



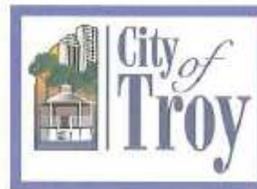
TROY CITY COUNCIL

REGULAR MEETING AGENDA

**FEBRUARY 18, 2013
CONVENING AT 7:30 P.M.**

**Submitted By
The City Manager**

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



TO: The Honorable Mayor and City Council
Troy, Michigan

FROM: Brian Kischnick, 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 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.

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

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "B. Kischnick".

Brian Kischnick, City Manager



TROY CITY COUNCIL

VISION STATEMENT AND GOALS

Adopted: Monday, February 7, 2011

VISION:

To honor the legacy of the past and build a strong, vibrant future and be an attractive place to live, work, and grow a business.

GOALS:

Provide a safe, clean, and livable city

- Practice good stewardship of infrastructure
- Maintain high quality professional community oriented police and fire protection
- Conserve resources in an environmentally responsible manner
- Encourage development toward a walkable, livable community

Provide effective and efficient local government

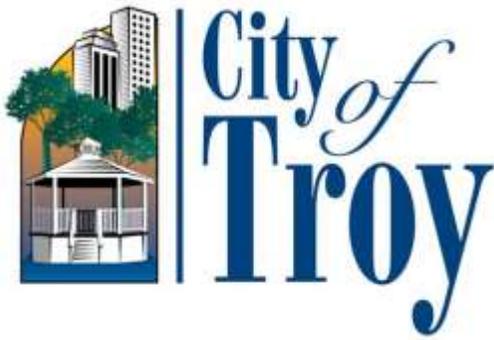
- Demonstrate excellence in community services
- Maintain fiscally sustainable government
- Attract and support a committed and innovative workforce
- Develop and maintain efficiencies with internal and external partners
- Conduct city business and engage in public policy formation in a clear and transparent manner

Build a sense of community

- Communicate internally and externally in a timely and accurate manner
- Develop platforms for transparent, deliberative and meaningful community conversations
- Involve all stakeholders in communication and engagement activities
- Encourage volunteerism and new methods for community involvement
- Implement the connectedness of community outlines in the Master Plan 2008

Attract and retain business investment

- Clearly articulate an economic development plan
- Create an inclusive, entrepreneurial culture internally and externally
- Clarify, reduce and streamline investment hurdles
- Consistently enhance the synergy between existing businesses and growing economic sectors
- Market the advantages of living and working in Troy through partnerships



CITY COUNCIL AGENDA

February 18, 2013 – 7:30 PM
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317

INVOCATION: Father Eric Fedewa from St. Anastasia Catholic Church 1

PLEDGE OF ALLEGIANCE: 1

A. CALL TO ORDER: 1

B. ROLL CALL: 1

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS: 1

C-1 Smart Investing at Your Library *(Presented by Cathy Russ, Library Director)* 1

C-2 Transit Center Monthly Update *(Presented by Glenn Lapin, Economic Development Specialist)* 1

C-3 MACP (Michigan Association of Chiefs of Police) Award for Excellence in Traffic Safety *(Presented by Police Captain Robert Redmond)* 1

D. CARRYOVER ITEMS: 1

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Monday, March 11, 2013	Special Meeting	15
Monday, April 22, 2013	Special Meeting	15
Monday, April 29, 2013	Special Meeting	15

INVOCATION: Father Eric Fedewa from St. Anastasia Catholic Church

PLEDGE OF ALLEGIANCE:

A. CALL TO ORDER:

B. ROLL CALL:

- Mayor Dane Slater
- Jim Campbell
- Wade Fleming
- Dave Henderson
- Maureen McGinnis
- Ed Pennington
- Doug Tietz

Suggested Resolution

Resolution #2013-02-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of _____ at the Regular City Council Meeting of February 18, 2013, due to _____.

Yes:

No:

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Smart Investing at Your Library *(Presented by Cathy Russ, Library Director)*

C-2 Transit Center Monthly Update *(Presented by Glenn Lapin, Economic Development Specialist)*

C-3 MACP (Michigan Association of Chiefs of Police) Award for Excellence in Traffic Safety *(Presented by Police Captain Robert Redmond)*

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 Zoning Ordinance Text Amendment (File Number: ZOTA 244) – Miscellaneous Zoning Ordinance Revisions

Suggested Resolution

Resolution #2013-02-
Moved by
Seconded by

RESOLVED, That Articles 2, 3, 4, 5, 6, 7, 10, 12, 13 and 16 of Chapter 39 of the Code of the City of Troy, pertaining to miscellaneous Zoning Ordinance revisions, be **AMENDED** to read as written in the proposed Zoning Ordinance Text Amendment (ZOTA 244), City Council Public Hearing Draft, as recommended by the Planning Commission, with a copy of the Planning Commission Minutes to be **ATTACHED** to the Minutes of this meeting.

Yes:
No:

F. PUBLIC COMMENT FOR ITEMS ON THE AGENDA:

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

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

- Petitioners shall be given a fifteen (15) minute presentation time that may be extended with the majority consent of City Council.
- Any member of the public, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes to address any Public Hearing item.
- Any member of the public, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes total to address Postponed, Regular Business, Consent Agenda or Study items or any other item on the Agenda as permitted under the Open Meetings Act during the *Public Comment for Items On the Agenda* portion of the Agenda.
- Any member of the public, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes to address any topic not on the Agenda as permitted under the Open Meetings Act during the *Public Comment for Items Not on the Agenda* portion of the Agenda.
- All members of the public who wish to address the Council at a meeting shall be allowed to speak only if they have signed up to speak within thirty minutes before or within fifteen minutes after the meeting's start time. Signing up to speak requires each speaker provide his or her name and residency status (Troy resident, non-resident, or Troy business owner). If the speaker is addressing an Item (or Items) that appear on the pre-printed agenda, then the speaker shall also identify each such agenda item number(s) to be addressed.
- City Council may waive the requirements of this section by a majority vote of the City Council members.
- Agenda items that are related to topics where there is significant public input anticipated should initiate the scheduling of a Special meeting for that specific purpose.

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

The audience should be aware that all comments are to be directed to the Council rather than to City Administration or the audience. Anyone who wishes to address the Council is required to sign up to speak within thirty minutes before or within fifteen minutes of the start of the meeting. There are two Public Comment portions of the Agenda. For Items On the Agenda, speakers can sign up to address Postponed, Regular Business, Consent Agenda, or Study items or any other item on the Agenda. Speakers can sign up to address all other topics under Items Not on the Agenda. Also, there is a timer on the City Council table in front of the Mayor that turns yellow when there is one minute of speaker time remaining, and turns red when the speaker's time is up.

In order to make the meeting more orderly and out of respect, please do not clap during the meeting, and please do not use expletives or make derogatory or disparaging comments about any one person or group. If you do so, then there may be immediate consequences, including having the microphone turned off, being asked to leave the meeting, and/or the deletion of speaker comments for any re-broadcast of the meeting. Speakers should also be careful to avoid saying anything that would subject them to civil liability, such as slander and defamation.

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

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

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

I-1 Board and Committee Appointments: a) Mayoral Appointments - None; b) City Council Appointments – Historic District Commission

a) Mayoral Appointments: None

b) City Council Appointments

Suggested Resolution
Resolution #2013-02-
Moved by
Seconded by

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

Historic District Commission

Appointed by Council
7 Regular Members
3 Year Term

Nominations to the Historic District Commission:**Term Expires: 3/1/2016****W. Kent Voigt**

Term currently held by: W. Kent Voigt

Yes:

No:

I-2 Board and Committee Nominations: a) Mayoral Nominations – Downtown Development Authority; b) City Council Nominations – Zoning Board of Appeals**a) Mayoral Nominations**Suggested Resolution

Resolution #2013-02-

Moved by

Seconded by

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

Downtown Development Authority

Appointed by Mayor
13 Regular Members
4 Year Term

Current Members:

Last Name	First Name	App Resume Expire	Appointment Date	Appointment Expire	Notes 1	Notes 3
Bostick	Dennis	1/31/2015	2/4/2013	9/30/2016	In District	
Hay	David	11/16/2013	3/5/2012	9/30/2015	In District	
Jonna	Arkan	10/22/2014	1/14/2013	9/30/2016	In District	
Keisling	Laurence	5/25/2014	1/14/2013	9/30/2016	At Large	
Kiriluk	Alan	10/12/2014	1/14/2013	9/30/2016	In District	
Knight	P.	1/4/2014	3/5/2012	9/30/2015	At Large	
MacLeish	Daniel	5/26/2014	1/14/2013	9/30/2016	In District	
Randol	Ward	10/12/2013	10/17/2011	9/30/2014	In District	
Reschke	Ernest	9/21/2012	10/17/2011	9/30/2014	At Large	

Schroeder	Douglas	9/30/2012	10/17/2011	9/30/2014	At Large	
Slater	Dane				At Large	Mayor
Vacancy				9/30/2013	In District	Michele Hodges' term (Resigned)
Van Dyke	Earle	1/31/2014	3/5/2012	9/30/2015	In District	

Nominations to the Downtown Development Authority:

Term Expires: 09/30/2013

In District

Term currently held by: Vacancy-Michele Hodges resigned

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 2
Hoef	Paul	11/21/2013	EDC exp. 4/30/2015
Howrylak	Frank	2/1/2014	
Kempen	Edward	2/1/2014	Planning Comm exp 12/31/2013
Knight	Barbara	1/4/2014	EDC exp. 4/30/2015
Kornacki	Rosemary	11/15/2013	Brownfield Redev Authority exp 4/30/2014
Mallin	Aaron	10/10/2013	
Sawyer Jr.	Thomas	12/11/2014	Municipal Bldg. Authority exp. 01/31/2013
Schultz	Robert	11/11/2013	
Swartz	Robert D.	2/12/2015	Brownfield exp 4/30/2014; EDC exp 4/30/2018
Vassallo	Joseph	12/6/2013	Brownfield Redev. Auth. exp 4/30/2015
Wilberding	Bruce	2/8/2014	Brownfield Redev. Auth. exp 4/30/2013

Yes:

No:

b) City Council Nominations:

Suggested Resolution

Resolution #2013-02-

Moved by

Seconded by

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

Zoning Board of Appeals

Appointed by Council

7 Regular Members

3 Year Term

Current Members:

Last Name	First Name	App Resume Expire	Appointment Expire	Notes 2
Bloomingtondale	Bruce	1/20/2014	1/31/2015	ZBA (Alternate) exp 1/31/2015; Hist Dist Study: Ad Hoc
Clark	Glenn	5/31/2014	4/30/2015	
Courtney	Kenneth	3/22/2012	4/30/2013	
Fisher	William	6/16/2012	4/30/2013	
Kaltsounis	Orestis Rusty	1/20/2014	1/31/2015	P&R Bd exp 9/30/2015; ZBA (Alternate) exp 1/31/2015
Kneale	A. Allen	3/9/2013	4/30/2014	ZBA exp 4/30/14; Brownfield exp 4/30/13
Lambert	Dave	1/8/2015	4/30/2014	Requests Reappointment
Strat	Thomas	11/16/2013	12/31/2014	PC Rep. to ZBA
Vacancy			4/30/2015	Michael Bartnik resigned

Nominations to the Zoning Board of Appeals:**Term Expires: 4/30/2015**

Term currently held by: Vacancy-Michael Bartnik resigned

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 2
Chambers	Barbara	4/30/2014	Historic Dist exp 3/1/2014; Hist Dist Study-Ad Hoc
Eisenbacher	David	11/14/2013	
Kaltsounis	Andrew	12/13/2014	Liquor Advisory Comm. exp. 1/31/2013
Kempen	Edward	2/1/2014	Planning Comm exp 12/31/2013
Krent	Thomas	12/13/2014	Planning Commission exp. 12/31/2013
Ragan	John	1/26/2014	

Yes:

No:

I-3 No Closed Session Requested**I-4 City of Troy Investment Policy and Establishment of Investment Accounts
(Introduced by: Thomas Darling, Director of Financial Services)**

Suggested Resolution

Resolution #2013-02-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **APPROVES** the *Investment Policy and Establishment of Investment Accounts* as outlined in the memorandum and revised from Director of Financial Services, Thomas Darling dated February 12, 2013; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes:

No:

I-5 Transfer of Title for Grant Funded Equipment (Introduced by: Chief William Nelson)

Suggested Resolution

Resolution #2013-02-

Moved by

Seconded by

WHEREAS, Since 2006, the City of Troy accepted titles for a 2005 Wells Cargo decontamination trailer and a 2010 Ford pickup truck, funded by grants from the Department of Homeland Security for use by special operation teams in Oakland County, which did not exist until 2009. In 2009, the Oakland County Fire Mutual Aid Association (MABAS Division 3201) and the Oakway Mutual Aid Association (MABAS Division 3202) were formed under the Urban Cooperation Act and the State Mutual Aid Box Alarm System; and

WHEREAS, These organizations are supported by dues from participating municipalities and provide shared services and shared costs among the membership, including the City of Troy; and

WHEREAS, The use of these vehicles by regional cooperative organizations was the original intent of the grand funds provided by the Department of Homeland Security; and

WHEREAS, The 2005 Wells Cargo decontamination trailer is recommended to be transferred to the Oakway Mutual Aid Association; and, the 2010 Ford pickup truck is recommended to be transferred to the Oakland County Fire Mutual Aid Association for use in special operations services and hazardous materials responses in any participating jurisdictions.

THEREFORE, BE IT RESOLVED, That the 2005 Wells Cargo decontamination trailer is hereby **TRANSFERRED** to the Oakway Mutual Aid Association; and, the 2010 Ford pickup truck is hereby **TRANSFERRED** to the Oakland County Fire Mutual Aid Association, as recommended by City Administration.

Yes:

No:

J. CONSENT AGENDA:

J-1a Approval of "J" Items NOT Removed for DiscussionSuggested Resolution

Resolution #2013-02-

Moved by

Seconded by

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

Yes:

No:

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

J-2 Approval of City Council MinutesSuggested Resolution

Resolution #2013-02-

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

- a) Special Study Meeting – February 4, 2013
- b) Regular City Council Meeting – February 4, 2013
- c) Special Study Meeting – February 6, 2013

J-3 No Proposed City of Troy Proclamations:

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 1: Award to Low Bidders – Asphalt Paving Materials – Hot Patch**

Suggested Resolution

Resolution #2013-02-

RESOLVED, That Troy City Council hereby **AWARDS** one-year contracts to provide asphalt paving materials-hot patch with an option to renew for one (1) additional year to the following low bidders - Barrett Paving Materials, Inc. of Troy, MI, for items 1- 5 at an estimated total cost of \$92,800.00, Cadillac Asphalt LLC of Shelby Township, for item 6 (Bulk Tack Coat) at an estimated total cost of \$2,125.00, and Surface Coatings for item 7 (Tack Coat – 5 gal) at an estimated total cost of \$3,300.00, all at unit prices contained in the bid tabulation opened electronically January 24, 2013, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with contracts expiring December 31, 2013.

BE IT FURTHER RESOLVED, That the awards are **CONTINGENT** upon contractors' submission of properly executed bid and contract documents.

BE IT FINALLY RESOLVED, That Troy City Council hereby **AUTHORIZES** the City to use reciprocity between Barrett Paving Materials, Inc. and Cadillac Asphalt LLC in the event of a plant closing or the inability to supply material as needed and specified.

b) Standard Purchasing Resolution 3: Exercise Renewal Option – Pump Repair and Emergency Services – Indoor and Outdoor Pools

Suggested Resolution
Resolution #2013-02-

WHEREAS, On April 4, 2011, Troy City Council awarded a two (2) year contract to furnish pump repair and emergency services for both the indoor and outdoor pools at the Troy Family Aquatic Center and Community Center to the low bidder, Professional Pump Inc. of Belleville, MI, effective May 1, 2011 through April 30, 2013, with two (2) one-year options to renew (Resolution 2011-04-071-J-4a); and

WHEREAS, Professional Pump Inc. has offered to renew their contract for one (1) additional year under the same pricing structure, terms and conditions as the 2011 contract;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **DETERMINES** it to be in the City's best interest to **EXERCISE** and **APPROVE** the first one-year option to renew the contract with Professional Pump Inc. for pump repair and emergency services at prices contained in the bid tabulation opened March 23, 2011, under the same terms and conditions as the 2011 contract to expire April 30, 2014.

J-5 Planning Commission Representative Appointment to the Zoning Board of Appeals

Suggested Resolution
Resolution #2013-02-

RESOLVED, That Troy City Council hereby **APPOINTS** Tom Krent as the Planning Commission Representative to the Zoning Board of Appeals, as nominated by the Planning Commission on January 8, 2013.

J-6 Private Agreement – Contract for Installation of Municipal Improvements – Timbercrest Preserves – Project No. 12.915.3

Suggested Resolution
Resolution #2013-02-

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Mondrian Properties Preserves LLC, is hereby **APPROVED** for the installation of water main, sanitary sewer, storm sewer, paving, sidewalks, soil erosion and landscaping on the site and in the adjacent right of way, and the Mayor and

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

J-7 Request to Grant a Utility Easement to Detroit Edison over City Parcel #88-20-24-226-110

Suggested Resolution
Resolution #2013-02-

RESOLVED, That Troy City Council hereby **GRANTS** a permanent underground utility easement to Detroit Edison over a portion of a parcel owned in fee by the City of Troy, said parcel having Sidwell #88-20-24-226-110, and **AUTHORIZES** the Mayor and City Clerk to execute the permanent easement document.

J-8 Corrections to Appointments to the Historic District Commission

Suggested Resolution
Resolution #2013-02-

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

Historic District Commission

Appointed by Council
7 Regular Members
3 Year Term

Current Members:

Last Name	First Name	App Resume Expire	Appointment Date	Appointment Expire	Notes 3
Chambers	Barbara A.	2/9/2013	3/19/2012	3/1/2014	
Doyle	Hugh Stephen	2/8/2014	3/19/2012	7/31/2013	Requests Reappointment
Kuppa	Padma	8/13/2011	3/19/2012	3/1/2014	
McGee	Timothy S.	8/13/2014	8/27/2012	5/15/2015	
Partlan	Ann	2/24/2013	4/7/2008	3/1/2014	Historical Society Recommendation
Schuchter	Doris	11/22/2013	6/18/2012	5/15/2015	Historical Society Recommendation
Voigt	W. Kent	1/23/2015	10/17/2011	3/1/2013	Requests Reappointment

Nominations to the Historic District Commission:

Term Expires: 3/1/2014

Term currently held by: Ann Partlan

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 2
Viola	Vincent	11/16/2013	Animal Control Appeal Bd. exp. 9/30/2012

Proposed Reconsideration of Resolution #2012-03-062 I-1b City Council Appointments

Suggested Resolution

Resolution #2013-02-

RESOLVED, That Troy City Council hereby **RECONSIDERS** Resolution #2012-03-062, Moved by McGinnis and Seconded by Campbell, as it appears below:

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

Historic District Commission

*Appointed by Council
7 Regular Members
3 Year Term*

Term Expires: 07/31/2013

Hugh Stephen Doyle

Term currently held by: Brian Wattles

Term Expires: 03/01/2014

Barbara Chambers

Term currently held by: Barbara Chambers

Term Expires: 03/01/2014

Padma Kuppa

Term currently held by: Sabah Jihad

Traffic Committee

*Appointed by Council
7 Regular Members
3 Year Term*

Term Expires: 01/31/2015

David Ogg

Term currently held by: Gordon Schepke (Appt'd to Planning Commission)

Term Expires: 01/31/2015

Lawrence Ted Halsey

Term currently held by: Lawrence Ted Halsey

Yes: All-7
 No: None

MOTION CARRIED

Proposed Resolution to Amend Reconsidered Resolution #2012-03-062 I-1b City Council Appointments by Substitution

Suggested Resolution
 Resolution #2013-02-

RESOLVED, That Troy City Council hereby **AMENDS** Resolution #2012-03-062, City Council Appointments, by **STRIKING** it in its entirety and **SUBSTITUTING** it with the following:

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

Historic District Commission

*Appointed by Council
 7 Regular Members
 3 Year Term*

Term Expires: 05/15/2015

Hugh Stephen Doyle

Term currently held by: Paul Chu Lin

Term Expires: 03/01/2014

Barbara Chambers

Term currently held by: Barbara Chambers

Term Expires: 03/01/2014

Padma Kuppa

Term currently held by: Sabah Jihad

Traffic Committee

*Appointed by Council
 7 Regular Members
 3 Year Term*

Term Expires: 01/31/2015

David Ogg

Term currently held by: Gordon Schepke (Appt'd to Planning Commission)

Term Expires: 01/31/2015

Lawrence Ted Halsey

Term currently held by: Lawrence Ted Halsey

Yes: All-7
 No: None

MOTION CARRIED

J-9 Renewal of Membership in the Traffic Improvement Association (TIA) of Oakland County

Suggested Resolution
Resolution #2013-02-

RESOLVED, That approval is **GRANTED** to pay the renewal of the City of Troy's membership in the Traffic Improvement Association for the year 2013, in the amount of \$23,800. Funds are available in the 2012-2013 Police Department Operating Funds, Membership and Dues.

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings: None Submitted

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

L. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:

M. COUNCIL REFERRALS:

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

M-1 No Council Referrals Advanced

N. COUNCIL COMMENTS:

N-1 No Council Comments Advanced

O. REPORTS:

O-1 Minutes – Boards and Committees: None Submitted

O-2 Department Reports:

- a) 2012 Year End Calls for Police Service Report
- b) December 31, 2012 - Quarterly Financial Report
- c) Transit Center Construction Status Report – February 2013
- d) SOCRRA Quarterly Report
- e) Federal Aid Funding for Major Roads

O-3 Letters of Appreciation

- a) To Chief Mayer From Stephanie Leitch Regarding Officer Garcher's Assistance in a Traffic Accident Situation
- b) To Mitch Grusnick From Kevin Luer – Sulzer Regarding Assistance with Recover of Operations after a Fire

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

O-5 Cancellation of Public Hearing – Michigan Next Energy Exemption – LG Chem, Inc.

P. STUDY ITEMS:

P-1 No Study Items

Q. CLOSED SESSION:

Q-1 No Closed Session

R. ADJOURNMENT:

Respectfully submitted,



Brian Kischnick, City Manager

FUTURE CITY COUNCIL PUBLIC HEARINGS:

SCHEDULED REGULAR CITY COUNCIL MEETINGS:

Wednesday, February 20, 2013 (Liquor Violation Hearing)	Regular Meeting
Monday, March 4, 2013	Regular Meeting
Monday, March 18, 2013	Regular Meeting
Monday, April 8, 2013	Regular Meeting
Monday, April 15, 2013	Regular Meeting
Monday, May 13, 2013.....	Regular Meeting
Monday, May 20, 2013.....	Regular Meeting
Monday, June 3, 2013	Regular Meeting
Monday, June 17, 2013	Regular Meeting
Monday, July 8, 2013.....	Regular Meeting
Monday, July 22, 2013.....	Regular Meeting
Monday, August 12, 2013	Regular Meeting
Monday, August 26, 2013.....	Regular Meeting
Monday, September 9, 2013.....	Regular Meeting
Monday, September 23, 2013.....	Regular Meeting
Monday, October 7, 2013	Regular Meeting
Monday, October 21, 2013	Regular Meeting
Monday, November 11, 2013.....	Regular Meeting
Monday, November 25, 2013.....	Regular Meeting
Monday, December 2, 2013.....	Regular Meeting
Monday, December 16, 2013.....	Regular Meeting

SCHEDULED SPECIAL CITY COUNCIL MEETINGS:

Monday, March 4, 2013	Special Meeting
Monday, March 11, 2013	Special Meeting
Monday, April 22, 2013	Special Meeting
Monday, April 29, 2013	Special Meeting



INTEGRITY * RESPECT * LAWS AND THE CONSTITUTION * ACCOUNTABILITY * PROBLEM SOLVING * PROFESSIONALISM

PRESS RELEASE

**Captain Robert Redmond & Sgt. Andy Breidenich
Public Information Officers**

Telephone: 248-524-3447 – Cell: 248-680-7219 – Fax: 248-524-9023

Joint Fatal Accident Investigation Task Force Wins Chief's of Police Award

Recently the Michigan Association of Chiefs of Police (M.A.C.P.) awarded the South Oakland County Crash Investigation Team (S.O.C.C.I.T.) it's "M.A.C.P. Award for Excellence in Traffic Safety." S.O.C.C.I.T. consists of traffic investigators from Troy, Auburn Hills and Bloomfield Township who jointly investigate serious and fatal traffic accidents in their respective jurisdictions.

