially seniors, are willing to give their time and talents to this worthy effort and requests for help continues to come, **SHARP** is poised to continue its growth; and

**WHEREAS**, Testimonials on surveys reflect the positive response to SHARP, including one that sums it all up by saying "Not only the people who volunteer their services but the program itself should be recognized and honored in Troy. What a truly beneficial and worthwhile program this is. Thank you!"

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Troy does hereby proclaim the **Senior Home Assistance Repair Program** a success on its First Anniversary and encourages all citizens to express sincere appreciation to this organization and its supporters for their work on behalf of Troy seniors and homeowners with disabilities;

**BE IT FURTHER RESOLVED**, That the City Council encourages the citizens of this community to consider joining the ranks of our **SHARP** volunteers in order for the program to assist even more seniors and persons with disabilities in Troy.

Presented this 18<sup>th</sup> day of February 2008.



## CITY COUNCIL ACTION REPORT

February 4, 2008

TO: Phillip L. Nelson, City Manager

FROM: Susan A. Leirstein, Purchasing Director  
Cindy Stewart, Community Affairs Director

SUBJECT: Standard Purchasing Resolution 3 – Exercise Renewal Option –  
Printing of City of Troy Newsletter – Troy Today

### **Background**

- On April 16, 2007, a contract to provide printing of the Troy Today, Quarterly Newsletter was approved with two one (1) year renewal options to Grand River Printing and Imaging of Belleville, MI, the vendor with the highest weighted final score as a result of a best value process. (Council Resolution #2007-04-122-E4a).
- A letter is attached from Grand River Printing indicating their agreement to renew the contract for printing the Troy Today (4 issues per year) under the same terms and conditions as the original contract.
- Grand River Printing is seeking a price increase of \$1,100 per issue, which is allowed under the contract to recover costs due to fluctuations in paper (See attached letters from their paper suppliers).
- Due to the best value process used in evaluating the request for proposal, a market survey was not done; since the City utilizes an evaluation process in which bidders are required to meet minimum specified requirements, along with a weighted score for samples of their work from similar projects.

### **Financial Considerations**

- Funds are available from the Community Affairs Department, Parks and Recreation and the Library operating budgets, account #748.7901, #752.7901 and #790.7901 respectively.

### **Legal Considerations**

- RFP-COT 07-07, the printing of the Troy Today was competitively bid and opened with three bidders responding.

February 4, 2008

To: Phillip L. Nelson, City Manager

Re: Exercise Renewal Option – 2008-09 Troy Today Quarterly Newsletter

### **Policy Considerations**

- The Troy Today, quarterly newsletter, is an all-encompassing informational and promotional piece used as one of the City's major public relations/marketing tools. It is mailed four times a year to approximately 37,000 households and businesses and used as one of the main pieces in our new resident/business welcome packets. (Goals II, III & IV).
- The Troy Today contains City news and information as well as all the programs, special events and classes at the Library, Museum, Nature Center and Community Center. (Goal IV).

### **Option**

- City management recommends Troy City Council exercise the option to renew for the 2008-09 Troy Today at an estimated total cost of \$80,342.80 plus \$1,100.00 per issue for paper cost increases, as well as the actual cost of bulk rate postage and additional charges as needed not to exceed 10% of the original contract amount or \$8,034.28, with all other contract requirements the same to expire March 31, 2009.



GRAND RIVER  
PRINTING & IMAGING

8455 Haggerty Road  
Belleville, MI 48111  
734-394-1400  
734-397-0310 FAX  
www.grpinc.com

Cynthia Stewart  
Community Affairs  
City of Troy  
500 West Big Beaver Road  
Troy, MI 48084

January 16, 2008

Dear Cindy,

Grand River Printing is very pleased to extend our printing contract with the City of Troy for *Troy Today* for another year beginning March 31, 2008 at the same manufacturing price, terms and conditions as our bid submission RFP - COT 07-07 and Purchase Order No. 2060836 000 0B.

There have been a number of paper price increases over the duration of the present contract year which is documented in the four letters from our paper suppliers that are attached. The amount for increases which have already taken place translate into an additional \$1100 per issue. We can add this as an additional line item on your invoices. Please note the increase will not go into effect until the completion of the current contract period.

It is always a pleasure working with you and your staff in the production of *Troy Today*. The GRP staff and I, greatly value the relationship we have developed over the years and look forward to working with you again.

Please feel free to contact me if you have any questions or need further information.

Regards,

A handwritten signature in black ink, appearing to read 'Sheila Leburg', written in a cursive style.

Sheila Leburg  
Account Representative



8540 Gander Creek Drive  
Miamisburg, OH 45342  
www.newpagecorp.com

August 22, 2007

Dear Valued Customer:

The following price increase will apply to all orders having confirmed delivery dates October 10, 2007, or later.

- |   |            |              |
|---|------------|--------------|
| • Focus® Plus 60 lb and below web text      | \$4.00 cwt | (\$4.25 CAD) |
| • Vision® Plus 60 lb and below web text     | \$4.00 cwt | (\$4.25 CAD) |
| • Escanaba® Plus 60 lb and below web text   | \$4.00 cwt | (\$4.25 CAD) |
| • Dependoweb® Plus 60 lb and below web text | \$4.00 cwt | (\$4.25 CAD) |
- Includes all finishes, and any related private label grades

NewPage is taking these actions in view of changes in market conditions and manufacturing costs. We appreciate your continued support of NewPage. If you have any questions, please feel free to contact your NewPage sales representative.

Sincerely,

A handwritten signature in black ink, appearing to read 'James C. Tyrone'.

James C. Tyrone  
SVP, Sales & Marketing  
NewPage Corporation



Suite 320  
701 Warrenville Road  
Lisle, IL 60532-4375  
Tel: 800/843-0375  
Fax: 630/960-9871  
[www.bowater.com](http://www.bowater.com)

August 24, 2007

Dear Valued Customer:

Effective with shipments on 10/1/2007 Bowater will increase the price of its coated papers as follows:

- BowMax 84, BowBrite 80, BowBrite 76, and BowGloss in all basis weights and finishes will increase by \$3.00/cwt.
- BowGloss Rotogravure and BowBrite 76 Rotogravure in all basis weights will increase by \$4.00/cwt.

Please contact your Bowater Sales Representative if you have questions regarding this increase.

Thank you for your continued support of Bowater. We appreciate your business.

Sincerely,

***Don Wallace***

Don Wallace  
Vice President - Sales, Commercial and Retail Printing  
Bowater America Inc.  
866-478-9423 - office  
847-840-1505 - Cell

DW/ech



Suite 320  
701 Warrenville Road  
Lisle, IL 60532-4375  
Tel: 800/843-0375  
Fax: 630/960-9871  
www.bowater.com

October 23, 2007

Dear Valued Customer:

Effective immediately with new orders, and all orders shipping on or after December 1, 2007, Bowater will increase the price of its coated and SC products by \$3.00/cwt. in all basis weights. Grades impacted by this increase are as follows:

- BowGloss - all basis weights and finishes including rotogravure.
- RowEcoGloss - all basis weights and finishes including rotogravure.
- BowBrite 76, BowBrite 80 - all basis weights and finishes including rotogravure.
- BowMax 84 - all basis weights and finishes.
- BowSCA, BowSCB+, BowSNC - all basis weights.

Please contact your Bowater Sales Representative with any questions you may have regarding this increase.

Thank you for your continued support of Bowater products. Your business is greatly appreciated.

Sincerely,

**Don Wallace**

Don Wallace  
Vice President - Sales, Commercial and Retail Printing  
Bowater America Inc.  
866-478-9423 - office  
847-840-1505 - Cell

DW/ech



**Verso Paper**  
6775 Lenox Center Court  
Suite 100  
Memphis, TN 38115

**Michael A. Weinhold**  
Senior Vice President  
Sales and Marketing

T 901 369 4238  
F 901 369 4228

[www.versopaper.com](http://www.versopaper.com)

November 5, 2007

Dear Customer:

Effective with orders entered immediately and all orders shipping on or after January 1, 2008, Verso Paper is increasing the transaction price of all coated mechanical and supercalendered products by \$3.00/cwt (\$60.00/US short ton).

This increase applies to all coated mechanical and supercalendered grades including, but not limited to, the following brands:

- Liberty - All grades, basis weights and finishes
- Liberty G - All grades, basis weights and finishes
- Advocate Offset - All grades, basis weights and finishes
- Advocate Roto - All grades, basis weights and finishes
- Trilogy Offset - All grades, basis weights and finishes
- Trilogy Roto - All grades, basis weights and finishes
- Trilogy Insert Offset - All grades, basis weights and finishes
- Trilogy Insert Roto - All grades, basis weights and finishes

Should you have any questions please contact your Verso Paper professional sales representative. Thank you for your continued support.

Sincerely,

Michael A. Weinhold

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**E-2 Approval of City Council Minutes**

Resolution #2007-04-122-E-2

RESOLVED, That the Minutes of the 7:30 PM Regular City Council Meeting of April 2, 2007 be **APPROVED** as amended.

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**E-3 City of Troy Proclamation(s):**

Resolution #2007-04-122-E-3(a) (b)

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

- a) National Anthem Awareness Week – April 23-27, 2007
- b) Law Day Proclamation – May 1, 2007

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**E-4 Standard Purchasing Resolutions**

- a) **Standard Purchasing Resolution 8: Best Value Award – Printing of Troy Today, Quarterly Newsletter**

Resolution #2007-04-122-E-4a

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide one (1) year of printing services for the quarterly newsletter, *Troy Today* with two, one (1) year options to renew to Grand River Printing and Imaging of Belleville, MI, the bidder with the highest score as a result of a best value process, which the Troy City Council determines to be in the public interest, for an estimated annual cost of \$80,342.80, plus the actual cost of bulk rate postage; and additional charges as needed not to exceed 10% of the total contract cost or \$8,034.28 at prices contained in the RFP tabulation opened March 26, 2007, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, to expire upon completion of the Spring 2008 issue.

- b) **Standard Purchasing Resolution 9: Approval to Expend Funds for Membership Dues and Renewals Over \$10,000 – Traffic Improvement Association (TIA) of Oakland County**

Resolution #2007-04-122-E-4b

RESOLVED, That Troy City Council hereby **APPROVES** to pay the renewal of City of Troy's membership in the Traffic Improvement Association for the year 2007, in the amount of \$25,100.00 and funds are available in the 2006-2007 Traffic Engineering budget, Account No. 446.7958.



## CITY COUNCIL ACTION REPORT

April 5, 2007

TO: Phillip L. Nelson, City Manager

FROM: Susan A. Leirstein, Purchasing Director  
Cindy Stewart, Community Affairs Director

SUBJECT: Standard Purchasing Resolution 8: Best Value Award – Printing of Troy Today, Quarterly Newsletter

### **Background**

- On March 26, 2007, Requests for Proposals (RFP) were received and opened to provide printing services for the Troy Today, our quarterly newsletter.
- 135 vendors were notified via the MITN system with three (3) bidders responding and one (1) statement of no bid received.
- Color Q had to withdraw from the process due to a their error, which assumed the size of the newsletter was 5x8 instead of 8 ¼ x 10 5/8.

### **Financial Considerations**

- Funds are available in the Community Affairs account # 748.7901, Library account #790.7901 and Parks & Recreation account # 752.7901.

### **Legal Considerations**

- RFP-COT 07-07 for Printing of the *Troy Today* was competitively bid and opened with three bidders responding.
- All bidders were given the opportunity to respond with their level of interest in printing a quarterly newsletter for the City of Troy.

### **Policy Considerations**

- *Troy Today*, an all-encompassing quarterly newsletter to inform residents and businesses about pertinent City news, Library, Museum and Parks & Recreation programs and special events, is mailed to all residential and business addresses. (Goal IV)
- *Troy Today* also incorporates standard resource information like contact names and phone numbers for City Departments, City Council, and other community organizations. It maintains regular features including road and infrastructure construction maps, business development news, City Council meeting schedules, Police and Fire safety tips and special programs, and other helpful information. (Goal II & Goal IV)

### **Options**

- City Management and the Community Affairs department recommend awarding a one-year contract with two one (1) year renewal options for printing services for the *Troy Today* to the highest scoring respondent as a result of a best value process, Grand River Printing and Imaging, of Belleville, MI for an estimated one year total cost of \$80,342.80 at prices contained in the RFP tabulation, plus the actual cost of bulk rate postage.



## EXECUTIVE SUMMARY

### Printing of Troy Today

#### STATISTICS:

- ◆ **One-Hundred Thirty-Five (135) Firms notified via the MITN e-procurement website**
- ◆ **Three (3) proposals were received**
- ◆ **Grand River Printing was the most qualified vendor by receiving the highest weighted score**

The following bidders submitted a proposal and received the indicated final scores:

Firm	SCORE
<b>Grand River Printing</b>	<b>69</b>
University Lithoprinters	61

#### REQUEST FOR PROPOSALS - FIRMS ELMINATED FROM FURTHER CONSIDERATION (BID WITHDRAWN BY VENDOR)

- Color Q

#### Attachments:

- ✓ Weighted Final Scoring Including Qualification Statement and Newsletter Sample Scoring
- ✓ Evaluation Process



WEIGHTED FINAL SCORING  
Printing of Troy Today

Final Score Calculation:

40% x Sample Evaluation Process  
40% x Price Score  
~~20% x Interview Score~~ Deleted Phase  
  
100% = Final Weighted Score

In order to equate the price to the weighted evaluation process scoring, the prices had to be converted into a score with the base of 100. **NOTE:** Vendors are listed in order of bid opening.

Weighted Average Score for Sample Evaluation: 40%

RATERS	1	2	3	AVERAGE
Vendors:				
University Lithoprinters	97	99	97	98
Grand River Printing	63	78	77	73

Weighted Average Score for Price: 40%

RATERS	Weighted Criteria - Difference in Costs (1-(Proposal price - lowest price)/low price) x available points
Vendors:	
University Lithoprinters	$(1-(117,460.00-80,342.80)/80,342.80) \times 100 = 54$
Grand River Printing	$(1-(80,342.80-80,342.80)/80,342.80) \times 100 = 100$

FINAL WEIGHTED SCORE:

VENDORS:	University Lithoprinters	<b>**Grand River Printing</b>
Score		
Sample Evaluation Score: (x .40) =	98 x .40 = 39	73 x .40 = 29
Price Score: (x .40) =	54 x .40 = 22	100 x .40 = 40
Final Score:	61	69

\*\* HIGHEST RATED VENDOR - RECOMMENDED AWARD



## SELECTION PROCESS

### CRITERIA FOR SELECTION

The identified City Committee will review the proposals. The City of Troy reserves the right to award this proposal to the printer considered the most qualified based upon a combination of factors including but not limited to the following:

- A. Compliance with qualifications criteria
- B. Completeness of the proposal
- C. Financial strength and capacity of the printer
- D. Correlation of the proposals submitted to the needs of the City of Troy
- E. Any other factors which may be deemed to be in the City's best interest
- F. Evaluation Process

**Phase 1: Qualifications Evaluation.**

Bidders will be required to meet minimum established criteria in order to go to the second phase of the process.

**Phase 2: Sample Evaluation Process.**

The City Committee will use a weighted score sheet to independently evaluate the samples of the "City" type newsletters and paper stock submitted as required. Each Committee Member will calculate a weighted score. The scores of the Committee Members will be averaged into one score for each bidder for this phase of the process.

**Phase 3: Interview (Optional).**

The City Committee will use a weighted score sheet to independently rate the interview. Each committee member will calculate a weighted score. The scores will be averaged into one score for each bidder for this phase of the process.

**Phase 4: Price**

Points for price will be calculated as follows:

**FORMULA - { 1 - (Proposal Price - Low Price) / low price } x available points**

**Final Scoring and Printer Selection.**

40% x Weighted Average Score – Sample Evaluation Process  
20% x Interview Score  
+ ~~20%~~ x Price Score ~~40%~~  
= Final Weighted Score

The highest final weighted scored printer will be the printer recommended to the Troy City Council for Award.

**Note:** The City of Troy reserves the right to change the order or eliminate an evaluation phase if deemed in the City's best interest to do so.

Opening Date -- 3-26-07  
 Date Prepared -- 4/5/07

CITY OF TROY  
 BID TABULATION  
 PRINTING OF TROY TODAY

VENDOR NAME:

<b>Grand River Printing and Imaging</b>	University Lithographers
CHECK #	12949
CHECK AMOUNT	\$500.00/\$1500.00 on File
	114845
	\$2,000.00

**PROPOSAL: FURNISH ALL LABOR, MATERIALS, AND EQUIPMENT TO PROVIDE ONE YEAR REQUIREMENTS OF OFFSET PRINTING AND DELIVERY OF TROY TODAY WITH AN OPTION TO RENEW FOR TWO ADDITIONAL ONE-YEAR PERIODS**

QTY	DESCRIPTION		
<b>Vendor Questionnaire</b>	Filled out Y or N	Yes	Yes
40,000 Copies per Printing	<b>Printing of TROY TODAY</b> Four Times per Year (160,000 Copies per Year)		
	<b>Complete for the Sum of:</b>	\$ 20,085.70	\$ 29,365.00
	<b>Extended Yearly Cost:</b>	\$ 80,342.80	\$ 117,460.00
Paper Manufactured by:	Cover Inside	Orion	Mead West Vaco
		Windsor	Domtar
<b>Additional Charges:</b>			
1) Cost per each additional 4-page spread			
60 lb White Offset Paper		\$ 1,422.40	1st) \$147.00 2nd) \$2,478
60 lb Gloss Cover Stock		\$ 1,131.17	N/A
Add'l Scans		\$ 15.00	
2) Changes once the Dylux or Sherpa is produced		\$95.00/Hour	\$65.00/Hour
3) Cost for additional quantities per <b>500 Copies:</b>			
	<b>Offset</b> (80 Pages + 4 pages)	\$ 193.36	76 pgs + 4 pgs \$308.00
	<b>Gloss Text</b>		
Base Bid			
<i>Optional Pricing</i>			
a.) 88 Pages (84 Pages + 4 pages)		\$ 207.80	80 pgs + 4 pgs \$315.00
b.) 88 Pages (80 Pages + 8 pages)		\$ 206.15	84 pgs + 4 pgs \$345.00
c.) 92 Pages (84 Pages + 8 pages)		\$ 214.31	N/A
<b>Completion Schedule:</b>			
Can meet	10 BUSINESS DAYS	XX	XX
Cannot meet			
<b>Contact Information</b>			
Hours of Operations		24 Hours / 7 Days per week	Mon - Sat 24 Hours
24 Hrs Phone No.		734-394-1400	734-973-9414
<b>Terms</b>		2% 10 Days, Net 30	Net 30
<b>Delivery</b>		<b>10 BUSINESS DAYS</b>	
<b>Samples</b>	Y or N	Yes	Yes
<b>Exceptions:</b>		Blank	None
<b>Acknowledgement</b>	Completed Y or N	Yes	Yes

NO BIDS:  
 Dearborn Lithograph, Inc

**BOLDFACE TYPE DENOTES BEST VALUE PROPOSAL**

BIDS WITHDRAWN BY VENDOR:  
 Color Q

ATTEST:  
 Laura Campbell  
 Ellen Hodorek  
 Julie Hamilton

\_\_\_\_\_  
 Susan Leirstein CPPB  
 Purchasing Director



## CITY COUNCIL ACTION REPORT

February 5, 2008

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Standard Purchasing Resolution 11: Rejection of Bids – Police Carports

### **Background**

- On Tuesday, January 22, 2008, bids were received for the installation of carports at the City of Troy Police parking area.
- 93 Vendors were notified via the MITN system with four (4) bid responses received, two statements of no bid, and one vendor was considered non-responsive as the bid surety check specified was not included with the bid documents.
- After a review of the bid proposals, it was determined the project came in over budget. The specifications were upgraded to include all galvanized steel and the addition of gutters and downspouts.

### **Legal Considerations**

- Competitive bids were sought and opened for ITB-COT 07-35, Police Carports as required by Chapter 7 of the City Code.

### **Financial Consideration**

- Funds for this entire project are budgeted in the amount of \$67,000.00 in the Police Capital Account #401305.7978.065.

### **Policy Considerations**

- All bidders were given the opportunity to respond with their level of interest in supplying services for the City of Troy. (Goal II)

### **Options**

- City management recommends rejecting all bids and re-bidding the contract under revised specifications, which provides for the installation of seven (7) carports at the City of Troy Police parking area.

VENDOR NAME:	Cedroni Associates Inc.	Lang Construction	Ross & Barr
	<b>RECOMMEND REJECTION</b>		
CHECK #:	102619554	199108701-0	055891
CHECK AMOUNT:	\$ 6,700.00	\$ 6,700.00	\$ 6,700.00

**PROPOSAL:** TO FURNISH ALL LABOR, MATERIALS, AND EQUIPMENT TO INSTALL FOUR CARPORTS WITH THE OPTION TO INSTALL THREE ADDITIONAL CARPORTS LOCATED AT 500 WEST BIG BEAVER

**BASE BID:** To furnish all labor, materials, and equipment to install (4) Four Carports covering (41) Forty-one parking spaces according to Specifications

<b>COMPLETE FOR THE SUM OF:</b>	\$ 58,345.00	\$ 74,051.00	\$ 85,350.00
MANUFACTURED BY:	Carport Structures Corporation	Carport Structures Corporation	Classic Carports
STYLE/MODEL:	Flat Top	Flat Top	Back to Back

**OPTION #1:** Additional Carport covering (13) thirteen parking spaces Identified as **Carport Five (5)** according to Specifications

<b>COMPLETE FOR THE SUM OF:</b>	\$ 19,675.00	\$ 23,141.00	\$ 22,750.00
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**OPTION #2:** Additional Carport covering (14) fourteen parking spaces Identified as **Carport Six (6)** according to Specifications

<b>COMPLETE FOR THE SUM OF:</b>	\$ 17,730.00	\$ 21,568.00	\$ 22,800.00
---------------------------------	--------------	--------------	--------------

**OPTION #3:** Additional Carport covering (3) three parking spaces Identified as **Carport Seven (7)** according to Specifications

<b>COMPLETE FOR THE SUM OF:</b>	\$ 4,775.00	\$ 7,031.00	\$ 6,000.00
---------------------------------	-------------	-------------	-------------

<b>SITE INSPECTION:</b>	Y/N	Yes	Yes	Yes
			May 1, 2008	
<b>COMPLETION DATE:</b>	Can Meet Cannot Meet Offers:	XX	XX	XX
<b>QUESTIONNAIRE:</b>	Completed Not Completed	XX	XX	XX
<b>CONTACT INFORMATION:</b>	Hours of Operation 24 Hr Phone No.	7 am to 4 pm 248-240-0180	8 am to 5 pm 810-610-8868	8:00 am to 4:30 pm 810-459-5371
<b>INSURANCE:</b>	Can Meet Cannot Meet	XX	XX	XX
<b>SCHEDULE OF VALUES:</b>	Y/N	Yes	Yes	Yes
<b>TERMS:</b>		Per Specs	Blank	Net 30
<b>WARRANTY:</b>		Included	Per Specs	1 year
<b>EXCEPTIONS:</b>		Blank	Does not carry workmans comp on Corp. Officers Can be obtained if need be	Blank
<b>ACKNOWLEDGEMENT:</b>	Y/N	Yes	Yes	Yes
<b>TWO FORMS:</b> Non-Collusion Affidavit & Legal Status		Yes	Yes	Yes
<b>ADDENDUM #1</b>	Y/N	Yes	Yes	Yes

**ATTEST:**  
Debra Painter  
Robert Redmond  
Linda Bockstanz

Susan Leirstein CPPB  
Purchasing Director

**RECOMMEND REJECTION**

VENDOR NAME:		CMA Construction Services, Inc.		
		<b>RECOMMEND REJECTION</b>		
CHECK #:		913528050		
CHECK AMOUNT:		\$ 6,700.00		
<b>PROPOSAL:</b> TO FURNISH ALL LABOR, MATERIALS, AND EQUIPMENT TO INSTALL FOUR CARPORTS WITH THE OPTION TO INSTALL THREE ADDITIONAL CARPORTS LOCATED AT 500 WEST BIG BEAVER				
<b>BASE BID:</b> To furnish all labor, materials, and equipment to install (4) Four Carports covering (41) Forty-one parking spaces according to Specifications				
<b>COMPLETE FOR THE SUM OF:</b>		\$ 105,605.77		
MANUFACTURED BY:		Metal Construction Materials		
STYLE/MODEL:		Double Post		
<b>OPTION #1:</b> Additional Carport covering (13) thirteen parking spaces Identified as <b>Carport Five (5)</b> according to Specifications				
<b>COMPLETE FOR THE SUM OF:</b>		\$ 42,202.74		
<b>OPTION #2:</b> Additional Carport covering (14) fourteen parking spaces Identified as <b>Carport Six (6)</b> according to Specifications				
<b>COMPLETE FOR THE SUM OF:</b>		\$ 36,078.24		
<b>OPTION #3:</b> Additional Carport covering (3) three parking spaces Identified as <b>Carport Seven (7)</b> according to Specifications				
<b>COMPLETE FOR THE SUM OF:</b>		\$ 10,103.24		
<b>SITE INSPECTION:</b>	Y/N	Yes		
<b>COMPLETION DATE:</b>	Can Meet	May 1, 2008		
	Cannot Meet	XX		
	Offers:			
<b>QUESTIONNAIRE:</b>	Completed	XX		
	Not Completed			
<b>CONTACT INFORMATION:</b>	Hours of Operation	7:30 am to 4 pm M-F		
	24 Hr Phone No.	586-726-1043		
<b>INSURANCE:</b>	Can Meet	XX		
	Cannot Meet			
<b>SCHEDULE OF VALUES:</b>	Y/N	Yes		
<b>TERMS:</b>		Net 30 Days		
<b>WARRANTY:</b>		Blank		
<b>EXCEPTIONS:</b>		Blank		
<b>ACKNOWLEDGEMENT:</b>	Y/N	Yes		
<b>TWO FORMS:</b> Non-Collusion Affidavit & Legal Status		Yes		
<b>ADDENDUM #1</b>	Y/N	No		

NO BIDS:  
Jacobs Carports Inc  
Weatherguard Carports

DMS:  
Envision Builders Inc - No Bid Surety Check, as specified.

**RECOMMEND REJECTION**



## CITY COUNCIL ACTION REPORT

February 7, 2008

TO: Phillip L. Nelson, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance & Administration  
Susan A. Leirstein, Purchasing Director  
Sandra Kasperek, City Treasurer

SUBJECT: Standard Purchasing Resolution 3 – Exercise Renewal Option –  
2008 Summer/Winter Tax Bill Printing

### **Background**

- On December 6, 2006, a contract to provide printing services of the 2007 summer/winter tax bills was approved administratively with an option to renew for one additional tax year to the low total bidder, Centron Data Services Inc of North Shores, MI.
- Since both parties mutually agree to exercise the option to renew, the contract to print the 2007 and 2008 tax bills will now exceed \$10,000.00.
- A letter is attached from Centron Data Services, Inc indicating their agreement to renew the contract for printing of the 2008 summer/winter tax bills under the same prices, terms and conditions as the original contract.
- The Purchasing department conducted a market survey and found significant increases in paper prices from area printers. Staff concurs with the recommendation to exercise the option to renew.

### **Financial Considerations**

- Funds are budgeted in the Treasurer's department printing account #253.7901 and postage account #253.7730 for the upcoming 2008/2009 fiscal year.

### **Legal Considerations**

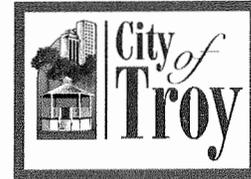
- ITB-COT 06-53, the printing of tax bills was competitively bid and opened with five bidders responding.

### **Policy Considerations**

- The collection of taxes is essential to the welfare of the community. (Goal I).
- Spent wisely, the City retains and attracts new investment and maintains public infrastructure. (Goal III & V).

### **Option**

- City management recommends Troy City Council exercise the option to renew for printing of the 2008 summer/winter tax bills at an estimated total cost of \$9,239.00 plus the actual cost of first class postage and over-runs not to exceed 5% with all other contract requirements the same to expire December 31, 2008.



January 23, 2008

TO: Susan Leirstein  
Purchasing Director

FROM: Linda N. Bockstanz  
Associate Buyer

RE: MARKET SURVEY – PRINTING OF SUMMER/WINTER TAX BILLS

TGI DIRECT – Betsy Christianson (810) 237-5252

Betsy has indicated that prices for the printing of Tax bills would be increased about 5% in cost for their company. Based on paper costs that have increased about 20 to 30%. Ink costs have stayed about the same.

LASERTEC INC. – Bob Diroff (586) 274-4500

Bob told me that his company's material prices would increase, because of the paper prices that have increased about 30%. A cost of 5% increase would have to be included in his prices for the printing of the bills and hopefully postage doesn't increase.

DIVERSIFIED DATA & COMMUNICATIONS – Stephanie Warren (586) 536-4389

Stephanie does think at this time the pricing will stay the same unless paper costs increase substantially, then she will have to increase her prices about 5 to 10%. Price of gas has stayed about the same and she believes that will not impact her prices.

Based upon the above comments, I respectfully recommend that the City accept the offer to renew the contract for the Printing of Summer/Winter Tax Bills with the current vendor based on substantial paper price increases experienced by the printers.

CC: File



1175 DEVIN DRIVE • NORTON SHORES, MI 49441 • (231) 798-1221

January 21, 2008

Ms. Sandy Kasperek  
City of Troy  
500 W. Big Beaver Road  
Troy, MI 48084

Dear Sandy:

We would be pleased to print and mail your Summer and Winter Tax Bills for an additional year (2008) based upon the terms and conditions of your bid document (ITB-COT 06-53). We agree to hold our original pricing for this additional year.

We look forward to working with you again this year.

Best regards,

**CENTRON DATA SERVICES, INC.**

*Mike*

Michael E. Andrus  
National Account Manager

mas

Opening Date -- 12/6/06  
 Date Prepared -- 12/18/06

CITY OF TROY  
 BID TABULATION  
 PRINTING OF 2007 SUMMER/WINTER TAX BILLS

VENDOR NAME:

<b>** Centron Data</b>	Lasertec Inc	TGI Direct	Diversified Data
<b>Services</b>			& Communications
CHECK # -	925370534	424460147	871262076
CHECK AMOUNT -	<b>\$3,000.00</b>	<b>\$3,000.00</b>	<b>\$3,000.00</b>

**PROPOSAL: FURNISH ALL LABOR, MATERIALS, AND EQUIPMENT TO PROVIDE ONE YEAR REQUIREMENTS OF OFFSET PRINTING OF 2007 SUMMER/WINTER TAX BILLS WITH AN OPTION TO RENEW FOR ADDITIONAL ONE-YEAR PERIOD.**

EST QTY	DESCRIPTION	\$ PER BILLING	\$ PER BILLING	\$ PER BILLING	\$ PER BILLING
<b>LASER PRINTED TAX BILLS</b>		<b>-- FOR JULY &amp; DECEMBER --</b>			
10,000	INFORMATION STATEMENT 8.5" x 11" 70# White offset stock <b>COMPLETE FOR THE SUM OF:</b>	<b>\$ 375.00</b>	\$ 450.45	\$ 431.00	\$ 834.00
29,000	TAX STATEMENT 8.5" x 11" 70# White offset stock <b>COMPLETE FOR THE SUM OF:</b>	<b>\$ 897.50</b>	\$ 754.00	\$ 882.00	\$ 1,274.38
35,000	LASER IMPRINT FACE OF STATEMENT <b>COMPLETE FOR THE SUM OF:</b>	<b>\$ 875.00</b>	\$ 700.00	\$ 1,050.00	\$ 1,050.00
<b>ENVELOPES</b>					
35,000	#10 STANDARD WINDOW ENVELOPE 24# White wove stock <b>COMPLETE FOR THE SUM OF:</b>	<b>\$ 917.00</b>	\$ 967.05	\$ 833.00	\$ 1,091.16
25,000	#9 REPLY ENVELOPE 24# White wove stock <b>COMPLETE FOR THE SUM OF:</b>	<b>\$ 580.00</b>	\$ 593.50	\$ 538.00	\$ 764.40
<b>FULFILLMENTS</b>					
10,000	INFORMATION STATEMENT Fold form, Insert form into window envelope <b>COMPLETE FOR THE SUM OF:</b>	<b>\$ 200.00</b>	\$ 280.00	\$ 937.50	\$ 350.00
25,000	TAX STATEMENT Fold form, Insert form and return envelope into window envelope <b>COMPLETE FOR THE SUM OF:</b>	<b>\$ 500.00</b>	\$ 650.00	\$ 375.00	\$ 875.00
<b>SET UP &amp; PROGRAMMING CHARGE</b>					
<b>COMPLETE FOR THE SUM OF:</b>		<b>\$ 100.00</b>	\$ 250.00	No Charge	\$ 525.00
<b>PRESORT &amp; DELIVER TO POST OFFICE</b>					
35,000	PRESORT <b>COMPLETE FOR THE SUM OF:</b>	<b>\$ 175.00</b>	\$ 350.00	\$ 310.00	No Charge
35,000	DELIVERY TO POST OFFICE <b>COMPLETE FOR THE SUM OF:</b>	<b>\$ -</b>	\$ -	\$ 35.00	No Charge
<b>ESTIMATED GRAND TOTALS:</b>		<b>** \$ 9,239.00</b>	\$ 9,990.00	\$ 10,783.00	\$ 13,527.88
<b>COMPLETION SCHEDULE:</b>					
Can meet		XX	XX	XX	XX
Cannot meet					
<b>SERVICE FACILITY:</b>					
Location		Norton Shores	Sterling Hgts	Flint	Ferndale
Hours of Operations		24 hrs	7am-11pm	8 to 5	M-F 8 to 6
24HR Phone Number		800-732-8787	800-388-5832	734-347-0483	800-356-8561

Opening Date -- 12/6/06  
 Date Prepared -- 12/18/06

CITY OF TROY  
 BID TABULATION  
 PRINTING OF 2007 SUMMER/WINTER TAX BILLS

VENDOR NAME:

		** Centron Data	Lasertec Inc	TGI Direct	Diversified Data
		Services			& Communications
<b>SAMPLE DOCUMENT</b>	Y or N	Yes	Yes	Yes	Yes
<b>TERMS</b>		Net 30	Net 30	Blank	Net 30
<b>WARRANTY</b>		Per Bid Specs	Blank	N/A	N/A
<b>DELIVERY</b>		<b>10 Calendar Days - As Specified</b>			
<b>EXCEPTIONS:</b>		None	Blank	No Exceptions	Blank
<b>ACKNOWLEDGEMENT:</b>	Completed Y or N	Yes	Yes	Yes	Yes

ATTEST:  
Charlene McComb  
Marla Mosely  
Linda Bockstanz

\*\* DENOTES LOW TOTAL BIDDER

\_\_\_\_\_  
 Jeanette Bennett  
 Purchasing Director

Opening Date -- 12/6/06  
 Date Prepared -- 12/18/06

CITY OF TROY  
 BID TABULATION  
 PRINTING OF 2007 SUMMER/WINTER TAX BILLS

VENDOR NAME:

American		
Mailers, Inc.		
CHECK # -	473330625	
CHECK AMOUNT -	<b>\$3,000.00</b>	

**PROPOSAL: FURNISH ALL LABOR, MATERIALS, AND EQUIPMENT TO PROVIDE ONE YEAR REQUIREMENTS OF OFFSET PRINTING OF 2007 SUMMER/WINTER TAX BILLS WITH AN OPTION TO RENEW FOR ADDITIONAL ONE-YEAR PERIOD.**

EST QTY	DESCRIPTION	\$ PER BILLING		
<b>LASER PRINTED TAX BILLS</b>				
			-- FOR JULY & DECEMBER --	
10,000	INFORMATION STATEMENT 8.5" x 11" 70# White offset stock <b>COMPLETE FOR THE SUM OF:</b>	\$ 1,210.00		
29,000	TAX STATEMENT 8.5" x 11" 70# White offset stock <b>COMPLETE FOR THE SUM OF:</b>	\$ 1,650.00		
35,000	LASER IMPRINT FACE OF STATEMENT <b>COMPLETE FOR THE SUM OF:</b>	\$ 980.00		
<b>ENVELOPES</b>				
35,000	#10 STANDARD WINDOW ENVELOPE 24# White wove stock <b>COMPLETE FOR THE SUM OF:</b>	\$ 2,150.00		
25,000	#9 REPLY ENVELOPE 24# White wove stock <b>COMPLETE FOR THE SUM OF:</b>	\$ 585.00		
<b>FULFILLMENTS</b>				
10,000	INFORMATION STATEMENT Fold form, Insert form into window envelope <b>COMPLETE FOR THE SUM OF:</b>	Per Billing \$ 250.00		
25,000	TAX STATEMENT Fold form, Insert form and return envelope into window envelope <b>COMPLETE FOR THE SUM OF:</b>	\$ 350.00		
<b>SET UP &amp; PROGRAMMING CHARGE</b>				
	<b>COMPLETE FOR THE SUM OF:</b>	\$ 350.00		
<b>PRESORT &amp; DELIVER TO POST OFFICE</b>				
35,000	PRESORT <b>COMPLETE FOR THE SUM OF:</b>	\$ 10,150.00		
35,000	DELIVERY TO POST OFFICE <b>COMPLETE FOR THE SUM OF:</b>	\$ 60.00		
	<b>ESTIMATED GRAND TOTALS:</b>	\$ 35,470.00		
<b>COMPLETION SCHEDULE:</b>				
	Can meet	XX		
	Cannot meet			
<b>SERVICE FACILITY:</b>				
	Location	Detroit		
	Hours of Operations	8:30 to 5:30		
	24 Hrs Emergency Phone No.	248-252-4675		

Opening Date -- 12/6/06  
 Date Prepared -- 12/18/06

CITY OF TROY  
 BID TABULATION  
 PRINTING OF 2007 SUMMER/WINTER TAX BILLS

VENDOR NAME:

American		
Mailers, Inc.		

**SAMPLE DOCUMENT** Y or N

Yes		
-----	--	--

**TERMS**

Services - n30; postage n-10		
------------------------------	--	--

**WARRANTY**

Blank		
-------	--	--

**DELIVERY**

<b>10 Calendar Days - As Specified</b>		
--	--	--

**EXCEPTIONS:**

No Exceptions		
See Note Listed		
In Bid		

**ACKNOWLEDGEMENT:** Completed Y or N

Yes		

NO BIDS:

Grand River Printing



## CITY COUNCIL ACTION REPORT

February 11, 2008

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Standard Purchasing Resolution 1: Award to Low Bidder - Park Shelters

### **Background**

- Bids were received and publicly read on December 20, 2007, for supplying all labor, materials, and equipment to install a new picnic shelter in the area described in the Civic Center Priority Task Force Plan as the Enhanced Gardens just north of the Community Center. Installation will include bringing electricity to the site to power the new shelter, as well as any future amenities.
- The bid also included supplying all labor, materials, and equipment to install a new picnic shelter to replace an aged and deteriorated shelter at Boulan Park.
- 125 vendors were notified via the Michigan Intergovernmental Trade Network (MITN) system with one additional vendor walking in. Five (5) vendors returned bids with one vendor, Cedroni Associates, Inc., 5639 Auburn Rd., Utica, MI submitting the lowest bid.

### **Financial Considerations**

- Funds for the park shelter installation project are available in the Parks and Recreation Capital accounts: #401770.7974.020 and #401756.7974.090.

### **Legal Considerations**

- ITB-COT 07- 43 Park Shelters was competitively bid as required by Chapter 7 of the City Code.
- All bidders were given the opportunity to respond with their level of interest in supplying all labor, materials, and equipment to install park shelters for the City of Troy.
- Award is contingent upon contractor's submission of proper insurance, bonds, and any other specified requirements.

### **Policy Considerations**

- A new park structure on the Civic Center grounds will attract the public to the site (Goal III), while enhancing the livability of the community (Goal I).

February 11, 2008

To: Phillip L. Nelson, City Manager  
Re: Bid Award – Park Shelters

**Policy Considerations** - continued

- Replacing the aged and deteriorated park shelter at Boulan Park will provide the public with a safe and attractive venue for individual and community events (Goal I), as well as reducing the amount of time needed for upkeep of the shelter (Goal II).

**Options**

- City management and the Parks and Recreation department recommend awarding a contract to provide and install park shelters to the lowest bidder, Cedroni Associates, Inc. of Utica, MI for an estimated total cost of \$102,065.00 including bonds, as set forth in the bid tabulation which opened December 20, 2007.

VENDOR NAME:	* <b>Cedroni Associates</b>	Usztan L.L.C.	Rolar Property
	<b>Inc.</b>		Services, Inc.
CHECK #:	102619490	21640145	57761807
CHECK AMOUNT:	\$10,000.00	\$10,530.40	\$12,490.00
<b>PROPOSAL: TO FURNISH ALL LABOR, MATERIALS, AND EQUIPMENT TO INSTALL A NEW PARK SHELTER AT BOTH THE CIVIC CENTER AND BOULAN PARK</b>			
<b>PROPOSAL: A</b> ONE (1) PARK SHELTER AT THE CIVIC CENTER <b>COMPLETE FOR THE SUM OF:</b>	<b>\$ 39,800.00</b>	<b>\$ 41,977.53</b>	<b>\$ 49,800.00</b>
MANUFACTURED BY:	SII Structures	Playworld Midstates	SII Structures
STYLE/MODEL:	HE2439-AS	RAM 24 x 39 MR	HE2439-AS
SHELTER DIMENSIONS:	24' x 39'	20' x 35'	24' x 39'
<b>PROPOSAL: B</b> ONE (1) PARK SHELTER AT BOULAN PARK <b>COMPLETE FOR THE SUM OF:</b>	<b>\$ 59,775.00</b>	<b>\$ 69,985.85</b>	<b>\$ 75,100.00</b>
MANUFACTURED BY:	SII Structures	Playworld Midstates	SII Structures
STYLE/MODEL:	HE3848-AS	RAM 38 x 48 MR	HE3848-AS
SHELTER DIMENSIONS:	38' x 48'	34' x 44'	38' x 48'
<b>GRAND TOTAL:</b>	<b>* \$ 99,575.00</b>	<b>\$ 111,963.38</b>	<b>\$ 124,900.00</b>
<b>COST BREAKDOWN:</b> CONCRETE - MARKED AS:	Blank/Incl	B	Exhibit "D"
SHELTER - MARKED AS:	Blank/Incl	B	Exhibit "D"
ELECTRICAL - MARKED AS:	Blank/Incl	B	Exhibit "D"
<b>SCHEDULE OF VALUES:</b> MARKED AS	Blank/Incl	A	Exhibit "D"
<b>CONTACT INFORMATION:</b> Hours of Operation	7:00 am - 4:00 pm	7:00 am - 5:00 pm	8:00 am - 5:00 pm
24 Hr Phone No.	248-240-0180	248-895-4106	248-589-1800
<b>INSURANCE:</b> CAN MEET	XX	XX	XX
CANNOT MEET			
<b>SITE INSPECTION:</b> Y/N	Yes	Yes	Yes
Date	12/13/2007	12/7/2007	12/12/2007
<b>COMPLETION DATE:</b> WORK WILL COMMENCE	10	45	Weather Permitting 60
# of working days after award			
<b>PROGRESS PAYMENTS:</b>	Blank	Blank	Blank
<b>WARRANTY:</b>	Included	Enclosed w/bid	Manufacturer
<b>EXCEPTIONS:</b>	* <b>Bid Bond add 2.5%</b>	Permit fees not included	None
	<b>\$ 2,489.38</b>		
<b>ACKNOWLEDGEMENT:</b> Y/N	Yes	Yes	Yes
<b>ADDENDUM #2</b> Y/N	Yes	No	Yes
<b>ITEMS REQUESTED TO BE SUBMITTED WITH BID PROPOSAL</b>			
1. Color Picture	None	Yes	Yes
2. Specs/install instructions	None	Yes	Yes
3. Color Chip for Metal Roofs	None	Yes	Yes
4. Color Chip for Finish Paint	None	Yes	Yes
5. Specs for Foundations	None	Yes	Yes

**ATTEST:**  
 Jeffrey Biegler  
 Diane Fisher  
 Linda Bockstanz

**NO BIDS:**  
 Playworld MidStates

Susan Leirstein CPPB  
 Purchasing Director

\* DENOTES LOW BIDDER

VENDOR NAME:	CMA Construction Services, Inc.	WCI Contractors, Inc.	
CHECK #:	52499465	237503841	
CHECK AMOUNT:	\$12,900.00	\$ 15,000.00	
<b>PROPOSAL: TO FURNISH ALL LABOR, MATERIALS, AND EQUIPMENT TO INSTALL A NEW PARK SHELTER AT BOTH THE CIVIC CENTER AND BOULAN PARK</b>			
<b>PROPOSAL: A</b> ONE (1) PARK SHELTER AT THE CIVIC CENTER <b>COMPLETE FOR THE SUM OF:</b>	\$ 49,808.82	\$ 49,200.00	
MANUFACTURED BY:	Play Environments, Inc.	SII Structures	
STYLE/MODEL:	1 HE2035-AS	All-Steel Hipped Shelter	
SHELTER DIMENSIONS:	20' x 35'	24' x 39' - Roof Edge 20' x 35' column	
<b>PROPOSAL: B</b> ONE (1) PARK SHELTER AT BOULAN PARK <b>COMPLETE FOR THE SUM OF:</b>	\$ 80,091.18	\$ 82,400.00	
MANUFACTURED BY:	Play Environments, Inc.	SII Structures	
STYLE/MODEL:	HE3444-AS	All-Steel Hipped Shelter	
SHELTER DIMENSIONS:	34' x 44'	38' x 48'-Roof Edge 34' x 44' -column	
<b>GRAND TOTAL:</b>	<b>\$ 129,900.00</b>	<b>\$ 131,600.00</b>	
<b>COST BREAKDOWN:</b> CONCRETE - MARKED AS:	A	A	
SHELTER - MARKED AS:	A	A	
ELECTRICAL - MARKED AS:	A	A	
<b>SCHEDULE OF VALUES:</b> MARKED AS	B	B	
<b>CONTACT INFORMATION:</b> Hours of Operation	M - F 7:30 to 4:00	8:00 am - 5:00 pm	
24 Hr Phone No.	586-726-1043	248-330-8663	
<b>INSURANCE:</b> CAN MEET	XX	XX	
CANNOT MEET			
<b>SITE INSPECTION:</b> Y/N	No	Yes	
Date		12/18/2007	
<b>COMPLETION DATE:</b> WORK WILL COMMENCE	10	10	
# of working days after award			
<b>PROGRESS PAYMENTS:</b>	Blank	Schedule to be submitted If low bidder	
<b>WARRANTY:</b>	CMA Construction Ser.	Attached to Bid	
<b>EXCEPTIONS:</b>	Blank	Price includes \$750 allowance per Shelter for Edison Fees	
<b>ACKNOWLEDGEMENT:</b> Y/N	Yes	Yes	
<b>ADDENDUM #2</b> Y/N	No	Yes	
<b>ITEMS REQUESTED TO BE SUBMITTED WITH BID PROPOSAL</b>			
1. Color Picture	Yes	None	
2. Specs/install instructions	Yes	Yes	
3. Color Chip for Metal Roofs	Yes	Yes	
4. Color Chip for Finish Paint	Yes	Yes	
5. Specs for Foundations	Yes	Yes	



# CITY COUNCIL ACTION REPORT

February 8, 2008

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Standard Purchasing Resolution 4: Award – State of Michigan  
 Cooperative Purchasing Agreement MiDEAL – Toro Mower

**Background**

- The State of Michigan MiDEAL Program awarded a contract agreement for Toro Lawn Maintenance Equipment to Spartan Distributors, Inc of Auburn Hills, MI (Contract #071B7200194).
- The mower being purchased will allow quicker and more efficient turf mowing of athletic fields.
- Discounts on this equipment are available up to 21.2% from manufacturer’s suggested retail prices.
- Vendor for Toro products, Spartan Distributors, has agreed to accept an older mower as trade-in for the new unit at the value in the attached quote.

**Financial Considerations**

- Funds are available in the Parks and Recreation Department capital account #401752.7978.010.

<b>Toro Groundsmaster 4500-D (#30856)</b>	<b>\$ 44,104.36</b>
▪ (1) Milsco Seat (#30398)	300.23
▪ (1) Mechanical Seat Suspension (#30312)	322.29
▪ (1) Universal Mount Sunshade (#30359)	496.44
▪ (1) Arm Rest Kit (#30707)	117.41
▪ (5) Leaf Mulching Kits (#30836)	197.00
▪ (1) Road package Kit (#30442)	807.88
▪ Surcharge	125.00
<b>EQUIPMENT TOTAL:</b>	<b>\$ 46,470.61</b>
 Less Trade-In Jacobsen 9016 Rotary Mower	 \$-10,000.00
<b>EQUIPMENT GRAND TOTAL:</b>	<b>\$ 36,470.61</b>

**Legal Considerations**

- There are no legal considerations associated with this item.

February 8, 2008

To: Phillip L. Nelson, City Manager  
Re: State of Michigan MiDEAL Program – Toro Mower

**Policy Considerations**

- Use of this mower will allow more acres per hour to be mowed, increasing the efficiency of the athletic turf mowing operation. (Goal II)
- Mower will produce a finer cut than previous mower, improving the appearance of the fields, and adding to the safety of field program participants. (Goal I)

**Options**

- City management and the Parks and Recreation Department recommend the purchase of (1) Toro 4500-D rotary riding mower from Spartan Distributors, 1050 Opdyke Rd., Auburn Hills, MI through the terms of the State of Michigan Cooperative Purchasing Agreement, MiDEAL contract #071B7200194, and per attached equipment quote from Spartan Distributors for an estimated total cost, less trade-in of used mower, of \$36,470.61.



447 W. Division Street  
P.O. Box 246  
Spartan, MI 49345  
616.487.7301  
Fax: 616.407.6288

February 5, 2008

1050 Opdyke Road  
Auburn Hills, MI 48026  
248.373.8800  
Fax: 248.373.8899

City of Troy  
Parks and Recreation  
ATTN: Mr. Kurt Bovensiep  
3179 Livernois  
Troy, MI 48083

Dear Kurt,

We are pleased to provide a quote on the following equipment:

(1)	<b>TORO Groundsmaster 4500-D (#30856)</b>	<b>\$ 44,104.36</b>
	▪ (1) Milsco Seat (#30398)	300.23
	▪ (1) Mechanical Seat Suspension (#30312)	322.29
	▪ (1) Universal Mount Sunshade (#30359)	496.44
	▪ (1) Arm Rest Kit (#30707)	117.41
	▪ (5) Leaf Mulching Kits (#30836)	197.00
	▪ (1) Road Package Kit (#30442)	807.88
	▪ Surcharge	125.00
	<b>EQUIPMENT TOTAL:</b>	<b>\$ 46,470.61</b>
(-1)	<b>Less Trade-In Jacobsen 9016 Rotary Mower</b>	<b><u>\$-10,000.00</u></b>
	<b>EQUIPMENT GRANDTOTAL:</b>	<b>\$ 36,470.61</b>

\* The above TORO prices are based State Contract #071B7200194  
Spartan Distributors, Inc. / State of Michigan \*

Pricing is firm for 30 days from date of quotation.

DELIVERY: To be arranged

TERMS: Net 30 days

Enclosed, please find complete product literature, factory specifications and warranty information, as provided by The Toro Company.

Thank you for your interest in our line of equipment. If you have any questions please feel free to call me at 800-822-2216.

Sincerely,

Tom Gill  
Commercial Sales



## CITY COUNCIL ACTION REPORT

February 12, 2008

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Standard Purchasing Resolution 1: Award to Low Bidder – Ball Diamond Fencing

### **Background**

- Bids were received and publicly read on January 24, 2008, for supplying all labor, materials, and equipment to install new backstops and ball diamond fencing at the four fields of Flynn Park and field #1 at Boulan Park.
- 76 vendors were notified via the Michigan Intergovernmental Trade Network (MITN) system, with one vendor walk-in. Seven (7) vendors returned bids. One vendor, American Fence & Supply Company, Inc., 21200 Schoenherr, Warren, MI 48089 submitted the lowest total bid of \$179,219.00 for both sites (\$144,256.00 for Flynn Park, \$34,963.00 for Boulan Park).

### **Financial Considerations**

- Funds for the ball diamond fencing project are available in Parks and Recreation capital accounts #401770.7974.020, #401770.7974.035, and #401752.7974.100.

### **Legal Considerations**

- ITB-COT 07-44 Ball Diamond Fencing was competitively bid as required by Chapter 7 of the City Code.
- All bidders were given the opportunity to respond with their level of interest in supplying all labor, materials, and equipment to install new backstops and fencing at the four (4) ball diamonds at Flynn Park and ball diamond #1 at Boulan Park.
- Award is contingent upon contractor's submission of proper insurance, bonds, and any other specified requirements.

### **Policy Considerations**

- Replacing the aging and damaged backstops and ball diamond fencing at Flynn and Boulan Parks will provide the public with a safe and attractive site for recreational activities (Goal I), as well as reducing the amount of maintenance needed to the existing fencing to keep users safe (Goal II).

February 12, 2008

To: Phillip L. Nelson, City Manager  
Re: Bid Award – Ball Diamond Fencing

**Options**

- City management and the Parks and Recreation department recommend awarding a contract to provide and install fencing for the ball diamonds at Flynn and Boulan Parks to the lowest total bidder, American Fence & Supply Company, Inc., of Warren, MI, for an estimated total cost of \$179,219.00, at prices contained in the bid tabulation opened January 24, 2008.

VENDOR NAME:

American Fence & Supply Co, Inc.	Motor City Fence	Riteway Fence Inc.	Michigan Fence & Supply Co.
547427218-5	1236613	1234012	636904655
\$ 8,960.95	\$ 9,468.80	\$ 10,061.40	\$ 10,456.75

CHECK #:

CHECK AMOUNT: 5%

PROPOSAL: *FURNISH ALL LABOR, MATERIALS, AND EQUIPMENT TO INSTALL NEW FENCING FOR THE BALL DIAMONDS AT FLYNN AND BOULAN PARKS*

**Proposal A:**

Flynn Park - Fencing (4) Ball Diamonds  
 Furnish all labor, materials, and equipment to remove and dispose of existing fencing and install new fencing in accordance with specifications

**COMPLETE FOR THE SUM OF:**

			* Options attached to bid
<b>\$ 144,256.00</b>	<b>\$ 154,502.00</b>	<b>\$ 164,000.00</b>	<b>\$ 170,492.00</b>

**Proposal B:**

Boulan Park - Fencing (1) Ball Diamond  
 Furnish all labor, materials, and equipment to install new fencing in accordance with specifications

**COMPLETE FOR THE SUM OF:**

<b>\$ 34,963.00</b>	<b>\$ 34,874.00</b>	<b>\$ 34,000.00</b>	<b>\$ 34,955.00</b>
---------------------	---------------------	---------------------	---------------------

**TOTAL OF BOTH PROPOSAL A & B**

<b>\$ 179,219.00</b>	<b>\$ 189,376.00</b>	<b>\$ 198,000.00</b>	<b>\$ 205,447.00</b>
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**SITE INSPECTION:** Y/N  
 Date

Yes	Yes	Yes	Yes
1/7/08 & 1/10/08	1/18/2008	1/22/2008	1/16/08 & 1/23/08

**CONTACT INFO** Hrs of Operation  
 24 Hr Phone #

8 am to 5 pm	8 am to 5 pm	M-F 7 to 5	7 am to 5 pm
313-909-1523	248-269-8888	248-670-9561	Blank

**COMPLETION DATE:** Y/N

Yes	Yes	Yes	Yes
-----	-----	-----	-----

**PROGRESS PAYMENT SCHEDULE:** Work shall commence

April 1, 2008			
7 Days	14 Days	3 Days	14 Days
Blank	Monthly Draws	Monthly	Net 30

**INSURANCE:** Can Meet  
 Cannot Meet

XX	XX	XX	XX
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**TERMS:**

Net 30	Net 30	Net 30	Net 30
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**WARRANTY:**

1 year	1 year	15 yr - material 2 yr - workmanship	1 yr - workmanship
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**EXCEPTIONS:**

3 week lead time for vinyl coated material	Blank	Blank	Vinyl coated wire has to be 9ga core 8ga finish 6ga core 5ga finish Class 2B doesn't come in 9 ga & 6 ga finish
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**ACKNOWLEDGEMENT:** Y/N

Yes	Yes	Yes	Yes
-----	-----	-----	-----

**VENDOR QUESTIONNAIRE:** Y/N

Yes	Yes	Yes	Yes
-----	-----	-----	-----

**TWO CONTRACT FORMS** Y/N

Yes	Yes	Yes	Yes
-----	-----	-----	-----

**ADDENDUM #1** Y/N

Yes	Yes	Yes	Yes
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**NO BIDS:**

Olsen Fence Company  
 Security Access Controls, LLC

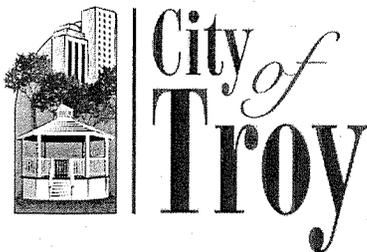
**BOLD FACE TYPE DENOTES LOW TOTAL BIDDER**

**ATTEST:**

Diane Fisher  
 Jeffrey Biegler  
 Linda Bockstanz

Susan Leirstein CPPB  
 Purchasing Director

VENDOR NAME:		Future Fence Company	Great Lakes Fence Co Inc	Nationwide Construction Group
CHECK #:		07658	386858432	205230026
CHECK AMOUNT:	5%	\$ 12,651.30	\$ 12,840.00	\$ 17,674.20
<b>PROPOSAL: FURNISH ALL LABOR, MATERIALS, AND EQUIPMENT TO INSTALL NEW FENCING FOR THE BALL DIAMONDS AT FLYNN AND BOULAN PARKS</b>				
<b>Proposal A:</b> Flynn Park - Fencing (4) Ball Diamonds Furnish all labor, materials, and equipment to remove and dispose of existing fencing and install new fencing in accordance with specifications <b>COMPLETE FOR THE SUM OF:</b>		\$ 206,925.00	\$ 200,130.00	\$ 280,388.00
<b>Proposal B:</b> Boulan Park - Fencing (1) Ball Diamond Furnish all labor, materials, and equipment to install new fencing in accordance with specifications <b>COMPLETE FOR THE SUM OF:</b>		\$ 46,101.00	\$ 56,700.00	\$ 73,096.00
<b>TOTAL OF BOTH PROPOSAL A &amp; B</b>		\$ 253,026.00	\$ 256,830.00	\$ 353,484.00
<b>SITE INSPECTION:</b>	Y/N	Yes	Yes	Yes
	Date	1/22/2008	1/23/2008	1/24/2008
<b>CONTACT INFO</b>	Hrs of Operation	8 am to 5 pm	M-F 8 - 4	8 am to 5 pm
	24 Hr Phone #	586-755-0900	313-273-2900	586-749-6900
<b>COMPLETION DATE</b>	Y/N	Yes	Yes	Yes
	Work shall commence	April 1, 2008		
<b>PROGRESS PAYMENT SCHEDULE:</b>		25 Days	30 Days	14 Days
		25th of Month	Net 30	Net 30 Days
<b>INSURANCE:</b>	Can Meet	XX	XX	XX
	Cannot Meet			
<b>TERMS:</b>		Net 30 Days	Net 30	Net 30 Days
<b>WARRANTY:</b>		1 year	1 year	1 yr-Parts & Labor
<b>EXCEPTIONS:</b>		N/A	N/A	None
<b>ACKNOWLEDGEMENT:</b>	Y/N	Yes	Yes	Yes
<b>VENDOR QUESTIONNAIRE:</b>	Y/N	Yes	Yes	Yes
<b>TWO CONTRACT FORMS</b>	Y/N	Yes	Yes	Yes
<b>ADDENDUM #1</b>	Y/N	No	Yes	Yes



## CITY COUNCIL ACTION REPORT

January 31, 2008

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Asst. City Manager/Economic Development Services  
Steven J. Vandette, City Engineer

SUBJECT: Agenda Item - Private Agreement for Starbucks – Troy  
Project No. 07.910.3

### Background:

- The Planning Commission granted preliminary site plan approval for the above referenced project on 5/14/2007. The Engineering Department has reviewed the plans for this project and recommends approval. The plans include water main, underground detention system, concrete approach & curb and gutter.

### Financial Considerations:

- The owner has provided the necessary escrow deposit and paid the cash fees in accordance with the attached Private Agreement.

### Legal Considerations:

- There are no legal considerations associated with this item.

### Policy Considerations:

- Consistent with Goal #2 of the City of Troy 2006-2008 Goals & Objectives policy (Retain and Attract Investment While Encouraging Redevelopment).

### Options:

- Council can approve or deny the recommendation.

cc: Tonni Bartholomew, City Clerk (Original Agreement)  
James Nash, Financial Services Director

**CONTRACT FOR INSTALLATION OF MUNICIPAL IMPROVEMENTS  
(PRIVATE AGREEMENT)**

PROJECT NO. **07.910.3**

PROJECT LOCATION:

**SE 1/4 Section 20**

RESOLUTION NO.

DATE OF COUNCIL APPROVAL:

**KNOW ALL MEN BY THESE PRESENT;** That the City of Troy, a Michigan Municipal Corporation of the County of Oakland, State of Michigan, hereinafter referred to as "City" and **SSS Somerset, L.L.C.** whose address is **2989 Crooks Road, Troy, Michigan 48084** and whose telephone number is **(248) 344-9045** hereinafter referred to as "Owners".

**WITNESSETH, FIRST:** That the City agrees to allow the installation of **Water Main, Underground Detention System, Concrete Approach & Curb and Gutter** in accordance with plans prepared by **Professional Engineering Associates, Inc.** whose address is **2430 Rochester Court, Suite 100, Troy, MI 48083** and whose telephone number is **(248) 689-9090**, and approved BY THE City of Troy Engineering Department.

**SECOND:** That the Owners agree to contribute the approximate contract price of **\$74,836.00**. This amount will be transmitted to the City Clerk for installation of said improvements in the form of (check one):

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

Said funds shall be placed on deposit with the City upon the execution of this contract and shall be disbursed to the owner by the City after final inspection and approval by the City of Troy Engineering Department. In addition, the owners agree to contribute the following cash fees:

* Plan Review and Construction Inspection Fee (Public Improvements)	\$	6,062.00
Engineering Review Fee (Private Improvements)	\$	2,358.00
Water Main Testing Fee	\$	650.00
Street Cleaning/Road Maintenance (Refundable)	\$	5,000.00
<b>TOTAL:</b>	<b>\$</b>	<b>\$14,070.00</b>

\* 8.10% (.081) of approximate contract price

**CONTRACT FOR INSTALLATION OF MUNICIPAL IMPROVEMENTS****(PRIVATE AGREEMENT)****PROJECT NO. 07.910.3****PROJECT LOCATION:****SE 1/4 Section 20****RESOLUTION NO.****DATE OF COUNCIL APPROVAL:**

**THIRD:** Owners agree to arrange for a pre-construction meeting with the City Engineer and the contractor prior to start of work. All municipal improvements must be completely staked in the field under the direct supervision of a registered civil engineer or registered land surveyor, according to the approved plans.

**FOURTH:** Owners hereby acknowledge the benefit to their property conferred by the construction of the aforementioned and agree and consent to pay the total sum of **\$ 83,906.00** for the construction of said public utilities in lieu of the establishments of any special district by the City. Further, owners acknowledge that the benefit to their property conferred by the improvement is equal to, or in excess of, the aforementioned amount.

**FIFTH:** Owners agree that if, for any reason, including, but not limited to, field changes or specification changes as required by the City, the total cost of completion of such improvement shall exceed the sum deposited with the City in accordance with Paragraph SECOND hereof, that Owners will immediately remit such additional amount to the City upon request and the City will disburse such additional amounts in accordance with Paragraph SECOND hereof.

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

**CONTRACT FOR INSTALLATION OF MUNICIPAL IMPROVEMENTS  
(PRIVATE AGREEMENT)**

PROJECT NO. 07.910.3

PROJECT LOCATION:

SE 1/4 Section 20

RESOLUTION NO.

DATE OF COUNCIL APPROVAL:

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed in duplicate on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

OWNERS *SSS, SOMERSET LLC.*

CITY OF TROY

By:

By:

*[Signature]*  
MANAGING MEMBER  
**SAIF JAMEEL**

Please Print or Type

Louise E. Schilling, Mayor

Please Print or Type

Tonni Bartholomew, City Clerk

STATE OF MICHIGAN, COUNTY OF OAKLAND

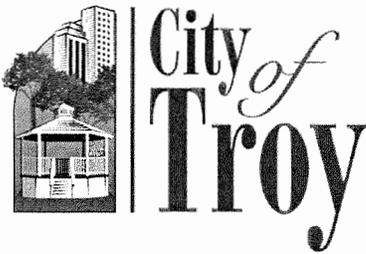
On this 24th day of January, A.D. 2008, before me personally appeared Saif Jameel, Managing Member, SSS Somerset LLC known by me to be the same person(s) who executed this instrument and who acknowledged this to be his/her/their free act and deed.

*[Signature]*

**LARYSA FIGOL**  
Notary Public, Oakland County, Michigan  
Acting in Oakland County, Michigan  
My Commission Expires 03/02/2012

NOTARY PUBLIC, Oakland County, Michigan

My commission expires: 3-02-2012



## CITY COUNCIL ACTION REPORT

January 30, 2008

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Request for Approval of Purchase Agreement and Acceptance of Regrading and Temporary Construction Permit, John R Road Improvements, Square Lake Road to South Boulevard – Project No. 02.204.5 – Parcel #28 – Sidwell #88-20-02-427-012 Marguerite Kokanovich

### 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 and Regrading and Temporary Construction Permit from Marguerite Kokanovich. This parcel is located on the west side of John R Road, between Square Lake Road and Atkins in the southeast ¼ of Section 2.

### Financial Considerations:

- An appraisal was prepared by Andrew Reed, State Certified Appraiser and reviewed by Kimberly Harper, Deputy Assessor and State Licensed Appraiser, and Larysa Figol, Limited Real Estate Appraiser. Staff believes that \$52,800, plus closing costs for the acquisition of the property described in the purchase agreement and \$1,100 for the Regrading and Temporary Construction Permit are justifiable amounts 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 and permit are consistent with documents previously accepted by City Council.

### Policy Considerations:

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

Options:

- City Management recommends that City Council approve the attached Purchase Agreement and accept the attached Regrading and Temporary Construction Permit from Marguerite Kokanovich so that the City can proceed with the acquisition of this right-of-way.

PAP\G\MEMOS TO MAYOR & CC\Kokanovich Purchase Agreement & RTCE

CITY OF TROY  
AGREEMENT TO PURCHASE REALTY  
FOR PUBLIC PURPOSES

The CITY OF TROY (the "Buyer"), agrees to purchase from Marguerite Kokanovich, survivor of herself and her deceased husband, Constantine Kokanovich, whose death certificate is attached (the "Sellers"), the following described premises (the "Property"):

SEE ATTACHED EXHIBIT "A"

for a public project within the City of Troy and to pay the sum of Fifty-Two Thousand, Eight Hundred and no/100 Dollars (\$52,800) 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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SELLER HEREBY ACKNOWLEDGES THAT NO PROMISES WERE MADE EXCEPT AS CONTAINED IN THIS AGREEMENT.

IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures this 30TH day of JANUARY, 2008.

In presence of:

CITY OF TROY (BUYER)

Patty Holland  
[Signature]

Patricia A. Petitto  
\_\_\_\_\_  
\_\_\_\_\_

SELLER:

Marguerite Kapanovich  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Exhibit "A"

Section 2, John R Widening Project  
Parcel: 88-20-02-427-012  
Parcel #28

### PARENT PARCEL #28 DESCRIPTION:

T2N, R11E, SEC 2, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS PART OF THE EAST 1/2 OF THE SOUTHEAST 1/4 BEGINNING AT A POINT DISTANT NORTH 785.40 FT FROM SOUTHEAST SECTION CORNER, THENCE N 89°53'00" W 664.84 FT, THENCE N 00°06'00" E 353.70 FT, THENCE N 82°38'00" E 669.70 FT, THENCE SOUTH 440.90 FT TO BEGINNING, THE EAST 33 FEET OF WHICH IS CURRENTLY BEING USED FOR ROADWAY PURPOSES. CONTAINING 6.06 ACRES.