S.O.C.C.I.T. was started in January of 2011 and the primary objectives in developing S.O.C.C.I.T. was to improve the ability of the communities to get a group of well-trained traffic crash investigators to the scene of a serious or fatal traffic accident as quickly as possible, conduct a thorough investigation, limit the length of time roadways were closed and to do so at the lowest possible costs. This is accomplished by maximizing the use of officers already on-duty in the three cities. Highly specialized equipment and training costs are also spread over three communities and the skills learned are utilized more frequently.

Chief Gary Mayer is impressed with how the force multiplier aspect has benefitted participating cities. "With the loss of personnel for which the police departments of Troy, Bloomfield Township and Auburn Hills have experienced over the last few years, we have continued to provide quality service by still effectively, efficiently and professionally investigating serious and fatal accidents through this partnership"



CITY COUNCIL AGENDA ITEM

Date: February 4, 2013

To: Brian Kischnick, City Manager

From: Mark F. Miller, Director of Economic & Community Development
R. Brent Savidant, Planning Director

Subject: PUBLIC HEARING – FEBRUARY 18, 2013 – ZONING ORDINANCE TEXT AMENDMENT
(File Number: ZOTA 244) – Miscellaneous Zoning Ordinance Revisions

History

The City of Troy Zoning Ordinance was adopted in April 2011. Prior to adoption, it was anticipated there would be some revisions that would be necessary once staff, the Planning Commission and applicants had an opportunity to use the document. The proposed revisions will fix inconsistencies, clarify provisions and generally make the document easier to use and understand.

There are a total of 26 issues proposed to be resolved. Of these, 14 are simple non-substantive corrections such as typos. The remaining 12 issues are more substantive. The attached PowerPoint presentation describes the proposed changes. The PowerPoint will be used to present this item at the February 18, 2013 Regular meeting.

The Planning Commission discussed these revisions at a number of public meetings.

The attached reports prepared by Carlisle/Wortman Associates, Inc. summarize the revisions.

The Planning Commission held a public hearing on this item on January 8, 2013 and recommended approval of the text amendment. City Council is the approval body for this amendment, following a public hearing.

Recommendation

City Management recommends approval of the proposed Zoning Ordinance text amendment.

City Attorney's Review as to Form and Legality

Lori Grigg Bluhm, City Attorney

Date



CITY COUNCIL AGENDA ITEM

Attachments:

1. Proposed Zoning Ordinance Text Amendments - Public Hearing Draft
2. Report prepared by CWA, dated September 19, 2012.
3. Report prepared by CWA, dated October 17, 2012.
4. Planning Commission minutes (excerpts).
5. City Council PowerPoint presentation.

RBS\kc\G:\ZOTAs\ZOTA 244 Miscellaneous Zoning Ordinance Revisions\CC Memo_Public Hearing 2013 02 18.doc

CITY OF TROY

AN ORDINANCE TO AMEND CHAPTER 39 OF THE CODE OF THE CITY OF TROY CITY COUNCIL PUBLIC HEARING DRAFT

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as an amendment to Chapter 39, Zoning Ordinance, of the Code of the City of Troy.

Section 2. Amendment

Chapter 39 of the Code of the City of Troy is amended as follows:

1. Amend Section 2.02 to read as follows:

LOT FRONTAGE: The horizontal distance between the side lot lines measured between the points where said lot lines intersect the street right-of-way. Said frontage shall be continuous and unbroken and shall be measured along the constructed portion of the right-of-way only.

2. Add Section 3.02.H to read as follows:

H. Enforce and interpret the meaning and applicability of all provisions and requirements of the ordinance.

3. Amend Section 3.10.C.1.c to read as follows:

c. The recommendation of approval to City Council of all preliminary plats subdividing land, ~~site condominium plans~~, planned unit developments, some special use approval applications, and any amendments or alterations thereof.

4. Amend Section 3.10.C.1.e to read as follows

e. Acting as the approval authority on site plans, site condominiums, and most special use approval applications.

5. Amend Table 4.06.C to read as follows:

Minimum Lot Size Per Dwelling Unit				Maximum Height		Minimum Yard Setback (R) (Per Lot in Feet)				Minimum Floor Area Per Unit (Square Feet)	Maximum % of Lot Area Covered by Buildings
Use District	Area in Sq.Ft (1)	Width in Ft. (1)	Frontage in Ft. (1)	In Stories (2)	In Feet (2)	Front	Sides		Rear		
						(3)	Least One (4)	Least Two (4)	(5)		
R-1A											
No Sewer	30,000	150	<u>150</u>	2 ½	30	40	15	30	45	1,400	30%
Sewer	21,780	120	<u>120</u>	2 ½		40	15	30	45	1,400	30%
R-1B											
No Sewer	21,780	110	<u>110</u>	2 ½	30	40	15	30	45	1,400	30%
Sewer	15,000	100	<u>100</u>	2 ½		40	10	25	45	1,400	30%
R-1C											
No Sewer	21,780	110	<u>110</u>	2 ½	30	30	15	30	40	1,200	30%
Sewer	10,500	85	<u>85</u>	2 ½		30	10	20	40	1,200	30%
R-1D											
No Sewer	21,780	110	<u>110</u>	2 ½	30	25	15	30	40	1,000	30%
Sewer	8,500	75	<u>75</u>	2 ½		25	8	20	40	1,000	30%
R-1E											
No Sewer	21,780	110	<u>110</u>	2 ½	30	25	15	30	35	1,000	30%
Sewer	7,500	60	<u>60</u>	2 ½		25	5	15	35	1,000	30%

6. Add Section 4.06.D.6 Supplemental District Standards to read as follows:

6. LOT FRONTAGE ON CORNER LOTS, CURVED ROADS, AND CUL-DE-SACS:

- a. On all corner lots, the frontage set forth shall be measured on one (1) street only.
- b. For lots on curved streets that have curvilinear frontages, frontage shall be determined by measuring the linear distance along the curve.
- c. In the event that the lot is situated on a cul-de-sac, the frontage, shall be measured along the minimum setback line for the zone in which said lot is located.

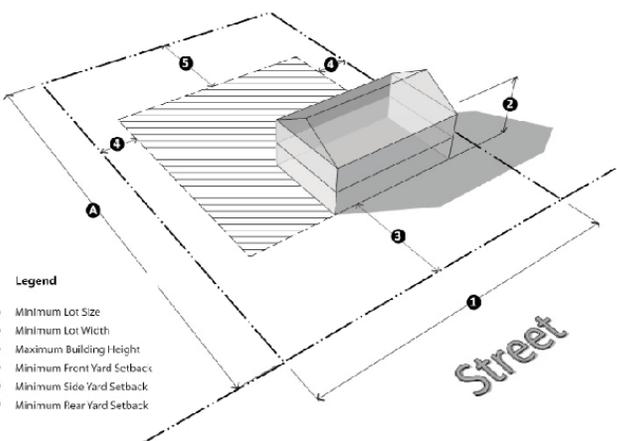
7. Amend Section 4.06-4:18 so that legend icon is consistent in both graphic and tables (eExample below):

Article 4
District Regulations

BACK FORWARD



57



Legend

- A** Minimum Lot Size
- 1** Minimum Lot Width
- 2** Maximum Building Height
- 3** Minimum Front Yard Setback
- 4** Minimum Side Yard Setback
- 5** Minimum Rear Yard Setback

Authority and Administration

Development Regulations

Processes and Procedures

Supplemental Design Regulations

Non-Code Appeals, A.M.

Use District	Minimum Lot Size Per Dwelling Unit		Maximum Height		Minimum Yard Setback (ft) (Per Lot in Feet)				Minimum Floor Area Per Unit (Square Feet)	Maximum % of Lot Area Covered by Buildings	
	Area in Sq. Ft. (1)	Width in Ft. (1)	In Stories (2)	In Feet (2)	Front (3)	Sides (4)	Rear (4)	(6)			
R-1A	No Sewer	50,000	150	2 1/2	30	40	15	30	45	1,400	30%
	Sewer	21,780	120	2 1/2	30	40	15	30	45	1,400	30%
R-1B	No Sewer	21,780	110	2 1/2	30	40	15	30	45	1,400	30%
	Sewer	15,000	100	2 1/2	30	40	10	25	45	1,400	30%
R-1C	No Sewer	21,780	110	2 1/2	30	30	15	30	40	1,200	30%
	Sewer	10,500	85	2 1/2	30	30	10	20	40	1,200	30%
R-1D	No Sewer	21,780	110	2 1/2	30	25	15	30	40	1,000	30%
	Sewer	8,500	75	2 1/2	30	25	8	20	40	1,000	30%
R-1E	No Sewer	21,780	110	2 1/2	30	25	15	30	25	1,000	30%

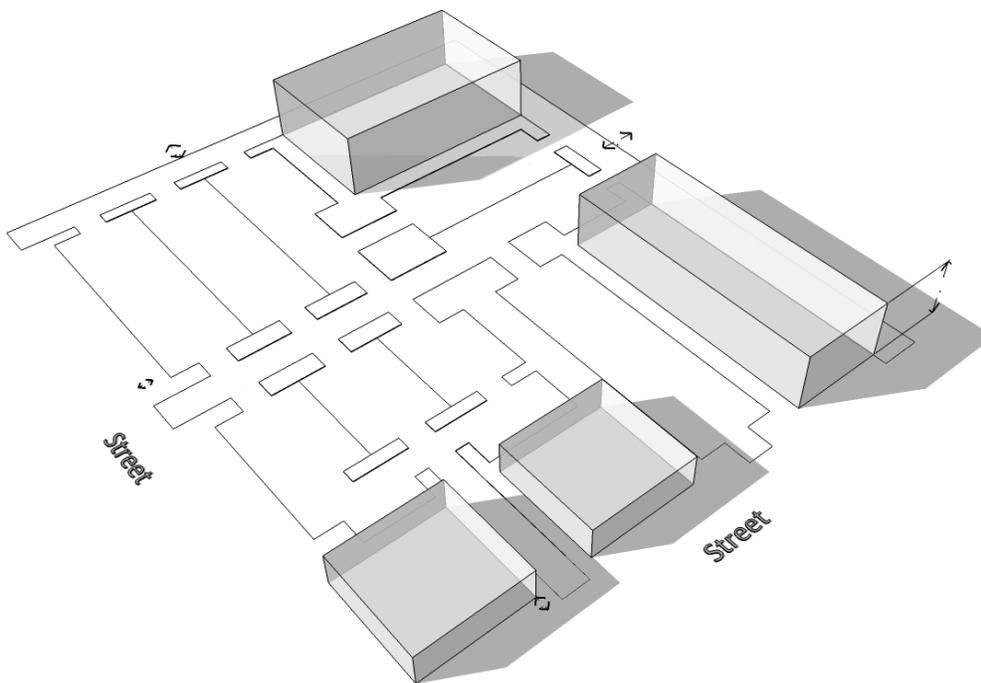
8. Amend Section 4.07 Table to read:

Minimum Lot Size Per Dwelling Unit			Maximum Height		Minimum Yard Setback				Minimum Floor Area Per Unit (Square Feet)	Maximum % of Lot Area Covered by Buildings
Area in Sq.Ft (1)	Width in Ft. (1)	Frontage in Ft.	In Stories (2)	In Feet (2)	Front	Sides		Rear		
					(3)	Least One (4)	Least Two (4)	(5)		
15,000 without sewers	75	N/A	2 ½	30	25	40	20	35	1,000	30%
5,000 without sewers	40	40				5	15			

9. Amend Section 4.13.D.4.a and b, Section 4.14.D.4.a and b, Section 4.16.D.4.a and b, Section 4.18.D.5.a and b to read as follows:

- a. ~~Parking shall not be located in the front yard.~~
- a. ~~No more than fifty (50) percent of the total a site's linear feet along the front building line shall be occupied by parking lot~~ required parking as set forth in Section 4.21 may be located in a front yard.
- b. Through the Sustainable Development Option as set forth in Section 12.01 of the Ordinance, relief may be granted to allow greater than fifty (50) percent of a site's required parking to be located in a front yard.

10. Amend Section 4.14 to replace the existing graphic with the following graphic:



11. Amend Section 4.21 Schedule of Use Regulations Table to read as follows:

Automobile Use	IB
Vehicle, recreational vehicle sales	S
Vehicle repair stations	<u>S</u> <u>P</u>
Vehicle fueling/multi-use stations	S
Vehicle washes	S
Vehicle auctions	S
Antique and classic vehicle sales	<u>S</u> <u>P</u>
Ambulance facilities	<u>S</u> <u>P</u>
Vehicle rental	<u>S</u> <u>P</u>

17. Amend Section 5.03 Form Based Districts Use Group by Category to read as follows:

TABLE 5.03-A-1 USE GROUPS BY CATEGORY	
PRINCIPAL USE	
Use Group 5	Retail, Entertainment, and Service Uses:
	<u>Lodging</u>
	Financial institutions
	General retail
	Retail, large-format
	Shopping centers
	Fitness, gymnastics, and exercise centers
	Theatres and places of assembly
	Indoor commercial recreation establishments
	Restaurant
	Personal services
	Business services

18. Amend Section 5.03 Form Based Districts Use Groups by Category to read as follows:

TABLE 5.03-A-1 USE GROUPS BY CATEGORY	
PRINCIPAL USE	
Use Group 6	Miscellaneous Commercial Uses:
	Building & lumber supply
	Garden centers, nurseries
	Outdoor commercial recreation
	Indoor commercial recreation
	Self-Storage
	Commercial kennels / pet day care
	Drive-through facilities

19. Add Section 5.03.C to read as follows:

C. Landscaping In Form-Based Districts

1. In addition to landscape requirements to Section 13.02, the following landscaping requirements shall apply:
 - a. Supplemental to Section 13.02.E.1.a, a minimum of fifteen percent (15%) of the site area shall be comprised of landscape material.

- b. Landscaping can consist of approved trees, shrubs, ground cover, vines, grasses, or other approved plan material. Up to twenty-five (25%) of the required landscape area may be brick, stone, or pavers or other public plaza elements, but shall not include any parking area or required sidewalks.
- c. Up to twenty-five (25%) of the required landscape area may be relieved through the Sustainable Design Option as outlined in Section 12.01.

20. Amend Section 6.10.C.1 to read as follows:

- 1. Each stacking lane shall be one-way, and each stacking lane space shall be a minimum of ~~twelve (12)~~ ten (10) feet in width and twenty (20) feet in length.

21. Amend Section 6.16 Lodging to read as follows:

Lodging/Extended Stay Facilities that includes a restaurant, bar/lounge, auditorium, exhibition, or public meeting space shall provide parking to accommodate all uses on the site, in accordance with the standards set forth in Section 13.06.

22. Add Section 6.26.F. Vehicle Repair to read as follows:

- F. Any proposed vehicle repair use within three hundred (300) feet (measured from the nearest lot line to the nearest lot line on a straight-line basis) to any residential zoning district or any parcel used for residential purposes shall be reviewed as a special use as set forth in Article 9.

23. Amend Section 6.26, Section 6.27, and Section 6.28 (Page 179) to change text color from blue to black for “Vehicle Repair”, “Vehicle Sales – New, Used, and Vintage”, and “Vehicle Fueling / Multi-Use Station”

24. Amend Section 6.30.B.2 to read as follows

- 2. If it is demonstrated by an applicant that a wireless communication facility is required to be established outside an area identified in Section ~~6.29.B.1~~ 6.30.B.1, then, wireless communication facilities may be applied for elsewhere in the City and must follow the district specific criteria and is subject to the criteria and standards set forth in this Ordinance.

25. Add Section 6.31. Antique Vehicle Sale, Ambulance Facility, and Vehicle Rental to read as follows:

SECTION 6.31: ANTIQUE VEHICLE SALE, AMBULANCE FACILITY, AND VEHICLE RENTAL

- A. Any proposed antique vehicle sale, ambulance facility, and vehicle rental use within three hundred (300) feet (measured from the nearest lot line to the nearest lot line on a straight-line basis) to any residential zoning district or any

parcel used for residential purposes shall be reviewed as a special use as set forth in Article 9.

26. Add Section 6.32 to read as follows:

SECTION 6.32: MULTI-FAMILY DWELLING UNITS IN THE IB DISTRICT

- A. One-story multi-family dwelling building is a permitted use in the IB district only through the conversion of an existing building.

27. Amend Section 7.13.I.4 to read as follows:

4. The maximum duration of use shall be ~~four (4)~~ seven (7) consecutive days for any one (1) event, including setup and takedown, not to exceed four (4) events within a period of twelve (12) calendar months.

28. Amend Section 10.04.E.1 to read as follows:

1. Overall density shall not exceed the number of residential cluster units determined in Section ~~10.05.D~~ 10.04.D, unless a density bonus has been granted by City Council.

29. Amend Section 12.04.F.1.a to read as follows:

1. Setbacks
- a. The distance between a WECS or TMT and the nearest property line shall be at least the one and a half (1.5) times the height of the WECS or TMT for all zoning districts except R1-A, R1-B, R1-C, R1-D, R-1E, CR-1 and ~~R-1T~~ RT Districts. For R1-A, R1-B, R1-C, R1-D, R-1E, CR-1 and ~~R-1T~~ RT Districts, the distance between a WECS or TMT and the nearest property line shall be at least the two (2) times the height of the WECS or TMT. This shall include property lines that abut a public right-of-way.

30. Amend Section 12.04.F.2.a.i to read as follows:

- i. In R1-C, R1-D, R-1E, CR-1 and ~~R-1T~~ RT Districts, on-site WECS and TMTs shall not exceed twenty-five (25) feet in height.

31. Add Section 13.02 add the following title to Table 13.02-C:

Table 13.02-C: Minimum Size and Spacing Requirements for Landscaping Materials

32. Amend Section 13.05.C.3:

3. Height. The maximum height of a base, a pole and fixtures shall be twenty-five (25) feet. A maximum height of thirty (30) feet may be permitted in an

~~industrial district~~ the IB or PV districts where fixtures are no closer than two hundred (200) feet to any residential district.

33. Add Section 16.03.C to read as follows:

C. Standards for Approval. A rezoning may only be approved upon a finding and determination that all of the following are satisfied:

1. The proposed rezoning is consistent with the Master Plan. If the current zoning is in material conflict with the Master Plan, such conflict is due to one of the following:
 - a. A change in City policy since the Master Plan was adopted
 - b. A change in conditions since the Master Plan was adopted.
 - c. An error in the Master Plan.
2. The proposed rezoning will not cause nor increase any non-conformity.
3. Public services and facilities affected by a proposed development will be capable of accommodating service and facility loads caused by use of the development.
4. The rezoning will not impact public health, safety, and welfare.
5. The rezoning will insure compatibility with adjacent uses of land.

Section 3. Savings

All proceedings pending, and all rights and liabilities existing, acquired or incurred, at the time this Ordinance takes effect, are hereby saved. Such proceedings may be consummated under and according to the ordinance in force at the time such proceedings were commenced. This ordinance shall not be construed to alter, affect, or abate any pending prosecution, or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed or amended by this ordinance adopting this penal regulation, for offenses committed prior to the effective date of this ordinance; and new prosecutions may be instituted and all prosecutions pending at the effective date of this ordinance may be continued, for offenses committed prior to the effective date of this ordinance, under and in accordance with the provisions of any ordinance in force at the time of the commission of such offense.

Section 4. Severability Clause

Should any word, phrase, sentence, paragraph or section of this Ordinance be held invalid or unconstitutional, the remaining provision of this ordinance shall remain in full force and effect.

Section 5. Effective Date

This Ordinance shall become effective ten (10) days from the date hereof or upon publication, whichever shall later occur.

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a regular meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, MI, on the _____ day of _____, 2013.

Dane Slater, Mayor

Aileen Bittner, City Clerk



CARLISLE

WORTMAN
associates, inc.

605 S. Main Street, Ste. 1
Ann Arbor, MI 48104

(734) 662-2200

(734) 662-1935 Fax

MEMORANDUM

TO: R. Brent Savidant, AICP, Planning Director

FROM: Ben Carlisle, AICP

DATE: September 19, 2012

RE: Zoning Ordinance Amendments

The City of Troy Zoning Ordinance was adopted in April 2011. It is common that a year or so after the adoption of a new zoning ordinance, staff, planning commissioners, and outside interests identify specific language and other clarifications that need further discussion and potential amendments. Many of the proposed amendments are minor (capitalization, consistency in labeling, etc); however some considerations for amendments are substantive.

As part of the process of reviewing the existing ordinance, we have identified twelve (12) substantive and fourteen (14) minor amendments changes. Listed below are the cumulative twenty-five (26) amendments for consideration. For the substantive amendments we have provided a detailed explanation and proposed ordinance language. For the typographical errors we have simple listed the existing language and the proposed ordinance language. If requested we can provide additional information.

Substantive Amendments:

Each amendment has three parts: 1). the ordinance section number, page number, and existing ordinance language; 2). details outlining the proposed text amendment and explanation as to why the amendment is warranted; and 3). the proposed amended language. Removed text is ~~struck through~~ and proposed new ordinance language is underlined.

- 1. Section 4.13.D.4.a (CB District Page 72) :** *Parking shall not be located in the front yard.*
Section 4.14.D.4.a (GB District Page 76) : *Parking shall not be located in the front yard.*
Section 4.15.D.4.a (O District Page 84) : *Parking shall not be located in the front yard.*
Section 4.18.D.5.a (RC District Page 92) : *Parking shall not be located in the front yard.*

Issue: The parking requirements for districts CB, GB, O, and RC do not allow parking in the front yard. Front Yard is defined as "An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest line of the main building." Hence due to the definition of front yard, parking is not permitted in the front

of any building these districts, regardless of how far back the actual building is from the street. In conversations between with staff it is unclear if the intent was to preclude any parking in front of the building. Irrespective of the intent, in these auto-oriented commercial and office districts a limited parking in front of the building, but outside of the required front yard, should be permitted. Unlike form-based districts, where there is a requirement to place buildings up to the street in order to create pedestrian forms and street presence, developments in these districts are more auto-oriented.

One of the primary justifications for limiting parking in front of the building is to ensure that the parking is does not dominate the front façade, as well as ensure that the building is able to create some street presence. However, in these districts there already exists language in the ordinance that state “No more than fifty (50) percent of the total site’s linear feet along the front building line shall be occupied by parking lot.” This requirement limits the total amount of parking in front of the building and mitigates concerns that parking would dominate parking in the front yard.

Please note that an amendment to the parking location for these sections will not amend any parking location requirement in form-based districts.

Proposed Amendment Language:

Section 4. Off-Street Parking Location.

- a. ~~Parking shall not be located in the front yard.~~
- b. No more than fifty (50) percent of the total site’s linear feet along the front building line shall be occupied by parking lot.

2. Section 4.21 Schedule of Use Regulations Table (Page 101): Reclassify selective automotive limited automotive and transportation uses in the IB district from Special to Permitted.

Current Ordinance:

Use	IB
Vehicle, recreational vehicle sales	S
Vehicle repair stations	S
Vehicle fueling/multi-use stations	S
Vehicle washes	S
Vehicle auctions	S
Antique and classic vehicle sales	S
Ambulance facilities	S
Vehicle rental	S

Issue: Recognizing that some of the area devoted to manufacturing and industrial uses may be outdated and conducive to redevelopment of other uses, the IB District was created. The IB District is intended to continue to recognize more traditional manufacturing and industrial use; however encourage redevelopment and reuse of existing buildings and sites by permitting other compatible uses. The IB District recognizes the difficulty of certain sites for redevelopment and

open up the list of uses accordingly. As such, the IB District permits a multitude of uses by-right ranging from multiple-family residential to shopping centers to light and medium industrial uses. However, automobile uses are the only category of uses that require special uses. Many concerns associated with further opening the IB District Use and potential impact upon surrounding properties, are mitigated through the special use process for drive-through uses, limitation on outdoor storage, and landscape transitions between incompatible uses.

We recommend that certain uses in the Automotive/Transportation category that have minimal exterior impacts be allowed by-right.