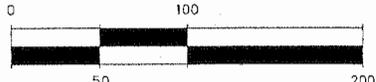
### REMAINDER PARCEL DESCRIPTION:

T2N, R11E, SEC 2, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS PART OF THE EAST 1/2 OF THE SOUTHEAST 1/4 BEGINNING AT A POINT DISTANT NORTH 785.40 FT & N 89°53'00" W 60 FT FROM SOUTHEAST SECTION CORNER, THENCE N 89°53'00" W 604.84 FT, THENCE N 00°06'00" E 353.70 FT, THENCE N 82°38'00" E 609.20 FT, THENCE SOUTH 433.04 FT TO BEGINNING. CONTAINING 5.46 ACRES.

### PROPOSED RIGHT OF WAY ACQUISITION:

T2N, R11E, SEC 2, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS PART OF THE EAST 1/2 OF THE SOUTHEAST 1/4 BEGINNING AT A POINT DISTANCE NORTH 785.40 FT FROM SOUTHEAST SECTION CORNER, THENCE N 89°53'00" W 60.00 FT, THENCE NORTH 433.04 FT, THENCE N 82°38'00" E 60.50 FT, THENCE SOUTH 440.90 FT, ALSO KNOWN AS R.O.W. PARCEL #28, THE EAST 33 FEET OF WHICH IS CURRENTLY BEING USED FOR ROADWAY PURPOSES. CONTAINING 26,218 SQUARE FEET; 0.60 ACRES (GROSS) OR 11,740 SQUARE FEET; 0.27 ACRES (NET).

N00°06'00"E 353.70'



GRAPHIC SCALE  
1" = 100'

N 89°53'00" W 664.84'  
N 89°53'00" W 604.84'

PARCEL #28  
88-20-02-427-012

N 82°38'00" E 669.70'  
N 82°38'00" E 609.20'



POB REMAINDER PARCEL

WETLANDS

SOUTH 433.04'

PR. 60' R.O.W.

EX. 33' R.O.W.

NORTH 785.40'

SOUTH 440.90'

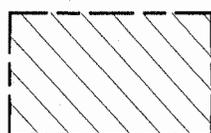
ASPHALT

JOHN R ROAD (120' WIDE)

PARCEL #28

SE CORNER  
SECTION 2  
T2N-R11E

POB PARENT PARCEL  
POB ACQUISITION PARCEL



Right-of-Way Acquisition  
Gross Area=26,218 sf; 0.60 AC  
Net Area=11,740 sf; 0.27 AC

4-06	2
3-06	1
DATE	REV.



Document Prepared by  
Professional Engineering  
Associates, Inc.

CONTRACT No.

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

6191 John R  
Right-of-Way  
Acquisition Sketch

SCALE:	DRAWN BY:	CHECK BY:	FILE
1" = 100'	JRV	GWC	P28-SEC2 ROW
	1-27-06	2-17-06	
STEVEN J. VANDETTE		SHEET No.	JOB No.
CITY ENGINEER		1 of 2	2002-234

**REGRADING AND TEMPORARY CONSTRUCTION PERMIT**

Sidwell # 88-20-02-427-012  
Parcel # 28

Marguerite Kokanovich, survivor of herself and her deceased husband, Constantine Kokanovich, whose death certificate is attached, Grantor(s), whose address is 25950 Little Mack, Saint Clair Shores, MI 48081, for and in consideration of One Thousand, One Hundred and no/100 Dollars (\$1,100.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, hereinafter called the CITY, whose address is 500 West Big Beaver Road, Troy, Michigan, hereby grants to the CITY, during the construction of and for a period of six (6) Months after completion of John R Road Improvements, from Square Lake Road to South Boulevard (City of Troy Project No. 02.204.5)\*, the right to move men, equipment, and materials on and through, and to store equipment, materials, and excavated matter on the following described property, located in the City of Troy, to-wit:

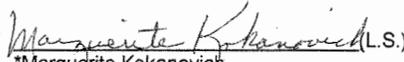
SEE ATTACHED EXHIBIT "A" FOR PARENT PARCEL LEGAL DESCRIPTION AND DESCRIPTION OF PERMIT AREA

IN FURTHER CONSIDERATION, the premises so disturbed by reason of the exercise of any of the foregoing powers, shall be reasonably restored to its original condition by the City.

\*It is anticipated that construction funding will be available in the 2010 calendar year. However, if construction is delayed this document will be effective during the actual construction year(s) and for a period of six (6) Months after completion of this project.

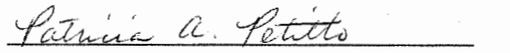
This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representative, successors, and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed her signatures(s) this 30TH day of JANUARY, 2008.

  
\*Marguerite Kokanovich

STATE OF MICHIGAN  
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 30TH day of JANUARY 2008, by Marguerite Kokanovich, survivor of herself and her deceased husband, Constantine Kokanovich, whose death certificate is attached, to me known to be the same person(s) described in and who executed the within instrument, and who then acknowledged the same to be her free act and deed.

  
Notary Public, OAKLAND, County, Michigan  
Acting in OAKLAND County, Michigan  
My Commission Expires 12-31-11

Prepared by: Patricia A. Petitto  
500 West Big Beaver  
Troy, MI 48084

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

## EXHIBIT "A"

Section 2, John R Widening Project  
Parcel: 88-20-02-427-012  
Parcel #28

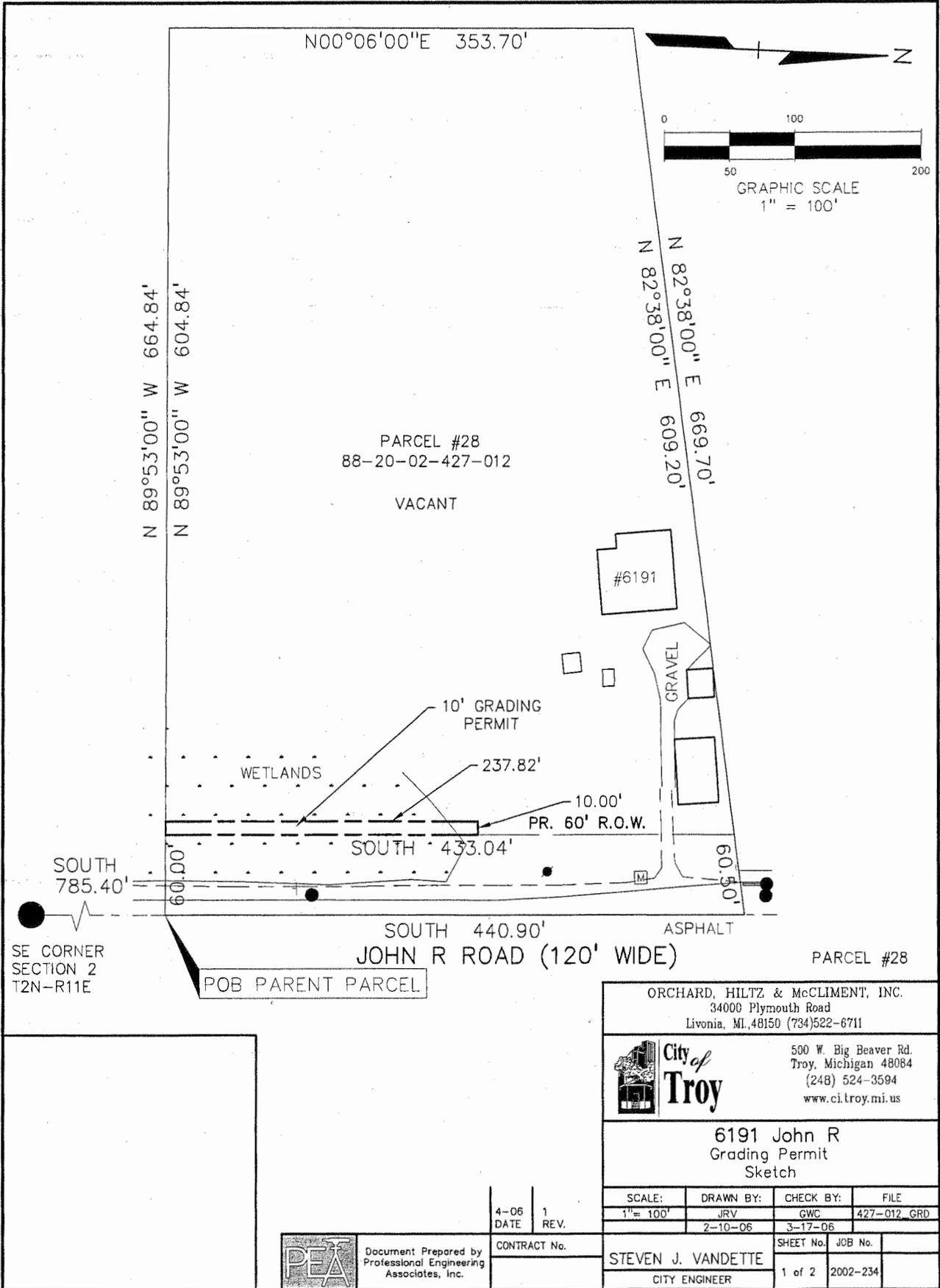
### PARENT PARCEL #28 DESCRIPTION:

T2N, R11E, SEC 2, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS PART OF THE EAST 1/2 OF THE SOUTHEAST 1/4 BEGINNING AT A POINT DISTANCE NORTH 785.40 FT FROM SOUTHEAST SECTION CORNER, THENCE N 89°53'00" W 664.84 FT, THENCE N 00°06'00" E 353.70 FT, THENCE N 82°38'00" E 669.70 FT, THENCE SOUTH 440.90 FT TO BEGINNING. CONTAINING 6.06 ACRES.

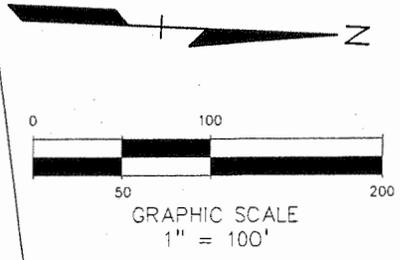
PARCEL #88-20-02-427-012

### 10' GRADING PERMIT:

A 10 FOOT GRADING PERMIT IN T2N, R11E, SEC 2, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS BEING THE SOUTH 237.82 FEET OF THE WEST 10.00 FEET OF THE FOLLOWING DESCRIBED PARCEL: T2N, R11E, SEC 2, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS PART OF THE EAST 1/2 OF THE SOUTHEAST 1/4 BEGINNING AT A POINT DISTANCE NORTH 785.40 FT FROM SOUTHEAST SECTION CORNER, THENCE N 89°53'00" W 664.84 FT, THENCE N 00°06'00" E 353.70 FT, THENCE N 82°38'00" E 669.70 FT, THENCE SOUTH 440.90 FT TO BEGINNING.



N00°06'00"E 353.70'

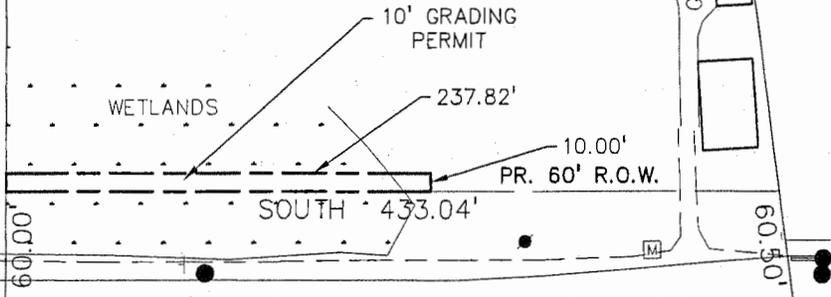
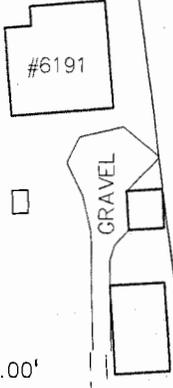


N 89°53'00" W 664.84'  
N 89°53'00" W 604.84'

PARCEL #28  
88-20-02-427-012

VACANT

N 82°38'00" E 669.70'  
N 82°38'00" E 609.20'



SOUTH 785.40'

SOUTH 440.90'  
JOHN R ROAD (120' WIDE)

PARCEL #28

SE CORNER  
SECTION 2  
T2N-R11E

POB PARENT PARCEL

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



City of  
**Troy**

500 W. Big Beaver Rd.  
Troy, Michigan 48064  
(248) 524-3594  
www.ci.troy.mi.us

6191 John R  
Grading Permit  
Sketch

SCALE: 1" = 100'	DRAWN BY: JRV	CHECK BY: GWC	FILE 427-012_GRD
	2-10-06	3-17-06	

4-06 DATE 1 REV.

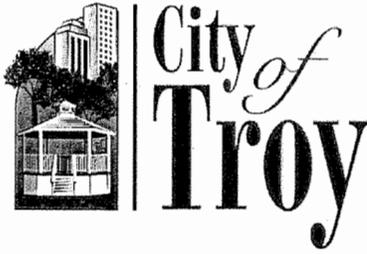


Document Prepared by  
Professional Engineering  
Associates, Inc.

CONTRACT No.

STEVEN J. VANDETTE  
CITY ENGINEER

SHEET No.	JOB No.
1 of 2	2002-234



## CITY COUNCIL ACTION REPORT

January 31, 2008

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 *PAR*

SUBJECT: Request for Acceptance of Regrading and Temporary Construction Permit, John R Road Improvements, Long Lake Road to Square Lake Road – Project No. 02.203.5 Parcel #11 – Sidwell #88-20-11-226-007 – Wattles Square, Inc.

### Background:

- In connection with the proposed improvements to John R Road, from Long Lake Road to Square Lake Road, the Real Estate & Development Department received a Regrading and Temporary Construction Permit from Wattles Square, Inc. This parcel is located on the west side of John R Road, between Abbotsford and Square Lake Road in the northeast ¼ of Section 11.

### Financial Considerations:

- A market study was prepared by Andrew Reed, State Certified Appraiser and reviewed by Kimberly Harper, Deputy Assessor and State Licensed Appraiser, and Larisa Figol, Limited Real Estate Appraiser. Staff believes that \$750 for the acquisition of this permit is a justifiable amount.
- Eighty percent of the costs for this project will be reimbursed from Federal funds. Funds for the City of Troy's share are included in the 2007-08 Major Road fund, account number 401479.7989.022035.

### Legal Considerations:

- The format and content of the permit are consistent with documents previously accepted by City Council.

### Policy Considerations:

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

### Options:

- City Management recommends that City Council accept the attached Regrading and Temporary Construction Permit from Wattles Square, Inc. so that the City can proceed with the acquisition of this permit.

REGRADING AND TEMPORARY CONSTRUCTION PERMIT

Sidwell # 88-20-11-226-007  
Parcel # 11

Wattles Square, Inc., a Michigan Corporation, Grantor(s), whose address is 5877 Livernois, Suite #103, Troy, MI 48098, for and in consideration of Seven Hundred, Fifty and no/100 Dollars (\$750.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, hereinafter called the CITY, whose address is 500 West Big Beaver Road, Troy, Michigan, hereby grants to the CITY, during the construction of and for a period of six (6) Months after completion of John R Road Improvements, from Long Lake Road to Square Lake Road (City of Troy Project No. 02.203.5)", the right to move men, equipment, and materials on and through, and to store equipment, materials, and excavated matter on the following described property, located in the City of Troy, to-wit:

SEE ATTACHED EXHIBIT "A" FOR PARENT PARCEL DESCRIPTION AND DESCRIPTION OF  
REGRADING AND TEMPORARY CONSTRUCTION PERMIT

IN FURTHER CONSIDERATION, the premises so disturbed by reason of the exercise of any of the foregoing powers, shall be reasonably restored to its original condition by the City.

\*It is anticipated that construction funding will be available in the 2010 calendar year. However, if construction is delayed this document will be effective during the actual construction year(s) and for a period of six (6) Months after completion of this project.

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

IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures(s) this 19<sup>TH</sup> day of OCT, 2007.

WATTLES SQUARE, INC., A MICHIGAN CORPORATION

*Joel A. Garrett* (L.S.)  
Joel A. Garrett, President

STATE OF MICHIGAN  
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of October 2007, by Joel A. Garrett, President of Wattles Square, Inc., a Michigan Corporation on behalf of the corporation

*Gina T. Wrona*

Notary Public, GINA T. WRONA  
Notary Public, State of Michigan County, Michigan  
County of Macomb  
Acting in My Commission Expires Mar. 19, 2013  
Acting in the County of Oakland County, Michigan  
My Commission Expires

Prepared by: Patricia A. Petitto  
500 West Big Beaver Road  
Troy, MI 48084

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

## Exhibit "A"

Section 11, John R Widening Project

Parcel: 88-20-11-226-007

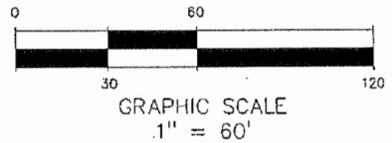
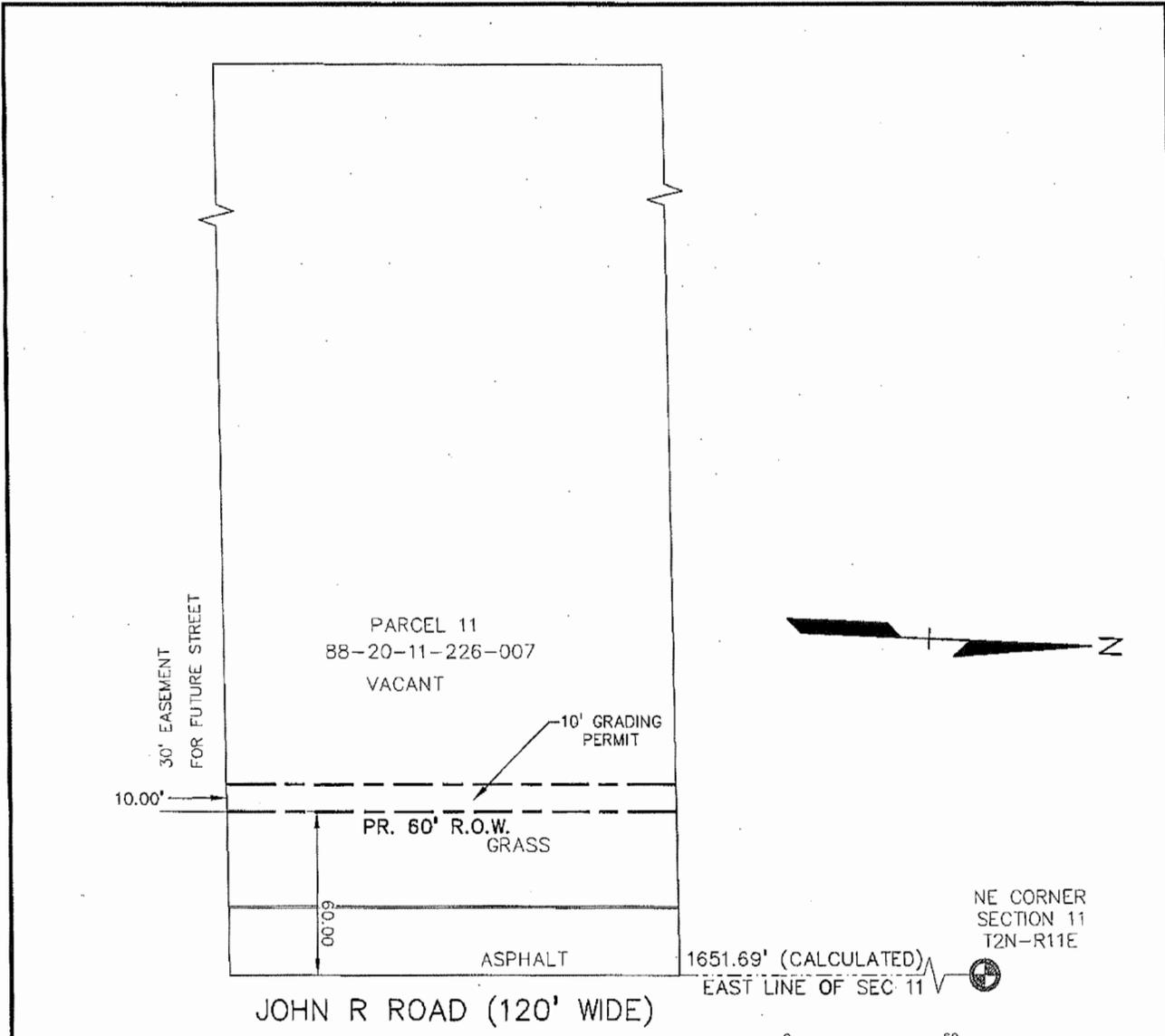
Parcel #11

### PARENT PARCEL #11 DESCRIPTION:

T2N, R11E, SEC 11, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS THE SOUTH 5 ACRES OF THE NORTH 55.51 ACRES OF THE EAST 1/2 OF THE NORTHEAST 1/4. CONTAINING 5.00 ACRES.

### 10' GRADING PERMIT:

A 10 FOOT GRADING PERMIT IN T2N, R11E, SEC 11, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS THE WEST 10.00 FEET OF THE EAST 70.00 FEET OF THE SOUTH 5 ACRES OF THE NORTH 55.51 ACRES OF THE EAST 1/2 OF THE NORTHEAST 1/4.



*Thomas G. Smith*



Document Prepared by  
Professional Engineering  
Associates, Inc.

DATE	REV.	CONTRACT No.	
		STEVEN J. VANDETTE CITY ENGINEER	
SCALE:	DRAWN BY:	CHECK BY:	FILE
1" = 60'	JRV	GWC	226-007 GRD
	2-10-06	3-17-06	
		SHEET No.	JOB No.
		1 of 2	2002-234

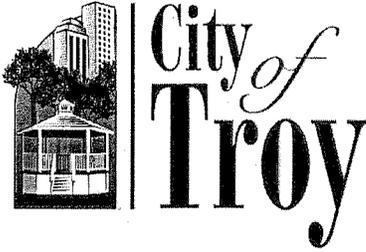
ORCHARD, HILTZ & McCLIMENT, INC.  
34000 Plymouth Road  
Livonia, MI, 48150 (734)522-6711



City of Troy  
500 W. Big Beaver Rd.  
Troy, Michigan 48064  
(248) 524-3504  
www.ci.troy.mi.us

88-20-11-226-007  
Grading Permit  
Sketch

PARCEL 11



# CITY COUNCIL ACTION REPORT

January 31, 2008

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 *pk*

SUBJECT: Request for Acceptance of Regrading and Temporary Construction Permit, John R Road Improvements, Long Lake Road to Square Lake Road – Project No. 02.203.5 Parcel #12 – Sidwell #88-20-11-226-006 – Garrett Family Limited Partnership

## Background:

- In connection with the proposed improvements to John R Road, from Long Lake Road to Square Lake Road, the Real Estate & Development Department received a Regrading and Temporary Construction Permit from Garrett Family Limited Partnership. This parcel is located on the west side of John R Road, between Abbotsford and Square Lake Road in the northeast ¼ of Section 11.

## Financial Considerations:

- A market study was prepared by Andrew Reed, State Certified Appraiser and reviewed by Kimberly Harper, Deputy Assessor and State Licensed Appraiser, and Larisa Figol, Limited Real Estate Appraiser. Staff believes that \$750 for the acquisition of this permit is a justifiable amount.
- Eighty percent of the costs for this project will be reimbursed from Federal funds. Funds for the City of Troy's share are included in the 2007-08 Major Road fund, account number 401479.7989.022035.

## Legal Considerations:

- The format and content of the permit are consistent with documents previously accepted by City Council.

## Policy Considerations:

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

## Options:

- City Management recommends that City Council accept the attached Regrading and Temporary Construction Permit from Garrett Family Limited Partnership so that the City can proceed with the acquisition of this permit.

REGRADING AND TEMPORARY CONSTRUCTION PERMIT

Sidwell # 88-20-11-226-006  
Parcel #12

Garrett Family Limited Partnership, a Michigan Limited Partnership, Grantor(s), whose address is 5877 Livernois, Suite #103, Troy, MI 48098, for and in consideration of Seven Hundred, Fifty and no/100 Dollars (\$750.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, hereinafter called the CITY, whose address is 500 West Big Beaver Road, Troy, Michigan, hereby grants to the CITY, during the construction of and for a period of six (6) Months after completion of John R Road Improvements, from Long Lake Road to Square Lake Road (City of Troy Project No. 02.203.5)\*, the right to move men, equipment, and materials on and through, and to store equipment, materials, and excavated matter on the following described property, located in the City of Troy, to-wit:

SEE ATTACHED EXHIBIT "A" FOR PARENT PARCEL DESCRIPTION AND DESCRIPTION OF  
REGRADING AND TEMPORARY CONSTRUCTION PERMIT

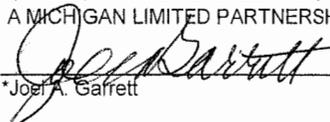
IN FURTHER CONSIDERATION, the premises so disturbed by reason of the exercise of any of the foregoing powers, shall be reasonably restored to its original condition by the City.

\*It is anticipated that construction funding will be available in the 2010 calendar year. However, if construction is delayed this document will be effective during the actual construction year(s) and for a period of six (6) Months after completion of this project.

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

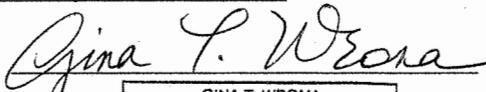
IN WITNESS WHEREOF, the undersigned hereunto affixed his/their signatures(s) this 19<sup>th</sup> day of OCT, 2007.

GARRETT FAMILY LIMITED PARTNERSHIP,  
A MICHIGAN LIMITED PARTNERSHIP

 (L.S.)  
\*Joel A. Garrett

STATE OF MICHIGAN  
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of October 2007, by Joel A. Garrett on behalf of Garrett Family Limited Partnership, a Michigan Limited Partnership.



GINA T. WRONA  
Notary Public, Notary Public, State of Michigan County, Michigan  
County of Macomb  
My Commission Expires Mar. 19, 2013  
Acting in the County of Oakland County, Michigan

My Commission Expires

Prepared by: Patricia A. Petitto  
500 West Big Beaver  
Troy, MI 48084

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

## Exhibit "A"

Section 11, John R Widening Project

Parcel: 88-20-11-226-006

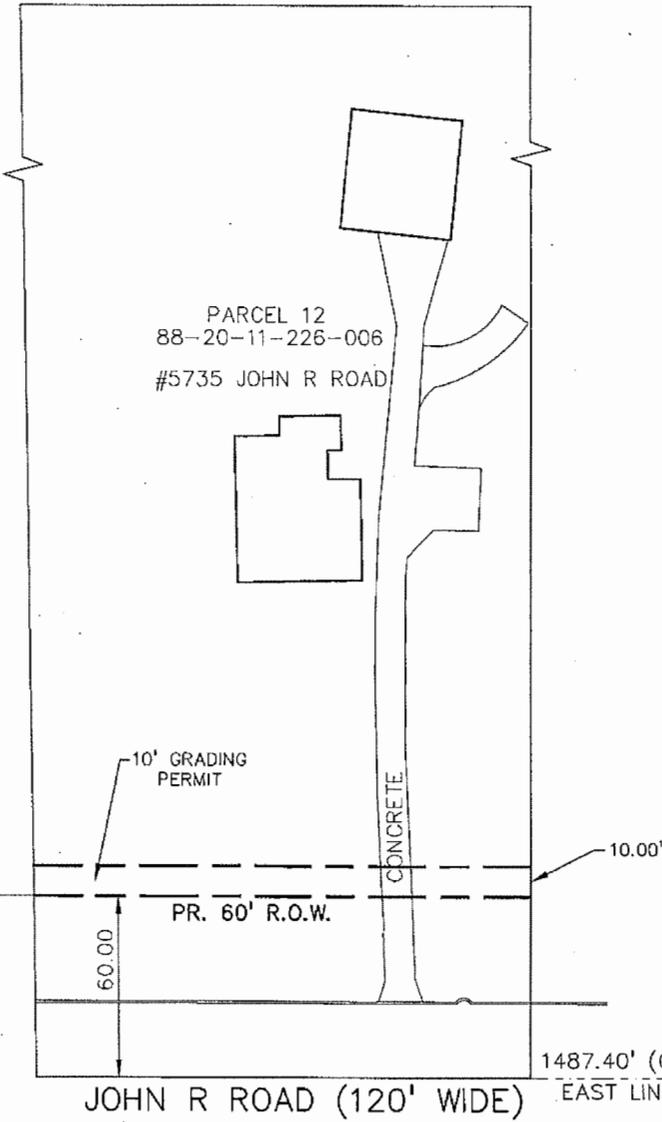
Parcel #12

### PARENT PARCEL #12 DESCRIPTION:

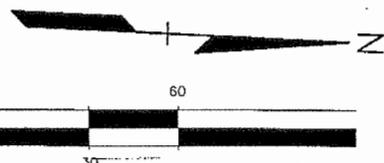
T2N, R11E, SEC 11, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS THE SOUTH 5 ACRES OF THE NORTH 50.51 ACRES OF THE EAST 1/2 OF THE NORTHEAST 1/4. CONTAINING 5.00 ACRES.

### 10' GRADING PERMIT:

A 10 FOOT GRADING PERMIT IN T2N, R11E, SEC 11, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS BEING THE WEST 10.00 FEET OF THE EAST 70.00 FEET OF THE SOUTH 5 ACRES OF THE NORTH 50.51 ACRES OF THE EAST 1/2 OF THE NORTHEAST 1/4.



NE CORNER  
SECTION 11  
T2N-R11E  
1487.40' (CALCULATED)  
EAST LINE OF SEC 11



GRAPHIC SCALE  
*Thomas 1" = 60' Smith*

PARCEL 12

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

**City of Troy**  
500 W. Big Beaver Rd.  
Troy, Michigan 48064  
(248) 524-3594  
www.ci.troy.mi.us

**5735 John R**  
Grading Permit  
Sketch

SCALE:	DRAWN BY:	CHECK BY:	FILE
1" = 60'	JRV	GWC	226-006 GRD
	2-10-05	3-17-05	



**PEA**  
Document Prepared by  
Professional Engineering  
Associates, Inc.

DATE	REV.	CONTRACT No.	SHEET No.	JOB No.
		STEVEN J. VANDETTE	1 of 2	2002-234
		CITY ENGINEER		



## CITY COUNCIL ACTION REPORT

February 6, 2008

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 and Acceptance of Regrading and Temporary Construction Permit, John R Road Improvements, Square Lake Road to South Boulevard – Project No. 02.204.5 – Parcel #53 – Sidwell #88-20-02-228-026  
 Elena Minetos

### 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 and Regrading and Temporary Construction Permit from Elena Minetos. 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 \$35,600, plus closing costs for the acquisition of the property described in the purchase agreement and \$100 for the Regrading and Temporary Construction Permit are justifiable amounts 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 and permit are consistent with documents previously accepted by City Council.

### Policy Considerations:

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

Options:

- City Management recommends that City Council approve the attached Purchase Agreement and accept the attached Regrading and Temporary Construction Permit from Elena Minetos so that the City can proceed with the acquisition of this right-of-way.

PAP\G\MEMOS TO MAYOR & CC\Minetos Purchase Agreement & RTCE

CITY OF TROY  
AGREEMENT TO PURCHASE REALTY  
FOR PUBLIC PURPOSES

The CITY OF TROY (the "Buyer"), agrees to purchase from Elena Minetos (the "Seller"), 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 Thirty-Five Thousand, Six Hundred and no/100 (\$35,600) 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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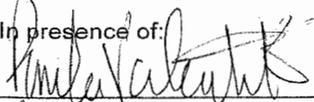


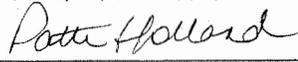
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SELLER HEREBY ACKNOWLEDGES THAT NO PROMISES WERE MADE EXCEPT AS CONTAINED IN THIS AGREEMENT.

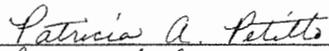
IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures this 6TH day of FEBRUARY, 2008.

In presence of:

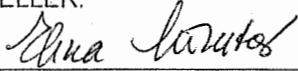
  
\_\_\_\_\_  
PAMELA VALENTIK

  
\_\_\_\_\_  
PATTI HOLLAND

CITY OF TROY (BUYER)

  
\_\_\_\_\_  
PATRICIA A. PETITTO

SELLER:

  
\_\_\_\_\_  
Elena Minetos

## Exhibit "A"

Section 2, John R Widening Project  
Parcel: 88-20-02-228-026  
Parcel #53

### PARENT PARCEL #53 DESCRIPTION:

T2N, R11E, SEC 2, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS PART OF NORTHEAST 1/4: BEGINNING AT POINT DISTANT S 00°39'12" W 448.30 FT FROM NORTHEAST SECTION CORNER, THENCE S 00°39'12" W 123.15 FT, THENCE S 89°39'16" W 300.06 FT, THENCE N 00°39'12" E 128.38 FT, THENCE S 89°20'48" E 300.00 FT TO BEGINNING, THE EAST 33 FEET OF WHICH IS CURRENTLY BEING USED FOR ROADWAY PURPOSES. CONTAINING 0.87 ACRES.

### REMAINDER PARCEL DESCRIPTION:

T2N, R11E, SEC 2, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS PART OF NORTHEAST 1/4: BEGINNING AT POINT DISTANT S 00°39'12" W 448.30 FT & N 89°20'48" W 60 FT FROM THE NORTHEAST SECTION CORNER, THENCE S 00°39'12" W 124.20 FT, THENCE S 89°39'16" W 240.05 FT, THENCE N 00°39'12" E 128.38 FT, THENCE S 89°20'48" E 240.00 FT TO BEGINNING. CONTAINING 0.70 ACRES.