Proposed Amendment Language:

Use	IB
Vehicle, recreational vehicle sales	S, P
Vehicle repair stations	S, P
Vehicle fueling/multi-use stations	S
Vehicle washes	S
Vehicle auctions	S
Antique and classic vehicle sales	S, P
Ambulance facilities	S, P
Vehicle rental	S, P

3. Section 4.21 Schedule of Use Regulations Table (Page 101): Add “Oil Change Facility” into Automotive/Transportation Use group. Classify use as Permitted or Special based on district.

Issue: Oil change facilities are not a listed use in the Schedule of Use Regulations. In previous practice oil facilities were treated similar to vehicle repair. However, oil change facilities are a common use that have different impacts than other vehicle repair and other automobile uses. In addition, vehicle repair has defined supplemental use regulations as listed in Section 6.26, of which are not applicable to oil change facility operations. Oil change facilities should be added and classified as a Permitted or Special Use based on district.

Proposed Amendment Language:

Section 4.21:

	R1-A through R-1E	RT	MR	UR	MHP	CF	EP	CB	GB	IB	O	OM	RC	PV	P
Vehicle Repair Facility	NP	NP	NP	NP	NP	NP	NP	NP	S	S	NP	NP	NP	S	NP
<u>Oil Change Facility</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>NP</u>

4. Section 4.21 Schedule of Use Regulations Table (Page 101): Add “Wireless Communication Facility (free standing tower)” into miscellaneous group. Classify use as Permitted or Special based on district. (Note: see section 6.30)

Issue: Wireless Communication Facilities are a use defined in Article 2 (definitions) and have specific use standards outlined in Section 6.30, but are not a listed use in the Schedule of Use Regulations. Wireless Communications, both attached to existing building and free-standing tower, are a common use that should be added to the use table. Due to different visual effects and potential for secondary impact, free standing towers should require greater regulations in regards to both ability to be located in certain districts and requirement to obtain special use approval in others. Wireless communication facilities located on existing structures are permitted in all districts provided that they meet those supplemental use regulations listed in Section 6.30.B.1.

All Wireless communication facilities still must comply with Section 6.30.

Proposed Amendment Language:

Section 4.21:

	R1-A through R-1E	RT	MR	UR	MHP	CF	EP	CB	GB	IB	O	OM	RC	PV	P
<u>Wireless Communication Facility (complies with section 6.30.B.1)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Wireless Communication Facility (free standing tower)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>S</u>	<u>NP</u>	<u>S</u>							

5. Section 5.03 Form Based Districts Use Group by Category (Page 108): Add “Lodging” as use in Use Group 5

Issue: Lodging facilities are not a listed use in the form-based code. Previous applications for lodging facility in the form-based districts have been required to go through a P.U.D. process. Lodging facilities are an intended use in the form-based districts. Not including this use was an oversight of the previous draft. Adding lodging to the code is consistent with the Master Plan and would clarify the intent of the zoning ordinance.

Proposed Amendment Language:

TABLE 5.03-A-1 USE GROUPS BY CATEGORY PRINCIPAL USE
Use Group 5
<u>Lodging</u>
Financial institutions
General retail
Retail, large-format
Shopping centers
Fitness, gymnastics, and exercise centers
Theatres and places of assembly
Indoor commercial recreation establishments
Restaurant
Personal services
Business services
Financial institutions
General retail

6. Section 5.03 Form Based Standards Applicable to All Districts (Page 110): Add “Section C” to add specific landscaping requirements in the Form Based Districts.

Issue: Section 13.02 outlines Landscaping requirements. These requirements are not district specific and rather apply throughout the city. These regulations include screening between uses, parking lot landscaping, greenbelt planting, and a requirement to provide at least 20% of the site landscaping. However, as recently discussed by the Planning Commission for the Big Beaver PUD, a 20% landscaping requirement for developments in the more urban and pedestrian oriented Form-Based districts might not be appropriate. Due to the building form requirements of the Big Beaver corridor, and the desire to build more “urban” style developments, obtaining

20% site landscaping is often difficult to obtain. Looking at other ordinances including City of Omaha and the City of Chicago, we recommend reducing the total percentage of site landscaping to 15% with options for relief.

Proposed Amendment Language:

EXAMPLE: LANDSCAPE REQUIREMENT IN FORM-BASED DISTRICT				
Site Area	15% required landscaping	50% of 15% of required landscaping (greenscape)	25% of 15% of required landscaping (hardscape)	25% of 15% of required landscaping can be relieved through sustainable design option
100,000 sq/ft	15,000 sq/ft	7,500 sq/ft	3,750 sq/ft	3,750 sq/ft

Section 5.03.C: Landscaping in Form-Based Districts

1. In addition to landscape requirements to Section 13.02, the following landscaping requirements shall apply:
 - a. Supplemental to Section 13.02.E.1.a, a minimum of fifteen percent (15%) of the site area shall be comprised of landscape material.
 - b. Landscaping can consist of approved trees, shrubs, ground cover, vines, grasses, or other approved plan material. Up to twenty-five (25%) of the required landscape area may be brick, stone, or pavers or other public plaza elements, but shall not include any parking area or required sidewalks.
 - c. Up to twenty-five (25%) of the required landscape area may be relieved through the Sustainable Design Option as outlined in Section 12.01.

7. Section 6.10.C.1 and C.2 (Page 170): Amend Section 6.10.C.1 and C.2 to reduce the width of drive-through drive-aisles from 12 feet to 10 feet.

Issue: The requirement of a 12-foot width for drive-through aisles is not necessary. First, due to adjacent buildings, other cars, and necessities to stop (order menus, pick-up windows, ATMs, tellers booths, etc) cars travel slower through drive-through aisles. Secondly, all drive-through aisles are one way, or separated via striping or curbs. 12-foot wide lanes are only necessary for two-way traffic. Reducing the width from 12-feet to 10-feet will not cause additional traffic conflict, will allow additional area for both building or landscaped area, and will have the added effect of naturally reducing automobile speed. The ten (10) foot drive-through aisle width is consistent with what was recently passed for bank uses in the Big Beaver form based district.

Proposed Amendment Language:

Section 6.10.C.1 and C.2:

Each drive-through facility shall provide stacking space meeting the following standards:

1. Each stacking lane shall be one-way, and each stacking lane space shall be a minimum of ~~twelve (12)~~ ten (10) feet in width and twenty (20) feet in length.

- 8. Add Section 6.31 (Page 170):** Add Section 6.31 to allow 1 story multi-family residential uses as permitted uses in the IB districts only for conversion of existing buildings.

Issue: Recognizing that some of the area devoted to manufacturing and industrial uses may be outdated and conducive to redevelopment of other uses, the IB District was created. The IB District is intended to continue to recognize more traditional manufacturing and industrial use; however encourage redevelopment and reuse of existing buildings and sites by permitting other compatible uses. The IB District recognizes the difficulty of certain sites for redevelopment and open up the list of uses accordingly. As such, the IB District permits a multitude of uses by-right ranging from multiple-family residential to shopping centers to light and medium industrial uses.

The current ordinance prevents the construction of one-story multi-family dwelling units. The intent of requiring multiple story multi-family structures is to require greater massing and scale. However, there are many existing one story buildings in the IB District that could be converted into multi-family. The proposed amendment to allow one-story multi-family dwelling units is only permitted for existing building in the IB district.

Proposed Amendment Language:

Section 6.31: Multi-family dwelling units in the IB District.

- A. One-story multi-family dwelling building is a permitted use in the IB district only through the conversion of an existing building.

- 9. Section 7.13.1.4 (Page 199):** Amend the maximum duration for outdoor special events from four (4) to seven (7) days.

Issue: Section 7.13.1.4 limits outdoor special events, such as grand openings and corporate, institutional, and community celebrations and fundraising activities, to a maximum of four (4) consecutive days. These four (4) days includes on-site event preparation, setup, and cleanup. Often due to on-site event preparation, setup, and cleanup, a maximum of four (4) days is not sufficient. Extending the time allowance from four (4) to seven (7) days would provide the necessary time to setup for the event, hold the event, and cleanup. Extending the time for outdoor events would not significantly impact traffic or public facilities (police, fire, etc).

Proposed Amendment Language:

Section 7.13.1.4:

The maximum duration of use shall be ~~four (4)~~ seven (7) consecutive days for any one (1) event, including setup and takedown, not to exceed four (4) events within a period of twelve (12) calendar months.

- 10. Section 16.03 (page 313):** Add standards for rezoning

Issue: While there are standards for conditional rezoning as outlined in Section 16.04; there are no standards for a straight rezoning outlined in Section 16.03. The ordinance should include standards for the Planning Commission and ultimately the City Council to consider in regards to

rezoning. Such standards can include consistency with Master Plan, impact upon public facilities, etc.

Proposed Amendment Language:

Section 16.03.C: Standards for Approval. A rezoning may only be approved upon a finding and determination that all of the following are satisfied:

- A. The proposed rezoning is consistent with the Master Plan. If the current zoning is in material conflict with the Master Plan, such conflict is due to one of the following:
 - 1. A change in City policy since the Master Plan was adopted
 - 2. A change in conditions since the Master Plan was adopted.
 - 3. An error in the Master Plan.
- B. The proposed rezoning will not cause nor increase any non-conformity.
- C. Public services and facilities affected by a proposed development will be capable of accommodating service and facility loads caused by use of the development.
- D. The rezoning will not impact public health, safety, and welfare.
- E. The rezoning will insure compatibility with adjacent uses of land.

11. Single-Family Districts: Amend Frontage requirements

Issue: There is not a minimum lot frontage requirement for lots in the R-1 districts. The requirement of minimum lot frontage, in combination with minimum lot size, depth, width, and setback ensures that newly created lots will be able to comply with all site development standards. Requiring a minimum lot frontage would ensure that the creation of new lots have the necessary access with the extension of a road that meets City of Troy requirement. A lack of minimum lot frontage requirement would allow the creation of a new lot by extending the road as a driveway. Furthermore, requiring a minimum lot frontage eliminates the creation of flag lots.

Proposed Amendment Language:

- Add Lot Frontage Definition to Article 2:

Lot Frontage: The frontage of any lot shall be the horizontal distance between the side lot lines measured between the points where said lot lines intersect the street right-of-way. Said frontage shall be continuous and unbroken and shall be measured along the constructed portion of the right-of-way only.

- Amend Table 4.06.C:

Minimum Lot Size Per Dwelling Unit				Maximum Height		Minimum Yard Setback (R) (Per Lot in Feet)				Minimum Floor Area Per Unit (Square Feet)	Maximum % of Lot Area Covered by Buildings
Use District	Area in Sq.Ft (1)	Width in Ft. (1)	Frontage in Ft. (1)	In Stories (2)	In Feet (2)	Front	Sides		Rear		
						(3)	Least One (4)	Least Two (4)	(5)		
R-1A											
No Sewer	30,000	150	<u>150</u>	2 ½	30	40	15	30	45	1,400	30%
Sewer	21,780	120	<u>120</u>	2 ½		40	15	30	45	1,400	30%

R-1B											
No Sewer	21,780	110	<u>110</u>	2 ½	30	40	15	30	45	1,400	30%
Sewer	15,000	100	<u>100</u>	2 ½		40	10	25	45	1,400	30%
R-1C											
No Sewer	21,780	110	<u>110</u>	2 ½	30	30	15	30	40	1,200	30%
Sewer	10,500	85	<u>85</u>	2 ½		30	10	20	40	1,200	30%
R-1D											
No Sewer	21,780	110	<u>110</u>	2 ½	30	25	15	30	40	1,000	30%
Sewer	8,500	75	<u>75</u>	2 ½		25	8	20	40	1,000	30%
R-1E											
No Sewer	21,780	110	<u>110</u>	2 ½	30	25	15	30	35	1,000	30%
Sewer	7,500	60	<u>60</u>	2 ½		25	5	15	35	1,000	30%

- Amended Section 4.06.D Supplemental District Standards to add frontage language regarding corner lots and cul-de-sacs:

Section 4.06.D.6: Lot Frontage on Corner Lots, Curved Roads, and Cul-de-Sacs

- On all corner lots, the frontage set forth shall be measured on one (1) street only.
- For lots on curved streets that have curvilinear frontages, frontage shall be determined by measuring the linear distance along the curve.
- In the event that the lot is situated on a cul-de-sac, the frontage, shall be measured along the minimum setback line for the zone in which said lot is located.

12. Section 4.21 Schedule of Use Regulations (p.100): Add Extended Stay Facilities as a use to the schedule of use regulations.

Issue: There are at least two extended stay facilities in Troy. One is controlled by a consent judgment, and the other is in the MR, Multiple Family zoned district. While it is defined in Article 2 (Definitions), extended stay facilities are not a listed use in the ordinance. Previous practice considered these facilities most similar to hotel. However, hotel is not a permitted use in the multiple family districts. Thus this extended stay facility is considered non-conforming.

The table of uses should be amended to add extended stay facilities as a use. In consideration of similar uses, hotel uses is not most appropriate use to compare such use too. Rather, due to similar operations and impacts, these facilities are more similar to multiple-family and apartments uses, and should be regulated in a similar manner.

Proposed Amendment Language:

Section 4.21:

	R1-A through R-1E	RT	MR	UR	MHP	CF	EP	CB	GB	IB	O	OM	RC	PV	P
Multiple Family Dwelling Unit (2-8 stories)	NP	NP	P	P	NP	NP	NP	NP	NP	P	NP	NP	NP	NP	NP
Multiple Family Dwelling Unit (9 stories +)	NP	NP	NP	P	NP	NP	NP	NP	NP	P	NP	NP	NP	NP	NP

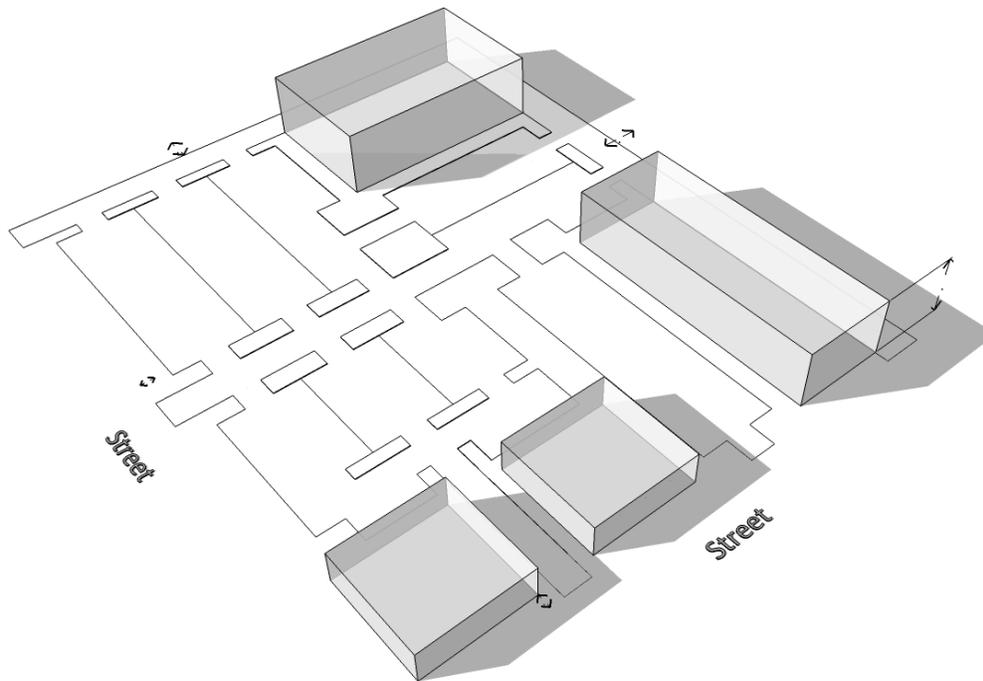
Lodging	NP	NP	NP	NP	NP	NP	NP	S	P	P	NP	S	NP	NP	NP
Extended Stay Facility	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>P</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

Minor:

- Section 3.10.C.1.c and d (page 41):** Remove mention that the Planning Commission is the recommending body for Site Condominiums as the Planning Commission is the approving body, as outlined in Section 3.10.C.2.
- Section 4.07 Table (page 51):** Amend “5,000 without sewers” to “5,000 with sewers” and reduce side yard to 5’ for least one and 15’ for least two. Reducing side yard setbacks is consistent with R-1E lot requirements.

Minimum Lot Size Per Dwelling Unit			Maximum Height		Minimum Yard Setback				Minimum Floor Area Per Unit (Square Feet)	Maximum % of Lot Area Covered by Buildings
Area in Sq.Ft (1)	Width in Ft. (1)	Frontage in Ft.	In Stories (2)	In Feet (2)	Front (3)	Sides		Rear (5)		
						Least One (4)	Least Two (4)			
15,000 without sewers	75	N/A	2 ½	30	25	10	20	35	1,000	30%
5,000 with sewers	40	40				5	15			

- Section 4.14 Graphic (page 75):** Amend graphic to include an additional building mid-block (no substantive change to regulations). New Graphic:



4. **Section 4.06-4:18 (pgs. 47, 51, 55, 59,65, 71, 53, 75, 79, 83, 87, and 91):** Amend all district regulation tables so that legend icon is consistent in both graphic and tables. Example below:

Article 4
District Regulations

BACK FORWARD



57

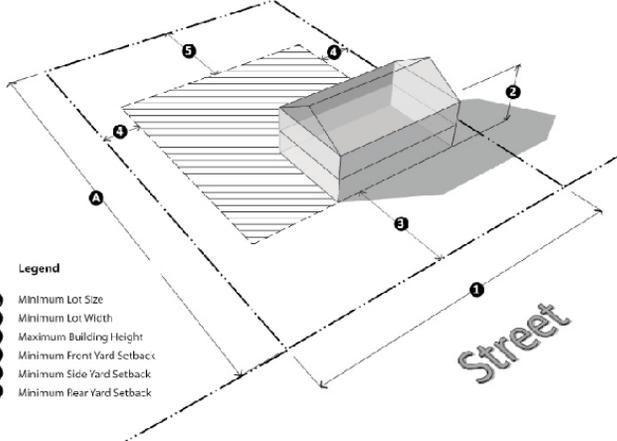
Authority and Administration

Development Regulations

Processes and Procedures

Supplemental Design Regulations

Non-Code Appeals/AMR



Legend

- A** Minimum Lot Size
- 1** Minimum Lot Width
- 2** Maximum Building Height
- 3** Minimum Front Yard Setback
- 4** Minimum Side Yard Setback
- 5** Minimum Rear Yard Setback

Minimum Lot Size Per Dwelling Unit	Maximum Height			Minimum Yard Setback (ft) (Per Lot in Feet)				Minimum Floor Area Per Unit (Square Feet)	Maximum % of Lot Area Covered by Buildings	
	Use District	Area in Sq. Ft. 1	Width in Ft. 1	In Stories 2	In Feet 2	Front	Sides			Rear
						3	Least One 4			Least Two 4
R-1A										
No Sewer	30,000	150	2 1/2	30	40	15	30	45	1,400	30%
Sewer	21,780	120	2 1/2			40	15	30	45	1,400
R-1B										
No Sewer	21,780	110	2 1/2	30	40	15	30	45	1,400	30%
Sewer	15,000	100	2 1/2			40	10	25	45	1,400
R-1C										
No Sewer	21,780	110	2 1/2	30	30	15	30	40	1,200	30%
Sewer	10,500	85	2 1/2			30	10	20	40	1,200
R-1D										
No Sewer	21,780	110	2 1/2	30	25	15	30	40	1,000	30%
Sewer	8,500	75	2 1/2			25	8	20	40	1,000
R-1E										
No Sewer	21,780	110	2 1/2	30	25	15	30	35	1,000	30%

5. **Section 4.21 Schedule of Regulations Table (page 98):** Amend “R-T” to “RT”
6. **Section 4.21 Schedule of Regulations Table (Page 99):** Add “P” to Retail, large-format for CB district
7. **Section 5.03 Form Based Districts Use Groups by Category Table (Page 108):** Remove bold and underline from “Drive-through facilities”
8. **Section 5.04, Section 5.05, and Section 5.06 Form Based District Use Groups Permitted Table (Page 133, 143, and 158):** Amend “Table 5.03-1” to “Table 5.03-A-1”
9. **Section 6.26, Section 6.27, and Section 6.28 (Page 179):** Change text color to black for “Vehicle Repair”, “Vehicle Sales –New, Used, and Vintage”, and “Vehicle Fueling / Multi-Use Station”
10. **Section 6.30.B.2 (Page 182):** Amend “Section 6.29.B.1” to “6.30.B.1”

- 11. Section 10.04.E.2 (Page 225):** Amend “Section 10.04.E.2” to refer to “Section 10.04.D”
- 12. Section 12.04.F.1 and 2.a.i (Page 251):** Amend “R-1T” to “RT”
- 13. Section 13.02 (Page 276):** Add the following label to table: “Table 13.02-C: Minimum Size and Spacing Requirements for Landscaping Materials”
- 14. Section 13.05.C.3 (Page 282):** Amend Section 13.05.C.3: Amend “in an industrial district where” to say “in the IB or PV districts when”

Please contact me if you have any questions.



CARLISLE/WORTMAN ASSOC., INC.
Benjamin R. Carlisle, LEED AP, AICP



CARLISLE

WORTMAN
associates, inc.

605 S. Main Street, Ste. 1
Ann Arbor, MI 48104

(734) 662-2200
(734) 662-1935 Fax

MEMORANDUM

TO: R. Brent Savidant, AICP, Planning Director
FROM: Ben Carlisle, AICP
DATE: October 17, 2012
RE: Zoning Ordinance Amendments

Complete list of Substantive Amendments (including October 9th Considerations):

Listed below is the list of substantive amendments. We have only listed the proposed amendment language. For more details regarding justification, please refer to our September 19, 2012 memo.

- 1. Section 4.13.D.4.a (CB District Page 72) :** *Parking shall not be located in the front yard.*
- Section 4.14.D.4.a (GB District Page 76) :** *Parking shall not be located in the front yard.*
- Section 4.15.D.4.a (O District Page 84) :** *Parking shall not be located in the front yard.*
- Section 4.18.D.5.a (RC District Page 92) :** *Parking shall not be located in the front yard.*

Proposed Amendment Language:

Section 4. Off-Street Parking Location.

- ~~a. Parking shall not be located in the front yard.~~
- a. No more than fifty (50) percent of ~~total site's linear feet along the front building line shall be occupied by parking lot.~~ a site's required parking as set forth in Section 4.21 may be located in a front yard.
- b. Through the Sustainable Development Option as set forth in Section 12.01 of the Ordinance, relief may be granted to allow greater than fifty (50) percent of a site's required parking to be located in a front yard.

- 2. Section 4.21 Schedule of Use Regulations Table (Page 101):** Reclassify selective automotive limited automotive and transportation uses in the IB district from Special to Permitted. Require that automobile uses within 300-feet of residential zoned or used property shall be reviewed as a special use as set forth in Article 9.

Proposed Amendment Language:

Section 4.21 Schedule of Use Regulations Table (Page 101):

Automobile Use	IB
Vehicle, recreational vehicle sales	S
Vehicle repair stations	S, P
Vehicle fueling/multi-use stations	S
Vehicle washes	S
Vehicle auctions	S
Antique and classic vehicle sales	S, P
Ambulance facilities	S, P
Vehicle rental	S, P

Section 6.26.F. Vehicle Repair (Page 179):

- F. Any proposed vehicle repair use within three hundred (300) feet (measured from the nearest lot line to the nearest lot line on a straight-line basis) to any residential zoning district or any parcel used for residential purposes shall be reviewed as a special use as set forth in Article 9.

Section 6.31. Antique Vehicle Sale, Ambulance Facility, and Vehicle Rental:

- A. Any proposed antique vehicle sale, ambulance facility, and vehicle rental use within three hundred (300) feet (measured from the nearest lot line to the nearest lot line on a straight-line basis) to any residential zoning district or any parcel used for residential purposes shall be reviewed as a special use as set forth in Article 9.

- 3. Section 4.21 Schedule of Use Regulations (p.100) and Section 6.16 Lodging (Page 174):** Add Extended Stay Facilities as a use to the schedule of use regulations and add Extended Stay Facilities to the special use provisions of Lodging Facilities.

Section 4.21:

	R1-A through R1-E	RT	MR	UR	MHP	CF	EP	CB	GB	IB	O	OM	RC	PV	P
Multiple Family Dwelling Unit (2-8 stories)	NP	NP	P	P	NP	NP	NP	NP	NP	P	NP	NP	NP	NP	NP
Multiple Family Dwelling Unit (9 stories +)	NP	NP	NP	P	NP	NP	NP	NP	NP	P	NP	NP	NP	NP	NP
Lodging	NP	NP	NP	NP	NP	NP	NP	S	P	P	NP	S	NP	NP	NP

<u>Extended Stay Facility</u>	<u>NP</u>	<u>NP</u>	<u>S</u>	<u>S</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>NP</u>	<u>S</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
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Section 6.16. Lodging Facilities (Page 174):

SECTION 6.16 LODGING FACILITIES / EXTENDED STAY FACILITIES

Lodging/Extended Stay Facilities that includes a restaurant, bar/lounge, auditorium, exhibition, or public meeting space shall provide parking to accommodate all uses on the site, in accordance with the standards set forth in Section 13.06.

- 4. Section 4.21 Schedule of Use Regulations Table (Page 101):** Add “Oil Change Facility” into Automotive/Transportation Use group. Classify use as Permitted or Special based on district.

Proposed Amendment Language:

Section 4.21:

	R1-A through R-1E	RT	MR	UR	MHP	CF	EP	CB	GB	IB	O	OM	RC	PV	P
Vehicle Repair Facility	NP	NP	NP	NP	NP	NP	NP	NP	S	S	NP	NP	NP	S	NP
<u>Oil Change Facility</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>NP</u>

- 5. Section 4.21 Schedule of Use Regulations Table (Page 101):** Add “Wireless Communication Facility (free standing tower)” into miscellaneous group. Classify use as Permitted or Special based on district. (Note: see section 6.30)

Proposed Amendment Language:

Section 4.21:

	R1-A through R-1E	RT	MR	UR	MHP	CF	EP	CB	GB	IB	O	OM	RC	PV	P
<u>Wireless Communication Facility (complies with section 6.30.B.1.)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Wireless Communication Facility (free</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>S</u>	<u>NP</u>	<u>S</u>							

standing tower)																		
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6. Section 5.03 Form Based Districts Use Group by Category (Page 108): Add “Lodging” as use in Use Group 5

Proposed Amendment Language:

TABLE 5.03-A-1 USE GROUPS BY CATEGORY PRINCIPAL USE
Use Group 5
<u>Lodging</u>
Financial institutions
General retail
Retail, large-format
Shopping centers
Fitness, gymnastics, and exercise centers
Theatres and places of assembly
Indoor commercial recreation establishments
Restaurant
Personal services
Business services
Financial institutions
General retail

7. Section 5.03 Form Based Standards Applicable to All Districts (Page 110): Add “Section C” to add specific landscaping requirements in the Form Based Districts.

Proposed Amendment Language:

Section 5.03.C: Landscaping in Form-Based Districts

1. In addition to landscape requirements to Section 13.02, the following landscaping requirements shall apply:
 - a. Supplemental to Section 13.02.E.1.a, a minimum of fifteen percent (15%) of the site area shall be comprised of landscape material.
 - b. Landscaping can consist of approved trees, shrubs, ground cover, vines, grasses, or other approved plan material. Up to twenty-five (25%) of the required

landscape area may be brick, stone, or pavers or other public plaza elements, but shall not include any parking area or required sidewalks.

- c. Up to twenty-five (25%) of the required landscape area may be relieved through the Sustainable Design Option as outlined in Section 12.01.

- 8. Section 6.10.C.1 and C.2 (Page 170):** Amend Section 6.10.C.1 and C.2 to reduce the width of drive-through drive-aisles from 12 feet to 10 feet.

Proposed Amendment Language:

Section 6.10.C.1 and C.2:

Each drive-through facility shall provide stacking space meeting the following standards:

1. Each stacking lane shall be one-way, and each stacking lane space shall be a minimum of ~~twelve (12)~~ ten (10) feet in width and twenty (20) feet in length.

- 9. Add Section 6.31 (Page 170):** Add Section 6.31 to allow 1 story multi-family residential uses as permitted uses in the IB districts only for conversion of existing buildings.

Proposed Amendment Language:

Section 6.31: Multi-family dwelling units in the IB District.

- A. One-story multi-family dwelling building is a permitted use in the IB district only through the conversion of an existing building.

- 10. Section 7.13.I.4 (Page 199):** Amend the maximum duration for outdoor special events from four (4) to seven (7) days.

Proposed Amendment Language:

Section 7.13.I.4:

The maximum duration of use shall be ~~four (4)~~ seven (7) consecutive days for any one (1) event, including setup and takedown, not to exceed four (4) events within a period of twelve (12) calendar months.

- 11. Section 16.03 (page 313):** Add standards for rezoning

Proposed Amendment Language:

Section 16.03.C: Standards for Approval. A rezoning may only be approved upon a finding and determination that all of the following are satisfied:

- A. The proposed rezoning is consistent with the Master Plan. If the current zoning is in material conflict with the Master Plan, such conflict is due to one of the following:
 1. A change in City policy since the Master Plan was adopted
 2. A change in conditions since the Master Plan was adopted.

- 3. An error in the Master Plan.
- B. The proposed rezoning will not cause nor increase any non-conformity.
- C. Public services and facilities affected by a proposed development will be capable of accommodating service and facility loads caused by use of the development.
- D. The rezoning will not impact public health, safety, and welfare.
- E. The rezoning will insure compatibility with adjacent uses of land.

12. Single-Family Districts: Amend Frontage requirements

Proposed Amendment Language:

- Add Lot Frontage Definition to Article 2:

Lot Frontage: The frontage of any lot shall be the horizontal distance between the side lot lines measured between the points where said lot lines intersect the street right-of-way. Said frontage shall be continuous and unbroken and shall be measured along the constructed portion of the right-of-way only.

- Amend Table 4.06.C:

Minimum Lot Size Per Dwelling Unit				Maximum Height		Minimum Yard Setback (R) (Per Lot in Feet)				Minimum Floor Area Per Unit (Square Feet)	Maximum % of Lot Area Covered by Buildings
Use District	Area in Sq.Ft (1)	Width in Ft. (1)	Frontage in Ft. (1)	In Stories (2)	In Feet (2)	Front	Sides		Rear		
						(3)	Least One (4)	Least Two (4)	(5)		
R-1A											
No Sewer	30,000	150	<u>150</u>	2 ½	30	40	15	30	45	1,400	30%
Sewer	21,780	120	<u>120</u>	2 ½		40	15	30	45	1,400	30%
R-1B											
No Sewer	21,780	110	<u>110</u>	2 ½	30	40	15	30	45	1,400	30%
Sewer	15,000	100	<u>100</u>	2 ½		40	10	25	45	1,400	30%
R-1C											
No Sewer	21,780	110	<u>110</u>	2 ½	30	30	15	30	40	1,200	30%
Sewer	10,500	85	<u>85</u>	2 ½		30	10	20	40	1,200	30%
R-1D											
No Sewer	21,780	110	<u>110</u>	2 ½	30	25	15	30	40	1,000	30%
Sewer	8,500	75	<u>75</u>	2 ½		25	8	20	40	1,000	30%
R-1E											
No Sewer	21,780	110	<u>110</u>	2 ½	30	25	15	30	35	1,000	30%
Sewer	7,500	60	<u>60</u>	2 ½		25	5	15	35	1,000	30%

- Amended Section 4.06.D Supplemental District Standards to add frontage language regarding corner lots and cul-de-sacs:

Section 4.06.D.6: Lot Frontage on Corner Lots, Curved Roads, and Cul-de-Sacs

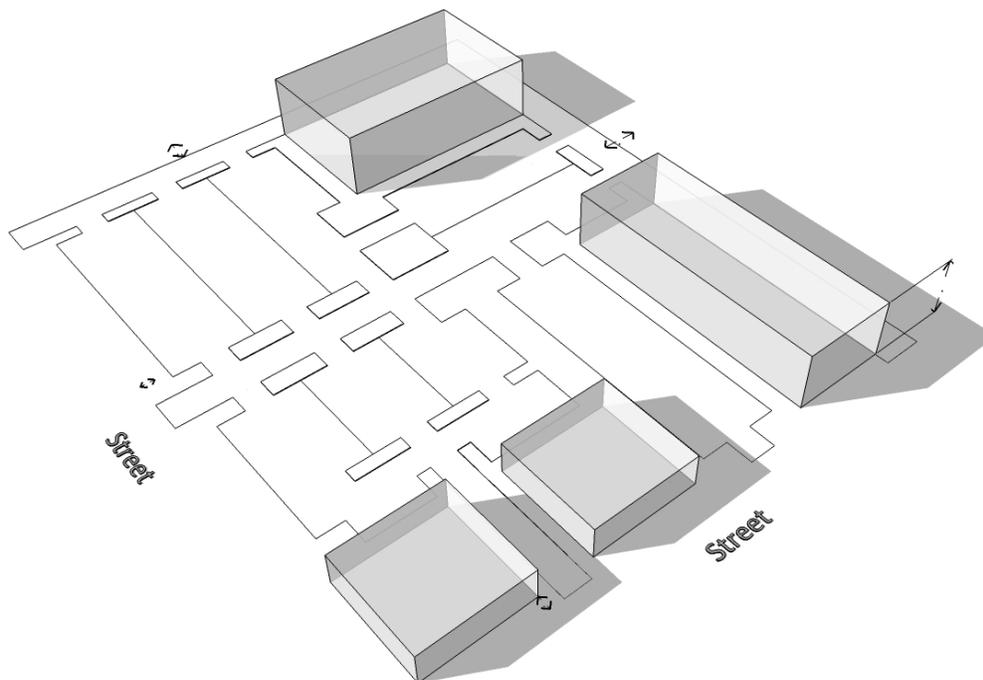
- a. On all corner lots, the frontage set forth shall be measured on one (1) street only.
- b. For lots on curved streets that have curvilinear frontages, frontage shall be determined by measuring the linear distance along the curve.
- c. In the event that the lot is situated on a cul-de-sac, the frontage, shall be measured along the minimum setback line for the zone in which said lot is located.

Minor:

- Section 3.10.C.1.c and d (page 41):** Remove mention that the Planning Commission is the recommending body for Site Condominiums as the Planning Commission is the approving body, as outlined in Section 3.10.C.2.
- Section 4.07 Table (page 51):** Amend “5,000 without sewers” to “5,000 with sewers” and reduce side yard to 5’ for least one and 15’ for least two. Reducing side yard setbacks is consistent with R-1E lot requirements.

Minimum Lot Size Per Dwelling Unit			Maximum Height		Minimum Yard Setback				Minimum Floor Area Per Unit (Square Feet)	Maximum % of Lot Area Covered by Buildings
Area in Sq.Ft (1)	Width in Ft. (1)	Frontage in Ft.	In Stories (2)	In Feet (2)	Front	Sides		Rear		
					(3)	Least One (4)	Least Two (4)	(5)		
15,000 without sewers	75	N/A	2 ½	30	25	10	20	35	1,000	30%
5,000 with sewers	40	40				5	15			

- Section 4.14 Graphic (page 75):** Amend graphic to include an additional building mid-block (no substantive change to regulations). New Graphic:



4. **Section 4.06-4:18 (pgs. 47, 51, 55, 59,65, 71, 53, 75, 79, 83, 87, and 91):** Amend all district regulation tables so that legend icon is consistent in both graphic and tables. Example below:

Article 4
District Regulations

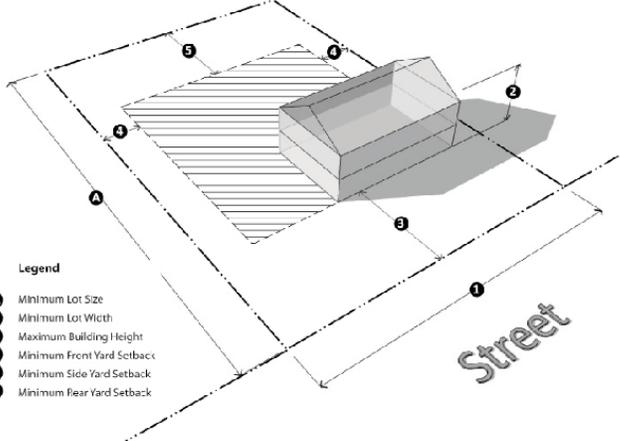
BACK FORWARD



57

Legend

- A** Minimum Lot Size
- 1** Minimum Lot Width
- 2** Maximum Building Height
- 3** Minimum Front Yard Setback
- 4** Minimum Side Yard Setback
- 5** Minimum Rear Yard Setback



Use District	Minimum Lot Size Per Dwelling Unit		Maximum Height		Minimum Yard Setback (ft) (Per Lot in Feet)				Minimum Floor Area Per Unit (Square Feet)	Maximum % of Lot Area Covered by Buildings
	Area in Sq. Ft.	Width in Ft.	In Stories	In Feet	Front	Sides	Rear			
	1	1	2	2	3	Least One 4	Least Two 4	6		
R-1A										
No Sewer	30,000	150	2 1/2	30	40	15	30	45	1,400	30%
Sewer	21,780	120	2 1/2		40	15	30	45	1,400	30%
R-1B										
No Sewer	21,780	110	2 1/2	30	40	15	30	45	1,400	30%
Sewer	15,000	100	2 1/2		40	10	25	45	1,400	30%
R-1C										
No Sewer	21,780	110	2 1/2	30	30	15	30	40	1,200	30%
Sewer	10,500	85	2 1/2		30	10	20	40	1,200	30%
R-1D										
No Sewer	21,780	110	2 1/2	30	25	15	30	40	1,000	30%
Sewer	8,500	75	2 1/2		25	8	20	40	1,000	30%
R-1E										
No Sewer	21,780	110	2 1/2	30	25	15	30	35	1,000	30%

Authority and Administration
 Development Regulations
 Processes and Procedures
 Supplemental Design Regulations
 Non-Code Appeals

5. **Section 4.21 Schedule of Regulations Table (page 98):** Amend “R-T” to “RT”
6. **Section 4.21 Schedule of Regulations Table (Page 99):** Add “P” to Retail, large-format for CB district
7. **Section 5.03 Form Based Districts Use Groups by Category Table (Page 108):** Remove bold and underline from “Drive-through facilities”
8. **Section 5.04, Section 5.05, and Section 5.06 Form Based District Use Groups Permitted Table (Page 133, 143, and 158):** Amend “Table 5.03-1” to “Table 5.03-A-1”
9. **Section 6.26, Section 6.27, and Section 6.28 (Page 179):** Change text color to black for “Vehicle Repair”, “Vehicle Sales –New, Used, and Vintage”, and “Vehicle Fueling / Multi-Use Station”
10. **Section 6.30.B.2 (Page 182):** Amend “Section 6.29.B.1” to “6.30.B.1”

- 11. Section 10.04.E.2 (Page 225):** Amend “Section 10.04.E.2” to refer to “Section 10.04.D”
- 12. Section 12.04.F.1 and 2.a.i (Page 251):** Amend “R-1T” to “RT”
- 13. Section 13.02 (Page 276):** Add the following label to table: “Table 13.02-C: Minimum Size and Spacing Requirements for Landscaping Materials”
- 14. Section 13.05.C.3 (Page 282):** Amend Section 13.05.C.3: Amend “in an industrial district where” to say “in the IB or PV districts when”

Please contact me if you have any questions.



CARLISLE/WORTMAN ASSOC., INC.
Benjamin R. Carlisle, LEED AP, AICP

ZONING ORDINANCE TEXT AMENDMENT8. **ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 244) – Miscellaneous Zoning Ordinance Revisions**

Mr. Savidant and Mr. Carlisle dually presented the report prepared by Carlisle/Wortman Associates, Inc. The report explained that the City of Troy Zoning Ordinance was adopted in April 2011. It is common that a year or so after the adoption of a new zoning ordinance, staff, planning commissioners, and outside interests identify specific language and other clarifications that need further discussion and potential amendments. Many of the proposed amendments are minor (capitalization, consistency in labeling, etc); however, some considerations for amendments are substantive.

The non-substantive amendments listed in the report were not discussed. The Planning Commission members were asked to review those items on their own. Any suggestions would be shared with the Planning Commission at a later meeting.

The Planning Commission discussed the twelve substantive items proposed in the report. They reached consensus on all items.

Mr. Savidant stated the Planning Department would revise the proposed language as agreed upon by the Planning Commission and return with revised language at a future date.

ZONING ORDINANCE TEXT AMENDMENT

5. ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 244) – Miscellaneous Zoning Ordinance Revisions

There was general discussion of proposed text amendment language.

ZONING ORDINANCE TEXT AMENDMENT

8. **ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 244) – Miscellaneous Zoning Ordinance Revisions**

The Planning Commission discussed and reached consensus on four items:

1. Parking in front yard.
2. Regulations of extended stay facilities.
3. Spacing provisions for used automobile dealerships.
4. Rezoning Rochester Villas from R-1D to RT.

ZONING ORDINANCE TEXT AMENDMENT7. **PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 244) – Miscellaneous Zoning Ordinance Revisions**

Mr. Carlisle reviewed the proposed amendment changes to the April 2011 Zoning Ordinance. He asked if the Board had any comments and for a recommendation to City Council for approval of the proposed revisions.

Mr. Edmunds requested the correction of the spelling of “insure” to “ensure”.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED**Resolution # PC-2013-01-005**

Moved by: Schultz
Seconded by: Edmunds

RESOLVED, That the Planning Commission hereby recommends to the City Council that Articles 2, 3, 4, 5, 6, 7, 10, 12, 13 and 16 of Chapter 39 of the Code of the City of Troy, which includes miscellaneous Zoning Ordinance revisions, be amended as printed on the proposed Zoning Ordinance Text Amendment.

Yes: All present (9)

MOTION CARRIED

Troy Zoning Ordinance Amendments

February 18, 2013

Background

- Zoning Ordinance was adopted in April 2011
 - After one year or so of use and application it is common to address clarifications and amendment if necessary
- 26 amendments total:
 - 12 substantive
 - 14 minor (capitalization, consistency in labeling)
- 4 meetings with Planning Commission
 - Public Hearing held on January 8th
 - Forwarded unanimously

1. Parking in Front of Building

- Allow parking in front of building in CB, GB, O, and RC
- **Issue:**
 - Due to the definition of front yard, parking is not permitted in the front of any building CB, GB, O, and RC districts.
 - A limited parking in front of the building should be permitted.
 - Existing language in ordinance mitigates concerns that parking would dominate parking in the front yard.

1. Parking in Front Yard

- No more than 50% of the required onsite parking may be located in the front yard.
- Additional parking in front yard may be provided through Sustainable Development Option

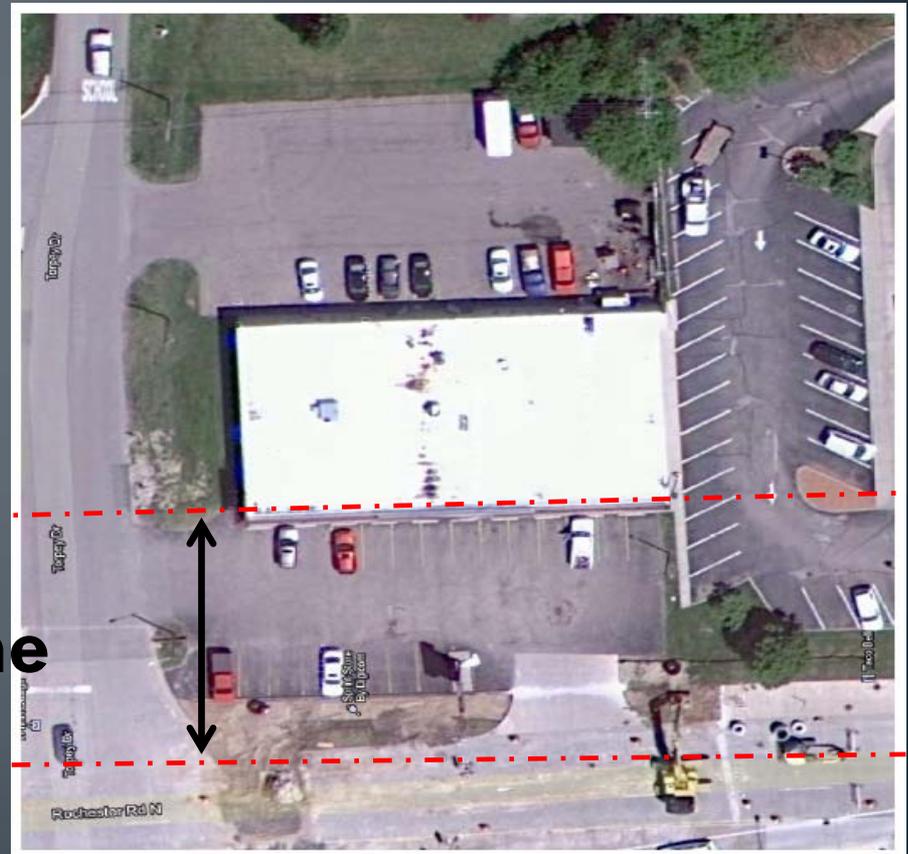
EX:

8,000 sq.ft general retail building
requires 32 spaces.

Only 16 of those spaces may be
located in front of building.

Front Yard Line

Setback Line



2. Automotive and transportation uses in IB uses in IB

- Allow selective automotive and transportation uses in IB Districts permitted by-right:
 - Vehicle repair
 - Antique and classic vehicle sales
 - Ambulance facilities
 - Vehicle rental
- Require special use for these uses within 300-feet of a residentially zoned or used parcel.
 - Protect single-family properties

2. Automotive and Transportation Uses in IB

Allow selective auto uses as permitted in IB

Proposed Amendment Language:

Use	IB
Vehicle, recreational vehicle sales	S
Vehicle repair stations	S, P
Vehicle fueling/multi-use stations	S
Vehicle washes	S
Vehicle auctions	S
Antique and classic vehicle sales	S, P
Ambulance facilities	S, P
Vehicle rental	S, P

3. Extended Stay Facilities

- Add Extended Stay Facilities in Ordinance and regulate similar to hotel / lodging use.
- Issue
 - Use not listed in Ordinance
 - At least two (2) exist in City

3. Extended Stay Facilities

Section 4.21

	R1-A throu gh R- 1E	RT	MR	UR	MHP	CF	EP	CB	GB	IB	O	OM	RC	PV	P
Multiple Family Dwelling Unit (9 stories +)	NP	NP	NP	P	NP	NP	NP	NP	NP	P	NP	NP	NP	NP	NP
Lodging	NP	NP	NP	NP	NP	NP	NP	S	P	P	NP	S	NP	NP	NP
<u>Extended Stay Facility</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>NP</u>	<u>S</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

Section 6.16: Lodging Facilities and Extended Stay Facilities

Lodging/extended stay facilities that includes a restaurant, bar/lounge, auditorium, exhibition, or public meeting space shall provide parking to accommodate all uses on the site, in accordance with the standards set forth in Section 13.06

4. Oil Change Facility

- Add “Oil Change Facility” into Automotive/Transportation Use group. Classify use as Permitted.
- **Issue:**
 - Oil change facilities are not a listed use in the Schedule of Use Regulations.
 - In previous practice oil facilities were treated similar to vehicle repair.
 - Vehicle repair has defined supplemental use regulations as listed in Section 6.26, some of which are not applicable to oil change facility operations.

4. Oil Change Facility

Proposed Amendment Language:

	R1-A through R-1E	RT	MR	UR	MHP	CF	EP	CB	GB	IB	O	OM	RC	PV	P
Vehicle Repair Facility	NP	NP	NP	NP	NP	NP	NP	NP	S	S P	NP	NP	NP	S	NP
<u>Oil Change Facility</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>NP</u>

5. Wireless Communication Facility

- Add “Wireless Communication Facility (free standing tower)” into miscellaneous group. Classify use as Permitted or Special based on district.
- **Issue:**
 - Use not listed in the Schedule of Use Regulations but have specific use standards outlined in Section 6.30
 - New proposed free standing towers require Special Use.
 - Wireless communication facilities located on existing structures are permitted in all districts provided that they meet those supplemental use regulations listed in Section 6.30.B.1.

6. Lodging

- Add “Lodging” as use in Use Group 5
- **Issue:**
 - Not a listed use in the form-based code.
 - Previously required to go through a P.U.D. process.
 - Not including this use was an oversight of the previous draft.
 - Adding lodging to the code is consistent with the Master Plan and would clarify the intent of the zoning ordinance.