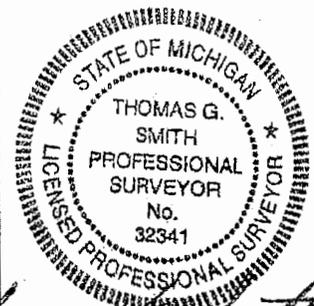
### PROPOSED RIGHT OF WAY ACQUISITION:

T2N, R11E, SEC 2, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS PART OF NORTHEAST 1/4: BEGINNING AT POINT DISTANT S 00°39'12" W 448.30 FT FROM NORTHEAST SECTION CORNER, THENCE S 00°39'12" W 123.15 FT, THENCE S 89°39'16" W 60.01 FT, THENCE N 00°39'12" E 124.20 FT, THENCE S 89°20'48" E 60.00 FT TO THE POINT OF BEGINNING, ALSO KNOWN AS R.O.W. PARCEL #53, THE EAST 33 FEET OF WHICH IS CURRENTLY BEING USED FOR ROADWAY PURPOSES. CONTAINING 7,420 SQUARE FEET; 0.17 ACRES (GROSS) OR 3,339 SQUARE FEET; 0.08 ACRES (NET).

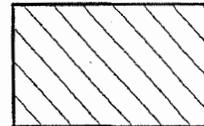
N00°39'12"E

128.38'

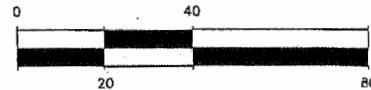
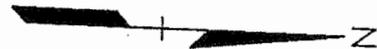
PARCEL 53  
88-20-02-228-026



*Thomas G. Smith*



Right-of-Way Acquisition  
Gross Area=7,420 sf; 0.17 AC  
Net Area=3,339 sf; 0.08 AC



GRAPHIC SCALE  
1" = 40'

S89°39'16"W 240.04'  
S89°39'16"W 300.05'

S89°20'48"E 300.00'  
S89°20'48"E 240.00'

#6903

63.3

S00°39'12"W 124.20'

PR. 60' R.O.W.

EX. 33' R.O.W.

S00°39'12"W 123.15'

EAST LINE OF SEC 2

JOHN R ROAD (120' WIDE)

S 00°39'12" W 448.30'

POB REMAINDER PARCEL

POB PARENT PARCEL  
POB ACQUISITION PARCEL

PARCEL 53

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



500 W. Big Beaver Rd.  
Troy, Michigan 48064  
(248) 524-3594  
www.ci.troy.mi.us

6903 John R  
Right-of-Way  
Acquisition Sketch

3-06 1  
DATE REV.

SCALE:	DRAWN BY:	CHECK BY:	FILE
1" = 40'	JRV	GWC	228-026_ROW
	1-27-06	2-17-06	

CONTRACT No.

STEVEN J. VANDETTE  
CITY ENGINEER

SHEET No.	JOB No.
1 of 2	2002-234



Document Prepared by  
Professional Engineering  
Associates, Inc.

REGRADING AND TEMPORARY CONSTRUCTION PERMIT

Sidwell #88-20-02-228-026  
Parcel # 53

Elena Minetos, Grantor(s), whose address is 6903 John R., Troy, MI 48085, for and in consideration of One Hundred and no/100 Dollars (\$100.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, hereinafter called the CITY, whose address is 500 West Big Beaver Road, Troy, Michigan, hereby grants to the CITY, during the construction of and for a period of six (6) Months after completion of John R Road Improvements, from Square Lake Road to South Boulevard (City of Troy Project No. 02.204.5)\*, the right to move men, equipment, and materials on and through, and to store equipment, materials, and excavated matter on the following described property, located in the City of Troy, to-wit:

SEE ATTACHED EXHIBIT "A" FOR PARENT PARCEL LEGAL DESCRIPTION AND DESCRIPTION OF PERMIT AREA

IN FURTHER CONSIDERATION, the premises so disturbed by reason of the exercise of any of the foregoing powers, shall be reasonably restored to its original condition by the City.

\*It is anticipated that construction funding will be available in the 2010 calendar year. However, if construction is delayed this document will be effective during the actual construction year(s) and for a period of six (6) Months after completion of this project.

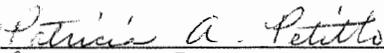
This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representative, successors, and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures(s) this 6<sup>TH</sup> day of FEBRUARY, 2008.

  
\_\_\_\_\_  
\*Elena Minetos (L.S.)

STATE OF MICHIGAN  
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 6<sup>TH</sup> day of FEBRUARY 2008, by Elena Minetos to me known to be the same person(s) described in and who executed the within instrument, and who then acknowledged the same to be their free act and deed.

  
\_\_\_\_\_  
PATRICIA A. PETITTO  
Notary Public, OAKLAND County, Michigan  
Acting in OAKLAND County, Michigan  
My Commission Expires 12-31-11

Prepared by: Patricia A. Petitto  
500 West Big Beaver  
Troy, MI 48084

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

## Exhibit "A"

Section 2, John R Widening Project  
Parcel: 88-20-02-228-026  
Parcel #53

### PARENT PARCEL #53 DESCRIPTION:

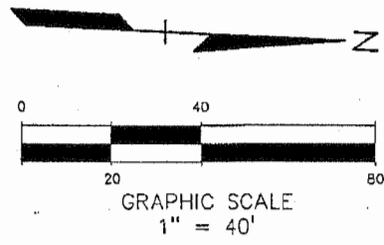
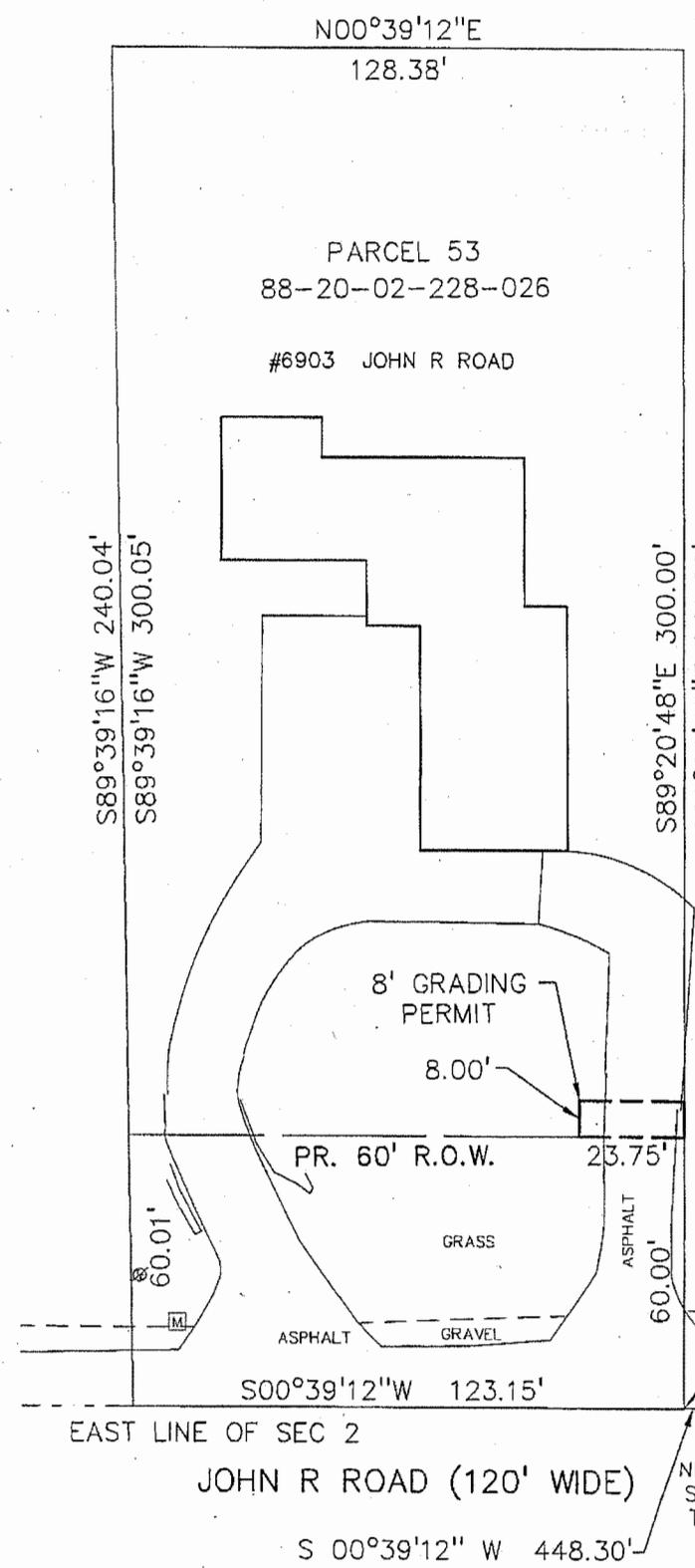
T2N, R11E, SEC 2, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS PART OF NORTHEAST 1/4: BEGINNING AT POINT DISTANT S 00°39'12" W 448.30 FT FROM NORTHEAST SECTION CORNER, THENCE S 00°39'12" W 123.15 FT, THENCE S 89°39'16" W 300.06 FT, THENCE N 00°39'12" E 128.38 FT, THENCE S 89°20'48" E 300.00 FT TO BEGINNING, THE EAST 33 FEET OF WHICH IS CURRENTLY BEING USED FOR ROADWAY PURPOSES. CONTAINING 0.87 ACRES.

### 8' GRADING PERMIT:

AN 8 FOOT GRADING PERMIT IN T2N, R11E, SEC 2, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS BEING THE NORTH 23.75 FEET OF THE WEST 8.00 FEET OF THE EAST 68.00 FEET OF THE FOLLOWING DESCRIBED PARCEL: T2N, R11E, SEC 2, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS PART OF NORTHEAST 1/4: BEGINNING AT POINT DISTANT S 00°39'12" W 448.30 FT FROM NORTHEAST SECTION CORNER, THENCE S 00°39'12" W 123.15 FT, THENCE S 89°39'16" W 300.06 FT, THENCE N 00°39'12" E 128.38 FT, THENCE S 89°20'48" E 300.00 FT TO BEGINNING, THE EAST 33 FEET OF WHICH IS CURRENTLY BEING USED FOR ROADWAY PURPOSES.



*Thomas G. Smith*



**POB PARENT PARCEL**

**PARCEL 53**

ORCHARD, HILTZ & McCLIMENT, INC.  
34000 Plymouth Road  
Livonia, MI, 48150 (734)522-8711

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

**6903 John R**  
Grading Permit  
Sketch

SCALE:	DRAWN BY:	CHECK BY:	FILE
1" = 40'	JRV	GWC	228-028 GRD
	2-10-06	3-17-06	
SHEET No.		JOB No.	
1 of 2		2002-234	

**DEA**  
Document Prepared by  
Professional Engineering  
Associates, Inc.

DATE	REV.
CONTRACT No.	
STEVEN J. VANDETTE	
CITY ENGINEER	

NE CORNER  
SECTION 2  
T2N-R11E



## CITY COUNCIL ACTION REPORT

February 8, 2008

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Request for Approval of Purchase Agreement, John R Road Improvements  
Square Lake Road to South Boulevard – Project No. 02.204.5 – Parcel #49  
Sidwell #88-20-02-228-030 – Jack T. Crawford and Marlene L. Crawford

### 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 Jack T. Crawford, aka John T. Crawford and Marlene L. Crawford, his wife. 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 \$23,700, 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 401479.7989.022035.

### 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 Jack T. Crawford, aka John T. Crawford and Marlene L. Crawford, so that the City can proceed with the acquisition of this right-of-way.

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

CITY OF TROY  
AGREEMENT TO PURCHASE REALTY  
FOR PUBLIC PURPOSES

JACK T. CRAWFORD, AKA

The CITY OF TROY (the "Buyer"), agrees to purchase from John T. Crawford and Marlene L. Crawford, 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-Three Thousand, Seven Hundred and no/100 Dollars (\$23,700) 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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SELLER HEREBY ACKNOWLEDGES THAT NO PROMISES WERE MADE EXCEPT AS CONTAINED IN THIS AGREEMENT.

IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures this 8<sup>TH</sup> day of FEBRUARY 2008.

In presence of:

CITY OF TROY (BUYER)

Pat Howard  
Michael Valentini

Patricia A. Pettit  
\_\_\_\_\_

SELLERS:

John T. Crawford  
John T. Crawford, AKA JOHN T. CRAWFORD  
JACK  
Marlene L. Crawford  
Marlene L. Crawford  
\_\_\_\_\_  
\_\_\_\_\_

## Exhibit "A"

Section 2, John R Widening Project  
Parcel: 88-20-02-228-030  
Parcel #49

### PARENT PARCEL #49 DESCRIPTION:

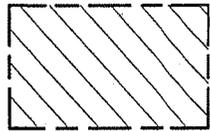
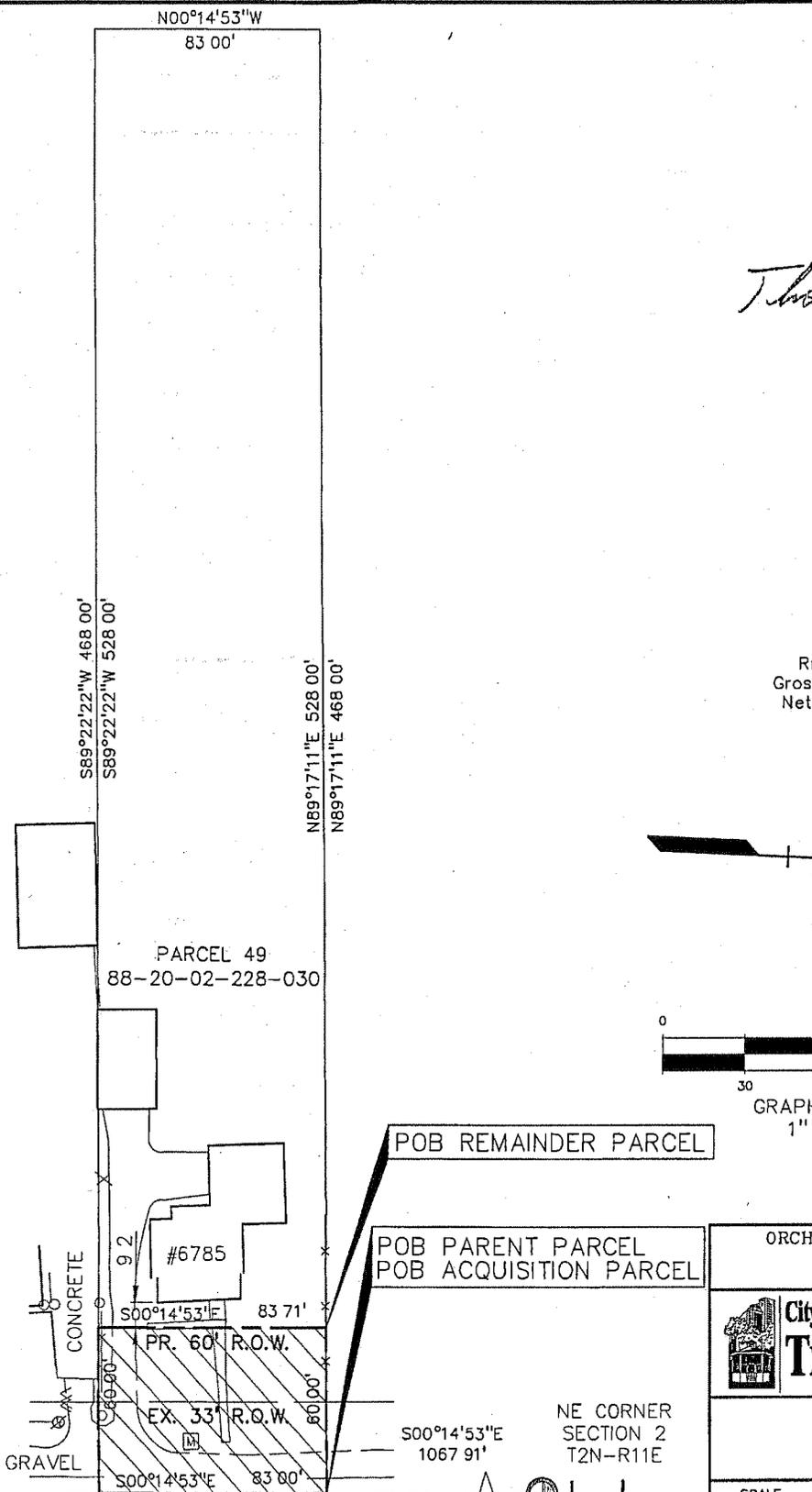
T2N, R11E, SEC 2, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS PART OF THE EAST 1/2 OF THE NORTHEAST FRACTIONAL 1/4: BEGINNING AT A POINT DISTANT S 00°14'53" E 1067.91 FT FROM NORTHEAST SECTION CORNER, THENCE S 00°14'53" E 83 FT, THENCE S 89°22'22" W 528 FT, THENCE N 00°14'53" W 83 FT, THENCE N 89°17'11" E 528 FT TO BEGINNING, THE EAST 33 FEET OF WHICH IS CURRENTLY BEING USED FOR ROADWAY PURPOSES. CONTAINING 1.01 ACRES.

### REMAINDER PARCEL DESCRIPTION:

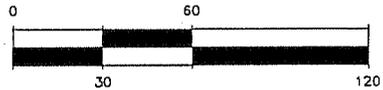
T2N, R11E, SEC 2, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS PART OF THE EAST 1/2 OF THE NORTHEAST FRACTIONAL 1/4: BEGINNING AT A POINT DISTANT S 00°14'53" E 1067.91 FT & S 89°17'11" W 60 FT FROM THE NORTHEAST SECTION CORNER, THENCE S 00°14'53" E 83.71 FT, THENCE S 89°22'22" W 468 FT, THENCE N 00°14'53" W 83 FT, THENCE N 89°17'11" E 468 FT TO BEGINNING. CONTAINING 0.90 ACRES.

### PROPOSED RIGHT OF WAY ACQUISITION:

T2N, R11E, SEC 2, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS PART OF THE EAST 1/2 OF THE NORTHEAST FRACTIONAL 1/4: BEGINNING AT A POINT DISTANT S 00°14'53" E 1067.91 FT FROM NORTHEAST SECTION CORNER, THENCE S 00°14'53" E 83 FT, THENCE S 89°22'22" W 60.00 FT, THENCE N 00°14'53" W 83.71 FT, THENCE N 89°17'11" E 60.00 FT TO THE POINT OF BEGINNING, ALSO KNOWN AS R.O.W. PARCEL #49, THE EAST 33 FEET OF WHICH IS CURRENTLY BEING USED FOR ROADWAY PURPOSES. CONTAINING 5,025 SQUARE FEET; 0.12 ACRES (GROSS) OR 2,261 SQUARE FEET; 0.05 ACRES (NET).



Right-of-Way Acquisition  
 Gross Area=5,025 sf, 0.12 AC  
 Net Area=2,261 sf, 0.05 AC



GRAPHIC SCALE  
 1" = 60'

PARCEL 49

POB REMAINDER PARCEL

POB PARENT PARCEL  
 POB ACQUISITION PARCEL

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



City of  
**Troy**

500 W Big Beaver Rd  
 Troy, Michigan 48064  
 (248) 524-3594  
 www.ci.troy.mi.us

6785 John R  
 Right-of-Way  
 Acquisition Sketch

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

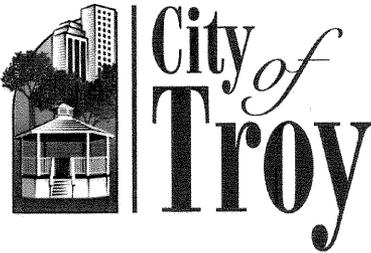


Document Prepared by  
 Professional Engineering  
 Associates, Inc

3-06 DATE 1 REV

CONTRACT No

SCALE	DRAWN BY	CHECK BY	FILE
1" = 60'	JRV	GWC	P49-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

February 12, 2008

TO: Phillip L. Nelson, City Manager

FROM: Charles T. Craft, Chief of Police *cc*  
 Captain Colleen Mott, Support Services Division *CCM*  
 Sergeant Robert Cantlon *rc*

SUBJECT: Application for transfer of Class C license for Hari Om Restaurants, Inc.

### Background:

- Hari Om Restaurants, Inc. requests to transfer ownership of 2007 Class C licensed business from Paragon of Michigan, Inc. located at 2360 Rochester Ct., Troy, currently operating as Mountain Jack's.
- On February 11, 2008, applicant Puja Gupta, along with her attorney, Kelly Allen answered questions for the Liquor Advisory Committee.
- Ms. Gupta explained to the Committee that she currently owns and operates a successful consulting business in Troy. This business began in 1994.
- Hari Om, Inc. will operate as The Host Steakhouse and Grille, a restaurant offering American and Southeast Asian dishes.
- The Committee unanimously approved this request.

### Financial Considerations:

- There are no financial considerations for the City.

### Legal Considerations:

- The request complies with all applicable Troy City ordinances and Michigan Liquor Control Commission rules.
- The Police Department did not find any disqualifying factors for this request.
- The MLCC requires local government approval for the transfer of a Class C license.

### Policy Considerations:

- City Goal III: "Retain and attract investment while encouraging redevelopment".

Options:

- City Council can approve or deny the request.



Michigan Department of Labor & Economic Growth  
**MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)**

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

**POLICE INVESTIGATION REPORT**

[Authorized by MCL 436.1217 and R 436.1105; MAC]

**FOR MLCC USE ONLY**

Request ID # 435416

Business ID # 204355

**Please conduct your investigation as soon as possible, complete all four sections of this report and return the completed report and fingerprint cards to the MLCC**

**LICENSEE/APPLICANT NAME, BUSINESS ADDRESS AND LICENSING REQUEST:**

HARI OM RESTAURANTS, INC. REQUESTS TO TRANSFER OWNERSHIP OF 2007 CLASS C LICENSED BUSINESS, LOCATED AT 2360 ROCHESTER, TROY, MI 48084, OAKLAND COUNTY, FROM PARAGON OF MICHIGAN, INC. (A WISCONSIN CORPORATION); AND REQUESTS A NEW OFFICIAL PERMIT (FOOD).

**Section 1. APPLICANT INFORMATION**

APPLICANT #1:  
 PUJA GUPTA – STOCKHOLDER  
 2032 ALFRED  
 TROY, MI 48085  
 H(248)275-1133/B(248)346-4515

APPLICANT #2:

DATE FINGERPRINTED:

DATE FINGERPRINTED:

DATE OF BIRTH:  
 Is the applicant a U.S. Citizen:  Yes  No\*  
 \*Does the applicant have permanent Resident Alien status?  
 Yes  No\*  
 \*Does the applicant have a Visa? Enter status:

DATE OF BIRTH:  
 Is the applicant a U.S. Citizen:  Yes  No\*  
 \*Does the applicant have permanent Resident Alien status?  
 Yes  No\*  
 \*Does the applicant have a Visa? Enter status:

**\*\*Attach the fingerprint card and \$30.00 for each card and mail to the Michigan Liquor Control Commission\*\***

**ARREST RECORD:**  **Felony**  **Misdemeanor**  
 Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)

**ARREST RECORD:**  **Felony**  **Misdemeanor**  
 Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)

**Section 2. INVESTIGATION OF BUSINESS AND ADDRESS TO BE LICENSED**

Does applicant intend to have dancing, entertainment, topless activity, or extended hours permit?  
 No  Yes, complete LC-1636  
 Are gas pumps on the premises or directly adjacent?  No  Yes, explain relationship:

**Section 3. LOCAL AND STATE CODES AND ORDINANCES, AND GENERAL RECOMMENDATIONS**

Will the applicant's proposed location meet all appropriate state and local building, plumbing, zoning, fire, sanitation and health laws and ordinances, if this license is granted?  Yes  No  
 If you are recommending approval subject to certain conditions, list the conditions: (attach a signed and dated report if more space is needed)

**Section 4. RECOMMENDATION**

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

Signature (Sheriff or Chief of Police)

Date

TROY POLICE DEPARTMENT



Michigan Department of Labor & Economic Growth  
**MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)**  
 7150 Harris Drive, P.O. Box 30005  
 Lansing, Michigan 48909-7505

**FOR MLCC USE ONLY**

Request ID # 435416

Business ID # 204355

**LAW ENFORCEMENT RECOMMENDATION**

[Authorized by MCL 436.1916, R 436.1105(2)(d) and R 436.1403]

November 20, 2007

TO: *Troy Police Dept.*  
*500 W. Big Beaver*  
*Troy, MI 48084-5285*  
 Re: HARI OM RESTAURANTS, INC.

We have received a request from the above licensee for the type of permit indicated below. Please make an investigation and submit your report and/or recommendation to the offices of the MLCC at the above address. Questions about this request should be directed to the MLCC Licensing Division at (517) 322-1400.

OFFICIAL PERMIT FOR EXTENDED HOURS OF OPERATION FOR: FOOD

Weekdays \_\_\_\_\_ A.M. to \_\_\_\_\_ A.M.

Sundays 9:00 A.M. to 12:00 P.M.

Recommended     Recommended, subject to final inspection     Not Recommended

**NOTE:** If the applicant is requesting two separate extended hours permits and the permits are for **different hours** you must complete the box below. If additional space is needed please use reverse side of this form.

OFFICIAL PERMIT FOR EXTENDED HOURS OF OPERATION FOR:

Weekdays \_\_\_\_\_ A.M. to \_\_\_\_\_ A.M.

Sundays \_\_\_\_\_ A.M. to \_\_\_\_\_ A.M./P.M.

Recommended     Recommended, subject to final inspection     Not Recommended

DANCE PERMIT

Recommended     Recommended, subject to final inspection     Not Recommended

ENTERTAINMENT PERMIT

Recommended     Recommended, subject to final inspection     Not Recommended

TOPLESS ACTIVITY PERMIT

Recommended     Recommended, subject to final inspection     Not Recommended

<input type="checkbox"/> OUTDOOR SERVICE <input type="checkbox"/> Recommended <input type="checkbox"/> Recommended, subject to final inspection <input type="checkbox"/> Not Recommended
<input type="checkbox"/> PARTICIPATION PERMIT <input type="checkbox"/> Recommended <input type="checkbox"/> Recommended, subject to final inspection <input type="checkbox"/> Not Recommended
<input type="checkbox"/> ADDITIONAL BAR PERMIT <input type="checkbox"/> Recommended <input type="checkbox"/> Recommended, subject to final inspection <input type="checkbox"/> Not Recommended
<input type="checkbox"/> OTHER <input type="checkbox"/> Recommended <input type="checkbox"/> Recommended, subject to final inspection <input type="checkbox"/> Not Recommended

Signed:

\_\_\_\_\_  
Signature and Title

\_\_\_\_\_  
Print Name and Title

TROY POLICE DEPARTMENT

Date: \_\_\_\_\_

sfs

A regular meeting of the Liquor Advisory Committee was held on Monday, February 11, 2008 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  
Bohdan L. Ukrainec  
Susan Lancaster, Assistant City Attorney  
Sergeant Robert Cantlon  
Pat Gladysz

**ABSENT:** Timothy P. Payne  
Clark Yuan, Student Representative

**Resolution to Excuse Committee Member Payne**

Resolution #LC2008-02-004

Moved by Allemon

Seconded by Ogg

RESOLVED, that the absence of Committee member Payne at the Liquor Advisory Committee meeting of February 11, 2008 BE EXCUSED.

Yes: 6  
No: 0  
Absent: Payne

---

**Resolution to Approve Minutes of January 14, 2008 Meeting**

Resolution #LC2008-02-005

Moved by Ukrainec

Seconded by Allemon

RESOLVED, that the Minutes of the January 14, 2008 meeting of the Liquor Advisory Committee be approved.

Yes: 6  
No: 0  
Absent: Payne

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**Agenda Items**

1. **Hari Om Restaurants, Inc.** requests to transfer ownership of 2007 Class C licensed business located at 2360 Rochester Ct , Troy, MI 48084, Oakland County from **Paragon of Michigan, Inc.** (a Wisconsin Corporation); and requests a new Official Permit (Food). [MLCC REF# 435416]

Present to answer questions from the Committee were attorneys Kelly Allen and Lisa Hamameh, sole proprietor Puja Gupta, and general manager Cynthia Pryor.

A presentation was made to the Committee explaining that Ms. Gupta is the sole proprietor of “The Host Steakhouse & Grille” which will occupy the building currently doing business as “Mountain Jack’s Steakhouse” on Rochester Court. She is currently in the process of negotiating a lease agreement with Paragon of Michigan. Minor renovations will be made to the restaurant which houses 266 seats. It will feature American and Indian cuisine in a combination fine dining and sports bar environment. Many of the current Mountain Jack’s employees will be hired by Ms. Gupta and all will have the required TIPS or TAMS training.

Resolution #LC2008-02-006  
Moved by Hall  
Seconded by Allemon

RESOLVED, that Hari Om Restaurants, Inc. be allowed to transfer ownership of 2007 Class C licensed business located at 2360 Rochester Ct , Troy, MI 48084, Oakland County from Paragon of Michigan, Inc. (a Wisconsin Corporation); and be granted a new Official Permit (Food).

Yes: 6  
No: 0  
Absent: Payne

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The meeting adjourned at 7:35 p.m.

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Max K. Ehlert, Chairman

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Patricia A. Gladysz, Secretary II

## AGREEMENT REGARDING LIQUOR LICENSE REQUEST

This Agreement, made this \_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, by and between the CITY OF TROY, MICHIGAN, a municipal corporation, with offices located at 500 W. Big Beaver Road, Troy, Michigan, 48084, hereinafter known as THE CITY, and Hari Om Restaurants, Inc. dba The Host, the Applicant, hereinafter known as APPLICANT.

1. The City Council of the City of Troy, for and in consideration of the following covenants and conditions, agrees to recommend to the Michigan Liquor Control Commission Approval of the transfer of ownership of 2007 Class C licensed business, Paragon of Michigan, Inc, 2360 Rochester Court, Troy to Hari Om Restaurants, Inc dba The Host.
2. In consideration of the City of Troy's recommendation for approval of the transfer, the applicant hereby agrees that:
  - a) It has read and is aware of the provisions of City of Troy Ordinances, Chapter No. 68 and Chapter No. 98, and agrees that it shall be deemed to have knowledge of any subsequent amendments to said Chapters which may become effective during the term of this agreement.
  - b) It has read and is in receipt of copies of the provisions of the City of Troy, City Council Resolution No. 93-1028, and agrees that it shall be deemed to have knowledge of any subsequent amendments to the Resolution which may become effective during the term of this agreement.
  - c) It agrees to observe and comply with all laws, statutes, ordinances, rules, regulations or resolutions of the United States government, State of Michigan, and the City of Troy, or any department or agency of the governmental entities, as well as the rules and regulations of the Michigan Liquor Control Commission as they pertain to the operation of a liquor licensed business in the City of Troy.
3. Applicant agrees that the recommendation for Approval agreed upon by the City Council is not a property right and is approved upon the express and continuing condition that no violation as set forth in paragraph 2 of this agreement shall occur.
4. Applicant agrees that the recommendation for Approval agreed upon by the City Council is approved upon the express and continuing condition that the physical characteristics (including but not limited to the inside layout, building design and engineering, seating capacity, parking space allocations, fire exits, and other physical attributes); and also the nature and type of business intended to be conducted remain virtually the same.
5. Applicant agrees that upon such violation, after full investigation and an opportunity for said applicant to be heard, upon a finding by the City Council that a violation as set forth in paragraph 2 of this agreement has occurred, the City Council shall have just cause for revocation of said recommendation for approval.

*[Handwritten Signature]*

Authorized Representative

Hari Om Restaurants, Inc

Witnesses:

*Katie Sealley*  
*[Signature]*

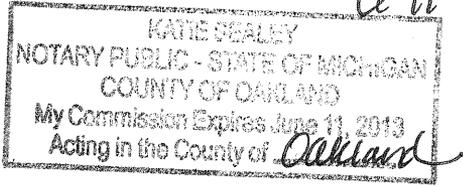
Subscribed and sworn to before me  
this 19 day of December, 20007

*Katie Sealley*

Notary Public, Katie Sealley

County, Oakland

My commission expires: 11-11-2013



CITY OF TROY

By: Louise Schilling, Mayor

By: Tonni Bartholomew, City Clerk

Witnesses:

\_\_\_\_\_

\_\_\_\_\_

Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_

\_\_\_\_\_

Notary Public, Oakland  
County, Michigan  
My commission expires:

### RESOLUTION

At a \_\_\_\_\_ meeting of the \_\_\_\_\_  
(Regular or Special) (Township Board, City or Village Council)

called to order by \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_ P.M.

The following resolution was offered:

Moved by \_\_\_\_\_ and supported by \_\_\_\_\_

**That the request to TRANSFER OWNERSHIP OF 2007 CLASS C LICENSED BUSINESS, LOCATED AT 2360 ROCHESTER, TROY, MI 48084, OAKLAND COUNTY, FROM PARAGON OF MICHIGAN, INC. (A WISCONSIN CORPORATION) TO HARI OM RESTAURANTS, INC.**

be considered for \_\_\_\_\_  
(Approval or Disapproval)

#### APPROVAL

#### DISAPPROVAL

Yeas: \_\_\_\_\_

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Absent: \_\_\_\_\_

It is the consensus of this legislative body that the application be:

\_\_\_\_\_ for issuance  
(Recommended or Not Recommended)

State of Michigan \_\_\_\_\_)

County of \_\_\_\_\_)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the \_\_\_\_\_ at a \_\_\_\_\_  
(Township Board, City or Village Council) (Regular or Special)

meeting held on \_\_\_\_\_  
(Date)

SEAL

(Signed) \_\_\_\_\_  
(Township, City or Village Clerk)

\_\_\_\_\_  
(Mailing address of Township, City or Village)



## CITY COUNCIL ACTION REPORT

February 8, 2008

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Economic Development Services  
Timothy Richnak, Public Works Director

SUBJECT: Request for Public Hearing on March 17, 2008 for Community Development Block Grant (CDBG) Program Year 2005 reprogramming of unexpended funds.