6. Lodging

Proposed Amendment Language:

TABLE 5.03-A-1 USE GROUPS BY CATEGORY PRINCIPAL USE	
Use Group 5	
<u>Lodging</u>	
Financial institutions	
General retail	
Retail, large-format	
Shopping centers	
Fitness, gymnastics, and exercise centers	
Theatres and places of assembly	
Indoor commercial recreation establishments	
Restaurant	
Personal services	
Business services	
Financial institutions	
General retail	

7. Landscaping in Form-Based Districts

- Add “Section C” to add specific landscaping requirements in the Form-Based Districts.
- **Issue:**
 - Section 13.02 outlines Landscaping requirements.
 - A 20% landscaping requirement for developments in the more urban and pedestrian oriented Form-Based districts might not be appropriate.
 - Building form requirements and the desire to build more “urban” style developments make 20% site landscaping difficult to obtain.
 - Looking at other ordinances including City of Omaha and the City of Chicago, we recommend reducing the total percentage of site landscaping to 15% with options for relief.

7. Landscaping in Form-Based Districts

Proposed Amendment Language:

Section 5.03.C: Landscaping in Form-Based Districts:

- I. In addition to landscape requirements to Section 13.02, the following landscaping requirements shall apply:
 - a) Supplemental to Section 13.02.E.1.a, a minimum of fifteen percent (15%) of the site area shall be comprised of landscape material.
 - b) Landscaping can consist of approved trees, shrubs, ground cover, vines, grasses, or other approved plan material. Up to twenty-five (25%) of the required landscape area may be brick, stone, or pavers or other public plaza elements, but shall not include any parking area or required sidewalks.
 - c) Up to twenty-five (25%) of the required landscape area may be relieved through the Sustainable Design Option as outlined in Section 12.01.

7. Landscaping in Form-Based Districts

EXAMPLE: LANDSCAPE REQUIREMENT IN FORM-BASED DISTRICT

Site Area	15% required landscaping	50% of 15% of required landscaping (greenscape)	25% of 15% of required landscaping (hardscape)	25% of 15% of required landscaping can be relived through sustainable design option
100,000 sq/ft	15,000 sq/ft	7,500 sq/ft	3,750 sq/ft	3,750 sq/ft

8. Reduce Drive-through Width

- Reduce the width of drive-through aisles from 12 feet to 10 feet.
- **Issue:**
 - The requirement of a 12-foot width for drive-through aisles is not necessary.
 - Reducing the width will
 - not cause additional traffic conflict;
 - allow additional area for both building or landscaped area; and
 - have the added effect of naturally reducing automobile speed.
 - The ten (10) foot drive-through aisle width is consistent with what was recently passed for bank uses in the Big Beaver form based district.

8. Reduce Drive-through Width

Proposed Amendment Language:

Section 6.10.C.1 and C.2:

1. Each drive-through facility shall provide stacking space meeting the following standards:

- a. Each stacking lane shall be one-way, and each stacking lane space shall be a minimum of ~~twelve (12)~~ ten (10) feet in width and twenty (20) feet in length.

9. 1-story MF in IB Districts

- Add Section 6.31 to allow 1-story multi-family residential uses as permitted uses only for conversion of existing buildings.
- **Issue:**
 - The IB District permits a multitude of uses by-right
 - In any district, the current ordinance prevents the construction of one-story multi-family dwelling units.
 - The intent of requiring multiple story multi-family structures is to require greater massing and scale.
 - There are many existing one story buildings in the IB District that could be converted into multi-family.
 - Provides reuse of buildings
 - Provides alternative housing option
 - The proposed amendment to allow one-story multi-family dwelling units is only permitted for existing building in the IB district.

9. 1-story MF in IB Districts

Proposed Amendment Language:

Section 6.31: Multi-family dwelling units in the IB District.

1. One-story multi-family dwelling building is a permitted use in the IB district only through the conversion of an existing building.

10. Outdoor Special Events

- Amend the maximum duration for outdoor special events from four (4) to seven (7) days.
- **Issue:**
 - Section 7.13.1.4 limits outdoor special events to a maximum of four (4) consecutive days.
 - Includes on-site event preparation, setup, and cleanup.
 - Troy Family Daze is an example
 - Extending provides the necessary time to setup for the event, hold the event, and cleanup.

10. Outdoor Special Events

Proposed Amendment Language:

Section 7.13.1.4:

1. The maximum duration of use shall be ~~four (4)~~ seven (7) consecutive days for any one (1) event, including setup and takedown, not to exceed four (4) events within a period of twelve (12) calendar months.

11. Rezoning Standards

- Add Rezoning Standards
- **Issue:**
 - Standards for conditional rezoning but no standards for a straight rezoning.
 - The ordinance should include standards for the Planning Commission and ultimately the City Council to consider in regards to rezoning.
 - Such standards include consistency with Master Plan; impact upon health, safety and welfare; impact upon public facilities, etc.

11. Rezoning Standards

Proposed Amendment Language:

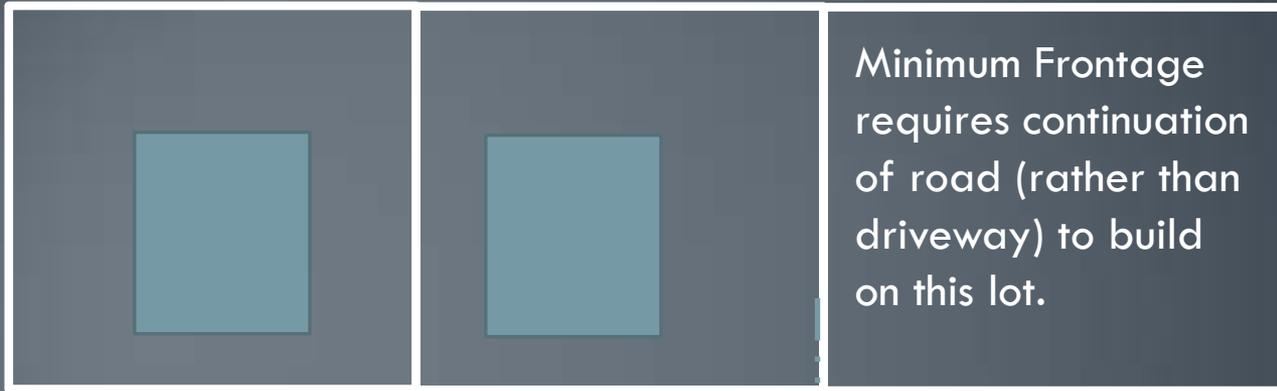
Section 16.03.C: Standards for Approval. A rezoning may only be approved upon a finding and determination that all of the following are satisfied:

- A. The proposed rezoning is consistent with the Master Plan. If the current zoning is in material conflict with the Master Plan, such conflict is due to one of the following:
 - 1. A change in City policy since the Master Plan was adopted
 - 2. A change in conditions since the Master Plan was adopted.
 - 3. An error in the Master Plan.
- B. The proposed rezoning will not cause nor increase any non-conformity.
- C. Public services and facilities affected by a proposed development will be capable of accommodating service and facility loads caused by use of the development.
- D. The rezoning will not impact public health, safety, and welfare.
- E. The rezoning will insure compatibility with adjacent uses of land.

12. Frontage Requirements

- Add Frontage Requirements
- **Issue:**
 - There is not a minimum lot frontage requirement for lots in the R-1 districts.
 - The requirement of minimum lot frontage ensures that newly created lots will be able to comply with all site development standards.
 - Requiring a minimum lot frontage would ensure that the creation of new lots have the necessary access with the extension of a road.
 - A lack of minimum lot frontage requirement would allow the creation of a new lot by extending the road as a driveway.

Proposed Requirements



12. Frontage Requirements

Proposed Amendment Language:

- Add Lot Frontage Definition to Article 2:
 - Lot Frontage: The frontage of any lot shall be the horizontal distance between the side lot lines measured between the points where said lot lines intersect the street right-of-way. Said frontage shall be continuous and unbroken and shall be measured along the constructed portion of the right-of-way only.

12. Frontage Requirements

Proposed Amendment Language:

- Amend Table 4.06.C:

Minimum Lot Size Per Dwelling Unit				Maximum Height		Minimum Yard Setback (R) (Per Lot in Feet)				Minimum Floor Area Per Unit (Square Feet)	Maximum % of Lot Area Covered by Buildings
Use District	Area in Sq.Ft (1)	Width in Ft. (1)	Frontage in Ft. (1)	In Stories (2)	In Feet (2)	Front	Sides		Rear		
						(3)	Least One (4)	Least Two (4)	(5)		
R-1A											
No Sewer	30,000	150	150	2 ½	30	40	15	30	45	1,400	30%
Sewer	21,780	120	120	2 ½		40	15	30	45	1,400	30%
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No Sewer	21,780	110	110	2 ½	30	25	15	30	35	1,000	30%
Sewer	7,500	60	60	2 ½		25	5	15	35	1,000	30%

12. Frontage Requirements

Proposed Amendment Language:

1. Section 4.06.D.6: Lot Frontage on Corner Lots, Curved Roads, and cul-de-Sacs
 - a) On all corner lots, the frontage set forth shall be measured on one (1) street only.
 - b) For lots on curved streets that have curvilinear frontages, frontage shall be determined by measuring the linear distance along the curve along the minimum setback line for the zone in which said lot is located.
 - c) For lots on a cul-de-sac, the frontage, shall be measured along the minimum setback line for the zone in which said lot is located.

Minor Amendments

1. **Section 3.10.C.1.c and d (page 41):** Remove mention that the Planning Commission is the recommending body for Site Condominiums as the Planning Commission is the approving body, as outlined in Section 3.10.C.2.
2. **Section 4.07 Table (page 51):** Amend “5,000 without sewers” to “5,000 with sewers” and reduce side yard to 5’ for least one and 15’ for least two. Reducing side yard setbacks is consistent with R-1E lot requirements.
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Minor Amendments

4. **Section 4.06-4:18 (pgs. 47, 51, 55, 59,65, 71, 53, 75, 79, 83, 87, and 91):** Amend all district regulation tables so that legend icon is consistent in both graphic and tables.
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Minor Amendments

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12. **Section 12.04.F.1 and 2.a.i (Page 251):** Amend “R-1T” to “RT”
13. **Section 13.02 (Page 276):** Add the following label to table: “Table 13.02-C: Minimum Size and Spacing Requirements for Landscaping Materials”
14. **Section 13.05.C.3 (Page 282):** Amend Section 13.05.C.3: Amend “in an industrial district where” to say “in the IB or PV districts when”

Troy Zoning Ordinance Amendments

February 18, 2013



CITY COUNCIL AGENDA ITEM

Date: February 12, 2013

To: Brian Kischnick, City Manager

From: Thomas Darling, Director of Financial Services

Subject: City of Troy Investment Policy and Establishment of Investment Accounts - (Introduced by: Thomas Darling, Director of Financial Services)

History

The current investment policy was initially approved in November, 1999 and each year thereafter with the stipulation that it be reviewed and approved annually by City Council. The current policy has served us well during the past several years and is in compliance with Act 20 PA 1943, as amended.

Financial

I would also like to update our resolution authorizing the establishment of investment accounts at the following institutions: Comerica; Bank of America; Charter One; Citizens Bank; First Michigan Bank; Talmer Bank & Trust; Fifth Third Bancorp; Flagstar Bank; Huntington Bancshares; JP Morgan Chase & Co.; Multi-Bank Securities; Merrill Lynch; Michigan Class-MBIA; Bank of NY Mellon; Morgan Stanley Smith Barney; PNC Financial Services; Private Bancorp; and TCF National Bank.

This policy is established in order to provide for the safety and diversification of investment accounts.

Legal Considerations

The investment policy is in compliance with Act 20 PA 1943, as amended.

Recommendation

It is recommended that City Council approve the attached investment policy and listing of approved investment institutions.

CITY OF TROY INVESTMENT POLICY
To Comply with Act 20 PA 1943, as amended

Purpose: It is the policy of the City of Troy to invest its funds in a manner which will provide a high level of security of principal while meeting the daily cash flow needs of the City and providing a reasonable rate of return along with compliance with all State statutes.

Scope: This investment policy applies to all financial assets of the City. These assets are accounted for in the various funds of the City and include the general fund, special revenue funds, debt service funds, and capital project funds (unless bond ordinances and resolutions are more restrictive), enterprise funds, internal service funds, trust and agency funds, and any new fund established by the City.

Objectives: The primary objectives, in priority order, of the City's investment activities shall be:

Safety – Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to insure the preservation of capital in the overall portfolio.

Diversification – The investments will be diversified by security type and institution in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

Liquidity – The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated.

Return on Investment – The investment portfolio shall be designed with the objective of obtaining a rate of return throughout the budgetary and economic cycles, taking into account the investment risk constraints and the cash flow characteristics of the portfolio.

Delegation of Authority to Make Investments: Authority to manage the investment program is derived from the following: City of Troy City Council's most current resolution establishing investment accounts (2011-12-279 - I - 5). Management responsibility for the investment program is hereby delegated to the Director of Financial Services who shall establish written procedures and internal controls for the operation of the investment program consistent with this investment policy. Procedures should include references to safekeeping, cash purchase or delivery vs. payment, investment accounting, repurchase agreements, wire transfer agreements, collateral/depository agreements and banking service contracts. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Director of Financial Services. The Director of Financial Services shall be responsible for all transactions undertaken and shall establish a system of controls. The Investment Policy shall be reviewed and approved by the City Council annually.

List of Authorized Investments: The Director of Financial Services is limited to investments authorized by Act 20 of 1943, as amended, and may invest in the following:

- (a) Bonds, securities, and other obligations of the United States or an agency or instrumentality of the United States.
- (b) Certificates of deposit, savings accounts, deposit accounts, or depository of a financial institution. Authorized depositories shall be designated by the City of Troy City Council.
- (c) Commercial paper rated at the time of purchase with the highest classifications established by not less than two standard rating services and that matures not more than 270 days after the date of purchase.
- (d) Repurchase agreements consisting of instruments listed in (a).
- (e) Bankers' acceptances of United States banks.
- (f) Obligations of this state or any of its political subdivisions that at the time of purchase are rated investment grade by not less than one standard rating service.
- (g) Investment pools through an interlocal agreement under the urban cooperation act of 1967, 1987 (Ex Sess) PA 7, MCL 124.501 to 124.512
- (h) Investment pools organized under the surplus funds investment pool act, 1982 PA 367, 129.111 to 129.118.
- (i) The investment pools organized under the local government investment pool act, 1986 PA 121, MCL 129.141 to 129.150.

Safekeeping and Custody: All security transactions, including collateral for repurchase agreements and financial institution deposits, entered into by the Director of Financial Services may be on a cash basis or a delivery vs. payment basis as determined by the Director of Financial Services. Securities may be held by a third party custodian designated by the Director of Financial Services and evidenced by safekeeping receipts as determined by the Director of Financial Services.

Prudence: Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.



CITY COUNCIL AGENDA ITEM

Date: February 11, 2013

To: Brian Kischnick, City Manager

From: Tom Darling, Financial Services Director
William S. Nelson, Fire Chief

Subject: Transfer of Title for Grant Funded Equipment (Introduced by Chief Nelson)

History

Over the past seven years, the city has accepted title for two vehicles that were funded by Department of Homeland Security grant funds for fire special operations teams in Oakland County. The vehicles are: 1) a 2005 Wells cargo trailer which is capable of providing mobile decontamination facilities for personnel exposed to chemical/biological agents; and 2) a 2010 Ford pickup truck that is assigned to the Oakland County Hazardous Materials Response Team.

While these vehicles were purchased for the use of multiple agencies, at the time there was no central entity that was capable of titling the vehicles. Since 2009 the Oakland County Fire Mutual Aid Association (MABAS Division 3201), representing 32 municipalities in Oakland County; and the Oakway Mutual Aid Association (MABAS Division 3202), representing 8 municipalities in Oakland County, have been formed under the Urban Cooperation Act and the state Mutual Aid Box Alarm System. (MABAS)

These organizations, supported by dues from the participating municipalities, provide shared services to the member municipalities and share the cost among the members. Because these two mutual aid organizations belong to the State Mutual Aid Box Alarm System (MABAS) they have the ability to provide mutual aid to each other and other MABAS divisions within the state.

The 2005 Wells Cargo decontamination trailer is recommended to be transferred to the Oakway Mutual Aid Association because the Waterford Regional Fire Department which provides fire and special operations services to Waterford Township and the City of Pontiac, protects the U. S. Postal Service Metroplex distribution complex which is located in Pontiac. This complex employs over 1,000 workers and is a regional mail sorting and distribution facility equipped with a sophisticated Biological Detection System, which may require the rapid decontamination of employees.

The 2010 Ford pickup truck is recommended to be transferred to the Oakland County Fire Mutual Aid Association, because it is used on a daily basis by members of the hazardous materials response team from multiple agencies, who serve as the duty officer to respond to hazardous materials incidents in any participating jurisdiction.



CITY COUNCIL AGENDA ITEM

Purchasing

The decontamination trailer was purchased by the State of Michigan using DHS funds allocated to the state and provided to the city which applied for the title. The pickup truck was purchased by Oakland County using DHS funds allocated to the region and titled by the city.

Financial

No city funds were utilized in the purchase of these vehicles. The city has insured the vehicles and the respective mutual aid organizations will provide the insurance when the vehicles are transferred.

Recommendation

It is recommended that the 2005 Wells Cargo Decontamination Trailer be transferred to the Oakway Mutual Aid Association, and that the 2010 Ford Pickup truck be transferred to the Oakland County Fire Mutual Aid Association.

City Attorney's Review as to Form and Legality

Lori Grigg Bluhm, City Attorney

Date

A Special Study Meeting of the Troy City Council was held on Monday, February 4, 2013, at City Hall, 500 W. Big Beaver Rd. Mayor Slater called the meeting to order at 6:02 PM.

B. ROLL CALL:

- Mayor Dane Slater
- Jim Campbell
- Wade Fleming
- Dave Henderson
- Maureen McGinnis
- Ed Pennington – Arrived at 6:42 PM
- Doug Tietz

C. DISCUSSION ITEM:

C-1 Fund Balance and General Fund Revenue

D. PUBLIC COMMENT:

E. ADJOURNMENT:

The Meeting **ADJOURNED** at 6:56 PM.

Mayor Dane Slater

M. Aileen Bittner, CMC
City Clerk

Pastor Darryl Bentley from Troy Seventh Day Adventist Church performed the Invocation. The Pledge of Allegiance to the Flag was given.

A. CALL TO ORDER:

A Regular Meeting of the Troy City Council was held on Monday, February 4, at City Hall, 500 W. Big Beaver Rd. Mayor Slater called the meeting to order at 7:32 PM.

B. ROLL CALL:

Mayor Dane Slater
Jim Campbell
Wade Fleming
Dave Henderson
Maureen McGinnis
Ed Pennington
Doug Tietz

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Presentation by Troy School District Students on the Annual Red Ribbon Week Campaign, Presenting "The Best Me is Drug Free" Pledge Forms to the Troy City Council

C-2 Proclamation to Recognize Michele Hodges for her Service as Troy Chamber of Commerce Director

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 No Public Hearings Scheduled

F. PUBLIC COMMENT FOR ITEMS ON THE AGENDA:

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

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

I-1 Board and Committee Appointments: a) Mayoral Appointments – Downtown Development Authority; b) City Council Appointments – Traffic Committee

a) Mayoral Appointments

Resolution #2013-02-023
Moved by Slater
Seconded by Fleming

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

Downtown Development Authority

Appointed by Mayor
13 Regular Members
4 Year Term

Nominations to the Downtown Development Authority:

Term Expires: 09/30/2016

Dennis Bostick

Term currently held by: Vacancy-Gregory Carnago resigned

Yes: All-7
No: None

MOTION CARRIED

b) City Council Appointments

Resolution #2013-02-024
Moved by Fleming
Seconded by Campbell

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

Traffic Committee

Appointed by Council
7 Regular Members
3 Year Term

Nominations to the Traffic Committee:

Term Expires: 01/31/2016

Sarah Binkowski

Term currently held by: Sarah Binkowski

Term Expires: 01/31/2016

Stevan Popovic

Term currently held by: Stevan Popovic

Yes: All-7
No: None

MOTION CARRIED

I-2 Board and Committee Nominations: a) Mayoral Nominations – Downtown Development Authority; b) City Council Nominations – Historic District Commission

a) Mayoral Nominations

The Mayor took **NO ACTION** on this Item.

b) City Council Nominations

Resolution #2013-02-025
Moved by Fleming
Seconded by McGinnis

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

Historic District Commission

Appointed by Council
7 Regular Members
3 Year Term

Nominations to the Historic District Commission:

Term Expires: 3/1/2016

W. Kent Voigt

Term currently held by: W. Kent Voigt

Yes: All-7
No: None

MOTION CARRIED

I-3 No Closed Session Requested

J. CONSENT AGENDA:

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

Resolution #2013-02-026
Moved by McGinnis
Seconded by Campbell

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

Yes: All-7
No: None

MOTION CARRIED

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

J-2 Approval of City Council Minutes

Resolution #2013-02-026-J-02

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

- a) Regular City Council Meeting – January 28, 2013
-

J-3 No Proposed City of Troy Proclamations:

J-4 No Standard Purchasing Resolutions:

J-5 2013 Liquor Violation Hearings

Resolution #2013-02-026-J-5

RESOLVED, That Troy City Council hereby **CANCELS** the Regular City Council Liquor Violation Hearing Meeting scheduled for Wednesday, February 6, 2013.

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings:

- a) 2013 Liquor Violation Hearings – February 20, 2013
 - b) Michigan Next Energy Exemption – LG Chem, Inc. - March 4, 2013
-

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

L. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:

Peters, Richard	Spoke about the ozone, global warming, and the environment.
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M. COUNCIL REFERRALS:

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

M-1 No Council Referrals

N. COUNCIL COMMENTS:

N-1 No Council Comments Advanced

O. REPORTS:**O-1 Minutes – Boards and Committees:**

a) Election Coordinating Committee-Draft-January 25, 2013
Noted and Filed

O-2 Department Reports:

a) Detroit Free Press Article Article/DWSD Water Rate Increase
Noted and Filed

O-3 No Letters of Appreciation

a) To Chief Mayer from Lou and Glynda Chires (Alibi Restaurant Owners) re Police Assistance
b) To Mayor Slater from William Schmidt re Excellent DPW Service
Noted and Filed

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

Noted and Filed

The Meeting **RECESSED** at 7:53 PM.

The Meeting **RECONVENED** at 8:00 PM.

P. STUDY ITEMS:

P-1 Troy Police Department – Troy Working Together

Q. CLOSED SESSION:

Q-1 Closed Session

R. ADJOURNMENT:

The Meeting **ADJOURNED** at 9:27 PM.

Mayor Dane Slater

M. Aileen Bittner, CMC
City Clerk

A. CALL TO ORDER:

A Special Study Session of the Troy City Council was held on Wednesday, February 6, 2013, at City Hall, 500 W. Big Beaver Rd. Mayor Slater called the meeting to order at 6:00 PM.

B. ROLL CALL:

- Mayor Dane Slater
- Jim Campbell
- Wade Fleming
- Dave Henderson
- Maureen McGinnis
- Ed Pennington
- Doug Tietz – Arrived at 6:15 PM

C. DISCUSSION ITEM:

C-1 Fire

C-2 Recreation

C-3 Department of Public Works

D. PUBLIC COMMENT:

Werpetinski, Jim	Pleased to see budget discussions - thanked presenters, and mentioned great input at 5-year Parks meeting.
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E. ADJOURNMENT:

The Meeting **ADJOURNED** at 9:33 PM.

Mayor Dane Slater

M. Aileen Bittner, CMC
City Clerk



CITY COUNCIL AGENDA ITEM

Date: February 5, 2013

To: Brian Kischnick, City Manager

From: Susan A. Leirstein, Purchasing Director
MaryBeth Murz, Purchasing Manager
Timothy L. Richnak, Public Works Director
Kurt Bovensiepe, Superintendent Parks, Streets, and Drains

Subject: Standard Purchasing Resolution 1: Award To Low Bidders – Asphalt Paving Materials - Hot Patch

History

The Streets and Drains Division uses hot patch asphalt paving materials to replaced distressed areas in city local, industrial, and major roads. The material provides better adhesion properties than cold patch asphalt patching materials and has a longer projected life expectancy. Asphalt paving materials - hot patch are purchased on an as needed basis throughout the year.

Purchasing

On January 24, 2013, bids were electronically received as required by City Charter and Code for one-year requirements of Asphalt Paving Materials- Hot Patch with an option to renew for one additional year. 52 vendors were notified of the bid opportunity via the MITN website with four (4) bid responses received. A secondary supplier is being recommended for award in the event that the primary supplier is unable to supply materials as needed.

After reviewing these proposals, Barrett Paving Material Inc of Troy, MI is being recommended for items 1-5, Cadillac Asphalt LLC is being recommended for item 6 (Bulk Tack Coat) and Surface Coatings Co is being recommended for item 7 (Tack Coat – 5 gal). Barrett Paving Material Inc based in Troy, Michigan was not the lowest bidder. However; as per bid specifications; Terms and Conditions; Section - **Local Preference** which states that “The City of Troy reserves the right to award a contract to a local business, one which pays City of Troy taxes (real and/or personal), if the bid of a local vendor is within 5% of the lowest responsive and responsible non-local bidder, the local vendor is given one chance to match the low bid.”; the bid tabulation was further analyzed.

Barrett Paving Material Inc, being a Troy based vendor was within 5% of the lowest non-local bidder; Cadillac Asphalt LLC. Barrett Paving Material Inc will meet the lowest non-local bid pricing for items 1-5. See the attached bid tabulation for bid pricing as per each bidders response and note the **Estimated Total Awarded Items** line summarizing Barrett Paving Materials willingness to meet low bid pricing.

Financial

Funds for these materials are available through the Public Works operating budgets.

Recommendation

City management recommends awarding contracts to the following low bidders: Barrett Paving Materials Inc for items 1- 5 at an estimated total cost of \$92,800.00, Cadillac Asphalt LLC for item 6 (Bulk Tack Coat) at estimated total cost of \$2,125.00 and Surface Coatings for item 7 (Tack Coat – 5 gal) at an estimated total cost of \$3,300.00, as per unit prices listed in the attached bid tabulation. Additionally, the City requests authorization to use reciprocity between Barrett Paving Materials Inc and Cadillac Asphalt LLC for items 1-5 in the event of a plant closing, or the inability to supply material as needed and specified. Awards are contingent upon contractors' submission of properly executed bid documents.

Prepared by: Marina Basta Farouk, Project Construction Manager

G:\Bid Award 12-13 New Format\Award Standard Purchasing Resolution 1 AsphaltHotPatchITB-COT 12-19.doc

Opening Date -- 1/24/13
 Date REVIEWED - 2/4/2013

CITY OF TROY
 BID TABULATION
 ASPHALT PAVING MATERIALS - HOT PATCH

VENDOR NAME:			**Cadillac Asphalt LLC	**Barrett Paving Materials Inc.	**Surface Coatings Co.
			Secondary	Primary	
ITEM #	EST QTY (TONS)	DESCRIPTION	Unit Price	Unit Price	Unit Price
				Bid Pricing	*Local Preference
1	100	1100T 36A Wearing	\$ 52.00	\$ 54.00	\$ 52.00
2	300	1100T 20AA Wearing	\$ 48.00	\$ 49.25	\$ 48.00
3	200	1100L 20AA Leveling	\$ 48.00	\$ 49.25	\$ 48.00
4	1200	Commercial Top	\$ 48.00	\$ 49.25	\$ 48.00
5	125	Commercial Base	\$ 48.00	\$ 49.25	\$ 48.00
6	500 gal	Bulk Tack Coat	\$ 4.25	No bid	No bid
7	100 pails	Tack Coat - 5 gal	\$ 50.00	\$ 50.00	\$ 33.00
ESTIMATED TOTAL COST:			\$ 99,925.00	\$ 100,281.25	\$ 3,300.00
ESTIMATED TOTAL AWARDED ITEMS:			\$ 2,125.00		\$ 92,800.00 \$ 3,300.00
HRS OF OPERATION:	Hrs of Operation		8:00 - 4:00	7:00 - 4:00	7:30 - 4:00
	Days of Operation		M-F	M-F	Everyday
	Notice of Pick up M-F		24 hrs	12 hrs	
	Saturday		24 hrs	w/prior approval Apr-Nov	7:30 - Noon
	Sunday				7:30 - 10:00am
PROMIXITY:	Location		23 Mile, Shelby Twp	Barrett Dr., Troy	2280 Auburn Rd, Shelby Twp
TERMS:			Net 30	Net 30	Net 30
EXCEPTIONS:			None	None	
ATTACHMENT:			Attachment	Attachment	No attachment
ALL OR NONE AWARD:	Y or N		No	No	No

PROPOSAL: One-Year Requirements of Asphalt Paving Materials - Hot Patch; with an option to renew for one (1) additional year.

*Local preference; 5% rule applies - Barrett Paving Materials, Inc. agrees to match lowest prices of non-Troy based business as allowed as per bid specifications.

****BOLDFACE TYPE DENOTES LOW BIDDERS**

ATTEST:
 Susan Leirstein; CPPO, CPPB
 Susan K. Riesterer
 Marina Basta-Farouk

MaryBeth Murz
 Purchasing Manager

Opening Date -- 1/24/13
 Date REVIEWED - 2/4/2013

CITY OF TROY
 BID TABULATION
 ASPHALT PAVING MATERIALS - HOT PATCH

VENDOR NAME:			Ajax Material Corp.		
ITEM #	EST QTY (TONS)	DESCRIPTION	Unit Price		Unit Price
1	100	1100T 36A Wearing	\$ 55.00		
2	300	1100T 20AA Wearing	\$ 50.00		
3	200	1100L 20AA Leveling	\$ 49.25		
4	1200	Commercial Top	\$ 50.00		
5	125	Commercial Base	\$ 48.00		
6	500 gal	Bulk Tack Coat	\$ 6.00		
7	100 pails	Tack Coat - 5 gal	\$ 60.00		
ESTIMATED TOTAL COST:			\$ 105,350.00		
ESTIMATED TOTAL AWARDED ITEMS:					
HRS OF OPERATION:	Hrs of Operation		7:30 - 4:00		
	Days of Operation		M-F		
	Notice of Pick up M-F		24 hrs		
	Saturday		call for availability		
	Sunday				
PROMIXITY:	Location		Kirks Blvd., Troy		
TERMS:			Net 30		
EXCEPTIONS:			None		
ATTACHMENT:			Attachment		
ALL OR NONE AWARD:	Y or N		No		

PROPOSAL: One-Year Requirements of Asphalt Paving Materials - Hot Patch

**Local preference; 5% rule applies - Barrett Paving Materials, Inc. agrees to match lowest prices of non-Troy based business as allowed as per bid specifications.*



CITY COUNCIL AGENDA ITEM

Date: February 7, 2013

To: Brian Kischnick, City Manager 

From: Mark F. Miller, Director of Economic & Community Development 
 Susan A. Leirstein, Purchasing Director 
 Carol K. Anderson, Temporary Recreation Director 
 Brian Goul, Aquatics and Fitness Coordinator 

Subject: Standard Purchasing Resolution 3: Exercise Renewal Option – Pump Repair and Emergency Services – Indoor and Outdoor Pools

Background

On April 4, 2011, Troy City Council approved a two (2) year contract for Pump Repair and Emergency Services at the Troy Family Aquatic Center and Troy Community Center, with two (2) one-year options to renew under the same pricing structure, terms and conditions, based on mutual consent of both parties to the low total bidder, Professional Pump Inc of Belleville, MI (Resolution #2011-04-071-J-4a).

Professional Pump Inc of Belleville has not had an opportunity to complete any work for the City since the award of the original contract, as the pumps have been working properly. Reduced funding has restricted the amount of routine pump maintenance. Professional Pump has offered to renew their contract for the next one-year period at the same prices, terms and conditions as those originally bid in 2011.

- The Aquatic Center has two pumps that function 24 hours a day in the summer to filter the water of the pool. These pumps were rebuilt in 2005 and 2006.
- There are also six additional pumps at the Aquatic Center that function only when open to run the water features (slides, waterfall, kiddie features). Two of these pumps have been rebuilt in the past seven years while the other four pumps have never been rebuilt or replaced.
- The Community Center Pool has four pumps that are 11 years old. Two of these pumps (therapy and leisure filter pumps) function 24 hours a day and have a life of 10–15 years depending on the condition of the impeller and motor. The two other pumps run the slide and toy features and only run while the features are on during open swim
- New pumps or those that have been rebuilt have a useful life of 15-20 years depending on operational hours. Those pumps that run 24 hours/day year round can be expected to fail sooner than those that operate the water features.
- Failure of any of these pumps could mean that the facility would not be fully operational. In the past, the repairs have taken three weeks.
- Depending on condition of impeller and motor, it is not always possible to rebuild pumps.



CITY COUNCIL AGENDA ITEM

Purchasing

The Purchasing Department has conducted a favorable market survey of pump repair and emergency services and found no reason to solicit new bids due to the limited number of companies performing the services specified. Rates from two area companies surveyed have remained the same or are expected to be higher than the rates in March 2011.

Financial

Funds for these services are available in the Community Center and Troy Family Aquatic Center Contractual Services Account – Equipment Maintenance Fund.

Recommendation

City management recommends exercising the first one-year option to renew the contract with Professional Pump Inc of Belleville, MI for Pump Repair and Emergency Services at the Troy Family Aquatic Center and Troy Community Center under the same prices, terms and conditions contained in the bid tabulation opened March 23, 2011, to expire April 30, 2014.

G:\Bid Award 12-13 New Format\Award Standard Purchasing Resolution 3 PumpMtnceRepair\TB-COT11-05.doc

**STANDARD PURCHASING RESOLUTION 3: Exercise Renewal Option –
Pump Repair and Emergency Services**

WHEREAS, On April 4, 2011, Troy City Council awarded a two (2) year contract to furnish pump repair and emergency services for both the indoor and outdoor pools at the Troy Family Aquatic Center and Community Center to the low bidder, Professional Pump Inc of Belleville, MI, effective May 1, 2011 through April 30, 2013, with two (2) one-year options to renew (Resolution 2011-04-071-J-4a); and,

WHEREAS, Professional Pump Inc has offered to renew their contract for one (1) additional year under the same pricing structure, terms and conditions as the 2011 contract;

THEREFORE, BE IT FURTHER RESOLVED, That Troy City Council hereby determines it to be in the City's best interest to exercise and approve the first one-year option to renew the contract with Professional Pump Inc for pump repair and emergency services at prices contained in the bid tabulation opened March 23, 2011, under the same terms and conditions as the 2011 contract to expire April 30, 2014.



**Purchasing
Department**

DATE: January 31, 2013
TO: Susan Leirstein
FROM: Nancy Kuha
RE: Market Survey for Pump Repair Services – ITB-COT 11-05

Susan,

I spoke to representatives from the two companies that bid on pump repair services in March 2011 regarding their current hourly rates as compared to the rates previously bid. Please find below the results of the survey.

Core Electric/Michigan Pump (313) 382-7140 – I spoke to Nathan who stated that their labor rates have not changed since March 2011.

Kerr Pump and Supply (734) 664-4796 – I spoke to Jim who stated that their labor rates have increased slightly (\$3.00 - \$4.00/hr).

If you have any questions, please let me know.

Nancy



41300 Coca Cola Drive
Belleville, MI 48111

Office 734.394.7878
Fax 734.394.7867
Toll free 888.770.PUMP
www.professionalpump.com

January 17, 2012

City of Troy Recreation Department
3179 Livernois Road
Troy, MI 48083

Attn: Brian Ghoul

Dear Brian,

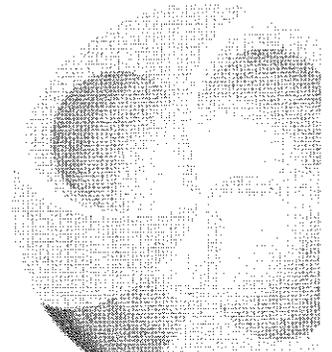
Per the pump maintenance contract requirements agreed to for 2011 & 2012, Professional Pump intends to honor those same contract requirements for 2013. Feel free to contact me with any further questions.

Sincerely,

Jason

Jason Ortiz
Engineered Sales
Professional Pump Inc.
Cell (586) 823-9212
Office (734) 394-7878
Fax (734) 394-7867
www.professionalpump.com

This quote is valid for 30 days.
All Manufacturers warranties apply



a) **Standard Purchasing Resolution 1: Award to Low Bidder – Pump Repair and Emergency Services – Indoor and Outdoor Pools**

Resolution #2011-04-071-J-4a

RESOLVED, That Troy City Council hereby **AWARDS** a contract to furnish two-year requirements of pump repair and emergency repair services for both indoor and outdoor pools for the City of Troy with two one-year renewal options to the low total bidder, Professional Pump Inc. of Belleville, MI, at an estimated total cost of \$20,000.00 per year, at unit prices contained in the bid tabulation dated March 23, 2011, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with the contract expiring April 30, 2013.

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

J-5 Video Service Local Franchise Agreement for WideOpenWest of Michigan

Resolution #2011-04-071-J-5

WHEREAS, Effective January 1, 2007, the Uniform Video Service Local Franchise Act, Act. No. 480 of the Public Acts of 2006, MCL 484.3301 et. seq. ("Act") went into effect; and

WHEREAS, Section 3 of the Act requires a Video Service Provider (Provider) to submit a complete franchise agreement with the local unit of government prior to offering video services within the boundaries of a local unit of government (Franchising Entity); and

WHEREAS, Section 3(2) of the Act sets a deadline for objecting to the completeness of a proposed Franchise Agreement or objecting to other non-compliance with the Act, and this deadline is 15 days after the Franchise Agreement is filed with the City; and

WHEREAS, Section 3(3) of the Act limits a Franchising Entity's review of a Franchise Agreement to the issue of completeness and compliance with State law, and also requires action on the proposed Franchise Agreement within 30 days; and

WHEREAS, On March 8, 2011, WideOpenWest Michigan, LLC, a Delaware Limited Liability Corporation, (WOW) filed its Uniform Video Service Local Franchise Agreement (Agreement) with the City of Troy (Franchise Entity); and

WHEREAS, WOW's Franchise Agreement submittal was reviewed by legal counsel, who forwarded a notice of completeness to WOW on behalf of the City of Troy on March 22, 2011, which was timely filed; and

WHEREAS, WOW's Franchise Agreement submittal has been reviewed by legal counsel, who has certified that the WOW Franchise Agreement satisfies the legal and technical requirements of the Act; and



CITY COUNCIL AGENDA ITEM

April 1, 2011

To: John Szerlag, City Manager

From: Mark F. Miller, Director of Economic & Community Development
Susan A. Leirstein, Purchasing Director
Stuart J. Alderman, Recreation Director

Subject: Standard Purchasing Resolution 1: Award To Low Bidder – Pump Repair and
Emergency Services - Indoor and Outdoor Pools

Background

On March 23, 2011, bids were received and opened in accordance with City Charter and Code to furnish all labor, tools, equipment including cranes etc., and transportation services to provide two-year requirements of pump repair and emergency repairs on the City of Troy (outdoor and indoor) pools with two-one-year renewal options. Having a contract for pump repairs keeps operating costs lower and ensures less downtime for the patrons.

There were 93 vendors notified via the MITN system with three bids received. Five companies actually visited the sites. Professional Pump Inc of Belleville, MI was the low total bidder. Professional Pump has twenty-five (25) years of experience working with these types of pumps.

Recommendation

City management recommends awarding a contract to furnish all labor, tools, equipment including cranes etc., and transportation services to provide two-year requirements of pump repair and emergency repairs on the City of Troy (outdoor and indoor) pools with two-one-year renewal options to the low total bidder, Professional Pump Inc of Belleville, MI for an estimated total cost of \$20,000.00 per year at unit prices contained in the bid tabulation dated March 23, 2011, contingent upon contractor submission of properly executed bid and contract documents including insurance certificates and all other specified requirements.

Fund Availability

The funds for these services are available in the Community Center and Troy Family Aquatic Center Contractual Services Account – Equipment Maintenance Fund.

Prepared by: Brian Goul, Aquatics Coordinator

G:/Bid Award 10-11 New Format/Award Standard Purchasing Resolution 1 - PumpMtnce&RepairTB-COT 11-05.doc

Opening Date -- 03/23/11
 Date Reviewed -- 3/25/2011

**CITY OF TROY
 BID TABULATION
 PUMP REPAIR SERVICES**

ITB-COT 11-05
 Page 1 of 2

VENDOR NAME: sl

Professional Pump Inc	Core Electric / Michigan Pump	Kerr Pump and Supply
-----------------------	-------------------------------	----------------------

PROPOSAL: FURNISH TWO-YEAR REQUIREMENTS OF PUMP REPAIR AND EMERGENCY REPAIR SERVICES FOR BOTH INDOOR AND OUTDOOR POOLS FOR THE CITY OF TROY WITH TWO ONE-YEAR RENEWAL OPTIONS

EST/QTY	ITEM	DESCRIPTION	PER MAN HOUR	PER MAN HOUR	PER MAN HOUR
Repair Service - 2-Man Crew					
40 hrs	1.a.	On Site Regular Time - Hour per Man	\$ 48.00	\$ 81.50	\$ 80.00
60 hrs	1.b.	Off Site Regular Time - Hour per Man	\$ 48.00	\$ 75.00	\$ 80.00
20 hrs	1.c.	COST - to remove pumps from their housing- Labor/Eqmt.	\$ 180.00	\$ 150.00	\$ 250.00
	1.d.	RESPONSE TIME: Within	4/Hrs	4/Hrs	4/Hrs
Emergency Repairs - 2-Man Crew					
20 hrs	2	Regular Time - Hour per Man	\$ 60.00	\$ 81.50	\$ 80.00
		Overtime: - Hour per Man	\$ 60.00	\$ 106.50	\$ 120.00
		Holiday Time - Hour per Man	\$ 60.00	\$ 131.50	\$ 160.00

ESTIMATED TOTAL COST:	\$ 19,200.00	\$ 24,780.00	\$ 29,200.00
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TROY FAMILY AQUATIC CENTER (FLOWAY)

3	Repair Parts			
	Discount %	Blank	N/A	0%
	Parts Price List	Blank	N/A	2011
	Dated	Blank	N/A	2/1/2011
	PRICE LIST - Marked	Blank	N/A	Blank
	A Markup/Markdown	Markup 15%	Plus 10%	Plus 20%
	Impeller Replacement Cost	Blank	Cost + 10%	Blank
	Pump Shaft Replacement Cost	Blank	Cost + 10%	Blank

TROY COMMUNITY CENTER (AURORA)

4	Repair Parts			
	Discount %	Blank	N/A	10%
	Parts Price List	Blank	N/A	2011
	Dated	Blank	N/A	2/1/2011
	PRICE LIST - Marked	Blank	N/A	Blank
	A Markup/Markdown	Markup 15%	Plus 10%	Plus 20%
	Impeller Replacement Cost	Blank	Cost + 10%	\$ 2,974.00
	Pump Shaft Replacement Cost	Blank	Cost + 10%	N/A

5	Travel Time			
	Complete Repair Call	\$ 48.00	\$ 100.00	\$ 40.00

MANDATORY:

Number of years experience 25 Years 10 Years 50 Years

CONTACT INFORMATION:

Hrs of Operation 7:30AM-4:30PM 7AM-3:30PM M-F 8AM-5PM
 Contact Number (734) 394-7878 (313) 382-7140 (734) 664-4796

SITE INSPECTION: Yes or No
 Date

No Yes Yes
 3/10/11 In 2009

Opening Date -- 03/23/11
 Date Reviewed - 3/25/2011

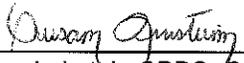
**CITY OF TROY
 BID TABULATION
 PUMP REPAIR SERVICES**

VENDOR NAME:		Professional Pump Inc	Core Electric / Michigan Pump	Kerr Pump and Supply
INSURANCE:	Can Meet	XX	XX	XX
	Cannot Meet			
	Signed Y or N	Y	Y	Y
PAYMENT TERMS:		Blank	Net 30	Net 30
WARRANTY:		AS SPECIFIED		
ALL OR NONE AWARD: Y or N		N	N	N
EXCEPTIONS:		Blank	warranty 1 yr from date of install or 1 yr from date of delivery whichever occurs first	Blank
ACKNOWLEDGEMENT: Y or N		Y	Y	N
TWO FORMS COMPLETED: Attached				
	Legal Status: Y or N	N	Y	Y
Non-Collusion: Y or N		Y	Y	Y

NO BIDS:
Pleune Service Company

BOLDFACE TYPE DENOTES LOW TOTAL BIDDER

ATTEST:
Julie Hamilton
Brian Goul
Diane Fisher


 Susan Leirstein CPPO, CPPB
 Purchasing Director



CITY COUNCIL AGENDA ITEM

Date: February 13, 2013

To: Brian Kischnick, City Manager

From: Brent Savidant, City Planner
M. Aileen Bittner, City Clerk

Subject: Planning Commission Representative to the Zoning Board of Appeals

History

On January 8, 2013, the Planning Commission voted in favor of nominating Tom Krent as the Planning Commission Representative to the Zoning Board of Appeals. This appointment requires City Council approval. This appointment is reviewed annually in January by the Planning Commission.

Purchasing – Not Applicable

Financial – No Financial Considerations

Recommendation

City Administration recommends that City Council approve the Planning Commission's nomination and appoint Tom Krent to be the Planning Commission Representative to the Zoning Board of Appeals.

Chair Tagle called the Regular meeting of the Troy City Planning Commission to order at 7:00 p.m. on January 8, 2013 in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Donald Edmunds
Michael W. Hutson
Edward Kempen
Tom Krent
Philip Sanzica
Gordon Schepke
Robert Schultz
Thomas Strat
John J. Tagle

Also Present:

R. Brent Savidant, Planning Director
Susan Lancaster, Assistant City Attorney
Ben Carlisle, Carlisle/Wortman Associates, Inc.
Kathy L. Czarnecki, Recording Secretary

2. APPROVAL OF AGENDA

Resolution # PC-2013-01-001

Moved by: Schultz
Seconded by: Strat

RESOLVED, To approve the Agenda as prepared.

Yes: All present (9)

MOTION CARRIED

3. APPROVAL OF MINUTES

Resolution # PC-2013-01-002

Moved by: Edmunds
Seconded by: Krent

RESOLVED, To approve the minutes of the December 11, 2012 Regular meeting as published.

Yes: All present (9)

MOTION CARRIED

4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

CONDITIONAL REZONING REQUEST

5. PUBLIC HEARING – CONDITIONAL REZONING APPLICATION (File Number CR 008)
– Proposed Tim Horton’s Café, Northwest Corner Square Lake and Dequindre, Section 1,
From NN (Neighborhood Node “N”) to CB (Community Business) District

Mr. Hutson informed the Board he has a client who might be involved in litigation with the petitioner’s law partner. Mr. Hutson asked to recuse himself from discussion and deliberation on this item to avoid any appearance of impropriety.

The Board had no objection to the request.

[Mr. Hutson exited the meeting.]

Mr. Carlisle gave a review of the Conditional Rezoning application. Mr. Carlisle said the proposed drive-through use predicated on a conditional rezoning would not advance the Master Plan intent of the Neighborhood Node “N” zoning classification. He addressed the size of the parcel in relation to the drive-through, the restaurant use in terms of parking and the corner location with two access points.

Mr. Carlisle further identified specific site plan issues:

- Deficiency in parking spaces; 20 provided, 28 required.
- Requirement of 10 stacking spaces; 10th stacking space protrudes into drive aisle.
- Bisected / disjointed parking area.
- Potential deficiency in overall landscape area; 20% required, plan does not indicate.
- Impact on residential property to the west.
- Access and internal traffic circulation; specifically in morning and evening hours.
- Internal pedestrian circulation; both from parking lot to building and in location of menu/speaker board.
- Lack of snow storage location.
- Dumpster location; high visibility on Square Lake Road.
- Unknown specifics from future traffic study; petitioner expressed feedback from Planning Commission prior to providing traffic study.

Mr. Carlisle did not recommend approval of the Conditional Rezoning application, as submitted. He offered the following suggestions:

- Consider adding a portion, if not all, of the parcel to the north.
- Keep restaurant use but eliminate the drive-through.
- Consider an alternative use of site.

Mr. Savidant announced the Planning Department received 16 email messages from residents in the area, of which copies were distributed to members prior to the beginning of tonight's meeting.