### Background:

- The City of Troy is required by Oakland County Division of Community & Home Improvement to advertise and conduct a Public Hearing on the reprogramming of CDBG Program Year 2005 unexpended funds.

### Financial Considerations:

- There are no financial considerations associated with this item.

### Legal Considerations:

- City Council has the authority to request the public hearing.

### Policy Considerations:

- The proposed public hearing is consistent with City Council Goal IV, (Effectively and professionally communicate internally and externally.)

### Options:

- It is recommended that Council authorize a public hearing for March 17, 2008 at 7:30 PM or as soon thereafter as the agenda will permit, to consider re-programming CDBG Program Year 2005 unexpended funds.

A Meeting of the Civil Service Commission (Act 78) was held Monday, September 24, 2007, at Troy City Hall, 500 W. Big Beaver Road in the Lower Level Conference Room. Chair McGinnis called the meeting to order at 7:03 AM.

## **ROLL CALL**

**PRESENT:** Chairman Donald E. McGinnis, Jr.  
Commissioner David Cannon  
Commissioner Patrick Daugherty

**ALSO PRESENT:** Lori Grigg Bluhm, City Attorney  
Charles Craft, Police Chief  
William Nelson, Fire Chief  
Barbara A. Pallotta, Deputy City Clerk  
Gary Mayer, Police Captain  
Sergeant Robert Redmond, TCOA President  
Lt. Keith Lenderman, Fire Department  
Lt. Chuck Riesterer, Fire Department  
Peter Hullinger, Volunteer Fire Fighter  
Tom Kmiec, Volunteer Fire Fighter  
Charles Roberts, Volunteer Fire Fighter  
John Schoenbeck, Volunteer Fire Fighter

## **APPROVAL OF MINUTES:**

Resolution #CSC-2007-09-015  
Moved by Daugherty  
Seconded by Cannon

RESOLVED, That the Civil Service Commission (Act 78) hereby **APPROVES** the Minutes of the meeting of Thursday, July 10, 2007 as presented.

Yes: All-3

## **PETITIONS AND COMMUNICATIONS:**

### **a. Approval of Eligible List for Division Assistant Chief (Fire Department)**

Resolution #CSC-2007-09-016  
Moved by  
Seconded by

RESOLVED, That the Civil Service Commission (Act 78) hereby **APPROVES** the Eligible List for Division Assistant Chief as **PRESENTED**.

Yes: All-3

**b. Approval of Eligible List for Fire Staff Technician (Fire Department)**

Resolution #CSC-2007-09-017

Moved by Cannon

Seconded by Daugherty

RESOLVED, That the Civil Service Commission (Act 78) hereby **APPROVES** the Eligible List for Fire Staff Technician as **PRESENTED**.

Yes: All-3

**c. Approval of Eligible List for Deputy Police Chief (Note: Eligible List for Deputy Police Chief to be presented at the meeting.)**

Resolution #CSC-2007-09-018

Moved by McGinnis

Seconded by Cannon

RESOLVED, That the Civil Service Commission (Act 78) hereby **APPROVES** the Eligible List for Deputy Police Chief as **PRESENTED**.

Yes: All-3

**d. Approval of Job Qualifications, Posting and Test Battery for Recruitment of Police Officers**

Resolution #CSC-2007-09-019

Moved by Cannon

Seconded by Daugherty

RESOLVED, That the Civil Service Commission (Act 78) hereby **APPROVES** the job qualifications, the posting and the test battery for the recruitment of Police Officers as **PRESENTED**.

Yes: All-3

**NEW BUSINESS:** None

**OLD BUSINESS:** None

**PUBLIC COMMENT:** None

**ADJOURNMENT:**      The meeting was adjourned at 7:12 AM.

---

Donald E. McGinnis, Jr.

---

Barbara A. Pallotta, Deputy City Clerk

A meeting of the **Troy Youth Council (TYC)** was held on November 28, 2007 at 7:00 PM at Troy City Hall, 500 W. Big Beaver. Jessica Kraft and Joseph Niemiec called the meeting to order at 7:03 p.m.

MEMBERS PRESENT: Maxine D'Amico  
 Rishi Joshi  
 Geon Woo Kim  
 Jessica Kraft  
 Joseph Niemiec  
 Anupama Prasad (Secretary)  
 Kristin Randall (Co-chair)  
 Shaina Sekhri  
 Neil Shaw  
 Katie Thoenes  
 Nicole Vitale (Co-chair)  
 David Wylie

MEMBERS ABSENT: Disha Bora

VISITORS: Cathy Russ, Library Director

STAFF PRESENT: Scott Mercer, Recreation Supervisor

### 1. Roll Call

### 2. Approval of Minutes

Resolution # TY-2007-11-16  
 Moved by D'Amico  
 Seconded by Vitale

RESOLVED, That the minutes of September 26, 2007 be approved.

Yes: All – 12  
 No: 0  
 Absent: 1 – Bora

### 3. Attendance Report:

Report reviewed by council members, no comments.

### 4. Visitor: Cathy Russ, Library Director

-Discussed purpose and structure of library:  
 5 million dollar budget  
 Something for everyone  
 Education for everyone  
 Expenses include staff, building and resources  
 750,000 people enter library every year  
 1.5 million items checked out yearly  
 92.5% of items checked out are by residents  
 Needs assessment currently being performed  
 #1 library in state in 2004  
 New special needs collection

**5. Troy Daze Festival Update – No update**

**6. Teen Room Naming Competition**

- Final edition of flyer was distributed for review by Teen Council.
- Flyer will be distributed to Teen Council and Teens Taking Action for distribution.
- Competition will conclude on January 15, 2008.

**7. Special Events and Projects for 2007-08**

Advised by legal that Teen Council is able to be involved in events run by a different group or committee but not able to spear head own event(s).

**8. Motion to Excuse Absent Members Who Have Provided Advance Notification**

Resolution # TY-2007-11-17

Moved by Randall

Seconded by D'Amico

RESOLVED that Bora is excused.

Yes: All - 12

No: 0

Absent: 1 – Bora

**9. Youth Council Comments - None**

**10. Public Comments – None**

**11. Adjournment – 7:35 p.m.**

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Jessica Kraft, Co-chair

---

Scott Mercer, Recreation Supervisor

Reminder Next Meeting: December 19, at 7:00 P.M.

The Chairman, Ted Dziurman, called the meeting of the Building Code Board of Appeals to order at 8:30 A.M. on Wednesday, January 2, 2008 in the Lower Level Conference Room of the Troy City Hall.

PRESENT: Ted Dziurman  
Rick Kessler  
Keith Lenderman  
Tim Richnak  
Frank Zuazo

ALSO PRESENT: Mark Stimac, Director of Building & Zoning  
Paul Evans, Housing & Zoning Inspector Supervisor  
Pamela Pasternak, Recording Secretary

### **ITEM #1 – APPROVAL OF MINUTES – MEETING OF DECEMBER 12, 2007**

Mr. Richnak asked that the minutes be amended to indicate that Tom Rosewarne was at the meeting of December 12, 2007 in his place.

Motion by Kessler  
Supported by Zuazo

MOVED, to approve the minutes of the meeting of December 12, 2007 with the attendance corrected.

Yeas: All – 5

MOTION TO APPROVE MINUTES AS AMENDED 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 stated that the Building Department had received a letter from this petitioner requesting that their request be withdrawn.

Motion by Richnak  
Supported by Kessler

MOVED, to accept the request of Mondrian Properties/Choice Group, 1233 W. Wattles, for relief of Chapter 85 to withdraw their request for a temporary sign installed at 1233 W. Wattles.

- Per the request of the petitioner.

Yeas: All – 5

**ITEM #2 – con't.**

MOTION TO ACCEPT WITHDRAWAL CARRIED. NO FURTHER ACTION BY THE BOARD.

**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.

The Chairman moved this item to the end of the agenda (Item #5) in order to allow the petitioner the opportunity to be present.

**ITEM #4 – VARIANCE REQUEST. PAUL DETERS OF METRO DETROIT SIGNS, 888 W. BIG BEAVER,** for relief of Chapter 85 to install a 63.2 square foot tenant wall sign.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 85 to install a 63.2 square foot wall sign for Prlanta Jewelers, a tenant at 888 W. Big Beaver. Section 85.02.05 3 (d) of the Sign Ordinance limits the size of tenant wall signs in the Office Zoning Districts to not more than 20 square feet in area.

Pat Donnelly representing Metro Detroit Signs, and Masis Kayayan, the owner of Prlanta Jewelers were present. Mr. Donnelly stated that they feel the fact that they are only allowed a 20 square foot sign is a hardship in itself. Presently, they have a 20 square foot banner up and customers are having difficulty in locating this business. This business is located between the Melting Pot which has a 64 square foot sign, and Morton's Steak House, whose sign is considerably larger. Visibility is limited due to the setback from Big Beaver and because of the tree line along Big Beaver.

Mr. Dziurman stated that when the Melting Pot came before this Board for a variance, the owner of the building assured Board members that no other tenants would be in to request a variance and no additional signage would be needed.

Mr. Donnelly stated that the tenant is in the building right now and is concerned that they will lose business because the sign is so small.

Mr. Dziurman asked how many other tenants were on the first floor of this building.

Mr. Stimac stated that he did not know.

Mr. Donnelly stated that there are only the three (3) tenants facing Big Beaver.

Mr. Kessler asked if the sign was considered a directional sign or identification sign.

Mr. Donnelly stated that it was a little of both as it will offer some advertising and allow visibility to the customer.

**ITEM #4 – con't.**

Masis Kayayan, the owner of Prlanta Jewelers was present and stated that he has been in business for thirty-five years and even his long time customers are having a difficult time locating his business.

Mr. Zuazo asked how much frontage there was from this business to Big Beaver. Mr. Kayayan stated there is 57' frontage on Big Beaver.

Mr. Zuazo then asked if there was any way for the space to be subdivided. Mr. Kayayan indicated that he had leased both spaces and made them into one. Mr. Zuazo then asked if there was a chance that this space could once again be subdivided into two separate spaces. The petitioner did not believe that would happen.

Mr. Kessler asked how they came up a sign that is 60 square feet rather than something smaller.

Mr. Donnelly stated that they wanted to maximize the size of the sign and had met with Redico, the property owners, who stated that they would allow them to put up a sign that is as large as the sign the Melting Pot has. They are looking for the biggest impact for customers looking to find them. Mr. Donnelly indicated that he had worked extensively with Mr. Evans to determine this size.

Mr. Kessler stated that the proposed sign has a picture of a Diamond as well as the words "fine jewelry and timepieces" on it. In his opinion, this sign has a lot of information on it and is being used more as an advertisement than an identification sign. Mr. Kessler said that the proposed sign is over three times larger than what is allowed by the Ordinance and he feels that this is excessive.

Mr. Donnelly stated that they have another design without the diamond but feels that having only the name of the sign, will not tell potential customers what the purpose of the business is.

Mr. Dziurman asked how large a sign would be allowed if this business was located in a shopping center.

Mr. Stimac said that in a "B" zoned district they would be allowed 10% of the front of the tenant area, and based on the size of this tenant area the current request is under the 10% allowed.

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

There are no written objections or approvals on file.

**ITEM #4 – con't.**

Mr. Kessler stated that this Board cannot regulate what is on a sign, but can regulate the size of the sign. This building is considered an office building and the petitioner knew this at the time he signed the lease on this space. 20 square feet is allowed by Ordinance and in his opinion 63 square feet is excessive.

Motion by Kessler  
Supported by Richnak

MOVED, to approve the request of Paul Deters of Metro Detroit Signs, 888 W. Big Beaver, for relief of Chapter 85 to install a tenant wall sign.

- Size of sign is limited to 40 square feet.
- No limitations on what is on the sign.

Mr. Kayayan stated that this building is one-half empty. They are planning to use the same electric connections so that they would not deface the front of the building. Mr. Kayayan also stated that he did not lease this space as office space, but as a retail business.

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

MOTION TO APPROVE REQUEST AS AMENDED CARRIED

**ITEM #5 – (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 building and extend 3'-1" above the parapet line.

This item first appeared before this Board at the meeting of December 12, 2007 and was postponed to allow the petitioner the opportunity to be present.

Mr. Tom Novak, representing Great Lakes Electric Sign Company was present and stated that they would agree to eliminate the proposed "Service" sign. The additional

**ITEM #5 – con't.**

signs are important as they tell people where to go in a busy dealership. These proposed signs are part of a new national campaign for a new line of cars.

Mr. Dziurman asked why there was a necessity for new signs at an existing dealership.

Mr. Novak stated that they are re-facing all existing buildings nationwide and want to upgrade the area. The new signs will add to the appearance of the building.

Mr. Dziurman stated that the car dealers located on Maplelawn keep coming to this Board requesting variances for more and more signs. Mr. Dziurman stated that he does not see a hardship that would justify this request.

The first request is regarding the large sign. The proposed 90.25 square foot sign complies with the requirements of the Ordinance; however, the sign projects above the roof line of the building and projects out from the building. To be considered a wall sign it has to be within 12" of the wall.

Mr. Novak stated that he was not aware that this was part of the request and did not have a copy of the drawing that depicts this projection.

A discussion began regarding the height of the roof line and the parapet and also the depth of the "sky box" which is 4 ½' deep. Mr. Stimac stated that the sign has to be placed below the roof line. The "sky box" is just over 3' above the roof.

In response to a question from one of the Board members, Mr. Novak said that he was not sure but thought that the canopy extending over the parapet was probably an acrylic type of material.

Mr. Stimac thought it was made of a siding material. The arch becomes the parapet of the building.

Mr. Lenderman asked if the sign would be allowed to be at the top of the parapet wall.

Mr. Stimac stated that they could take the sign and drop it to the top of the parapet and it would meet the Ordinance.

Mr. Richnak asked why the depth of the sign box was 4 ½'.

Mr. Novak stated that he did not know. The sign was designed by Cummins Sign Co. and he would have to contact them.

Motion by Richnak  
Supported by Kessler

**ITEM #5 – con't.**

MOVED, to postpone the request of Great Lakes Electric Sign Company, 1790 Maplelawn, for relief of Chapter 85 to erect three (3) additional wall signs on an existing building until the meeting of February 6, 2008.

- To allow a representative of the car dealership to be present and explain the hardship to the Board.
- To allow a representative of Cummins Sign Company to be present to explain the size and depth of the sign.
- To allow a representative of Cummins Sign Co. to explain and/or research alternate signs that could be placed below the parapet.
- Not enough information has been provided for the Board to make a decision.

Yeas:                      All – 5

MOTION TO POSTPONE THIS REQUEST UNTIL THE MEETING OF FEBRUARY 6, 2008 CARRIED

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

---

Ted Dziurman, Chairman

---

Pamela Pasternak, Recording Secretary

**TROY ETHNIC ISSUES ADVISORY BOARD  
TUESDAY, JANUARY 8, 2008  
TROY CITY HALL - CONFERENCE ROOM C**

I. Call to Order 7:10 p.m.

II. Roll Call:

**Present:**

Cathy Francois

William Lawrence

Kelly Jones

Michelle Haight

Mayada Fakhouri

Karen Yelder

Tony Haddad (7:30 pm)

Grigore Buia (8:45 pm)

Cindy Stewart, City Liaison

**Absent:**

Helen Yang, student rep

Lulu Guo, student rep

Reuben Ellis

**Guests:**

Sushma Shrestha

Jennifer Hilzinger

Sung Son

Catherine Jun

Faris Alami

III. Approval of Minutes – November 13, 2007

Motion by Kelly Jones to approve the November 13, 2007 minutes, seconded by Cathy Francois.

Motion approved with corrections: 3<sup>rd</sup> Page First Noel = Noel Night

IV. Introduction

a. Two new board members – William Lawrence & Cathy Francois

William Lawrence – Resident for 15 years, married with two children in college. Both were graduates of Troy Schools. He would like to contribute to the City of Troy.

Cathy Francois – Resident for 4 years and has been coming to meetings for more than 2 years. She is married with two kids in the Troy School District.

Guests – Jennifer Hilzinger & Sung Son – Co-chairing the Schroeder PTO Cultural Community Committee. They want to connect families at school since they noticed some segregation based on ethnicity and race. Also want to reach out to new families moving in. They started Conversation English Coffee Hour twice a month as support group.

Sung moved here 1 ½ years from Korea. It was a challenge finding grocery stores and making friends. She wants to help her kids adjust to this country.

Catherine June from Det. News is trying to push a “diversity beat” as part of the paper.

Faris Alami works for Integration Systems Mgt. Background dealing with Cultural Diversity. Speaking at schools and businesses. Presenting “I am your Neighbor” Workshop in Troy.

Sushma Shrestha volunteers within Troy, helped with 2007 Ethnicity.

V. Correspondence/Articles

VI. Old Business

a. Grant Information

Mayada has recent info from Kresge Foundation. Group/organization must be a 501(c)(3). Karen and Cindy will explore working together with Boys & Girls Club of Troy since they are a 501(c)(3).

Michelle will also check Southern Poverty Law Center about available grants.

b. Bridging the Racial Divide

Nothing to report. Remove from the agenda for time being.

VII. New Business

a. Troy School District Update

Karen has no updates since she & Michelle spoke with Joe Duda & Lara Dixon (new Athens High School Principal). Michelle and Karen will follow-up with additional meetings.

Ron Keolian, Diversity Club Advisor (Athens), working with Michelle at Barnard to bring Athens teacher to perform at Barnard’s Diversity Fair.

Cathy’s daughter has encountered some unfortunate issues related to intolerance of students related to diversity. The great strides we feel we’re making are undone. We must get to the students about sensitivity training.

Idea for EIAB to host a day-long seminar for high school students to diversity and sensitivity training. Kelly said we should focus on the students who don’t get this opportunity for diversity training.

Cathy works in Mt. Clemens Middle School. They had an anti-bullying program. Maybe this group has a diversity or sensitivity training session. She will check if this is available. Cathy said there is more diversity in Troy than Mt. Clemens but less cohesiveness here.

Mix it Up program takes kids at school and switches things up at lunch, mixing up with who kids sit with to address diversity issues.

Michelle and Karen will report back to board at March meeting.

b. 2008 Projects and Assignments

Booth at Community Kaleidoscope – Jan. 27, 2008

EthniCity – Sept. 2008

Idea to contact other communities (Dearborn, Farmington Hills, Sterling Heights, Southfield, Ann Arbor) who have committees related to Ethnicity. Kelly will compile list of questions.

Kelly – Ann Arbor, Sterling Heights

Michelle – Southfield

Mayada – Farmington Hills

Cindy – Dearborn

Cathy – Mt. Clemens

Come back in February with some ideas/suggestions for the board.

c. Community Kaleidoscope – Jan. 27, 2008, noon-4 pm

Ethnic Issues Advisory Board Booth – need volunteers. 11:30 am – 1pm: Cathy; 1 – 2:30 pm: Mayada & Kelly; 2:30 – 4 pm: Karen & Michelle.

Need items from other countries that people could look at and touch. Dress in Ethnic clothing.

VIII. Staff Report

a. MLK Celebration of Freedom, Jan. 21 2008, 8:30 am – Athens High.

IX. Public Comment

Jen and Sung's programs could be modeled by other parents at all schools to help in diversity training. Targeted moms at home, no transportation with limited English language skills. Casual conversations – places to go, fun places to take kids, what's for dinner, dealing with their children and teachers. PTO also pays for a babysitter if any moms have non-school aged kids. Average 8-12 Moms, open to all schools.

Michelle suggested putting Conversational English program on her newsletter since it goes to all schools.

X. Upcoming projects – Update Resource Guide

XI. Member Comment

a. In the minutes, change Arab Chaldean to Arabs and Chaldeans

b. Suggestion to tape record our meetings. Council meetings and other board meetings are not transcribed verbatim. Board feels no need.

- c. Faris asked if this board has talked to Oakland County Employment Diversity Council, Oakland Intermediate School District Ethnic Committee, or Global Trade Mission (Automation Alley – [automationalley.com](http://automationalley.com), [myglobeislocal.com](http://myglobeislocal.com)) as resources.

XII. Adjournment

Motion by Karen Yelder, seconded by William Lawrence to adjourn the meeting at 8:55 pm. Meeting adjourned.

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Michelle Haight, EIAB Chair

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Cindy Stewart, EIAB Recording Secretary

A regular meeting of the Liquor Advisory Committee was held on Monday, January 14, 2008 in the Lower Level Conference Room of Troy City Hall, 500 West Big Beaver Road. Committee member Henry W. Allemon called the meeting to order at 6:55 p.m.

**ROLL CALL:**

**PRESENT:** Henry W. Allemon  
W. Stan Godlewski  
Patrick C. Hall  
David S. Ogg  
Timothy P. Payne  
Bohdan L. Ukrainec  
Clark Yuan, Student Representative  
Susan Lancaster, Assistant City Attorney  
Sergeant Robert Cantlon  
Pat Gladysz

**ABSENT:** Max K. Ehlert, Chairman

**Resolution to Excuse Committee Member Ehlert**

Resolution #LC2008-01-001  
Moved by Ukrainec  
Seconded by Payne

RESOLVED, that the absence of Committee member Ehlert at the Liquor Advisory Committee meeting of January 14, 2008 BE EXCUSED.

Yes: 6  
No: 0  
Absent: Ehlert

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**Resolution to Approve Minutes of December 10, 2007 Meeting**

Resolution #LC2008-01-002  
Moved by Payne  
Seconded by Hall

RESOLVED, that the Minutes of the December 10, 2007 meeting of the Liquor Advisory Committee be approved.

Yes: 6  
No: 0  
Absent: Ehlert

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**Agenda Items**

1. **Cameron Mitchell Restaurants, LLC** (An Ohio Limited Liability Company) requests to transfer ownership of 2007 Class C licensed business with entertainment permit, located in escrow at 1686 John R, Troy, MI 48084, Oakland County, from Hooters of Troy, Inc. (A Georgia Corporation); transfer location to SW corner of Coolidge & Big Beaver, Troy, MI 48084, Oakland County; and requests a new SDM license to be held in conjunction, new Official Permit (Food), and new outdoor service area. {MLCC Req ID# 432854}

Present to answer questions from the Committee were Steve Singleton, general manager of Cameron’s Steakhouse, and John Carlin, attorney for Cameron Mitchell Restaurants.

New construction is underway for an upscale seafood and steak restaurant at the southwest corner of Coolidge and Big Beaver. The establishment will be called Mitchell’s Ocean Club and has the same ownership as Mitchell’s Fish Market and Cameron’s Steakhouse restaurants. There will be seating for approximately 220 patrons in the dining area, with additional seating on the patio. There is a projected opening date of May 29, 2008, with lunch and dinner service.

Resolution #LC2008-01-003  
Moved by Hall  
Seconded by Ukrainec

RESOLVED, that Cameron Mitchell restaurants, LLC (An Ohio Limited Liability Company) be allowed to transfer ownership of 2007 Class C licensed business with entertainment permit, located in escrow at 1686 John R, Troy, MI 48084, Oakland County, from Hooters of Troy, Inc. (A Georgia Corporation) to SW corner of Coolidge & Big Beaver, Troy, MI 48084, Oakland County; and be granted a new SDM license to be held in conjunction, new Official Permit (Food), and new outdoor service area.

Yes: 6  
No: 0  
Absent: Ehlert

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2. **Hari Om Restaurants, Inc.** requests to transfer ownership of 2007 Class C licensed business located at 2360 Rochester Ct., Troy, MI 48084, Oakland County from **Paragon of Michigan, Inc.** (a Wisconsin Corporation); and requests a new Official Permit (Food). [MLCC REF# 435416]

The attorney for Hari Om Restaurants, Inc. requested that this item be removed from the agenda.

There was a brief discussion of the 2007 liquor violations.

The meeting adjourned at 7:20 p.m.

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Henry W. Allemon

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Patricia A. Gladysz, Secretary II

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chair Schultz at 7:30 p.m. on January 22, 2008 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

Absent:

Mark J. Vleck (arrived at 7:35 p.m.)  
Wayne Wright

Also Present:

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

**Resolution # PC-2008-01-010**

Moved by: Troshynski  
Seconded by: Littman

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

Yes: All (6)  
Absent: Vleck (arrived at 7:35 p.m.), Wright

**MOTION CARRIED**

2. APPROVAL OF AGENDA

**Resolution # PC-2008-01-011**

Moved by: Littman  
Seconded by: Tagle

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

Yes: All (6)  
Absent: Vleck (arrived at 7:35 p.m.), Wright

**MOTION CARRIED**

3. MINUTES

**Resolution # PC-2008-01-012**

Moved by: Tagle  
Seconded by: Hutson

**RESOLVED**, To approve the minutes of the January 8, 2008 Regular meeting as distributed.

Yes: All (6)  
Absent: Vleck (arrived at 7:35 p.m.), Wright

**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. Miller gave a brief BZA report in Mr. Wright's absence. Mr. Miller indicated there appears to be a trend toward more applications for commercial vehicle appeals coming before the BZA.

6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT

Mr. Miller asked Richard Carlisle to summarize the January 16, 2008 Downtown Development Authority Investment Strategy Workshop meeting. Mr. Carlisle summarized the meeting, and indicated that the results of the workshop would be provided to the Planning Commission.

7. PLANNING AND ZONING REPORT

Mr. Miller provided a brief report.

8. APA NATIONAL CONFERENCE

Chair Schultz indicated there was enough money in the Planning Commission budget for three members to attend the upcoming American Planning Association (APA) National Conference on April 27, 2008 through May 1, 2008 in Las Vegas, Nevada.

Commissioners Schultz, Strat and Vleck indicated their desire to attend the conference. Commissioners Hutson, Tagle and Troshynski indicated they would check their schedules for availability to attend the conference.

**Resolution # PC-2008-01-013**

Moved by: Littman

Seconded by: Hutson

**RESOLVED**, That Planning Commissioners Schultz, Vleck and Hutson attend the APA National Conference in Las Vegas from April 27, 2008 through May 1, 2008.

**FURTHER RESOLVED**, That Planning Commissioners Tagle, Troshynski and Strat are considered alternates in the event any of the other three are unable to attend the conference.

Yes: All (7)  
Absent: Wright

**MOTION CARRIED**

**STUDY ITEM**

9. CITY OF TROY MASTER PLAN – DRAFT – Discussion with representatives of Carlisle/Wortman Associates, Inc.

Chair Schultz introduced the item.

Mr. Miller indicated the intent of the meeting was for the Planning Commission to accept the draft Master Plan as the working draft for a Public Input Workshop, tentatively scheduled for February 26, 2008.

Mr. Miller explained the difficulties involved in holding an official Planning Commission meeting, given the requirement that all meetings be videotaped. The venue and format of the meeting would not lend itself to being recorded.

Chair Schultz suggested the Planning Commission cancel the Special/Study meeting.

Mr. Strat asked if a quorum of Planning Commissioners attending the Public Input Workshop would violate the Open Meetings Act.

Mr. Forsyth replied that they would not violate the Open Meetings Act as long as they were not deliberating or moving toward a decision. Additionally, the meeting would be open to the public.

The Planning Commission discussed the format of the Public Input Workshop.

Zak Branigan stated the intent was to have each chapter represented at an individual station, with a Planning Commissioner at each station to answer questions and engage participants. He asked if any Planning Commissioners had a preference of stations.

Ms. Troshynski requested that she would prefer to work at the Housing station. No other Planning Commissioners indicated a preference.

The Planning Commission discussed the draft Master Plan.

It was a general consensus that the draft Master Plan was the working draft for the Public Input Workshop, scheduled for February 26, 2008.

Richard Carlisle thanked the Planning Commission for their hard work, openness to ingenuity and sticking to an aggressive schedule.

**Resolution # PC-2008-01-014**

Moved by: Littman  
Seconded by: Troshynski

**RESOLVED**, That the February 26, 2008 Planning Commissioners Special/Study meeting be cancelled.

Yes: All (7)  
Absent: Wright

**MOTION CARRIED**

**OTHER ITEMS**

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

There was no one present who wished to speak.

10. **PLANNING COMMISSION COMMENTS**

Mr. Littman suggested that in the future the Planning Commission should rotate officers.

Mr. Strat informed the Planning Commission of legislative updates to the Michigan Building Code and the potential impact on Group Day Care Homes.

Chair Schultz discussed the January 21, 2008 Troy - Birmingham Transit Center charrette presentation.

ADJOURN

The Special/Study Meeting of the Planning Commission adjourned at 9:07 p.m.

Respectfully submitted,

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Robert M. Schultz, Chair

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R. Brent Savidant, Principal Planner

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**TROY YOUTH COUNCIL – DRAFT MINUTES**

A meeting of the **Troy Youth Council (TYC)** was held on January 23, 2008 at 7:00 PM at Troy City Hall, 500 W. Big Beaver. Anupama Prasad and Katie Thoenes called the meeting to order at 7:03 p.m.

**MEMBERS PRESENT:** Disha Bora  
 Rishi Joshi  
 Geon Woo Kim  
 Joseph Niemiec  
 Anupama Prasad (Secretary)  
 Kristin Randall (Co-chair)  
 Shaina Sekhri  
 Neil Shaw  
 Katie Thoenes  
 Nicole Vitale (Co-chair)  
 David Wylie

**MEMBERS ABSENT:** Maxine D'Amico, Jessica Kraft

**VISITORS:** Teens Taking Action

**STAFF PRESENT:** Brian Goul, Aquatics Coordinator

**1. Roll Call****2. Approval of Minutes**

Resolution # TY-2008-1-1

Moved by Niemiec

Seconded by Randall

RESOLVED, That the minutes of November 28, 2007 be approved.

Yes: All – 11

No: 0

Absent: 2 – D'Amico, Kraft

**3. Attendance Report:**

Report reviewed by council members, no comments.

**4. Visitor: Teens Taking Action**

Unable to attend

**5. Troy Daze Festival Update – No update****6. Teen Room Naming Competition**

-144 names submitted for competition.

-Youth Council provided with a list of all names with the exception of names found inappropriate by the Parks and Recreation Department.

-Youth Council reviewed list of names and recommended the following names as first selection and an alternate to be submitted to the Parks and Recreation Department for final approval.

First Selection – “The Teen Scene”

Alternate - “The Fridge”

Resolution # TY-2008-1-2  
Moved by Bora  
Seconded by Niemiec

RESOLVED, That “The Teen Scene” and “The Fridge” be submitted for approval of the Parks and Recreation Department as the new name and alternate for the Community Center Teen Room.

Yes: All – 11  
No: 0  
Absent: 2 – D’Amico, Kraft

**7. Motion to Excuse Absent Members Who Have Provided Advance Notification**

Resolution # TY-2008-1-3  
Moved by Vitale  
Seconded by Niemiec

RESOLVED that Kraft is excused.

Yes: All - 11  
No: 0  
Absent: 2 – D’Amico, Kraft

**8. Youth Council Comments - None**

**9. Public Comments – None**

**10. Adjournment – 7:22 p.m.**

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Anupama Prasad, Co-chair

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Scott Mercer, Recreation Supervisor

Reminder Next Meeting: February 27, at 7:00 P.M.

**TROY ETHNIC ISSUES ADVISORY BOARD  
TUESDAY, FEBRUARY 5, 2008  
TROY CITY HALL - CONFERENCE ROOM C**

I. Call to Order 7:11 p.m.

II. Roll Call:

**Present:**

Michelle Haight

Karen Yelder

Helen Yang, Student Rep

Cindy Stewart, Liaison

Grigore Buia

Kelly Jones

Mayada Fakhouri

Reuben Ellis

William Lawrence (7:30 pm)

**Absent:**

Cathy Francois

Lulu Guo, Student Rep

Tony Haddad

**Guests:**

Faris Alami

Nadeen Brown, Leonard Elementary Teacher

III. Approval of Minutes – January 8, 2008

Motion by Kelly Jones, Seconded by Karen Yelder to approve the January 8, 2008 minutes. Approved unanimously.

IV. Correspondence

Community Interfaith Labyrinth flyers passed out. Project initiated by the Troy Interfaith Group.

V. New Business

a. Nadeen Brown, Leonard Elementary School first grade teacher

Her background – Resident of Troy. She and her husband have 5 children, all products of Troy School District. Teacher for 17 years - Knowledgeable on programs from gifted to special children. Has taught at Wattles, Martell, Costello and majority of years at Leonard. Served on Professional Learning Committee and Diversity Committee.

The Troy Schools has a staff of 7 African American teachers out of 800 teachers.

Nadeen has been involved in the In-services dealing with diversity. Studies show African American children are on the bottom of the learning curve. Nadeen would like to start an African American Parent Support Group. This will provide a forum where parents will find support and information to help their children succeed in school. She hopes the group can find strategies to decrease the achievement gap for our children, provide college information and discuss our children's future.

Curtis Linton, co-author of *Courageous Conversation About Race: A Field Guide for Achieving Equity in School* (2005), Jan '08 article, "Can the Achievement Gap Be Closed?" This addressed educators telling them what they could do to close the gap, thinking outside the box.

She will share the article with the EIA board.

Her plans are to include guest speakers, ex. Robert Martin, Oakland Schools Consultant, as well as discussions for addressing topics such as mentoring, college planning, etc. Nadeen has talked to High School Principals, Kathy Davisson and School Board members. They all are very excited.

There are similar support groups in Novi and Walled Lake but they concentrate on one specific school. She would like it District wide, K-12<sup>th</sup> grade.

Nadeen is open to people e-mailing her information, resources at [nbrown2@troy.k12.mi.us](mailto:nbrown2@troy.k12.mi.us).

The EIA Board is very excited and whole-heartedly supports Nadeen's efforts. They pledge support.

Karen has spoken with Athens teacher, Mr. Keolian, re: Achievement Gap, in Math for African American studies. She suggests Nadeen contact Mr. Keolian.

## VI. Old Business

### a. Grant Information

Mayada's information was sent by Cindy to Tim McAvoy, Troy Schools. He was very interested and will follow up with grants that would work for the school district.

Teaching Tolerance Grant Info – Michelle gave information to Nadeen Brown. Material is free for educators.

### b. Troy School District update – Last March we spoke about targeting elementary and secondary schools re: diversity training. Karen and Michelle have scheduled a meeting with Lara Dixon, Remo Rancone, Joe Duda and Mr. Keolian on March 27 at 1 pm at Athens.