The petitioner, Burt Kassab, was present. Mr. Kassab stated the property owner, Sam Askar, is present and in the audience. Mr. Kassab addressed the size of the parcel. He compared the proposed Tim Horton restaurant site to two existing Tim Horton restaurants in Troy on Rochester Road and Maple Road, as relates to parcel size and building size. Mr. Kassab said they have tried to meet the Neighborhood Node requirements in every respect.

Mr. Kassab reported the overall landscaped area is 21.1%; exceeding the 20% requirement. He stated Tim Horton's corporate office is satisfied that the 20 parking spaces provided will be sufficient. Mr. Kassab said the parcel to the north provides a great buffer to the residential neighborhood. He addressed the location and decibel level of the menu/order board that faces Square Lake, indicating it should have no affect on the neighborhood. Mr. Kassab said a drive-through restaurant is a corporate requirement.

Mark Kellenberger, Tim Horton's project planner, was present. Mr. Kellenberger said to his knowledge, all freestanding Tim Horton restaurants in Michigan are drive-through restaurants; those without drive-through's are located in non-traditional locations.

There was discussion on the following:

- Curb cuts / access points.
 - Critical to petitioner to attract business from both Square Lake and Dequindre Roads.
 - Curb cuts currently exist, installed by City during widening of right of way.
 - Affect on development should traffic study determine elimination of one curb cut to potentially alleviate traffic issues.
 - Petitioner stated restaurant operations would likely not go forward with development.
 - Elimination could potentially create more traffic issues.
 - Engineering review had no comments on curb cuts; asked petitioner to provide traffic study.
- Deficiency of eight (8) parking spaces.
 - Restaurant operations satisfied proposed parking is sufficient.
- Traffic, internal circulation, drive-through.
 - Morning hours draw majority of business, heaviest traffic and drive-through use.
 - Afternoon/evening hours light; new marketing strategy to attract customer base.
 - Configurations of turn lanes at intersection.
 - No escape lane proposed.
- Buffer to residential.
 - Dense evergreens to west and north.
 - Fence around property line.
 - Parcel to north acts as buffer.
 - Masonry wall on west.

- Noise levels; petitioner addressed menu board location.
- Property to north; parcel larger in size than subject parcel.
- Positive features of site plan, restaurant use and location.
 - Patio.
 - Walkability.
 - Two access points.
 - Good fit for potential customer base; nearby hospital.

PUBLIC HEARING OPENED

The following residents spoke in opposition:

Tom Dombrowski	2900 Briarwood Ct
Robert Cantlon	2864 Briarwood
Prabhakar Vallury	2878 Briarwood
Matthew Zelenak	2819 Briarwood
Pari Tathavadekar	2861 Briarwood
Lisa Havlish	2875 Briarwood
Srivatsan Santhanam	2945 Briarwood
Ritika Undemane	2892 Briarwood
Anup Gongle	2936 Briarwood
Norman Balston	2916 Briarwood
Akram Muhammad	2978 Briarwood

Residents who spoke in opposition expressed concerns with:

- 24-hour operation.
- Drive-through facility.
- Traffic congestion, signalization.
- Internal circulation; stacking of cars.
- Noise level.
- Lights.
- Garbage, litter.
- Overall safety.
- Safety of school children; bus pickup.
- Re-use of existing vacant parcels.
- Loitering; negative impact on children.
- Non-friendly sidewalk/bicycle use.
- Deviation from Master Plan intent.

The following resident spoke in favor:

G. James Grix 2508 Coral

Mr. Grix said a restaurant would generate revenue, offer employment and a ‘go to’ place for the neighborhood. He said other cities are attracting drive-through restaurants and potential revenue because Troy turns them away.

PUBLIC HEARING CLOSED

Discussion followed:

- Site plan design as relates to positive features and deficiencies.
 - Stacking spaces critical; no provision to waive Zoning Ordinance requirement.
- Master Plan intent.
- Responsibility of Planning Commission; health, safety and welfare of residents.
- Potential impact / non-impact on neighboring residents.
- Limited operational hours for drive-through.
- Approval process.
 - Recommendation to City Council.
 - Conditions to site plan must be volunteered by petitioner.
 - Site plan, if approved, would not come back before Board.
- Consider noise/decibel level study.
- Potential of traffic study to impact lay of the property.
 - Site plan might not come back before Board.
- Legal opinion to complete Conditional Rezoning Agreement and traffic study prior to recommendation to City Council.

The property owner, Sam Askar, addressed attempts to develop parcel after purchasing it from the City seven years ago. Mr. Askar said the asking price of the property to the north is high, and even if acquired a larger Tim Horton restaurant would be proposed. He intimated that most likely the Tim Horton’s corporate office would go to another city with a proposal if the Board does not approve this application. Mr. Askar, noting he is familiar with the area, addressed the concern expressed for the safety of school children.

Mr. Kassab said he believes the asking price of the parcel to the north is above market and informed the Board that negotiations could not be reached with the two owners.

Mr. Kassab said if the Board chose to postpone the item, he would work on traffic study issues and relocation of the dumpster.

Resolution # PC-2013-01-003

Moved by: Schultz
 Seconded by: Krent

RESOLVED, To postpone the item for thirty (30) days, not to exceed 30 days.

Yes: All present (9)

MOTION CARRIED

Chair Tagle requested a recess at 8:56 p.m.

The meeting reconvened at 9:04 p.m.

[Mr. Hutson returned to the meeting.]

SPECIAL USE REQUEST AND PRELIMINARY SITE PLAN REVIEW

6. **PUBLIC HEARING – SPECIAL USE REQUEST AND PRELIMINARY SITE PLAN REVIEW (File Number SU 398) – Proposed Fifth Third Bank, North Side of Big Beaver between Lakeview and Alpine (2282 W Big Beaver), Section 20, Currently Zoned BB (Big Beaver) District**

Mr. Carlisle gave a brief review of the application. He said the application meets all Zoning Ordinance requirements and Big Beaver form based requirements. Mr. Carlisle recommended approval of the Special Use and Preliminary Site Plan application as submitted.

There was discussion on the existing sign. Sign placement is not within the Planning Commission purview but it was noted there was concern with pedestrian visibility.

The petitioner, Doug Brinker of Atwell, and Jeff Wagner, representative of Fifth Third Bank, were present.

Mr. Wagner addressed the recently adopted Zoning Ordinance Text Amendment with respect to drive-through's on Big Beaver Road. Mr. Wagner acknowledged the City's concern on the sign placement. He said pedestrian visibility and line of sight guidelines will be applied when placing the monument sign at the new facility.

Messrs. Wagner and Brinker addressed the stacking of cars in the drive-through.

Mr. Savidant commended the applicant in responding quickly to some site plan revisions and submitting a clean application to the Planning Commission.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2013-01-004

Moved by: Schultz
Seconded by: Schepke

RESOLVED, That Special Use Approval and Preliminary Site Plan Approval for the proposed Fifth Third Bank, located on the north side of Big Beaver between Lakeview and Alpine (2282 W Big Beaver), Section 20, currently zoned BB (Big Beaver) District, be granted.

Yes: All present (9)

MOTION CARRIED

ZONING ORDINANCE TEXT AMENDMENT

- 7. **PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 244)**
– Miscellaneous Zoning Ordinance Revisions

Mr. Carlisle reviewed the proposed amendment changes to the April 2011 Zoning Ordinance. He asked if the Board had any comments and for a recommendation to City Council for approval of the proposed revisions.

Mr. Edmunds requested the correction of the spelling of “insure” to “ensure”.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2013-01-005

Moved by: Schultz
Seconded by: Edmunds

RESOLVED, That the Planning Commission hereby recommends to the City Council that Articles 2, 3, 4, 5, 6, 7, 10, 12, 13 and 16 of Chapter 39 of the Code of the City of Troy, which includes miscellaneous Zoning Ordinance revisions, be amended as printed on the proposed Zoning Ordinance Text Amendment.

Yes: All present (9)

MOTION CARRIED

SITE CONDOMINIUM DEVELOPMENT

- 8. **PRELIMINARY SITE PLAN REVIEW** – Proposed Beachview Estates Site Condominium, 8 units/lots, West side of Beach Road, 1000’ South of Long Lake, Section 18, Currently Zoned R-1A (One Family Residential) District

Mr. Carlisle reviewed the history of the proposed Site Condominium application. The plan before the Board this evening is for the originally requested 8 units/lots. Mr. Carlisle identified small site plan issues as noted in his report dated December 27, 2012 and recommended approval of the Site Condominium application, conditioned on those items being satisfied at the time of Final Site Plan approval.

The petitioner, Joseph Maniaci of Mondrian Properties, was present. Mr. Maniaci said he plans to go before the Traffic Committee to request a sidewalk waiver.

Mr. Edmunds applauded the petitioner for his patience and motivation in his attempt to develop the site as a cluster development.

Chair Tagle opened the floor for public comment.

There was no one present who wished to speak.

Chair Tagle closed the floor for public comment.

Resolution # PC-2013-01-006

Moved by:	Edmunds
Seconded by:	Schultz

RESOLVED, That Preliminary Site Condominium Approval, pursuant to Article 8 and Section 10.02 of the Zoning Ordinance, as requested for Beachview Estates Site Condominium, 8 units/lots, West side of Beach Road, South of Long Lake, Section 18, within the R-1A (One Family Residential) District, be granted, subject to the following:

1. Submit a revised Preliminary Site Plan that includes the following revisions:
 - a. Reconfigured unit five building footprint.
 - b. Identify proposed lot coverage.
 - c. Show the required 25’ x 25’ corner clearance on both sides of the new intersection of Beachview Court and Beach Road.
 - d. Show access drive to the detention basin.
2. Provide a 5-foot wide sidewalk along Beach Road or seek a waiver from the Traffic Committee.
3. Obtain all appropriate wetland permits MDEQ, Oakland County Soil Erosion, Oakland County Water Resources Commissioner, City of Troy, and any other appropriate body prior to Final Site Plan approval.

Yes: All present (9)

MOTION CARRIED

OTHER BUSINESS

9. **ELECTION OF OFFICERS FOR 2013**

Chair Tagle opened the floor for nominations for Chair and Vice Chair.

Mr. Schultz nominated John Tagle as Chair and Don Edmunds as Vice Chair.

Hearing no further nominations, Chair Tagle declared the nominations for the positions of Chair and Vice Chair closed.

Chair Tagle opened the floor for nominations for the Zoning Board of Appeals representative.

Mr. Schultz nominated Tom Krent as Zoning Board of Appeals representative.

Hearing no further nominations, Chair Tagle declared the nominations for the position of Zoning Board of Appeals representative closed.

Roll Call vote on the nominations on the floor.

Yes: All present (9)

10. **PUBLIC COMMENTS** – For Items on Current Agenda

There was no one present who wished to speak.

11. **PLANNING COMMISSION COMMENTS**

There were general Planning Commission comments.

The Regular meeting of the Planning Commission adjourned at 9:40 p.m.

Respectfully submitted,

John J. Tagle, Chair

Kathy L. Czarnecki, Recording Secretary



CITY COUNCIL AGENDA ITEM

Date: February 11, 2013

To: Brian Kischnick, City Manager

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

Subject: Private Agreement – Contract for Installation of Municipal Improvements
Timbercrest Preserves - Project No. 12.915.3

History

Timbercrest Preserves Site Condominiums proposed by Mondrian Properties Preserves LLC is located at the south end of Timbercrest Drive with a new connection to Fernliegh in the NE 1/4 of Section 24.

Troy Planning Commission recommended preliminary site plan approval on November 13, 2012.

Site grading and utility plans for this development were reviewed and recently approved by the Engineering Department. The plans include municipal improvements; water main, sanitary sewer, storm sewer, paving, sidewalks, soil erosion and landscaping, which will be constructed by Mondrian Properties Preserves LLC on behalf of the City of Troy. The required fees and refundable escrow deposits in the form of Performance Bond and 10% Cash, that will assure completion of the municipal improvements, have been provided by Mondrian Properties Preserves LLC (see attached Private Agreement).

Recommendation

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

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

Project No.: **12.915.3**

Project Location: **NE 1/4 Section 24**

Resolution No:

Date of Council Approval:

This Contract, made and entered into this **18th** day of **February, 2013** by and between the City of Troy, a Michigan Municipal Corporation of the County of Oakland, Michigan, hereinafter referred to as "City" and **Mondrian Properties Preserves LLC** whose address is **50215 Schoenherr, Shelby Twp., MI 48315** and whose telephone number is **586-726-7340** hereinafter referred to as "Owners", provides as follows:

FIRST: That the City agrees to permit the installation of **Water main, Sanitary Sewer, Storm Sewer, Paving, Sidewalks, Soil Erosion and Landscaping** in accordance with plans prepared by **Horizon Engineering LLC** whose address is **P.O. Box 182158, Shelby Twp., MI 48318** and whose telephone number is **586-453-8097** and approved prior to construction by the City in accordance with City of Troy specifications.

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

Refundable escrow deposit equal to the estimated construction cost of \$ **240,494.00**. This amount will be deposited with the City in the form of (check one):

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

Refundable cash deposit in the amount of \$ **60,481.00**. This amount will be deposited with the City in the form of (check one):

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

Non-refundable cash fees in the amount of \$ **20,794.00**. This amount will be paid to the City in the form of (check one):

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

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

City Of Troy

Contract for Installation of Municipal Improvements (Private Agreement)

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

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

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

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

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed in duplicate on this _____ day of _____, 20_____.

OWNERS

CITY OF TROY

By:

By:



JOSEPH MANIACI FOR MP PRESERVES
Please Print or Type

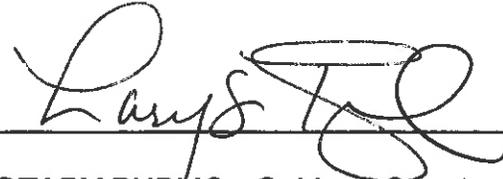
Dane M. Slater, Mayor

Please Print or Type

M. Aileen Bittner, City Clerk

STATE OF MICHIGAN, COUNTY OF OAKLAND

On this 11th day of February, A.D. 2013, before me personally appeared Joseph Maniaci, Member of MP Preserves, 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.



NOTARY PUBLIC, Oakland County, Michigan

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

My commission expires: _____

Detailed Summary of Required Deposits & Fees
 Timbercrest Preserves
 14 Units - Section 24

ESCROW DEPOSITS or PERFORMANCE BOND:

Sanitary Sewers	\$47,640
Water Mains	\$31,300
Storm Sewers	\$45,960
Rear Yard Drains	\$18,255
Pavement - CONCRETE	\$79,614
Grading	\$5,000
Detention Basin	\$0
Monuments and Lot Corner Irons	\$545
Sidewalks - OFF SITE	\$3,780
Deposit for the Repair of Damage to Existing Public Streets Used for Access	\$8,400
TOTAL PERFORMANCE BOND (REFUNDABLE):	<u>\$240,494</u>

CASH FEES (NON-REFUNDABLE):

Water Main Testing and Chlorination (PA2)	\$650
Street Name and Traffic Signs (SUB 4)	\$841
Testing Services (SUB 11)	\$3,607
Engineering Review and Inspection (PA 1)	\$18,013
Less Initial Engineering Review Fee (Public & Private)(1.1%)	-\$2,317

(PA 3) TOTAL CASH FEES (NON-REFUNDABLE): \$20,794

PAID

(K# 3743)

FEB 11 2013

CASH DEPOSITS (REFUNDABLE):

Sidewalk Closures	\$810
Deposit for Maintenance & Cleaning of Ex. Public Streets Used for Access	\$2,800
10% Cash Escrow & Punchlist & Restoration Deposit	\$55,121
Deposit for Repair, Replacement or Maintenance of SESC	\$1,750

(PA 3) TOTAL CASH DEPOSITS (REFUNDABLE): \$60,481

(K# 3742)

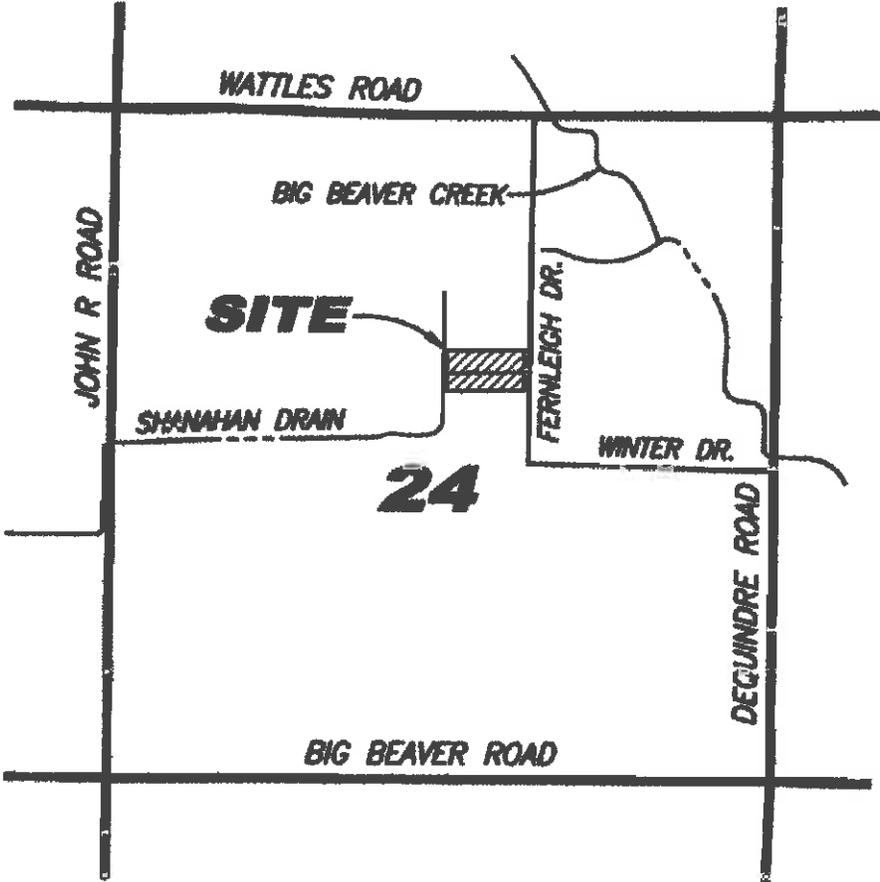
PAID

FEB 11 2013

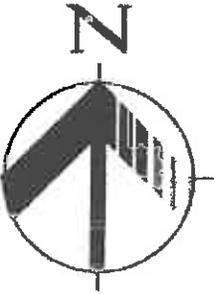
CITY OF TROY
 TREASURER'S OFFICE

Stormwater detention for this development will be provided by:
 Existing Offsite Public Pond
 Engineer: Horizon Engineering LLC
 Developer: Mondrain Properties Preserves LLC

Timbercrest Preserves Site Condominium



LOCATION MAP





CITY COUNCIL AGENDA ITEM

Date: February 11, 2013

To: Brian Kischnick, City Manager

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

Subject: Request to Grant a Utility Easement to Detroit Edison over City Parcel
#88-20-24-226-110

History

City Council previously approved the Tuscany Estates Site Condominium development located in the northeast 1/4 of Section 24. A portion of the site was conveyed to the City, by Resolution #2012-12-222-J-6, for storm water detention purposes and the Warranty and Quit Claim deeds were recorded with Oakland County Register of Deeds.

Detroit Edison has requested a utility easement over a portion of the conveyed parcel in order to provide service to Tuscany Estates.

Engineering department staff has reviewed the easement design and content of the easement document and have no reservations in granting the easement.

Financial

The format and content of this easement is consistent with easements previously granted by City Council. There is no cost associated with granting of this easement.

Recommendation

City Management recommends that City Council grant the attached easement.

Detroit Edison Underground Easement (Right of Way) No. 35426923-35426928

On _____, 2013, for the consideration of system betterment, Grantor grants to Grantee a permanent, non-exclusive underground easement ("Right of Way") in, on, under, and across a part of Grantor's Land called the "Right of Way Area".

"Grantor" is: CITY OF TROY, A MUNICIPAL CORPORATION, WHOSE ADDRESS IS 500 WEST BIG BEAVER ROAD, TROY, MI 48084

**"Grantee" is: DTE Electric Company, a Michigan corporation, One Energy Plaza, Detroit, Michigan 48226
Michigan Bell Telephone Company, d/b/a AT&T Michigan formerly d/b/a SBC Michigan, 54 N. Mill, Pontiac, MI 48342
Comcast Cable of Indiana/Michigan/Texas, Inc., 30600 Telegraph Rd., Bingham Farms, Michigan 48025
Consumers Energy, 1015 S. Latson, Howell, Michigan 48843
Wide Open West, Inc., 950 E. Whitcomb, Madison Heights, MI 48071**

"Grantor's Land" is in T2N, R11E, SEC 24, NE1/4 Troy Township, County of Oakland, and State of Michigan, and is described as follows:

T2N, R11E, SEC 24 PART OF E 1/2 OF SEC BEG AT PT DIST N 89-22-00 W 622.48 FT FROM E 1/4 COR, TH N 01-11-59 W 199.40 FT, TH N 89-44-14 E 180 FT, TH S 01-11-59 E 207.96 FT, TH S 89-44-14 W 180 FT, TH N 01-11-59 W 8.56 FT TO BEG 0.86 A 4-14-05 FR 050 & 051

**Tax Identification Number(s): 20-24-226-110
More Commonly Known As: Vacant Land, Troy, MI**

The "Right of Way Area" is a ten (10') foot wide easement on part of Grantor's Land. The centerline of the Right of Way Area shall be established in the as-built location of the centerline of Grantee's facilities, and shall be installed on Grantor's land in the approximate location described as follows:

THE LEGAL DESCRIPTION AND EASEMENT DRAWING IS MORE PARTICULARLY DESCRIBED ON EXHIBIT "A-1" ATTACHED HERETO AND MADE A PART HEREOF."

**Tax Identification Number(s): 20-24-226-110
More Commonly Known As: Vacant Land, Troy, MI**

- 1. Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain underground utility line facilities consisting of poles, guys, anchors, wires, manholes, conduits, pipes, cables, transformers and accessories.
- 2. Access:** Grantee has the right of access to and from the Right of Way Area.
- 3. Buildings or other Permanent Structures:** No buildings or other permanent structures or improvements with the exception of existing fence, garage, and/or shed may be constructed or placed in the Right of Way Area without Grantee's prior, written consent. Grantor agrees, at its own expense, to remove any improvement that interferes with the safe and reliable operation, maintenance and repair of Grantee's facilities upon the written demand of Grantee. If Grantor fails to comply with such demand, Grantor agrees that Grantee may remove any such improvement and bill Grantor for the cost thereof, which cost Grantor shall pay within thirty (30) days after demand therefor.
- 4. Excavation:** Pursuant to 1974 Public Act 53, MISS DIG (1-800-482-7171 or 811 in some areas) must be called before any excavation in the Right of Way Area may proceed.
- 5. Trees, Bushes, Branches, Roots, Structures and Fences:** Grantee may trim, cut down, remove or otherwise control any trees, bushes, branches and roots growing or that could grow in the Right of Way Area and remove any structures, improvements, buildings or landscaping, with the exception of existing fence, garage, and/or shed, in the Right of Way Area that Grantee believes could interfere with the safe and reliable construction, operation, maintenance and repair of Grantee's facilities. No landscaping, trees, plant life, structures, improvements or fences may be planted, grown or installed within 8 feet of the front door, or within 2 feet of the other

sides, of transformers or switching cabinet enclosures, and Grantee will not be responsible for any damage to, or removal of, landscaping, trees, plant life, structures, and/or improvements located in such areas.

6. Restoration: If Grantee's agents, employees, contractors, subcontractors, vehicles or equipment damage Grantor's Land while entering Grantor's Land for the purposes stated in this Right of Way, then Grantee will restore Grantor's Land as nearly as is reasonably practicable to the condition in which it existed prior to such damage. Restoration with respect to paved surfaces shall consist of asphalt cold patching of the damaged portion of any asphalted surfaces and the cement patching of the damaged portion of any cemented surfaces. However, with the exception of existing improvements, Grantee shall have no liability for the restoration or cost of any improvements whatsoever, including, but not limited to, paving, roadways, parking areas, parking islands, sidewalks, curbing, gutters, or landscaping such as trees, bushes, flowers or grass located within the Right of Way Area that are damaged by Grantee in the course of constructing, reconstructing, modifying, adding to, repairing, replacing, operating or maintaining its facilities as described in paragraph 1 above.