Michelle would like to propose Karen being EIA Board Liaison with Middle and High schools, Kelly being Liaison with Elementary schools. Kelly's idea is to meet with all

the PTO/PTA's, make contact and communicate the importance of teaching diversity, and communicating how diverse Troy is. She wants them to consider the EIA Board a resource.

c. 2008 Projects and Assignments

EIA Board was going to speak to other communities with committees similar to our Ethnic Issues Advisory Board.

Southfield – Barbara Seldon, President of Martin Luther King Task Force promoting nonviolence and peace. This is separate from the City of Southfield. Her responses to our questions:

1. What type of activities do you participate in within your community?  
Barbara is a member of Southfield veterans, secretary, Jewish war veterans, amvets, joined all vet groups – provide ways to soldiers who are deployed right now & their families – outreach for soldiers. Member of women appointment by Gov Granholm. – MI Board of Dentistry (2004).
2. Is there a direct relationship with your board and your local school district?  
The group does a lot with the school district – peace workshop (have done other districts as well) middle schools – anger management, diversity, peace & nonviolent workshops held at Northland Mall (classrooms in basement). Yearly – begin in September, November, April & May. Taught/led coordinator Barbara Tally, chair of the education committee – founding member of MLK Task Force, former educator & city council member – expertise in grant writings. All workshops are grant supported. Target middle school aged children.  
Also – Speaker's Bureau – yearly "Community Service Award" – adult member of community, this person visits schools and talks about his/her history/life – motivational speech to kids (primarily elementary but open to all grades). Two speakers this year – Roy Bell, Felix Seldon.
3. Do you depend on outside references and groups for additional training or information, and if so, which groups?  
Hands On Network – British non-profit
4. What type of issues have you faced as a board in reference to your public role? Have there been ethnic issues that have arisen for you to face, and if so, has there been a resolution to the concern?  
"Open mic" forums coordinated and facilitated by the MLK Task Force. Moderated by Stephanie English (diversity consultant – volunteered her time) – held at Southfield Library – open forum for people to voice thoughts about diversity  
120 people attended – how important is diversity? How does it affect corporate America? Religion at work? What is the relationship between Southfield and the ethnic groups within the city? Law enforcement, legal, educational, community, youth and children – all different ethnicity's represented.
5. Do you have any means for funding programs in the community?

ETHNIC ISSUES ADVISORY BOARD DRAFT MINUTES FEBRUARY 5, 2008

Only for Education Committee do we receive grants – all else is volunteer work. Stay true to MLK message of nonviolence.

Mayada has been playing phone tag with Farmington Hills group and Cindy is playing phone tag with Dearborn's group. Kelly has been unable to make contact with an Ann Arbor group. Try and have info by March meeting. Barbara Seldon would make a good speaker at one of our upcoming meetings.

Hands On Network – check this resource

Teaching Tolerance – Mix It Up Day is a November event

Additional contacts for Resource Guide – all members please send Cindy updates in order to keep the Guide fresh and informative.

VII. Public Comment

Faris Alami-

Automation Alley Global Trade Mission for High School Students – info on Automation Alley's web site scheduled for Feb 28-29 March 1. Students exposed to many different countries and products in business scenarios developing business plan.

[www.myglobeislocal.com](http://www.myglobeislocal.com)

To date, over 1000 students have gone through the GTM program. They are also looking for adult volunteers.

Grosse Ile is offering program "I am your neighbor" on Sat. March 1.

Faris will also e-mail the board links to articles.

VIII. Staff Report

MLK Event a success but would like more participation. Helen said we need better communication at high schools and middle schools that MLK event is open to all students. We will talk to the high school and middle school principals.

Faris suggested we webcast MLK program. It was a very moving program.

IX. Member Comment

Michelle – suggests the EIA board not participate in Community Kaleidoscope unless the entire board commits to helping. It is not fair to have the same 2-3 people do all the work.

Helen got an interview with MSU Medicare program on 2/8/08. Lulu had the same interview last week. Very selective.

April will be our time to get full committee support for Troy Daze.

X. Motion to adjourn at 8:41 pm by Kelly Jones, seconded by Michelle Haight.

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Michelle Haight, EIAB Chair

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Cindy Stewart, EIAB Recording Secretary

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chair Schultz at 7:30 p.m. on February 5, 2008 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:

Michael W. Hutson  
Robert M. Schultz  
Thomas Strat  
John J. Tagle  
Mark J. Vleck  
Wayne Wright

Absent:

Lawrence Littman  
Kathleen Troshynski

Also Present:

R. Brent Savidant, Principal Planner  
Christopher Forsyth, Assistant City Attorney

**Resolution # PC-2008-02-015**

Moved by: Wright  
Seconded by: Tagle

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

Yes: All (6)  
Absent: Littman, Troshynski

**MOTION CARRIED**

2. APPROVAL OF AGENDA

**Resolution # PC-2008-02-016**

Moved by: Wright  
Seconded by: Hutson

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

Yes: All (6)  
Absent: Littman, Troshynski

**MOTION CARRIED**

### 3. MINUTES

#### **Resolution # PC-2008-02-017**

Moved by: Strat  
Seconded by: Tagle

**RESOLVED**, To approve the minutes of the January 22, 2008 Special/Study meeting as printed.

Yes: All (6)  
Absent: Littman, Troshynski

#### **MOTION CARRIED**

### 4. PUBLIC COMMENT – For Items Not on the Agenda

There was no one present who wished to speak.

### 5. PLANNING AND ZONING REPORT

Mr. Savidant reported on the following items:

- Master Plan Workshop scheduled for February 26, 2008 from 6:00 p.m. to 9:00 p.m. at the Management Education Center, Eli Broad Graduate School of Management, 811 W. Square Lake Road.
- Brycewood Site Condominium Preliminary Site Condominium Approval – Postponed by City Council on January 28, 2008.
- Rezoning on the east side of John R, north of Big Beaver, from R-1E and P-1 to B-1 (File # Z 677 B) – Approved by City Council on January 28, 2008.

### **STUDY ITEMS**

### 6. MOBILE WINDSHIELD REPAIR – Discussion with Representatives of Fix-N-Chips (K4 Enterprises)

Mr. Savidant summarized the item.

Tony Kapas, a Troy resident and representative of Fix-N-Chips, 6030 Chase, Dearborn, was present. Mr. Kapas summarized the business as follows:

- They currently operate in five communities in Oakland County: Southfield, Waterford, White Lake, Rochester Hills and Lake Orion.
- They consider themselves to be a civic-minded business, providing an important, convenient service.
- They target underutilized parking lots and set up far from the front door of the business, in highly visible areas but out of the flow of traffic.

- They have professional signage and uniforms.
- They pay rent to the property owner to use space in parking lots.

Chair Schultz opened the floor for questions and comments from the members.

Mr. Strat asked if the business operates during inclement weather.

Mr. Kapas replied the business generally operates from April 1 through October 1. He indicated the quality of work is substandard if performed during rainy or cloudy weather.

Mr. Hutson shared a concern that a precedent might be set and a demand created for other types of businesses should this use be permitted.

Mr. Kapas said they pay \$1,000 per month to set up their business in a parking lot in Southfield. They were required to notify all businesses in the area and no objections were voiced.

Mr. Vleck suggested the uses might be appropriate if there were enough permit requirements.

Mr. Strat suggested an evaluation of the uses after one year.

Chair Schultz said he might consider the use if the City Attorney determined there was a way to permit this use and only this use.

Chair Schultz suggested the Planning Commission get feedback from the City Attorney's office on the matter, and further, find out how other communities permit the use and the impact of the use.

Chair Schultz suggested that the City Attorney's office review the matter and provide its findings to the members. He further suggested to do research on how other communities permit the use and the impact of the use.

## 7. DEVELOPMENT APPROVAL/PERMIT PROCESS REPORT

Mr. Savidant introduced the item, and general discussion on the report followed.

Mr. Hutson stated that the section relating to the Planning Department would be a great primer for new Planning Commissioners.

Mr. Vleck addressed the report recommendation relating to electronic site plan submissions. He stated that would be an important first step toward accomplishing a "paperless" Planning Commission agenda.

The Planning Department was asked to prepare a draft text amendment requiring electronic site plan submissions.

Mr. Strat stated he would like to see photos and examples of “good” projects available at the counter for developers to review.

8. ZONING ORDINANCE TEXT AMENDMENT (ZOTA 215-B) – Article 04.20.00 and Article 40.66.00, Pertaining to Commercial Vehicle Definitions and Outdoor Parking of Commercial Vehicles in Residential Districts

Mr. Savidant provided a brief overview of the item.

It was determined that the Planning Department, with assistance from the City Attorney’s office, would update the most recent Planning Commission version of the text amendment and update it based on comments provided by Tom Krent at the September 11, 2007 Public Hearing.

#### **OTHER ITEMS**

9. PUBLIC COMMENTS – Items on Current Agenda

There was no one present who wished to speak.

10. PLANNING COMMISSION COMMENTS

Chair Schultz informed the Planning Commission that he attended the State of the City Address earlier in the day, and was impressed with all of the ongoing projects in the City.

#### **ADJOURN**

The Special/Study Meeting of the Planning Commission adjourned at 8:50 p.m.

Respectfully submitted,

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Robert M. Schultz, Chair

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R. Brent Savidant, Principal Planner

A regular meeting of the Liquor Advisory Committee was held on Monday, February 11, 2008 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  
Bohdan L. Ukraineec  
Susan Lancaster, Assistant City Attorney  
Sergeant Robert Cantlon  
Pat Gladysz

**ABSENT:** Timothy P. Payne  
Clark Yuan, Student Representative

**Resolution to Excuse Committee Member Payne**

Resolution #LC2008-02-004

Moved by Allemon

Seconded by Ogg

RESOLVED, that the absence of Committee member Payne at the Liquor Advisory Committee meeting of February 11, 2008 BE EXCUSED.

Yes: 6  
No: 0  
Absent: Payne

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**Resolution to Approve Minutes of January 14, 2008 Meeting**

Resolution #LC2008-02-005

Moved by Ukraineec

Seconded by Allemon

RESOLVED, that the Minutes of the January 14, 2008 meeting of the Liquor Advisory Committee be approved.

Yes: 6  
No: 0  
Absent: Payne

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**Agenda Items**

1. **Hari Om Restaurants, Inc.** requests to transfer ownership of 2007 Class C licensed business located at 2360 Rochester Ct , Troy, MI 48084, Oakland County from **Paragon of Michigan, Inc.** (a Wisconsin Corporation); and requests a new Official Permit (Food). [MLCC REF# 435416]

Present to answer questions from the Committee were attorneys Kelly Allen and Lisa Hamameh, sole proprietor Puja Gupta, and general manager Cynthia Pryor.

A presentation was made to the Committee explaining that Ms. Gupta is the sole proprietor of “The Host Steakhouse & Grille” which will occupy the building currently doing business as “Mountain Jack’s Steakhouse” on Rochester Court. She is currently in the process of negotiating a lease agreement with Paragon of Michigan. Minor renovations will be made to the restaurant which houses 266 seats. It will feature American and Indian cuisine in a combination fine dining and sports bar environment. Many of the current Mountain Jack’s employees will be hired by Ms. Gupta and all will have the required TIPS or TAMS training.

Resolution #LC2008-02-006

Moved by Hall

Seconded by Allemon

RESOLVED, that Hari Om Restaurants, Inc. be allowed to transfer ownership of 2007 Class C licensed business located at 2360 Rochester Ct , Troy, MI 48084, Oakland County from Paragon of Michigan, Inc. (a Wisconsin Corporation); and be granted a new Official Permit (Food).

Yes: 6  
No: 0  
Absent: Payne

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The meeting adjourned at 7:35 p.m.

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Max K. Ehlert, Chairman

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Patricia A. Gladysz, Secretary II

A Meeting of the Civil Service Commission (Act 78) was held Wednesday, February 13, 2008, at Troy City Hall, 500 W. Big Beaver Road in the Lower Level Conference Room. Chair McGinnis called the meeting to order at 7:38 AM.

## **ROLL CALL**

**PRESENT:** Chairman Donald E. McGinnis, Jr.  
Commissioner David Cannon  
Commissioner Patrick Daugherty

**ALSO PRESENT:** Lori Grigg Bluhm, City Attorney  
Charles Craft, Police Chief  
Peggy Sears, Human Resources Director  
Barbara A. Pallotta, Deputy City Clerk  
Sergeant Robert Redmond, TCOA President

## **APPROVAL OF MINUTES:**

Resolution #CSC-2008-02-001  
Moved by Cannon  
Seconded by Daugherty

RESOLVED, That the Civil Service Commission (Act 78) hereby **APPROVES** the Minutes of the meeting of Monday, September 24, 2007 as presented.

Yes: All-3

## **PETITIONS AND COMMUNICATIONS:**

### **a. Approval of Eligible List for Division Police Officer**

Resolution #CSC-2008-02-002  
Moved by Cannon  
Seconded by Daugherty

RESOLVED, That the Civil Service Commission (Act 78) hereby **APPROVES** the eligible list for Police Officer as **PRESENTED**.

Yes: All-3

## **NEW BUSINESS:**

### **a. Election of Chairperson**

Resolution #CSC-2008-02-003  
Moved by Cannon  
Seconded by Daugherty

RESOLVED, That the Civil Service Commission (Act 78) hereby **ELECTS Donald E. McGinnis, Jr.** as Chairperson of the Civil Service Commission (Act 78) for a period of one year.

Yes: All-3

**OLD BUSINESS:**       None

**PUBLIC COMMENT:**   None

**ADJOURNMENT:**       The meeting was adjourned at 7:42 AM.

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Donald E. McGinnis, Jr., Chairman

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Barbara A. Pallotta, Deputy City Clerk

**CITY COUNCIL EXPENSE REPORT**  
**Month of February, 2008**

<u>Council Person</u>	<u>Expense Date</u>	<u>Purpose</u>	<u>Amount</u>	<u>Totals</u>
Beltramini, Robin	2/4/2008	Quarterly Fax & DSL Line Jan, Feb, & March 2008	\$ 123.72	
				\$ 123.72
Broomfield, Cristina	2/4/2008	Quarterly Fax & DSL Line Jan, Feb, & March 2008	\$ 194.85	
				\$ 194.85
Wade Fleming	2/4/2008	Quarterly Fax & DSL Line Jan, Feb, & March 2008	\$ 215.70	
				\$ 215.70
Howrylak, Martin F.			\$ -	
				\$ 0.00
Kerwin, Mary	2/4/2008	Quarterly Fax Line Jan, Feb, & March 2008	\$ 75.00	
				\$ 75.00
Schilling, Louise E.	2/4/2008	Quarterly DSL Line Jan, Feb, & March 2008	\$ 117.90	
				\$ 117.90
Eisenbacher, David			\$ -	
				\$ -
<b>Total for Month</b>				<b>\$ 727.17</b>

NOTE: This report is presented in compliance with Rules of Procedure for the City Council,  
Item 18. Miscellaneous Expenses

Date Prepared: 2/4/2008  
Final Preparation By: J. Nash

**CITY COUNCIL EXPENSE REPORT**  
**Month of February, 2008**

<u>Council Person</u>	<u>Expense Date</u>	<u>Purpose</u>	<u>Amount</u>	<u>Totals</u>
Beltramini, Robin				
Broomfield, Cristina				
Fleming, Wade				
Howrylak, Martin F.				
Eisenbacher, David				
Schilling, Louise E.				
Kerwin, Mary	2/11/2008	DSL Line Dec 07, Jan, Feb & March 08	\$ 183.80	
				\$ 183.80
<b>Total for Month</b>				<b>\$ 183.80</b>

NOTE: This report is presented in compliance with Rules of Procedure for the City Council, Item 18. Miscellaneous Expenses

Date Prepared: 2/13/2008  
Final Preparation By: J. Nash

DATE: February 1, 2008  
 TO: Phil Nelson, City Manager  
 FROM: Mark Stimac, Director of Building & Zoning  
 SUBJECT: Permits issued during the Month of January 2008

	NO.	VALUATION	PERMIT FEE
<b><u>INDUSTRIAL</u></b>			
Add/Alter	6	\$1,332,860.00	\$10,201.00
<b>Sub Total</b>	<b>6</b>	<b>\$1,332,860.00</b>	<b>\$10,201.00</b>
<b><u>COMMERCIAL</u></b>			
Fnd. New	1	\$45,000.00	\$460.00
Add/Alter	15	\$2,077,829.00	\$16,625.00
Kiosk	2	\$0.00	\$70.00
<b>Sub Total</b>	<b>18</b>	<b>\$2,122,829.00</b>	<b>\$17,155.00</b>
<b><u>RESIDENTIAL</u></b>			
New	3	\$488,708.00	\$3,872.00
Add/Alter	11	\$213,260.00	\$2,905.00
Repair	1	\$5,100.00	\$135.00
Fire Repair	3	\$197,283.00	\$1,821.00
Wreck	2	\$0.00	\$110.00
<b>Sub Total</b>	<b>20</b>	<b>\$904,351.00</b>	<b>\$8,843.00</b>
<b><u>TOWN HOUSE/CONDO</u></b>			
New	1	\$191,392.00	\$1,489.00
<b>Sub Total</b>	<b>1</b>	<b>\$191,392.00</b>	<b>\$1,489.00</b>
<b><u>INSTITUTIONAL/HOSPITAL</u></b>			
Add/Alter	1	\$40,000.00	\$425.00
<b>Sub Total</b>	<b>1</b>	<b>\$40,000.00</b>	<b>\$425.00</b>
<b><u>MUNICIPAL</u></b>			
Add/Alter	1	\$77,000.00	\$0.00
<b>Sub Total</b>	<b>1</b>	<b>\$77,000.00</b>	<b>\$0.00</b>
<b><u>RELIGIOUS</u></b>			
Add/Alter	1	\$10,000.00	\$215.00
<b>Sub Total</b>	<b>1</b>	<b>\$10,000.00</b>	<b>\$215.00</b>

**MISCELLANEOUS**

Signs	22	\$0.00	\$2,275.00
Fences	1	\$0.00	\$15.00

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<b>Sub Total</b>	<b>23</b>	<b>\$0.00</b>	<b>\$2,290.00</b>
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<b>TOTAL</b>	<b>71</b>	<b>\$4,678,432.00</b>	<b>\$40,618.00</b>
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**PERMITS ISSUED DURING THE MONTH OF JANUARY 2008**

	NO.	PERMIT FEE
Mul. Dwel. Insp.	169	\$1,690.00
Cert. of Occupancy	27	\$1,643.30
Plan Review	56	\$2,632.00
Microfilm	26	\$249.00
Building Permits	71	\$40,618.00
Electrical Permits	130	\$10,695.00
Heating Permits	94	\$4,335.00
Air Cond. Permits	28	\$1,255.00
Refrigeration Permits	1	\$40.00
Plumbing Permits	62	\$4,440.00
Storm Sewer Permits	7	\$322.00
Sanitary Sewer Permits	13	\$394.00
Sewer Taps	10	\$1,700.00

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<b>TOTAL</b>	<b>694</b>	<b>\$70,013.30</b>
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**LICENSES & REGISTRATIONS ISSUED DURING THE MONTH OF JANUARY 2008**

	NO.	LICENSE FEE
Mech. Contr.-Reg.	22	\$110.00
Elec. Contr.-Reg.	56	\$840.00
Master Plmb.-Reg.	6	\$6.00
Sign Inst. - Reg.	1	\$10.00
E. Sign Contr-Reg.	6	\$90.00
Bldg. Contr.-Reg.	6	\$60.00
F.Alarm Contr.-Reg.	3	\$45.00

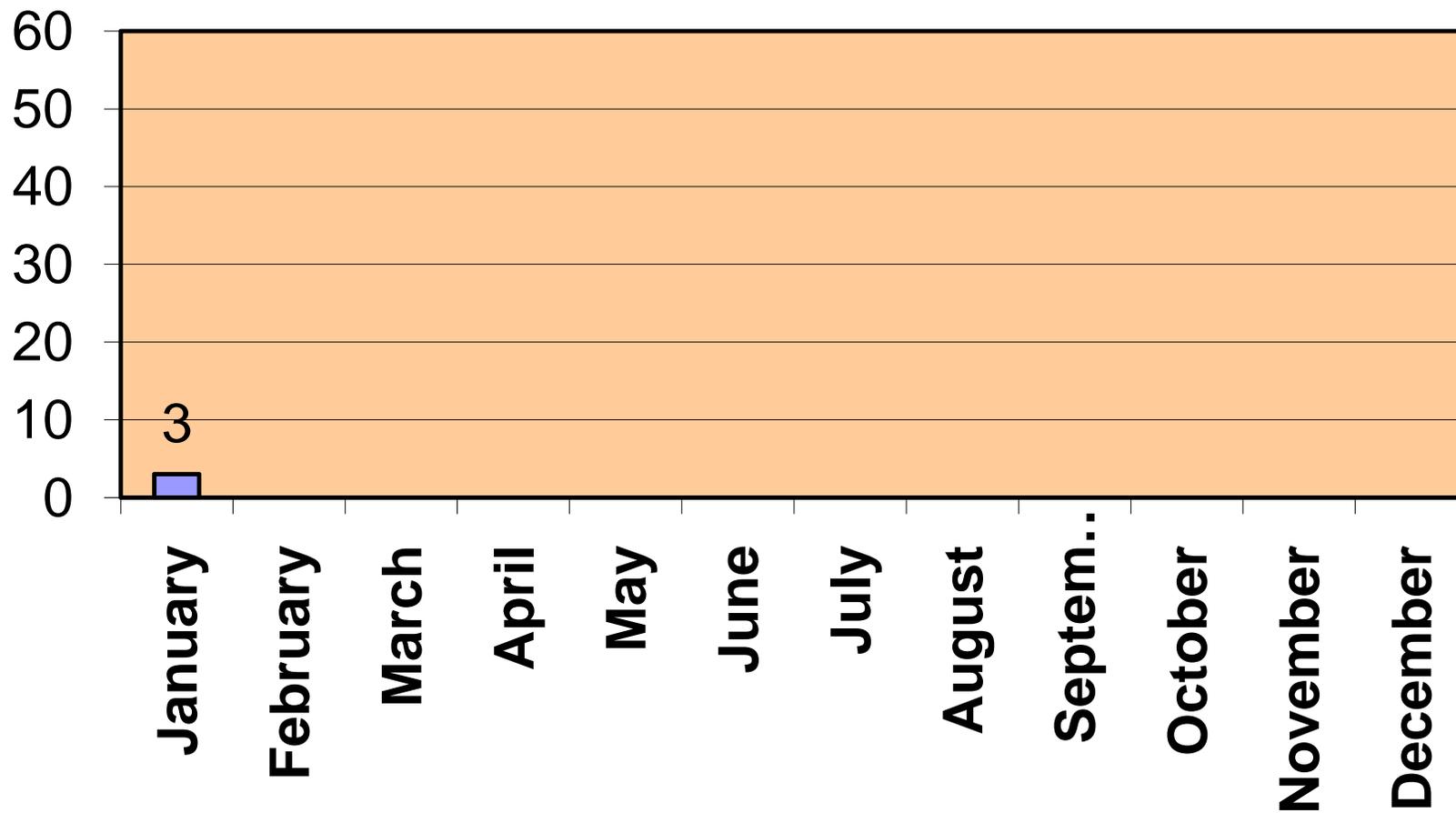
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<b>TOTAL</b>	<b>100</b>	<b>\$1,161.00</b>
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## BUILDING PERMITS ISSUED

	<u>BUILDING PERMITS 2007</u>	<u>PERMIT VALUATION 2007</u>	<u>BUILDING PERMITS 2008</u>	<u>PERMIT VALUATION 2008</u>
JANUARY	119	\$7,595,008.00	71	\$4,678,432.00
FEBRUARY	101	\$8,056,092.00	0	\$0.00
MARCH	135	\$9,204,932.00	0	\$0.00
APRIL	140	\$4,844,929.00	0	\$0.00
MAY	170	\$11,201,261.00	0	\$0.00
JUNE	183	\$6,057,272.00	0	\$0.00
JULY	134	\$5,755,737.00	0	\$0.00
AUGUST	149	\$10,867,085.00	0	\$0.00
SEPTEMBER	151	\$15,498,043.00	0	\$0.00
OCTOBER	194	\$13,663,761.00	0	\$0.00
NOVEMBER	136	\$16,386,272.00	0	\$0.00
DECEMBER	102	\$4,572,214.00	0	\$0.00
<b>TOTAL</b>	<b>1714</b>	<b>\$113,702,606.00</b>	<b>71</b>	<b>\$4,678,432.00</b>

# SINGLE FAMILY DWELLING PERMITS 2008



**BRIEF BREAKDOWN OF NON-RESIDENTIAL BUILDING PERMITS  
ISSUED DURING THE MONTH OF JANUARY 2008**

Type of Construction	Builder or Company	Address of Job	Valuation
Commercial, Add/Alter	BORG, DONALD CONSTRUCTION	2800 W BIG BEAVER V-368	362,000
Commercial, Add/Alter	PREMIER CONSTRUCTION COMPANY	900 WILSHIRE 302	143,000
Commercial, Add/Alter	ADAMS, TERRY INC	2800 W BIG BEAVER N-104	292,810
Commercial, Add/Alter	EMMES REALTY SERVICES	5555 NEW KING 400	514,000
Commercial, Add/Alter	EMMES REALTY SERVICES	5555 NEW KING 300	340,000
Total Commercial, Add/Alter			1,651,810
Industrial, Add/Alter	FIRST INDUSTRIAL REALTY TRUST INC	800 CHICAGO	1,000,000
Industrial, Add/Alter	CHROME DOME CONSTRUCTION	1845 BRINSTON	140,000
Total Industrial, Add/Alter			1,140,000
<b>Records 8</b>			<b>Total Valuation: 2,791,810</b>



Berkley • Beverly Hills • Birmingham • Clawson • Ferndale • Hazel Park • Huntington Woods • Lathrup Village • Oak Park • Pleasant Ridge • Royal Oak • Troy

## QUARTERLY REPORT JANUARY 2008

<b>BOARD OF TRUSTEES</b>	
<b>Representative</b>	<b>Municipality</b>
J. Bais-DiSessa	City of Berkley
R. Spallasso	Village of Beverly Hills
T. M. Markus	City of Birmingham
R. Haberman	City of Clawson
B. A. Photiades	City of Ferndale
A. LeCureaux	City of Hazel Park
A. R. Allie	City of Huntington Woods
J. Mueller	City of Lathrup Village
K. Yee	City of Oak Park
S. W. Ball	City of Pleasant Ridge
G. Rassel	City of Royal Oak
B. P. Murphy	City of Troy

<b>OFFICERS</b>	
Chair:	B. P. Murphy
Vice Chair:	S. W. Ball
Secretary:	B. A. Photiades
Advisory Committee:	A. R. Allie B. P. Murphy A. LeCureaux S. W. Ball

J. A. McKeen	General Manager
M. A. Czuprenski	Operations Director
J. Schandavel	Authority Engineer

January 2008

Board of Trustees  
SOCRRA

Subject: Quarterly Report - January 2008

Board Members:

Attached is a copy of SOCRRA's Quarterly Report covering the first six months operation of the 2007/08 fiscal year. The report contains a financial statement of SOCRRA's operation and an outline of projects in progress or completed during the quarter. The report also contains statistical information and other information of general interest to the members of the Board of Trustees, and the members of the governing body of each of the member municipalities of this Authority.

### **FINANCIAL STATEMENT**

The total net loss for the first 6 months of 2007/08 was -\$83,416.51, before depreciation.

	<u>Actual</u>	<u>Compared to Budget</u>
Revenue	\$8,984,516.83	- \$ 3,165.17
Expenses	\$9,067,933.34	+\$594,073.34
Net Income	\$- 83,416.51	-\$597,238.51

Total revenue was extremely close to plan. Revenue for member services was greater than plan (+\$66,000) due to the contractor services being provided to most communities that are in addition to those services covered by the RFP. Revenue from compost sales (+\$16,000) was also higher than plan. These increases in revenue were offset by lower than planned proceeds from the sale of recycled material (-\$28,000), reduced non-member refuse tonnage (-\$42,000), and reduced non-member yard waste tonnage (-\$11,000). The sale of recycled material generated \$970,000, which is a 23% increase over the amount generated for the first quarter of 2006/07. We received more revenue for each type of recycled material except for non-ferrous metal.

Expenses were above budget primarily due to settlement of the Waste Management arbitration on landfill surcharges (+\$133,000), higher than planned contractor expenses, which are largely an issue of timing (+\$240,000), maintenance expenses (+\$158,000), non-labor Administrative and General expenses (+\$34,000) and labor expenses (+\$52,000). These increases were partially offset by lower than planned utility costs (-\$21,000). Additional financial detail is attached.

### **MATERIAL HANDLED**

SOCRRA processed 101,879 tons of refuse, yard waste and recyclables during the first six months of the current fiscal year. This represents a decrease of 3.5% or 3,678 total tons compared to the same period last year. This is the fourth year in a row for which we have seen a

substantial decrease in the amount of refuse tonnage delivered by the member communities. The amount of member refuse decreased by 6.4% compared to the previous fiscal year and by 11.0% compared to the first quarter of 2005/06. For the first half of this year, the decline in member refuse tonnage was partially offset by a 5.7% increase in member yard waste. Recycling tonnage remained substantially unchanged. Non-member tonnage decreased by 23%.

Our recent history of tonnage handled is displayed in the table below:

	2003/04	2004/05	2005/06	2006/07	2007/08
Member Refuse	75,426	71,994	67,365	64,071	59,948
Non-Member Refuse	4,447	5,294	5,037	4,909	3,757
Recycling	8,954	9,114	8,035	8,191	8,176
Yard Waste	<u>24,650</u>	<u>23,697</u>	<u>25,512</u>	<u>28,386</u>	<u>29,998</u>
TOTAL	113,477	110,099	105,949	105,557	101,879

### **CAPITAL EXPENDITURES**

Capital expenditures for the quarter totaled \$124,711 and were for the purchase of yard trucks, partial payment for the new loader for the Troy Transfer Station and replacement of a portion of the driveway to the Troy Transfer Station.

### **BOARD OFFICERS**

Mike McReynolds, the chair of SOCRRA's Board of Trustees, announced his retirement from the City of Oak Park as of November 30, 2007. Following Mr. McReynolds' retirement, the Board selected the following officers for the remainder of the fiscal year ending June 30, 2008:

Chairman:	Brian Murphy (Troy)
Vice Chairman:	Sherry Ball (Pleasant Ridge)
Secretary:	Byron Photiades (Ferndale)

### **MAJOR PROJECTS**

#### **IMPLEMENTATION OF 2007 CONTRACTS**

The new collection and disposal contracts were successfully implemented on July 1, 2007. The extensive preparation of the contractors and the member communities resulted in a very smooth transition period, with very few problems. The collection contractors have performed very well. We have received very few complaints and several communities have noticed an improvement in their level of service. The implementation of the new contracts went much better than we anticipated.

#### **REVISION OF ARTICLES OF INCORPORATION**

We have begun a process to revise our Articles of Incorporation. This document, which outlines how SOCRRA is to be governed, has not been substantively revised since 1960. Mr. Davis and I developed a first draft of the revised Articles, which were then reviewed by a committee established by the Board. Mr. Davis and I are preparing a second draft for further review by the Committee before being referred to the Board as a whole. The revised Articles will then be presented to the City Council of each member community for their approval. The approval of

each member community is required for the new Articles to be effective. We anticipate bringing the revised Articles to the City Councils during 2008.

### **PLAN FOR MADISON HEIGHTS FACILITY**

We have begun a process to develop a plan for our Madison Heights facility. With the new collection contracts that went into effect on July 1, 2007, this facility is no longer being routinely used for refuse transfer. We are continuing to use this facility for transfer of leaves from the member communities in the fall months and as a backup refuse transfer facility in case of a problem with the Troy Transfer Station. We transferred some waste at the Madison Heights Transfer Station during December of 2007. We will continue to do so periodically to make sure the station is ready as our back-up facility.

As the first step in this process, the Board participated in a strategic planning session following the November Board meeting in order to discuss and evaluate possible uses of this facility. A list of possible uses of this facility and of other issues that may be of importance to SOCRRA were discussed and ranked in priority order. SOCRRA staff is working on developing a long term plan based on the output from this meeting.

### **EXPANSION OF RECYCLING PROGRAMS**

As of December, 2007, we added several new items to our list of materials that can be recycled at SOCRRA's drop-off center on Coolidge in Troy. The new items are:

1. Green glass and blue glass bottles
2. Paperboard beverage containers and juice boxes
3. DVDs, CDs and VHS tapes

Accepting these materials at the drop off center will allow us to test our ability to process these materials and market them. If this testing is successful, we will evaluate adding these materials to the list of items that can be recycled through our curbside recycling program.

We are continuing our effort to expand our recycling programs in order to get more material processed by our MRF and to return more revenue to the member communities. The new collection contracts allow us to offer recycling using 95 gallon carts on wheels in addition to the typical 18 gallon curbside bins. These carts have proven very popular with schools and businesses and allow us to easily add these locations to our curbside recycling routes. If you receive any inquiries about recycling in businesses, schools or churches, please forward them to the SOCRRA office. In addition, the Recycling Committee is used as a monthly sounding board to assess the feasibility of adding new items to our list of recyclable materials.

### **ANNUAL AUDIT**

The audit report for the 2006/07 fiscal year was completed by our auditors, Rehmann Robson. For the 2006/07 audit, the financial statements contained in the audit were prepared by the SOCRRA staff rather than by the auditors. This was recommended in the 2005/06 audit and was a very good learning experience for the SOCRRA staff. The audit found the Authority to be in complete conformity with generally accepted accounting practices. The Authority staff was complimented for the condition of our financial records and for their cooperativeness with the auditors. The auditors concluded that the Authority's level of working capital continues to

remain under the goal level established by the Board. This issue was addressed during the preparation of the 2007/08 budget and will be addressed as we prepare our budget for 2008/09.

## **RECYCLING COMMITTEE**

The Recycling Committee continues to meet on the third Wednesday of every month at 9:30 at the MRF Education Center to discuss recycling issues and to address any collection issues that occur. This is a great forum for the member communities and the collection contractors to resolve any issues and we strongly encourage your community to be involved in these meetings.

## **COMPOST OPERATIONS**

SOCRRA staff has been evaluating a major change to our compost operations. We have been using SCARAB compost turners as the primary method of producing compost. Our 2 compost turners have been maintenance problems and are reaching the end of their useful lives. As an alternative, we have been testing the use of a large horizontal grinder. The grinder would be used to grind all incoming material and would also be used to aerate the compost piles as they age. It appears as if the use of a grinder would simplify our operations, make us more efficient and also allow us to compost branches larger than those currently collected as yard waste. We have conducted field demonstrations of 3 different grinders during this quarter. We will be completing our analysis and developing a recommendation for the Board over the next several months.

## **ROCHESTER HILLS SEWER METER**

We have been working with Rochester Hills, the Oakland County Drain Commissioner's Office and DWSD to resolve several years of bills for the meter that handles the leachate from the landfill and the effluent from the drain system under the compost pad. This meter had been reading inaccurately for several years. DWSD has refunded some of the incorrect charges and has committed to reviewing two additional years of incorrect data. After DWSD completes their study, we will be working with the parties to make sure that we are properly billed for the time period in question.

Respectfully submitted,

Jeffrey A. McKeen, P.E.  
General Manager

SOCRRA  
STATEMENT OF INCOME  
JULY 1,2007 THROUGH DECEMBER 31,2007

<u>REVENUES</u>	<u>ESTIMATED</u>	<u>ACTUAL</u>	<u>VARIANCES</u>
MEMBER SERVICES	\$7,518,552.00	\$7,584,421.46	\$65,869.46
NON-MEMBER REFUSE	326,400.00	284,279.12	(42,120.88)
NON MEMBER YARD WASTE	45,540.00	34,489.30	(11,050.70)
 <u>RECYCLING</u>			
CARDBOARD	\$69,846.00	\$27,918.81	(\$41,927.19)
PLASTICS	219,519.00	199,560.11	(19,958.89)
SCRAP METAL	8,898.00	72,915.89	64,017.89
NEWSPAPERS	658,557.00	605,229.41	(53,327.59)
GLASS	9,978.00	11,392.02	1,414.02
BATTERIES	1,080.00	3,242.25	2,162.25
TIN CANS	19,956.00	33,317.78	13,361.78
NON FERROUS METAL	9,978.00	16,447.81	6,469.81
	<u>\$997,812.00</u>	<u>\$970,024.08</u>	<u>(\$27,787.92)</u>
 <u>OTHER</u>			
REVENUES-COMPOST	\$12,600.00	\$29,033.76	\$16,433.76
INTEREST ON INVESTMENTS	28,200.00	20,806.51	(7,393.49)
GRANT FUNDS	0.00	0.00	0.00
RENTAL INCOME	49,578.00	47,606.00	(1,972.00)
MISC. INCOME	9,000.00	13,856.60	4,856.60
	<u>\$99,378.00</u>	<u>\$111,302.87</u>	<u>\$11,924.87</u>
 TOTAL REVENUES	 <u>\$8,987,682.00</u>	 <u>\$8,984,516.83</u>	 <u>(\$3,165.17)</u>

<u>EXPENSES</u>	<u>BUDGET APPROPRIATIONS</u>	<u>ACTUAL EXPENDITURES</u>	<u>VARIANCES</u>
TROY TRANSFER STATION	\$1,305,677.00	\$1,408,764.90	\$103,087.90
MADISON HEIGHTS OPERATION	55,142.00	82,005.78	26,863.78
HOUSEHOLD WASTE	68,990.00	95,676.69	26,686.69
MATERIAL RECOVERY FACILITY	373,270.00	394,749.22	21,479.22
COMPOST/LANDFILL OPERATION	198,880.00	334,199.99	135,319.99
ADMINISTRATIVE & GENERAL	720,881.00	761,048.67	40,167.67
COLLECTION FEES	4,622,339.00	4,567,409.03	(54,929.97)
COLLECTION & DISPOSAL FEES IN TRANSIT	1,128,681.00	1,424,079.06	295,398.06
	<u>\$8,473,860.00</u>	<u>\$9,067,933.34</u>	<u>\$594,073.34</u>
 REVENUES OVER EXPENSES	 \$513,822.00	 (\$83,416.51)	 (\$597,238.51)
 NET INCOME BEFORE DEPRECIATION	 <u>\$513,822.00</u>	 <u>(\$83,416.51)</u>	 <u>(\$597,238.51)</u>

SOCRRA  
STATEMENT OF INCOME  
JULY 1,2007 THROUGH DECEMBER 31,2007

	<u>TOTAL TONS</u>	<u>AMOUNT</u>
<u>REVENUE</u>		
MEMBER SERVICES	59,947.49	\$7,584,421.46
NON-MEMBER REFUSE	3,757.04	284,279.12
<u>YARD WASTE</u>		
MEMBERS	29,487.16	0.00
OTHERS	511.09	34,489.30
<u>RECYCLABLES</u>		
MEMBERS	7,963.89	0.00
OTHERS	211.85	0.00
	<hr/>	<hr/>
	101,878.52	\$7,903,189.88
<u>RECYCLING</u>		
CARDBOARD		\$27,918.81
PLASTICS		199,560.11
SCRAP METAL		72,915.89
NEWSPAPERS		605,229.41
GLASS		11,392.02
BATTERIES		3,242.25
TIN CANS		33,317.78
NON FERROUS METAL		16,447.81
		<hr/>
		\$970,024.08
<u>OTHER</u>		
REVENUES-COMPOST		\$29,033.76
INTEREST ON INVESTMENTS		20,806.51
GRANT FUNDS		0.00
RENTAL INCOME		47,606.00
MISC. INCOME		13,856.60
		<hr/>
		\$111,302.87
TOTAL REVENUE		<hr/> <hr/>
		\$8,984,516.83
<u>EXPENSES</u>		
TROY TRANSFER STATION		\$1,408,764.90
MADISON HEIGHTS OPERATION		82,005.78
HOUSEHOLD WASTE		95,676.90
MATERIAL RECOVERY FACILITY		394,749.22
COMPOST/LANDFILL OPERATION		334,199.99
ADMINISTRATIVE & GENERAL		761,048.67
COLLECTION FEES		4,567,409.03
COLLECTION & DISPOSAL FEES IN TRANSIT		1,424,079.06
		<hr/>
		\$9,067,933.55
NET INCOME BEFORE DEPRECIATION		(\$83,416.72)
DEPRECIATION		212,331.00
NET INCOME		<hr/> <hr/>
		(\$295,747.72)

SOCRRA  
STATEMENT OF REVENUES & EXPENDITURES  
COMPARED WITH TOTAL BUDGET  
JULY 1,2007 THROUGH DECEMBER 31,2007

	TOTAL BUDGET <u>2007/08</u>	ACTUAL <u>6 MONTHS</u>	<u>BALANCE</u>
<u>REVENUES</u>			
MEMBERS SERVICES	\$15,037,108.00	\$7,584,421.46	\$7,452,686.54
NON-MEMBER REFUSE	680,000.00	284,279.12	395,720.88
<u>YARD WASTE</u>			
NON-MEMBERS	66,000.00	34,489.30	31,510.70
<u>RECYCLABLES</u>			
CARDBOARD	\$136,955.00	\$27,918.81	\$109,036.19
PLASTICS	430,430.00	199,560.11	230,869.89
SCRAP METAL	17,405.00	72,915.89	(55,510.89)
NEWSPAPERS	1,291,290.00	605,229.41	686,060.59
GLASS	19,565.00	11,392.02	8,172.98
BATTERIES	2,160.00	3,242.25	(1,082.25)
TIN CANS	39,130.00	33,317.78	5,812.22
NON FERROUS METAL	19,565.00	16,447.81	3,117.19
	<u>\$1,956,500.00</u>	<u>\$970,024.08</u>	<u>\$986,475.92</u>
<u>OTHER</u>			
REVENUES-COMPOST	\$28,000.00	\$29,033.76	(\$1,033.76)
INTEREST ON INVESTMENTS	60,000.00	20,806.51	39,193.49
GRANT FUNDS	0.00	0.00	0.00
RENTAL INCOME	99,156.00	47,606.00	51,550.00
MISC. INCOME	25,000.00	13,856.60	11,143.40
	<u>\$212,156.00</u>	<u>\$111,302.87</u>	<u>\$100,853.13</u>
TOTAL REVENUES	<u>\$17,951,764.00</u>	<u>\$8,984,516.83</u>	<u>\$8,967,247.17</u>

SOCRRA  
 STATEMENT OF REVENUES & EXPENDITURES  
 COMPARED WITH TOTAL BUDGET  
 JULY 1,2007 THROUGH DECEMBER 31,2007

<u>EXPENSES</u>	<u>TOTAL BUDGET 2007/08</u>	<u>ACTUAL 6 MONTHS</u>	<u>BALANCE</u>
TROY TRANSFER STATION	\$2,951,667.00	\$1,408,764.90	\$1,542,902.10
MADISON HEIGHTS OPERATION	123,000.00	82,005.78	40,994.22
HOUSEHOLD WASTE	146,000.00	95,676.69	50,323.31
MATERIAL RECOVERY FACILITY	773,000.00	394,749.22	378,250.78
COMPOST/LANDFILL OPERATION	410,000.00	334,199.99	75,800.01
ADMINISTRATIVE & GENERAL	1,334,660.00	761,048.67	573,611.33
COLLECTION & DISPOSAL FEES	11,093,614.00	4,567,409.03	6,526,204.97
COLLECTION & DISPOSAL FEES IN TRANSIT	0.00	1,424,079.06	(1,424,079.06)
	<u>\$16,831,941.00</u>	<u>\$9,067,933.34</u>	<u>\$7,764,007.66</u>
TOTAL EXPENDITURES	<u>\$16,831,941.00</u>	<u>\$9,067,933.34</u>	<u>\$7,764,007.66</u>
NET INCOME	<u>\$1,119,823.00</u>	<u>(\$83,416.51)</u>	<u>\$1,203,239.51</u>

S O C R R A  
 COMPARATIVE STATEMENT  
 JULY 1,2007 THROUGH DECEMBER 31,2007

	<u>2007/08**</u>	<u>2006/07</u>	<u>VARIANCES</u>
<u>REVENUES</u>			
MEMBER SERVICES	\$7,584,421.46	\$2,192,845.97	\$5,391,575.49
NON MEMBER REFUSE	284,279.12	337,843.20	(53,564.08)
<u>YARD WASTE</u>			
MEMBERS	0.00	876,915.07	(876,915.07)
OTHERS	34,489.30	47,967.08	(13,477.78)
<u>RECYCLABLES</u>			
CARDBOARD	\$27,918.81	\$27,849.40	\$69.41
PLASTICS	199,560.11	149,595.99	49,964.12
SCRAP METAL	72,915.89	49,611.67	23,304.22
NEWSPAPERS	605,229.41	510,904.84	94,324.57
GLASS	11,392.02	10,650.78	741.24
BATTERIES	3,242.25	1,120.00	2,122.25
TIN CANS	33,317.78	18,745.57	14,572.21
NON FERROUS METAL	16,447.81	18,754.01	(2,306.20)
	<u>\$970,024.08</u>	<u>\$787,232.26</u>	<u>\$182,791.82</u>
<u>OTHER</u>			
REVENUES-COMPOST	\$29,033.76	\$20,037.50	\$8,996.26
INTEREST ON INVESTMENTS	20,806.51	17,760.03	3,046.48
GRANT FUNDS	0.00	0.00	0.00
HOUSEHOLD WASTE	0.00	75,695.00	
RENTAL INCOME	47,606.00	47,474.95	131.05
MISC. INCOME	13,856.60	168,490.13	(154,633.53)
	<u>\$111,302.87</u>	<u>\$329,457.61</u>	<u>\$223,123.90</u>
TOTAL REVENUES	\$8,984,516.83	\$4,572,261.19	\$4,853,534.28
OPERATING EXPENSES	\$9,067,933.55	\$3,923,267.07	\$5,144,666.48
EXCESS	<u>(\$83,416.72)</u>	<u>\$648,994.12</u>	<u>(\$291,132.20)</u>

\*\*Reflects first year of refuse, recyclables & yard waste collection

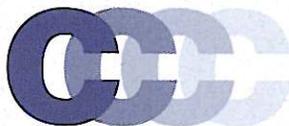
SOCRRA  
 TOTAL DISPOSAL CHARGES  
 JULY 1,2007 THROUGH DECEMBER 31,2007

<u>MUNICIPALITY</u>	<u>TOTAL TONS</u>	<u>DISPOSAL CHARGES</u>
BERKLEY	4,258	\$389,686.00
BEVERLY HILLS	4,129	276,300.00
BIRMINGHAM	8,914	628,856.90
CLAWSON	4,589	327,444.00
FERNDALE	8,086	725,029.00
HAZEL PARK	5,320	480,668.00
HUNTINGTON WOODS	2,815	156,060.00
LATHRUP VILLAGE	1,883	122,468.75
OAK PARK	8,276	690,111.88
PLEASANT RIDGE	1,786	77,483.25
ROYAL OAK	22,238	1,920,699.04
TROY	25,105	1,789,614.64
	<hr/>	<hr/>
SUB-TOTAL	97,399	\$7,584,421.46
	<hr/>	<hr/>
OTHER CUSTOMERS	4,268	\$284,279.12
DROP OFF CENTERS	212	0.00
	<hr/>	<hr/>
TOTAL	101,879	\$7,868,700.58

SOCRRA  
IMPROVEMENT FUND  
JULY 1,2007 THROUGH DECEMBER 31,2007

EXPENDITURES

TS Heavy Equipment (Yard Trucks & CAT 950 Loader)	\$118,523.95
TS Driveway Replacement	6,187.00
	<hr/>
TOTAL	\$124,710.95

**COMFORT CRAFT CONSTRUCTION COMPANY**

The City of Troy  
500 W. Big Beaver  
Troy, Mi 48084

January 28, 2008

Attention: Louise E. Schilling  
Mayor

Reference: City of Troy  
Building Department

Subject: Letter of appreciation

Dear Ms. Schilling:

Comfort Craft Construction Company performs Millwork, Office Interior, Tenant Improvement and General Contracting services throughout the Tri-County Area. Much of our activity is in Oakland County and in recent years; we have performed a substantial amount of work within the City of Troy. Our company supports Property Managers, Landlords and Landowners in securing new prospective tenants and the maintenance of existing tenants. We build the "new home" of the tenant in an expeditious manner; or expand the tenants existing location to suite the new needs of the client. Typically, six weeks or less is the time allotted us to "build out" space that has been in planning, negotiation and design for six months to a year.

I felt it important to write you regarding my recent experiences with the City of Troy Building Department. In the last quarter of 2007, we had contracts to "build out" three spaces totaling 21,284 sq ft.. The projects required that space be delivered completed by the end of 2007. Timing was critical. Close cooperation between client, contractors and local governmental agencies was essential. The staff of the City of Troy Building Department headed by Mr. Mark Stimac provided invaluable assistance in insuring timely processing of our Permit Application. In addition, Mr. Rick Kessler, Plan Examiner / Coordinator as well as the Building Department's specific trade inspectors were a critical resource for us while resolving difficult construction issues; thereby, facilitating timely, positive inspections and overall successful completion of our work.

The City of Troy's Building Department is professional, approachable and a resource asset that makes our work possible. We believe we had an obligation to share our experiences with you and ask that you extend our heartfelt appreciation to the Building Department, it's staff and supervision for the exceptional work that they do.

Very truly yours,  
**Comfort Craft Construction Company**

Raymond S. Mach

Cc: Martin Howrylak -Mayor Pro -Tem  
Troy City Council Members- Robin E. Beltrami  
Christina Broomfield  
David Eisenbacher  
Wade Fleming  
Mary Kerwin

Mr. Phil Nelson – City Manager  
Mark Stimac – Director of Building and Zoning

February 2008

February 2008						
S	M	T	W	T	F	S
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	

March 2008						
S	M	T	W	T	F	S
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Jan 27 - Feb 2	Jan 27	28	29	30	31	Feb 1	2
Feb 3 - 9	3	4 7:30pm City Council Me	5 7:00pm Ethnic Issues A 7:30pm Planning Comn 7:30pm Historic District	6 8:30am Building Code I 7:00pm CANCELLED Pe	7 1:00pm Advisory Comn	8	9
Feb 10 - 16	10	11 7:00pm Liquor Advisor	12 7:30pm Planning Comn	13 7:30am Civil Service Co 12:00pm Employee's Ret 7:30pm City Council Liq	14 7:30pm Library Advisor	15	16
Feb 17 - 23	17	18 7:30pm City Council Me	19 7:30pm BZA (Chambers 7:30pm Historic District	20 7:30am DDA Meeting; I 7:30pm City Council Liq 7:30pm Traffic Commit	21 7:00pm CANCELLED Pa	22	23
Feb 24 - Mar 1	24	25	26 7:30pm CANCELLED Pla	27 7:00pm Youth Council;	28	29	Mar 1

# March 2008

March 2008							April 2008						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
2	3	4	5	6	7	1	6	7	1	2	3	4	5
9	10	11	12	13	14	15	13	14	8	9	10	11	12
16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30			
30	31												

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Feb 24 - Mar 1	Feb 24	25	26	27	28	29	Mar 1
Mar 2 - 8	2	3 7:30pm City Council Mt	4 1:00pm Board of Review 7:00pm Ethnic Issues A 7:30pm Planning Comn 7:30pm Historic District	5 8:30am Building Code f 7:00pm Persons with D 7:30pm Animal Control	6 1:00pm Advisory Comn	7	8
Mar 9 - 15	9	10 9:00am Board of Review 8:00pm Liquor Advisory	11 1:00pm Board of Review 7:30pm Planning Comn	12 12:00pm Employee's Rel	13 7:30pm Library Advisor	14	15
Mar 16 - 22	16	17 7:30pm City Council Mt	18 8:30pm BZA (Chambers 8:30pm Historic District	19 7:30am DDA Meeting; i 7:30pm Traffic Commit	20 7:00pm Parks & Recrea	21	22
Mar 23 - 29	23	24	25 7:30pm Planning Comn 7:30pm Historical Comi	26 7:00pm Youth Council;	27	28	29
Mar 30 - Apr 5	30	31	Apr 1	2	3	4	5



# 2007 Annual Report



## Executive Summary

John P. McCulloch  
Oakland County Drain Commissioner



To: The Citizens of Oakland County

It gives me great pleasure to submit this, the executive summary of the 2007 Annual Report of the Oakland County Drain Commissioner's office.

John P. McCulloch  
DRAIN COMMISSIONER  
248.858.0598

Perhaps one of the biggest stories to come out of my office was our reorganization efforts. We've created a new administrative services division to be even more customer-focused. We've streamlined other operations and promoted cross-training opportunities so you, our customers, will receive the best service possible. I invite you to read more about it later in this summary.

Kevin R. Larsen  
CHIEF DEPUTY  
DRAIN COMMISSIONER  
248.858.0981

Reducing costs and increasing service remain our primary objectives. In 2007, our innovative approach to cleaning sewer pipes captured unprecedented attention and the prestigious National Environmental Award from the National Association of Clean Water Agencies (NACWA).

I also invite you to read about two other national awards we won from NACWA this year. The Commerce Township Wastewater Treatment Plant and the Walled Lake-Novli Wastewater Treatment Plant each won top performance awards. In previous years, these two facilities have received either gold or silver awards. This year, both came home with the gold.

As in years' past, I continue to be proud of the conscientious men and women whose teamwork and dedication to excellence are beyond reproach. We've accomplished a great deal during 2007. Still, there always is room for improvement. In fact, continuous improvement is our mantra. Those aren't just empty words. Once again, we earned recertification for both our ISO 9000 quality system and ISO 14000 environmental management system. Our environmental management system represents our never-ending commitment to being responsible stewards of our planet.

Finally, we'd like to hear from you. If you have any helpful suggestions for improvement that you'd like to share, please let us know.

Very truly yours,

*John P. McCulloch*  
John P. McCulloch



Building 95 West One Public Works Drive  
Waterford, MI 48328-1007  
www.co.oakland.mi.us/drain  
248.858.0058  
248.858.1000

## Passing Savings Along to You

By keeping a close eye on the market and interest rates, we saved the 14 communities in the George W. Kuhn Drainage District more than \$610,420 by refinancing bonds issued in 2000 and 2002. We were able to garner a true interest rate of 4.39 percent on the \$12.5 million issues.

With today's low interest rates, we could take advantage of some very significant savings. What we did here at the drain office is similar to what a lot of people have done with their home mortgages. When citizens refinance their homes, they're taking advantage of the lower interest rates. We did the same thing by refinancing these bonds.

The refinancing marks another in a growing list of savings to numerous Oakland County communities since I took office in 2001. As with the previous savings, this current savings mean that these communities can use the money formerly earmarked for interest payments for other needed projects. In reality, we're just passing the savings directly back to the citizens where it belongs.

The 14 communities in the district which will share in the savings include the cities of Berkley, Birmingham, Clawson, Ferndale, Hazel Park, Huntington Woods, Madison Heights, Oak Park, Pleasant Ridge, Royal Oak, Southfield, and Troy. Also benefiting are Royal Oak Township and the Village of Beverly Hills.

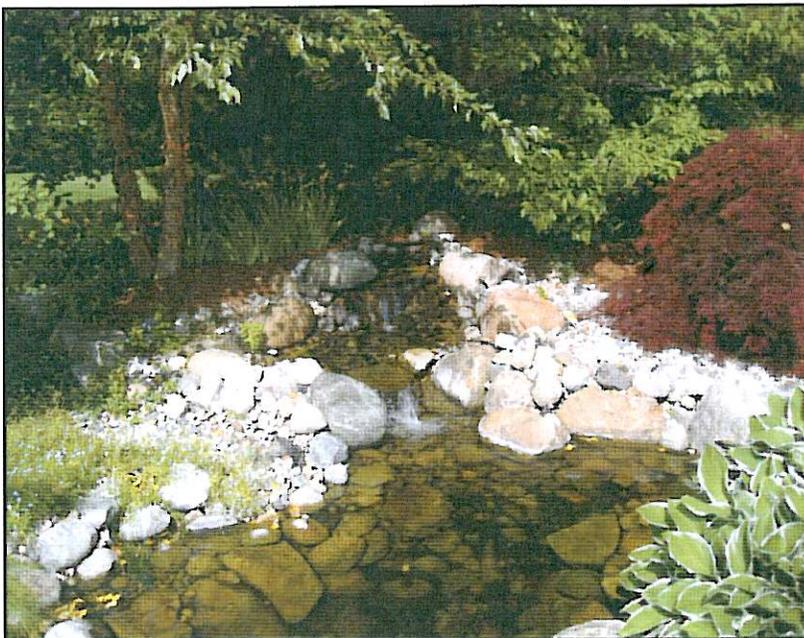


John P. McCulloch



## Everyone Lives in a Watershed

More than 150 signs announcing the boundaries of the Huron River Watershed were added throughout Oakland County in 2007. A watershed is the land area that captures rain and melted snow and drains it into a river or stream. We all live in a watershed. In fact, the headwaters of five major rivers are in Oakland County. The Huron River Watershed is one of our largest with an area of approximately 777 square miles with about 150 of those miles in Oakland County. Some 118,000 Oakland County residents call the Huron River Watershed home. Understanding how water travels across the ground surface or other features such as trees, houses, or parking lots is a critical component of watershed management.



## We're ISO Compliant — Again!

Once again, we've successfully combined our certification requirements for both ISO 9000, the quality control component, and ISO 14000, the environmental mandates, to give you, our customers, the best service while protecting the air and water.

We're especially proud of our environmental management system because it represents our never-ending commitment to being responsible stewards of planet earth.



## Enterprise Funds

Enterprise funds are funds that include salaries and contracted services as well as materials, water and sewer services from the City of Detroit, and a host of other expenses. Consequently, Enterprise Funds represent the largest single expenditure category in our annual budget.

In 2007, Enterprise Funds came in at slightly more than \$138 million. It included the 14 communities in the George W. Kuhn Drainage District. It also included the 15 communities in the Evergreen-Farmington Sewage Disposal System, and the 12 municipalities in the Clinton-Oakland System. The Huron-Rouge System which serves the City of Novi, and a portion of the City of Northville also is included.

## Construction Funds

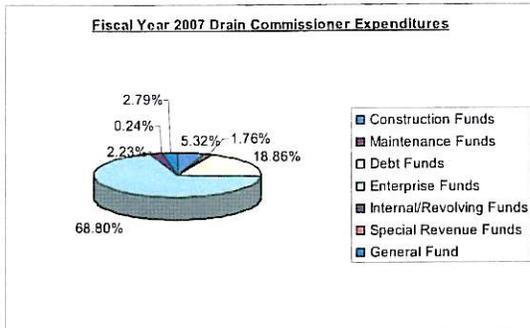
Construction expenditures were a distant second in terms of expenditures for the ODCD in 2007. With approximately \$11 million being spent in this category, construction expenditures represented nearly 5.5 percent of our budget.

## Debt Funds

There were about \$38 million in our Debt Funds category. Debt Funds, which represent money set aside to meet current and future obligations, were about 19 percent of our annual budget.

## Maintenance Funds, Internal/Revolving Funds

Maintenance Funds and Internal/Revolving Funds, at approximately \$3.5 million, accounted for slightly more than two percent of the budget.



## General Fund

The General Fund is the chief operating fund for Oakland County and represents only a small portion of our total operating budget, less than three percent, or approximately \$5.6 million. That means that the majority of our funding came from water and/or sewer rate payers in communities with systems that we operate and maintain.

## Special Revenue Fund

The Special Revenue Fund represents the amount of pollution control grants in our spending plan. It amounted to approximately \$473,000 in 2007.

## Fiscal Year 2007 Drain Commissioner Expenditure by the Numbers

Category	Expenditures	Revenues	Income (Loss)	% of Expenditures
Construction Funds	\$10,680,772.15	\$4,130,587.52	(\$6,550,184.63)	5.32%
Maintenance Funds	\$3,528,986.63	\$3,320,057.08	(\$208,929.55)	1.76%
Debt Funds	\$37,838,520.35	\$37,961,580.36	\$123,060.01	18.86%
Enterprise Funds	\$138,041,960.74	\$138,590,071.73	\$548,110.99	68.80%
Internal/Revolving Funds	\$4,479,070.01	\$3,494,401.98	(\$984,668.03)	2.23%
Special Revenue Funds	\$472,955.20	\$624,690.55	\$151,735.35	0.24%
General Fund	\$5,600,052.77	\$1,747,792.46	(\$3,852,260.31)	2.79%
<b>Total</b>	<b>\$200,642,317.85</b>	<b>\$189,869,181.68</b>	<b>(\$10,773,136.17)</b>	<b>100.00%</b>

# Reorganization

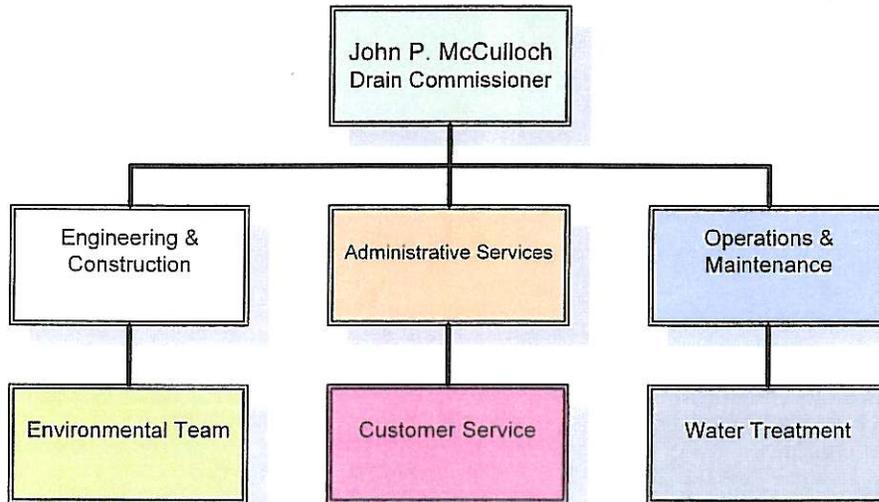
## Teamwork means superior customer service

There have been some remarkable changes to the Oakland County Drain Commissioner's office in 2007. Topping the list is our reorganization. Building on our culture of continual improvement, we completed a reorganization effort that improved both our operational efficiency and our service orientation.

Specifics of the reorganization include moving water and sewer billing services to a newly created Administrative Services Division. Geographic Information System (GIS) mapping services, along with information technology support services, also was transferred to the Administrative Services Division.

In addition, drain and lake level responsibilities joined the Operations and Maintenance Division. Finally, sewer, water, drain plan review, and permitting were consolidated into the Engineering and Construction Division.

The new reorganization also includes measures to facilitate and promote cross-training opportunities for staff members. We've always taken pride in being a customer-friendly organization. As we move forward with these changes, we'll be able to tap into our increased efficiency to provide you with truly superior service.



## Testing the Waters

### Historic accord reached with Genesee and Macomb counties

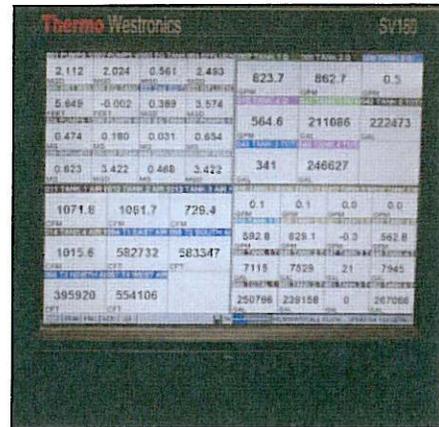
An historic agreement was signed with Genesee and Macomb counties to study alternatives to the single-source water supply from Detroit. The plan sought to do two things — provide a backup to the existing Detroit system and save money at the same time. We didn't want a repeat of what happened the major power outage of 2003 where we found ourselves too dependent on a single water source. When that source was eliminated, even for a few days, we had no viable alternative. We've taken the first steps to create a water authority to evaluate regional water supply alternatives to supplement the single-source from the Detroit Water and Sewerage Department.

Called the "Karegnondi Regional Water Planning Group" after the Native American name for Lake Huron, the group will build on preliminary studies already conducted by Genesee and Oakland Counties and the City of Detroit. Those studies confirm that an alternative water supply is needed to provide reliable water service to the region. It is estimated that the new study will cost \$250,000 with the charges being shared by the participating counties.

The formation of the planning group marked the first regional cooperative effort to provide safe, secure water to Southeastern Michigan. While our top priority is safety, we also are looking at cost savings wherever possible. In this case, competition may be a good thing. Fed up with double-digit increases in water rates, many suburban communities throughout Oakland County and the surrounding metropolitan region have been calling for an alternative to the Detroit water monopoly.



# Cooperation Merits Two Gold Medals



Monitoring the Plant

The Commerce Township Wastewater Treatment Plant and the Walled Lake-Novı Wastewater Treatment Plant each won top performance awards from the National Association of Clean Water Agencies (NACWA).

Both facilities were awarded the prestigious Gold Peak Performance Award. The award recognizes excellence and complete compliance with their National Pollutant Discharge Elimination System Permits.

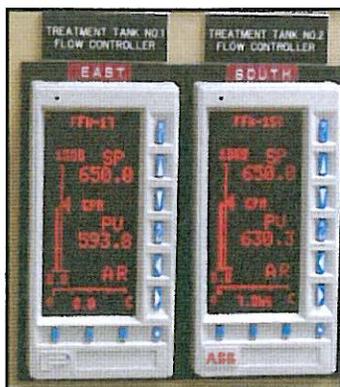
These top awards put us in some very elite company. We're extremely proud of that. It evidences the level of conscientious professionalism displayed by the people working at these two facilities. It is a remarkable achievement.

Besides the national recognition that comes with the awards, they also represent our level of service and commitment to the citizens of Oakland County. This marks the fourth year that the Walled Lake-Novı plant and the third year that the Commerce Township plant have been cited for top honors. In previous years, these two facilities have received either gold or silver awards. This year, both came home with the gold.

NACWA Executive Director Ken Kirk emphasized that winning two gold awards represented "an outstanding example of environmental efforts."

He said, "NACWA is honored to showcase the achievements of the Oakland County Drain Commissioner's office and our nation's public wastewater utilities through the Peak Performance Awards Program."

The award recognizes public wastewater treatment facilities for uncompromising compliance with clean water standards. The gold award goes to facilities achieving 100 percent compliance with the National Pollution Discharge Elimination System Permit for a calendar year.



Flow Control Meters



## 2007 NACWA National Environmental Award Winner

It's a sled that rides waves of sewage and uses the force of the flowing muck passing underneath to clean sewer pipes. It's the "hydrosled" and it was the principal reason why the Oakland County Drain Commissioner's office captured the 2007 National Environmental Achievement Award from the National Association of Clean Water Agencies (NACWA).

We're extremely pleased with this recognition because it shows that technical innovation and environmental stewardship go hand-in-hand.

Inland Waters Pollution Control, Inc. (IWPC), a Detroit industrial and environmental services contracting firm, engineered and fabricated the hydrosled for the OCDC at a cost of \$21,000.



The hydrosled, which is about three feet wide, two feet tall, and weighs about 300 pounds, has more than paid for itself.

Before utilizing the hydrosled, a typical cleaning often required multiple passes and cost about \$125 per foot of pipe. The hydrosled, on the other hand, requires just one pass, does a better job, and does it for less than half the cost. It was used on one job to remove about 250 cubic yards of sand, gravel, and rocks from a large sewer pipe between Pontiac and Waterford Township at a cost of \$52 per foot. That means Oakland County ratepayers saved nearly \$577,000 on that project alone.

## To Preserve and Protect

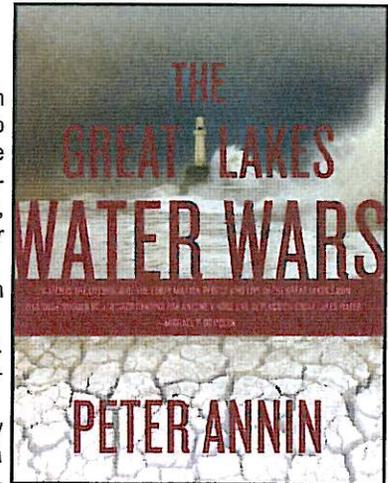
### Clinton River Review featured distinguished author

In his book, *The Great Lakes Water Wars*, investigative reporter Peter Annin tackled an important subject that's critical to those of us fortunate enough to live in the Great Lakes watershed. Mr. Annin brought his expertise and unique insight as our guest in the fourth annual Clinton River Review held in September at Oakland University in Rochester. He explained that the Great Lakes, although vast, are nevertheless fragile and subject to the consequences of our actions.

In his book, Annin says the era of warring over the Great Lakes has begun with almost one-fifth of the world's fresh water hanging in the balance.

A trip to the Aral Sea in Uzbekistan provided a chilling influence for his book. Once the world's fourth largest body of water, it has been decimated by withdrawal and ecologically disastrous water-use decisions.

He writes in his book, "It kind of defies the bounds of the mind to grasp how dire the ecological situation is there. When you're standing on the bottom of a sea bed where there should have been water 45 feet over your head, and instead there's none as far as the eye can see, how do you describe that?"



### Innovation Merits Top Honors, Customer Praise

Our innovative leak detection brochure was selected as a finalist for the 2007 Research and Technical Practices Award by the Michigan Section of the American Water Works Association's Research and Technical Practices Committee.

The brochure provides our customers with an easy-to-understand tutorial on how to read their water meters to determine if they have a leak. As a result, service calls have been reduced and complaints about leaks have dwindled. As an additional benefit, in the event of a leak, less water is wasted because the leak is discovered earlier. That's a winning combination for our customers and for the environment.

## Water & Wastewater Master Plan

In 2007, we unveiled Oakland County's first ever comprehensive water and wastewater master plan. The plan, which was in the works for more than two years, allows community leaders to make informed decisions on how to proceed toward long-term infrastructure solutions.

The new master plan is designed to assess the needs of each of Oakland County's 61 communities so they can be coordinated with their neighbors to develop a comprehensive, watershed-based approach to addressing water-related challenges.

This comprehensive plan evaluates, among other things, alternatives for Oakland County communities to consider based upon the costs and feasibility of options. It also serves as a development tool for practical, well-planned, and environmentally sound solutions.



## Kids' Clean Water Calendar Popularity Explodes!

In 2006, nearly 400 fourth and fifth-grade students throughout Oakland County submitted drawings for our annual calendar contest. In 2007, that number more than tripled! Winning entries, along with imaginative and ingenious tips to improve water quality, are featured in a calendar that provides an artistic reminder that clean water is everyone's responsibility. It's a lesson best learned early in life. Take a look at the winning creations on our Web site: [www.oakgov.com/drain](http://www.oakgov.com/drain).



One Public Works Drive  
Building 95 West  
Waterford, Michigan 48328-1907  
248-858-0958  
[www.oakgov.com/drain](http://www.oakgov.com/drain)



## Parks and Recreation Report

February 2, 2008

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Lloyd A. Stage Nature Center Donation

### Background:

- The nature center received a donation of \$4300.00 worth of geology specimens in December of 2007.
- Items were donated by Michael and Barbara Sincak from Treasures of the Earth, in Hollsopple, Pennsylvania.
- The items donated consist of:
  - Authentic mastodon and mammoth bones
  - Replica mastodon bones, including a four foot femur bone
  - Mineral specimens such as halite, quartz, amethyst and pyrite
  - A meteorite display
  - A 200 pound petrified tree log
  - And many more items
- The donated items will be used for educational purposes and will be incorporated into nature center programming and exhibit displays.
- The replica and authentic mastodon bones will become part of a permanent interactive discovery exhibit in the nature center display area.
- The nature center is very excited about this donation as it is a very impressive addition to our collections.

### Financial Considerations:

None

### Legal Considerations:

None

### Policy Considerations:

None

### Options:

None



**TO:** Members of Troy City Council  
**FROM:** Lori Grigg Bluhm , City Attorney  
**DATE:** February 12, 2008  
**SUBJECT:** Blight Article in Public Corporation Law Quarterly

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Enclosed please find the article, "Blight in a Time of Foreclosures," which was written by Assistant City Attorney Susan Lancaster. Sue's article appeared on the front page of the most recent edition of the Public Corporation Law Quarterly. The Quarterly is distributed to over 700 attorneys who are members of the State Bar of Michigan Public Corporations Law Section. It addresses an issue that several municipalities are facing during these difficult economic times.



Public Corporation Law  
Quarterly

## Blight in a Time of Foreclosures

By Susan M. Lancaster, Assistant City Attorney for Troy

Winter 2007-2008, No. 4

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Today, the news reports bleak stories about the number of foreclosures, which has led to a decline in property values. Banks and corporations are now the owners of many of these foreclosed homes, and several of them are not occupied. These empty buildings are now maintained on a monthly or a quarterly basis, as opposed to the daily care and property maintenance that was provided by the previous owner/occupant of the home.

The existence of one poorly-maintained home frequently also negatively impacts the surrounding neighborhood as well. When there is already a decline in property values, and no peer pressure to keep up with the high standards set by our neighbors, there is a natural decline in the amount of time and energy exerted for private property maintenance. This, accompanied by limited financial resources in these tough economic times, leads to a downward spiral of property values in a community.

This decline in property values reduces the amount of local taxes that are collected, which in turn reduces the funding for municipal services. At the same time, most municipalities are hunkering down to ride out the storm of anticipated cuts in funding, and therefore services, including the loss of personnel through attrition or reassignment to different duties. These competing interests could create the perfect storm. Each municipality needs to recognize the potential danger, and take action to preserve the stock of existing private housing in the community.

The good news is that there are many tools to help combat blight. It is our charge, as municipal attorneys, to work with the elected and code enforcement officials to determine which tools should be introduced and/or used in each community. The Michigan Municipal League has taken a proactive role in creating a community assessment and response procedure, which has already been provided to local elected and code enforcement officials, and is also available on the website. It is titled *Restoring Michigan Communities, Building by Building*, and since it is such a great resource for the municipal attorney, it is also reprinted here with permission.

In this current climate, municipalities can best handle blight by realizing that they have limited time and resources. Therefore, it is essential that each community assess priorities. The priorities may be established by the number of neighborhood complaints that are received. Of course, the first priority should be the health, safety,

**Blight . . .***Continued from page 1*

and welfare issues. If there is a home that is a haven for rodents, the community needs to take immediate action to address the infestation and prevent it from spreading to the neighboring homes. However, in our community this past year, we have had a significant increase in the number of aesthetic complaints, such as overgrown grass and vegetation, garbage and trash (including newspapers piling up on porches), and un-drained swimming pools, which were found mainly at unoccupied houses.

We also have an aging stock of existing houses, which can become dilapidated from neglect. Some of these homes have actually reached the point where there are so many repairs that need to be made that it is difficult to know where to start. Instead of allowing these homes to reach this point of no return, a municipality should be doing inventories to identify these homes where the exterior of the property is evidently in need of some attention. If a community does not have the resources to conduct an extensive inventory, then it should explore methods of encouraging community participation in the battle against blight. Neighbors are usually in the best position to observe problems with property maintenance. Although the required municipal response to each complaint will initially consume our limited code enforcement resources, the long term impact of having an effective community reporting system will deter the downward spiral of decreasing property values. When a neighbor's concerns are taken seriously, apathy is reduced, and you have conveyed the message that property maintenance is important in the community.

On the basis of neighborhood complaints during this past year, the City of Troy code enforcement officials discovered two homes without working plumbing. We received complaints about the exterior of these homes, and in doing the inspection discovered sufficient grounds to justify an administrative search warrant for the interior of the home. Once we became aware of the deplorable condition of the interior of the home, we were able to address the emergency health, safety, and welfare concerns with equitable actions at the circuit court level.

As set forth in the attached publication, each community should review its current property maintenance ordinances. Unlike most construction codes that are now mandated by the State of Michigan, the State has allowed municipalities to assess their own individual needs regarding property maintenance and adopt ordinances outlining property maintenance regulations.

It is also necessary to look at enforcement mechanisms for violations of those ordinances. In 1994, the State of Michigan adopted the statute allowing municipalities to prosecute zon-

ing violations as municipal civil infractions (MCL 600.8701, et. seq.). Those communities that have rejected or failed to consider a conversion to municipal civil infractions are missing an opportunity to deal with blight in a reasonable manner. Municipal civil infractions do not involve imprisonment, a remedy which could

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*“Unlike most construction codes that are now mandated by the State of Michigan, the State has allowed municipalities to assess their own individual needs regarding property maintenance and adopt ordinances outlining property maintenance regulations.”*

---

be viewed by the public as an overreaction to economic hard times. Rather, to the municipality's advantage, a court is empowered to fashion a remedy to deal with each specific situation. The court can impose fines, or it can order compliance by a certain date, or it can order reimbursement of a municipality's expenses, and this reimbursement can be with the imposition of liens on the property. As with any civil case, as opposed to a criminal case, the municipal-

ity can reach an agreement with the defendant property owner, which can be placed on the record and monitored by the court. As with other civil cases, default judgments can be entered for a failure to appear. When the court has maximized the amount of damages in granting such a default judgment, the City of Troy has been successful in getting the recalcitrant property owners to become compliant and cooperative, in the hopes of a reduction in the amount of damages. Property owners seem more than willing to correct a problem in exchange for a stipulated reduction in the court ordered judgment.

There are other possible property maintenance ordinances that are being used in other communities. Sterling Heights is considering an ordinance that would require a dumpster or other container on site to dispose of abandoned property. Dumpsters must be removed within 48 hours, unless they are being regularly used by the owner for disposal. Violations of this ordinance would be punishable by a fine. Detroit and Eastpointe have adopted similar ordinances.

A municipality should also take advantage of the advances in electronic capabilities, to make sure that all contacts with a specific property are accessible by all departments. For example, if your assessing department is notified that a house has been repossessed, then the assessing department should note the name and address of the entity taking control of the property. The identification of the new owner, as well as the contact information, will be helpful in any pre-enforcement efforts to obtain compliance, and if unsuccessful, will be necessary for any formal enforcement action.

The City of Troy is making strides in fighting blight in our community. Hopefully, your community will also be joining the cooperative effort, which will lead to a better Michigan. 🏠



## CITY COUNCIL REPORT

Date: February 12, 2008

TO: Phillip L. Nelson, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance and Administration  
Gert Paraskevin, Information Technology Director

SUBJECT: Auction Computers and Computer Replacement

### Background:

- The City started replacing personal computers in the 1999/2000 budget. The goal was to replace equipment that was out of warranty and quickly becoming obsolete. The reliability and speed of the oldest computers could not keep pace with the requirements of new and updated software that the city was implementing. It was recommended at that time those computers be replaced to maintain an acceptable level of performance and efficiency.
- In the 2003/2004 budget the city formally adopted a 3 year replacement program. This made good sense because systems were purchased with a 3-year warranty. That was the typical expected life of a new personal computer at that time because technology was changing at a very rapid pace. Our experience has demonstrated that it is generally at the end of the 3-year time frame that we begin to experience problems. Hardware begins to fail; including monitors, hard drives, and CD/DVD drives. Once the warranty has expired it requires much more labor to upgrade or repair systems, additional cost to purchase replacement parts, and causes more downtime to end-users. In addition, as software is upgraded hardware requirements also increase. If you do not keep pace with current hardware technology, you cannot enjoy the benefits of improved software and operating systems. Trying to utilize current software on older machines causes compatibility problems, slow response as well as reduced efficiencies.
- In 2005 the city began to auction out of service computers that couldn't be recycled or used for parts. This provided an opportunity to recoup some costs rather than pay to dispose of them. The majority of computers that have been auctioned are desktop DELL GXA's with a Pentium II 266 to GX110s ranging from a Pentium III 533 to 933 with either 128 Mb or 256 Mb of memory. Many of them didn't even contain a CD burner. We also auctioned 7 Panasonic Toughbook laptop computers, but only after parts were scavenged to try and build two functioning computers. They were in very poor condition having been used in the field by the Police Department. Many of the screens were cracked and they were approximately 6 years old. We have not auctioned any other laptops to date. We did keep some DELL laptops in hopes that they could be re-used for an application in City Clerks office related to the elections. Unfortunately, when we wanted to use

them we discovered the application was just upgraded and could only run on Windows 2000 or higher, but the laptops were only licensed for Windows 98. We have the option of purchasing a newer operating system for these laptops, however, they cannot support Windows XP as they are rated far below the minimum requirements. The next time we might be able to utilize them a new version of the software will most likely be released that no longer supports anything below Windows XP. These will be auctioned soon.

- In the 2006/2007 budget we modified our computer replacement program to replace a third of our computers each year for three years, then in the fourth year rather than replace computers we would use the funds to upgrade or purchase software. In 2006 this allowed us to upgrade Microsoft Office from version 2000 to version 2007 without increasing the IT operating budget. Fortunately, advances in computer technology have slowed down in recent years so it takes a little bit longer for software changes to outpace hardware requirements.
- We are currently preparing for the next computer replacement. As a result we will be auctioning additional desktop and laptop computers. These will be over 4 years old. Older equipment is utilized in low usage situations if possible, rather than auctioned. The equipment that is put up for auction has typically been very well used and is beyond its useable lifecycle in our environment. Unfortunately, the longer equipment is used the less we are able to recoup at auction and the more it costs us to support and maintain.

#### Financial Considerations:

- 

#### Legal Considerations:

- All hard drives in auctioned computers are erased to the Department of Defense standard to ensure no information can be recovered. This was verified by the City's computer forensics expert in the Police Department.

#### Policy Considerations:

- The goal of the computer replacement program is to keep maintenance and support cost to a minimum while maintaining if not improving the efficiency of end users. As employees become more proficient with their computer skills, the computer replacement program will ensure that their tools keep up with their proficiency. (Objective II)



## CITY COUNCIL REPORT

Date: February 13, 2008

TO: Phillip L. Nelson, City Manager

FROM: John M. Lamerato, Assistant City Manager—Finance  
 Cathleen A. Russ, Library Director  
 Loraine Campbell, Museum Manager

SUBJECT: Troy Museum Hours of Operation

### Background:

- The Troy Museum and Historic Village is open to the public 2,700 hours per year under the current operating schedule:
  - Tuesday-Saturday: 9 am – 5:30 pm
  - Sundays: 1 pm – 5 pm
  - Closed: Mondays and major holidays
- Attendance records from 2004-2007 indicate the museum visitation is lowest on Sundays, averaging 18 patrons per day, except during the summer, when visitation increases to 75 patrons per day.
- Daily attendance is also low between 4:30 – 5:30 pm. Conversely, the museum cannot accommodate all requests from teachers who wish to schedule education programs.

In order to accommodate the increased demand for educational programs, as well as direct staff resources more effectively, the Troy Museum and Historic Village will adopt the following operational schedule on July 1, 2008:

- October-May:
  - Monday-Saturday: 9 am – 4:30 pm (full-time staff report at 8 am)
  - Closed on Sunday
- June-September
  - Monday-Saturday: 9 am – 4:30 pm (full-time staff report at 8 am)
  - Sunday: 1-5 pm

### Financial Considerations:

- The change will increase potential revenues from field trips by \$3,000-\$7,000 per year.
- The change will also improve customer service by adding 38 days available for field trips.

Legal Considerations:

- There are no legal considerations associated with this item.

Policy Considerations:

This recommendation addresses the following goal:

- Goal II: Minimize the cost and increase the efficiency and effectiveness of City government

Options:

- City management recommends that this information memo regarding the change to the operating hours of the Troy Museum and Historic Village be received and filed.



**TO:** Members of Troy City Council  
**FROM:** Lori Grigg Bluhm , City Attorney  
Christopher J. Forsyth, Assistant City Attorney  
**DATE:** February 12, 2008  
**SUBJECT:** People of the City of Troy v. Megan Nairne

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The Court of Appeals has denied Megan Nairne's application for leave to appeal her criminal conviction. The Court opinion is attached for your review. Ms. Nairne was charged with domestic violence involving an altercation with her boyfriend. On December 21, 2006, she pled no contest to the assault charge. Judges sometimes allow no contest pleas in criminal cases where there are potential liability concerns or when there are other reasons why a defendant does not want to give the details of the incident for the public record. In these cases, the judge reviews the police report to make sure that there is a basis to believe that the defendant committed the crime. In all other respects, a no contest plea is treated like a guilty plea. Ms. Nairne was represented by an attorney during these criminal proceedings. In addition, there was also an interpreter present at the time of the plea, since Ms. Nairne is deaf.

Just after she was informed that she may serve jail time for this offense, Ms. Nairne hired a new attorney, who filed a motion asking for permission to withdraw her no contest plea. In this motion, the attorney argued that Ms. Nairne's court appointed attorney did not adequately represent her, and that the no contest plea was not voluntarily and knowingly made. Judge Martone denied her motion to set aside the plea on September 20, 2007. Since there is no appeal as of right, Ms. Nairne's attorney filed an application for leave to appeal, seeking a reversal of Judge Martone's denial of the request to set aside her plea. This application for leave to appeal was filed in the Oakland County Circuit Court. On October 11, 2007, after reviewing arguments from Ms. Nairne's attorney and our response to the application, Judge Colleen O'Brien of the Oakland County Circuit Court denied Defendant's application for leave to appeal.

Ms. Nairne's attorney then filed an application for leave to appeal Judge O'Brien's decision with the Michigan Court of Appeals. We filed our response to this application, arguing that the Court had not erred in refusing to grant the discretionary relief. The Court is not required to allow a defendant to withdraw a plea on the eve of sentencing. On February 5, 2008 the Michigan Court of Appeals issued the attached unanimous decision, again denying her application for leave to appeal. The Court denied the application, finding that there was a "lack of merit in the grounds presented."

It is possible that Ms. Nairne will file another application for leave to appeal the Court of Appeals decision. Absent a decision or an order staying the criminal proceedings from the Michigan Supreme Court, Ms. Nairne will need to appear for sentencing before Judge Martone. Since the case has now been remanded, the 52-4 district court will now set Ms. Nairne's sentencing date, which is expected some time in the near future.

If you have any questions please let us know.

**Court of Appeals, State of Michigan**

**ORDER**

People of Troy v Megan Brienna Nairne

Docket No. 281712

LC No. 2007-008680-AR

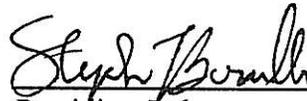
Stephen L. Borrello  
Presiding Judge

William C. Whitbeck

Alton T. Davis  
Judges

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The Court orders that the application for leave to appeal is DENIED for lack of merit in the grounds presented.

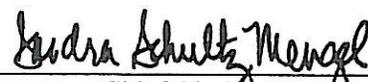
  
Presiding Judge

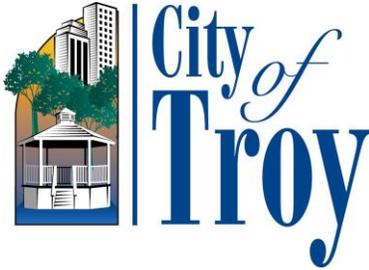


A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 5 2008

Date

  
Chief Clerk



## CITY COUNCIL REPORT

February 12, 2008

To: Mayor and City Council Members

From: Phillip L. Nelson, City Manager  
John Lamerato, Assistant City Manager/Finance & Administration  
Cathleen Russ, Library Director

Subject: Next Steps in the Library Planning and Development Process

### Background

With the presentation of the Library Needs Assessment study, staff has developed a possible next steps brief for Council review and disposition.

### Options

Based on Council's action and Council's Goals and Objectives, staff would recommend the following steps:

1. Selection of Option or Options for Continued Study: Council could select a viable option or options for additional study. The library needs assessment study provided viable options based on buildings that fit available land so that overall costs can be held to acceptable levels.
2. Fiscal Impact Analysis: The primary source of funding would more than likely be the issuance of voter approved General Obligation Bonds, backed by the full faith and credit of the City. Due to the fact that the City carries AAA bond ratings from all rating agencies, interest rates on a long-term issue could be significantly reduced. Property tax impact would be similar no matter which option the Council might choose. Staff will investigate all grant possibilities to defray costs, and will work with the architectural firm to develop methods of keeping personnel and other related costs at manageable levels.

In response to a Council question about a private developer building the structure, staff feels that if the Council chooses an option to construct a stand alone facility, there would be little advantage to additional study of a developer building the facility. This conclusion is due to the fact that the City can get better bond interest rates than a private developer using a private lending institution, and that there is no profit motive in owning a municipal building.

Repayment would have to be through a guaranteed annual appropriation by the City with significantly higher interest rates. Staff is aware of a situation where a developer did construct a library for the City of Lakewood, Colorado as a part of a large scale development in the Civic Center area. The developer leased the facility to the City for an extended period of time based on a guaranteed annual appropriation from the City to the developer. The City used this arrangement due to limited bonding capacity and so they wouldn't have to go to a vote of the people. Lease-purchase agreements, or Certificates of Participation as they are more commonly known carry significantly higher interest rates, and carry another issue in that if Councils of the future vote to not make the annual payment, the City can default on the "loan", which results in critically adverse impacts on the City's bond ratings.

If the Council wants to look at an option of building the library off the Civic Center site and part of an overall development or redevelopment, for example, on the Big Beaver Corridor the possibilities are opened a little wider. The proposed library and City participation in a public-private partnership could increase the possibilities of reducing the overall cost of the facility, and increase the overall scope of library exposure and service to the community.

The following table indicates the City's current bonded indebtedness as of December 31, 2007

Fiscal Year	Taxable Value	Est. Population	Gross Bonded Debt Outstanding	Debt Service Fund Balance	Debt Payable from other than General Resources	Net Bonded Debt	% of Net Bonded Debt to Taxable Value	Net Bonded Debt Per Capita
2000	\$4,183,560,453	80,959	\$ 16,353,273	\$ 9,895,404	\$ 6,457,869	\$ -	0.0%	\$ -
2001	4,373,072,080	81,769	27,862,925	11,017,036	10,025,000	\$ 6,820,889	0.2%	83.42
2002	4,686,250,942	82,586	43,464,521	12,413,625	7,250,000	\$ 23,800,896	0.5%	288.19
2003	4,861,640,648	83,412	66,038,658	13,543,103	4,925,000	\$ 47,570,555	1.0%	570.31
2004	4,978,263,437	84,246	54,498,315	4,820,818	14,000,000	\$ 35,677,497	0.7%	423.49
2005	5,094,758,223	85,089	52,812,271	4,734,163	13,725,000	\$ 34,353,108	0.7%	403.73
2006	5,264,351,550	85,940	50,956,648	4,776,501	13,350,000	\$ 32,830,147	0.6%	382.01
2007	5,434,035,442	86,799	48,880,131	4,434,911	12,975,000	\$ 31,470,220	0.6%	362.56

Additionally, as of December 31, 2006, the City has a legal General Obligation Bond debt limit of \$642,265,981 and a legal debt margin of \$598,135,981. A \$37 million dollar G.O. Bond issue would still leave the City with a debt margin of \$561,135,981.

3. Hard and Soft Costs: While design of a library facility could reduce the costs for operation and maintenance, staff believes there will still be significant costs in collection, technology and operational costs. Staff would recommend the Council plan to use one additional mill for debt service and probable operational expense increases. One additional mill would cost the owner of the average priced home in Troy an extra \$125 per year in property taxes, or about \$10 per month. The attached charts indicate annual debt service, and possible property tax impacts. Staff would highly recommend against including expanded collection and other soft cost items in the bond issue as taxpayers would be paying for such items over an extended period of time. Please note that the interest rates indicated on the debt service charts are probably higher than what the City could obtain with its AAA bond rating.
4. Community Engagement: Now that facts and figures on estimated costs have been developed, the Council might want to determine community support for the construction of a new or remodeled facility. The Council could choose to conduct a community survey to ascertain public input/feelings. The Troy Friends of the Library have offered to cover the costs of the survey.
5. Ballot Question: Once the survey returns are tabulated, the Council can make the choice of whether to plan a ballot question for inclusion on the November 2008 General Election. Logistics for submitting ballot questions for the November election are as follows:
  - Council has to agree on the ballot language
  - Council would have to give approval to ballot language on or before the 2<sup>nd</sup> meeting in July
  - The Election Commission would review and approve the ballot question
  - If approved by the Election Commission, the ballot question is then submitted to the County on or before August 26<sup>th</sup>, 2008.
6. Design and Construction Logistics: If the ballot response is positive, select an architectural firm to start design. Once design is approved, start the bidding and construction award process. Estimated construction time is 2 years.
7. Other Considerations: One consideration will be possible uses of the existing library should the Council choose Option C. If the Council chooses Option C, staff would start the logistics of determining options for the disposition of the existing building.

Staff fully understands that there will be other steps in the process, but feels that these are the priority measures that need to be taken if the Council chooses to move forward.

\$37,000,000  
**CITY OF TROY**  
**25 Year Schedule of Debt Service & Millage Requirements**  
**Assuming .5% Annual Growth in Taxable Value**

Year	Principal Due 39,722	Interest Rate	Interest Due 1-Oct	Interest Due Next April 1	Total Principal & Interest Payments	Taxable Value in 1,000	July 1 Millage Requirements
2009	-	5.50%	1,187,083	1,017,500	2,204,583	5,606,160	0.3932
2010	400,000	5.50%	1,017,500	1,006,500	2,424,000	5,634,191	0.4302
2011	600,000	5.50%	1,006,500	990,000	2,596,500	5,662,362	0.4586
2012	700,000	5.50%	990,000	970,750	2,660,750	5,690,674	0.4676
2013	750,000	5.50%	970,750	950,125	2,670,875	5,719,127	0.4670
2014	850,000	5.50%	950,125	926,750	2,726,875	5,747,723	0.4744
2015	900,000	5.50%	926,750	902,000	2,728,750	5,776,461	0.4724
2016	1,000,000	5.50%	902,000	874,500	2,776,500	5,805,343	0.4783
2017	1,100,000	5.50%	874,500	844,250	2,818,750	5,834,370	0.4831
2018	1,150,000	5.50%	844,250	812,625	2,806,875	5,863,542	0.4787
2019	1,250,000	5.50%	812,625	778,250	2,840,875	5,892,860	0.4821
2020	1,350,000	5.50%	778,250	741,125	2,869,375	5,922,324	0.4845
2021	1,450,000	5.50%	741,125	701,250	2,892,375	5,951,936	0.4860
2022	1,550,000	5.50%	701,250	658,625	2,909,875	5,981,695	0.4865
2023	1,650,000	5.50%	658,625	613,250	2,921,875	6,011,604	0.4860
2024	1,800,000	5.50%	613,250	563,750	2,977,000	6,041,662	0.4927
2025	1,950,000	5.50%	563,750	510,125	3,023,875	6,071,870	0.4980
2026	2,100,000	5.50%	510,125	452,375	3,062,500	6,102,230	0.5019
2027	2,200,000	5.50%	452,375	391,875	3,044,250	6,132,741	0.4964
2028	2,250,000	5.50%	391,875	330,000	2,971,875	6,163,404	0.4822
2029	2,300,000	5.50%	330,000	266,750	2,896,750	6,194,221	0.4677
2030	2,350,000	5.50%	266,750	202,125	2,818,875	6,225,192	0.4528
2031	2,400,000	5.50%	202,125	136,125	2,738,250	6,256,318	0.4377
2032	2,450,000	5.50%	136,125	68,750	2,654,875	6,287,600	0.4222
2033	2,500,000	5.50%	68,750	-	2,568,750	6,319,038	0.4065
	37,000,000		16,896,458	15,709,375	69,605,833		0.4675

Assumes .50% Annual Growth Rate in Taxable Value

\$37,000,000  
**CITY OF TROY**  
**25 Year Schedule of Debt Service Millage Requirement**  
**Assuming 1.00% Annual Growth in Taxable Value**

Year	Principal Due 39,722	Interest Rate	Interest Due 1-Oct	Interest Due Next April 1	Total Principal & Interest Payments	Taxable Value in 1,000	July 1 Millage Requirements
2009	-	5.50%	1,187,083	1,017,500	2,204,583	5,662,082	0.3894
2010	400,000	5.50%	1,017,500	1,006,500	2,424,000	5,718,703	0.4239
2011	600,000	5.50%	1,006,500	990,000	2,596,500	5,775,890	0.4495
2012	700,000	5.50%	990,000	970,750	2,660,750	5,833,649	0.4561
2013	750,000	5.50%	970,750	950,125	2,670,875	5,891,985	0.4533
2014	850,000	5.50%	950,125	926,750	2,726,875	5,950,905	0.4582
2015	900,000	5.50%	926,750	902,000	2,728,750	6,010,414	0.4540
2016	1,000,000	5.50%	902,000	874,500	2,776,500	6,070,518	0.4574
2017	1,100,000	5.50%	874,500	844,250	2,818,750	6,131,223	0.4597
2018	1,150,000	5.50%	844,250	812,625	2,806,875	6,192,536	0.4533
2019	1,250,000	5.50%	812,625	778,250	2,840,875	6,254,461	0.4542
2020	1,350,000	5.50%	778,250	741,125	2,869,375	6,317,006	0.4542
2021	1,450,000	5.50%	741,125	701,250	2,892,375	6,380,176	0.4533
2022	1,550,000	5.50%	701,250	658,625	2,909,875	6,443,977	0.4516
2023	1,650,000	5.50%	658,625	613,250	2,921,875	6,508,417	0.4489
2024	1,800,000	5.50%	613,250	563,750	2,977,000	6,573,501	0.4529
2025	1,950,000	5.50%	563,750	510,125	3,023,875	6,639,236	0.4555
2026	2,100,000	5.50%	510,125	452,375	3,062,500	6,705,629	0.4567
2027	2,200,000	5.50%	452,375	391,875	3,044,250	6,772,685	0.4495
2028	2,250,000	5.50%	391,875	330,000	2,971,875	6,840,412	0.4345
2029	2,300,000	5.50%	330,000	266,750	2,896,750	6,908,816	0.4193
2030	2,350,000	5.50%	266,750	202,125	2,818,875	6,977,904	0.4040
2031	2,400,000	5.50%	202,125	136,125	2,738,250	7,047,683	0.3885
2032	2,450,000	5.50%	136,125	68,750	2,654,875	7,118,160	0.3730
2033	2,500,000	5.50%	68,750	-	2,568,750	7,189,342	0.3573
	37,000,000		16,896,458	15,709,375	69,605,833		0.4363

Assumes 1.00% Annual Increase in Taxable Value

**Potential Property Tax Impact  
On Various Property Values  
Assuming a 1 Mill Property Tax Increase**

Property Value	\$ 150,000	\$ 175,000	\$ 200,000	\$ 250,000	\$ 275,000	\$ 288,000	\$ 350,000	\$ 400,000	\$ 450,000	\$ 500,000	\$ 650,000
Assessment Ratio	43.21%	43.21%	43.21%	43.21%	43.21%	43.21%	43.21%	43.21%	43.21%	43.21%	43.21%
Taxable Value	\$ 64,815	\$ 75,618	\$ 86,420	\$ 108,025	\$ 118,828	\$ 124,445	\$ 151,235	\$ 172,840	\$ 194,445	\$ 216,050	\$ 280,865
City Property Tax Rate (2006-07)	0.001	0.001	0.001	0.001	0.001	0.001	0.001	0.001	0.001	0.001	0.001
Annual Property Taxes-City Only	\$ 64.82	\$ 75.62	\$ 86.42	\$ 108.03	\$ 118.83	\$ 124.44	\$ 151.24	\$ 172.84	\$ 194.45	\$ 216.05	\$ 280.87
Monthly Property Tax Equivalent	\$ 5.40	\$ 6.30	\$ 7.20	\$ 9.00	\$ 9.90	\$ 10.37	\$ 12.60	\$ 14.40	\$ 16.20	\$ 18.00	\$ 23.41
Daily Property Tax Equivalent	\$ 0.18	\$ 0.21	\$ 0.24	\$ 0.30	\$ 0.33	\$ 0.34	\$ 0.41	\$ 0.47	\$ 0.53	\$ 0.59	\$ 0.77
Daily Cost/Person Tax Equiv.	\$ 0.07	\$ 0.08	\$ 0.09	\$ 0.11	\$ 0.12	\$ 0.13	\$ 0.15	\$ 0.18	\$ 0.20	\$ 0.22	\$ 0.29
Est. Monthly House Payment	\$ 900	\$ 1,050	\$ 1,200	\$ 1,500	\$ 1,650	\$ 1,728	\$ 2,100	\$ 2,400	\$ 2,700	\$ 3,000	\$ 3,900
Est. Yearly House Payment	\$ 10,800	\$ 12,600	\$ 14,400	\$ 18,000	\$ 19,800	\$ 20,736	\$ 25,200	\$ 28,800	\$ 32,400	\$ 36,000	\$ 46,800
Est. Annual Household Income	\$ 43,200	\$ 50,000	\$ 57,600	\$ 72,000	\$ 80,000	\$ 86,400	\$ 100,000	\$ 115,200	\$ 129,600	\$ 144,000	\$ 187,200
% of Income for House Payment	25%	25%	25%	25%	25%	24%	25%	25%	25%	25%	25%
Percent Property Taxes of Annual Income	0.15%	0.15%	0.15%	0.15%	0.15%	0.14%	0.15%	0.15%	0.15%	0.15%	0.15%
Examples of Service Costs--Daily Basis											
Daily Cost of Library/Museum	0.006	0.007	0.008	0.010	0.011	0.012	0.015	0.017	0.019	0.021	0.027

Assumptions:

Indicates the average price of home in the City of Troy

Assessment Ratio is the average for the City. Some properties pay more, some properties pay less. State law indicates Assessment ratios can be as high as 50%

Daily Cost per Person is calculated on the average number of persons per household as indicated in Census Bureau statistics

% of Income for House Payment is based on financial institution averages of 25% of household income being used for house payments. Some people pay more, some pay less.

Estimated house payment is based on a 6% interest rate on mortgages and does not include insurance costs or taxes paid to escrow account

Examples of Service Costs indicate the daily cost of various services as a percentage of the total budget