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

8. Exemptions: Exempt under MCL 207.505(a) and MCL 207.526(a).

9. Governing Law: This Agreement shall be governed by the laws of the State of Michigan.

Grantor(s): City of Troy

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

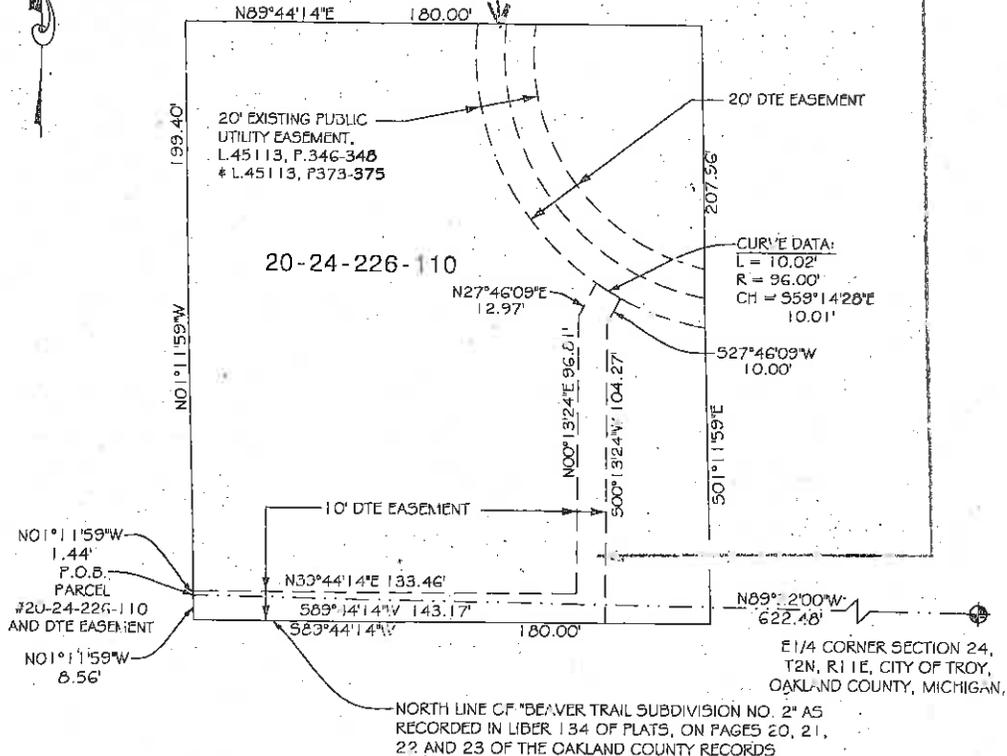
Acknowledged before me in _____ County, Michigan, on _____, 2013,	
by _____, Its: _____ for City of Troy, a Municipal corporation.	
Notary's Stamp _____	Notary's Signature _____
Acting in _____ County, Michigan	

Drafted by and when recorded, return to: Cassandra Dansby, Detroit Edison, NWP&D, 37849 Interchange Dr, Farmington Hills MI 48335

SKETCH AND DESCRIPTION OF DTE EASEMENT

CENTERLINE OF 20' FOOT WIDE EASEMENT
 NOTE: THE EASEMENT CENTERLINE MAY VARY IF FIELD CONSTRUCTION PROBLEMS ARISE. THEREFORE, FOR THE AS-INSTALLED EASEMENT CENTERLINE CALL 1-800-482-7171 (MISS DIG).

CENTERLINE OF 10' FOOT WIDE EASEMENT
 NOTE: THE EASEMENT CENTERLINE MAY VARY IF FIELD CONSTRUCTION PROBLEMS ARISE. THEREFORE, FOR THE AS-INSTALLED EASEMENT CENTERLINE CALL 1-800-482-7171 (MISS DIG).



DESCRIPTION OF PARCEL #20-24-226-110

A PARCEL OF LAND LOCATED IN AND BEING A PART OF THE EAST 1/2 OF SECTION 24, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN AND BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT A POINT ON THE EAST AND WEST 1/4 LINE OF SAID SECTION 24, A DISTANCE OF 622.48 FEET N89°22'W OF THE EAST 1/4 POST OF SAID SECTION 24; THENCE N01°11'59\"/>

DESCRIPTION OF DTE EASEMENT

A PARCEL OF LAND LOCATED IN AND BEING A PART OF THE EAST 1/2 OF SECTION 24, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN AND BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT A POINT ON THE EAST AND WEST 1/4 LINE OF SAID SECTION 24, A DISTANCE OF 622.48 FEET N89°22'W OF THE EAST 1/4 POST OF SAID SECTION 24; THENCE N01°11'59\"/>

PARENT WO 35415266

CHILD WO 35426923

SRW WO 35426928

CLIENT TUSCANY ESTATES, LLC	PROJECT NO. 11-017C
SCALE 1" = 50'	DATE 01-04-13
DRAWN BY L.A.	CHECKED BY F.K.



FAZAL KHAN & ASSOCIATES, INC.
 CIVIL ENGINEERS & LAND SURVEYORS
 43279 SCHOENHERR STERLING HEIGHTS, MI 48313
 PHONE (586) 739-8007 FAX (586) 739-6994



CITY COUNCIL AGENDA ITEM

Date: February 12, 2013

To: Brian Kischnick, City Manager

From: M. Aileen Bittner, City Clerk

Subject: Corrections to Appointments to the Historic District Commission

History

In March of 2011, the term of Ann Partlan expired and she requested reappointment. This term was never brought to City Council for nomination and appointment. Ms. Partlan continued to serve on the Commission, which is allowable since a member can serve during his or her expired term.

In March of 2012, appointments to the Historic District Commission were made. The term for Hugh Stephen Doyle was listed with an incorrect expiration date of July 31, 2013. The correct expiration date is May 15, 2015.

City Administration requests that City Council reconsider Resolution #2012-03-062 *I-1b City Council Appointments* from the Regular City Council Meeting held on March 5, 2012, in order to correct the expiration date of Hugh Stephen Doyle's term. Additionally, the nomination for reappointment of Ann Partlan is included in this Agenda for City Council consideration. The expiration date of the current term is March 1, 2014.

Purchasing – Not Applicable

Financial – No Financial Considerations

Recommendation

City Administration recommends that City Council reconsider Resolution #2012-03-062 *I-1b City Council Appointments*; and, amend the appointment to correct the expiration date of Hugh Stephen Doyle's term on the Historic District Commission.

City Administration also recommends that City Council take action on the nomination for reappointment of Ann Partlan to the Historic District Commission with a term expiring 3/1/2014.

Suggested Resolution

Resolution #2013-02-

Moved by

Seconded by

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

Historic District Commission

Appointed by Council

7 Regular Members

3 Year Term

Current Members:

Last Name	First Name	App Resume Expire	Appointment Date	Appointment Expire	Notes 3
Chambers	Barbara A.	2/9/2013	3/19/2012	3/1/2014	
Doyle	Hugh Stephen	2/8/2014	3/19/2012	7/31/2013	Requests Reappointment
Kuppa	Padma	8/13/2011	3/19/2012	3/1/2014	
McGee	Timothy S.	8/13/2014	8/27/2012	5/15/2015	
Partlan	Ann	2/24/2013	4/7/2008	3/1/2014	Historical Society Recommendation; Requests Reapp.
Schuchter	Doris	11/22/2013	6/18/2012	5/15/2015	Historical Society Recommendation
Voigt	W. Kent	1/23/2015	10/17/2011	3/1/2013	Requests Reappointment

Nominations to the Historic District Commission:

Term Expires: 3/1/2014

Term currently held by: Ann Partlan

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 2
Viola	Vincent	11/16/2013	Animal Control Appeal Bd. exp. 9/30/2012

Yes:

No:

Proposed Reconsideration of Resolution #2012-03-062 I-1b City Council Appointments

Suggested Resolution

Resolution #2013-02-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **RECONSIDERS** Resolution #2012-03-062, Moved by McGinnis and Seconded by Campbell, as it appears below:

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

Historic District Commission

Appointed by Council

7 Regular Members

3 Year Term

Term Expires: 07/31/2013

Hugh Stephen Doyle

Term currently held by: Brian Wattles

Term Expires: 03/01/2014

Barbara Chambers

Term currently held by: Barbara Chambers

Term Expires: 03/01/2014

Padma Kuppa

Term currently held by: Sabah Jihad

Traffic Committee

Appointed by Council

7 Regular Members

3 Year Term

Term Expires: 01/31/2015

David Ogg

Term currently held by: Gordon Schepke (Appt'd to Planning Commission)

Term Expires: 01/31/2015

Lawrence Ted Halsey

Term currently held by: Lawrence Ted Halsey

Yes: All-7

No: None

MOTION CARRIED

Yes:

No:

Proposed Resolution to Amend Reconsidered Resolution #2012-03-062 I-1b City Council Appointments by Substitution

Suggested Resolution
Resolution #2013-02-
Moved by
Seconded by

RESOLVED, That Troy City Council hereby **AMENDS** Resolution #2012-03-062, City Council Appointments, by **STRIKING** it in its entirety and **SUBSTITUTING** it with the following:

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

Historic District Commission

*Appointed by Council
7 Regular Members
3 Year Term*

Term Expires: 05/15/2015

Hugh Stephen Doyle

Term currently held by: Paul Chu Lin

Term Expires: 03/01/2014

Barbara Chambers

Term currently held by: Barbara Chambers

Term Expires: 03/01/2014

Padma Kuppa

Term currently held by: Sabah Jihad

Traffic Committee

*Appointed by Council
7 Regular Members
3 Year Term*

Term Expires: 01/31/2015

David Ogg

Term currently held by: Gordon Schepke (Appt'd to Planning Commission)

Term Expires: 01/31/2015

Lawrence Ted Halsey

Term currently held by: Lawrence Ted Halsey

Yes: All-7
No: None

MOTION CARRIED

Yes:
No:



CITY COUNCIL AGENDA ITEM

Date: February 13, 2013

To: Brian Kischnick, City Manager

From: Tom Darling, Assistant City Manager/Finance & Administration
Mark F. Miller, Director of Economic Development Services
Steve Vandette, City Engineer
Gary G. Mayer, Chief of Police *ggm*

Subject: Renewal of Membership in the Traffic Improvement Association (TIA) of Oakland County

Background

The City of Troy has been a member of the TIA since 1975. The TIA is a private non-profit organization that is responsive to the problems and needs of local traffic officials. They are a source for traffic facts, including traffic crashes and traffic operations data. The City of Troy obtains citywide traffic crash statistics including intersection and road segment crash reports and ranking, county traffic crash trends, location specific crash details, and alcohol related statistics from the TIA. As a TIA member they are provided without charge.

The TIA works with the Troy Police Department on several enforcement-related projects and grants, including recent and ongoing speed limit studies in order for the City of Troy to be compliant with Public Act 85. They facilitated the Police Department in obtaining over \$17,000.00 last year in federal grants for alcohol and seat belt enforcement. The TIA also works with our adjacent communities to improve traffic in the general area that can be a secondary benefit to the City.

Recommendation

It is recommended that the City of Troy renew its membership with the Traffic Improvement Association. The partnership the City has developed with the TIA over the past 37 years has led to many collaborative efforts that have enhanced traffic safety in our community.

Fund Availability

The renewal membership fee for the year 2013 is \$23,800.00, which is a \$200 increase from 2012, but a \$600 reduction in the membership fee since 2011 and 2010. Funds are available in the Police Department's Operating Account, Membership and Dues.

City Attorney's Review as to Form and Legality

N/A

Prepared by Sergeant Michael Szuminski

Suggested Resolution

Resolution #2013-

Moved by

Seconded by

RESOLVED, That approval is **GRANTED** to pay the renewal of the City of Troy's membership in the Traffic Improvement Association for the year 2013, in the amount of \$23,800. Funds are available in the 2012-2013 Police Department Operating Funds, Membership and Dues.

Yes:

No:

Absent:

MOTION CARRIED / DENIED



TRAFFIC IMPROVEMENT ASSOCIATION OF MICHIGAN

1827 N. Squirrel Road, Auburn Hills, Michigan 48326

(248) 334-4971 • FAX (248) 475-3434

www.tiami.us

BOARD OF DIRECTORS

EXECUTIVE COMMITTEE

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KEVIN M. KENNEDY

Vice President

Global Chrysler & Fiat Business Unit
Takata Corporation

Vice President

STEVE KENNER

Global Director of Automotive Safety
Ford Motor Company

Secretary

MICHAEL A. PALCHESKO

Regional Manager

Corporate & Government Affairs
DTE Energy

Treasurer

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Partner

Plante Moran

JIM BARBARESSO, PE

Vice President

National ITS Practice Leader

HNTB Corporation

ITS 2014 World Congress Chairman

GREGORY C. JAMIAN

Vice Chairman

Road Commission for Oakland County

GAY P. KENT

General Director

Vehicle Safety & Crash Worthiness

General Motors Company

DENNIS G. KOLAR, PE

Managing Director

Road Commission for Oakland County

REGINALD MODLIN, JD

Director of Regulatory Affairs

Chrysler Group, LLC.

J. DAVID VANDERVEEN

Director of Central Services

Oakland County

Chairman

Michigan Aeronautics Commission

EXECUTIVE DIRECTOR

JIM SANTILLI

TRUSTEES

MICHAEL J. BOUCHARD

Sheriff

Oakland County

RUTH JOHNSON

Secretary of State

State of Michigan

L. BROOKS PATTERSON

County Executive

Oakland County

BARBARA ROSSMAN

President and CEO

Henry Ford Macomb Hospitals

GARY RUSSI, PhD

President

Oakland University

ANTHONY M. WICKERSHAM

Sheriff

Macomb County

BRENT O. BAIR

Managing Director (Ret.)

Road Commission for Oakland County

FRANK P. CARDIMEN, JR.

President (Ret.)

Traffic Improvement Association

December 7, 2012

Mr. William Huotari
Deputy City Engineer
City of Troy
500 W. Big Beaver Road
Troy, Michigan 48084

Dear Mr. Huotari:

Enclosed you will find a \$23,800.00 invoice for the Traffic Improvement Association of Michigan's (TIA) 2013 annual community membership.

As a member of TIA, a shared traffic safety service, you'll enjoy a variety of engineering, education, and enforcement services. These services are your resource to help save lives, prevent injuries, and improve mobility in your community and throughout the region.

As we enter 2013, we are committed to continuing to expand our traffic engineering services, developing new training seminars that will be beneficial to the public safety and engineering sectors, maintaining our award-winning public education programs, and increasing our community and corporate membership. Our goal is to keep your community one of the safest places to live, do business, and enjoy. We need your membership to make it happen. Your membership includes access to our licensed traffic engineer, various traffic safety evaluations (i.e. speed and volume studies, sign and signal warrant reviews, etc.), educational seminars for your employees, and much more. TIA is also responsible for the coordination of selective enforcement grants for the Oakland County communities.

As a member, we're also pleased to provide your community with complimentary access to TIA's Traffic Crash Analysis Tool (TCAT). TCAT is a comprehensive web-based traffic crash analysis program that was designed for the detailed study of traffic crashes at any location within the state of Michigan. The program receives a weekly update of data from the Michigan State Police, which guarantees that TCAT users are able to analyze the most up-to-date crash data. TCAT has the ability to search various types of locations for specific data, view crash statistics for several categories, interact with a map to obtain detailed crash statistics and other information pertaining to a location, view collision diagrams, review UD-10 crash report images, and create intersection and road segment ranking reports for a comparative analysis. As part of our ongoing commitment to providing you with the best traffic safety resources, TIA is constantly making revisions and adding additional features to maintain our position of having one of the most advanced traffic crash data systems in the nation.

As indicated in the enclosed letters from Oakland County Executive L. Brooks Patterson, Road Commission for Oakland County Managing Director Dennis Kolar, and Ford Motor Company President and Chief Executive Officer Alan Mulally, TIA has made significant accomplishments since 1967 and still continues to have considerable value.

Thank you for your commitment to public safety, and we look forward to continuing to provide you with valuable traffic safety engineering, education, and enforcement resources to save lives, prevent injuries, and improve mobility.

Respectfully,


JIM SANTILLI
Executive Director



TRAFFIC IMPROVEMENT ASSOCIATION OF MICHIGAN
1827 N. SQUIRREL ROAD
AUBURN HILLS, MI 48326

INVOICE

BILL TO:
CITY OF TROY 500 WEST BIG BEAVER RD TROY, MI 48084 ATTN: WILLIAM HUOTARI, P.E. DEPUTY CITY ENG/TRAFFIC ENG

DATE	INVOICE #
12/3/2012	3084

TERMS
NET 60

DESCRIPTION	QTY	RATE	AMOUNT
COMMUNITY ANNUAL SUPPORT 2013		23,800.00	23,800.00
PLEASE NOTE NAME AND ADDRESS CHANGE: TRAFFIC IMPROVEMENT ASSOCIATION OF MICHIGAN 1827 N. SQUIRREL RD AUBURN HILLS, MI 48326			

THANK YOU FOR YOUR COMMITMENT TO SAVING LIVES AND PREVENTING INJURIES.	TOTAL \$23,800.00
--	--------------------------

Phone #	Fax #
(248) 334-4971	(248) 475-3434



C O U N T Y M I C H I G A N

June 5, 2012

Dear Public Officials:

It is my distinct pleasure to express my continued support for the Traffic Improvement Association of Michigan (TIA), and I am respectfully requesting that your community does not hesitate to either remain a member or become one.

TIA is an extremely valuable asset as a non-profit traffic safety agency that has successfully facilitated a reduction of injuries and fatalities. For example, Oakland County's fatality rate was higher than the rate for both Michigan and the nation in 1967. Yet, in 2009, Oakland County's fatality rate was less than half of Michigan's rate and a little more than a third of the national rate. Today, Oakland County's roads are among the safest in the world for a county of its size and population. Our success here in the county was due in no small measure to business and government leaders coming together in 1967 to form TIA.

Since its development, TIA has become one of the leading agencies in the country for collecting and analyzing traffic crash data. This data collection and analysis has allowed many government agencies to identify road-related traffic safety problems and solutions. In addition, TIA's coordination of selective enforcement grants, educational seminars, and its traffic safety engineering services have also been extremely beneficial.

Certainly, budget issues are a concern. However, public safety is an essential service that must remain a top priority. Traffic safety is a part of public safety, and was recently added to Governor Snyder's MiDashboard due to its importance.

I would like to take this opportunity to thank TIA, which works tirelessly throughout the year to reduce injuries and fatalities and make our community a safe place to live, do business, and enjoy. In addition, thank you to the communities who are a member of TIA, and who contribute their time and energy to make our roadways safer.

I offer my sincere best wishes to TIA for continued success. I encourage all communities to maintain their TIA membership or consider joining.

If you have any questions, please contact TIA's Executive Director, Jim Santilli, at (248) 334-4971 or jsantilli@tiami.us.

Yours very truly,

L. Brooks Patterson
Oakland County Executive



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

Board of Road Commissioners

Ronald J. Fowkes
Commissioner

Gregory C. Jamian
Commissioner

Eric S. Wilson
Commissioner

Dennis G. Kolar, PE
Managing Director

Gary Plotrowicz, PE, PTOE
Deputy Managing Director
County Highway Engineer

31001 Lahser Road
Beverly Hills, MI
48025

248-645-2000

FAX
248-645-1349

TDD
248-645-9923

www.rcocweb.org

June 4, 2012

Dear Oakland County Community Officials:

I am writing to express my strong support for the Traffic Improvement Association of Michigan (TIA). As you are probably aware, TIA, the Road Commission for Oakland County (RCOC) and many Oakland County communities and law enforcement agencies have long been partners in the effort to make our roads as safe as possible. Thanks to this partnership, we have made great strides in road safety in the county. In fact, we have gone from a county that had a traffic fatality rate worse than either the state as a whole or the nation (in 1967) to a county that today has a traffic fatality rate less than half the statewide rate and nearly one third of the national rate.

I firmly believe that we would not have achieved this accomplishment were it not for TIA. TIA is one of the premier agencies in the nation in terms of collecting and analyzing crash data. Without that data and analysis, none of us would have been able to address safety concerns to the degree that we have.

I also firmly believe that this data collection and analysis capability is critical for the communities in Oakland County, both in terms of roads and law enforcement. Simply put, without the level of data and analysis provided by TIA, we would all be simply guessing about where to best invest our resources. TIA's efforts to obtain selective law enforcement grants for Oakland County communities and its traffic-safety engineering services have also played key roles in this effort.

If you are already a member of TIA, I encourage to remain so. If you are not currently a member, I encourage you to become one. I realize that funding is tight for all of us, and we are all watching every penny. However, I hope you'll agree with me that safety-related expenses should always be among our top priorities. The shared services TIA provides help to save lives and prevent injuries. I can't imagine anything more critical than that.

If you would like to discuss why I am so enthusiastically supportive of TIA, please feel free to call me at 248-645-2000.

Sincerely,

Dennis G. Kolar, PE
Managing Director



Dear Business Leader:

At Ford Motor Company, safety is a top priority and we are involved in all aspects from engineering the safety performance of the vehicle to our support for programs that focus on driver behavior and improve the safety of our roadways. Our employees and yours spend countless hours traveling to and from work, so we would like to take this opportunity to recognize the efforts of the Traffic Improvement Association (TIA) in making Oakland County one of the safest places in the world to drive.

For many years, Ford has proudly supported TIA through financial contributions and serving in leadership positions on its Board of Directors. We encourage your support of this outstanding organization as well to ensure that we have the resources and skills to make safety decisions for Oakland County that are based on data and analysis.

As Oakland County Executive L. Brooks Patterson has stated, TIA is an extremely valuable asset to Oakland County as a non-profit traffic safety agency that has successfully facilitated a reduction of injuries and fatalities. In 1967, Oakland County's fatality rate was higher than the rate for both Michigan and the nation. However, in 2009, Oakland County's fatality rate was less than half of Michigan's rate and a little more than a third of the national rate. Today, Oakland County's roads are among the safest in the world for a community of its size and population. The success in Oakland County was the direct result of business and government leaders coming together in 1967 to form TIA.

Since its formation, TIA has become one of the leading traffic safety agencies in the country for collecting and analyzing traffic crash data. This data collection and analysis has allowed the Road Commission for Oakland County and many cities, townships, and villages in the state of Michigan to identify road-related traffic safety problems and solutions. Furthermore, TIA's traffic safety engineering services, educational seminars, and its coordination of selective enforcement grants for Oakland County communities have also been extremely beneficial.

We would like to take this opportunity to thank the employees of TIA who work tirelessly to make our communities a safe place to live and do business. In addition, thank you to the nearly seventy communities who are a member of TIA, and the many businesses who contribute their resources to make our roadways safer.

If you have any questions, please contact TIA's Executive Director, Jim Santilli at (248) 334-4971 or jsantilli@tiami.us.

Respectfully,

Handwritten signature of Alan Mulally in black ink.

Alan Mulally
President and Chief Executive Officer

Handwritten signature of Susan M. Cischke in black ink.

Susan M. Cischke
Group Vice President
Sustainability, Environment & Safety Engineering



CITY COUNCIL AGENDA ITEM

Date: February 1, 2013

To: Brian Kischnick, City Manager

From: Gary G. Mayer, Chief of Police
Keith Frye, Captain
Robert Redmond, Captain

Subject: 2012 Year End Calls for Police Service Report

Background

Each quarter the Police Department publishes a year-to-date report comparing current year calls for service with calls for police service from the previous year. In addition, at the end of the year the Department provides a 10-year history of criminal occurrences. The report's format complies with the National Incident Based Reporting System (NIBRS).

The annual statistics reflect a small decrease in Group A crimes. Group A crimes are typically the most serious offenses and closely correspond to the categories the FBI uses to determine serious crime rates for a community. Of particular interest are areas that may be depicting trends, specifically:

2012 Group A Crime decreased 3.2% (-103 incidents) from the 2011 level. Within the group, the following categories show notable variations:

- Assault Offenses: Decreased 12.1% (-65 incidents)
- Breaking and Entering: Decreased 21.7% (-51 incidents)
- Counterfeiting/Forgery: Decreased 31.6% (-12 incidents)
- Drugs/Narcotic Offenses: Increased 35.0% (71 incidents)
- Homicide Offenses: Increased by 2 incidents
- Sex Offenses, Forcible: Decreased 31.3% (-10 incidents)
- Weapon Law Violations: Increased 84.6% (11 incidents)

Both homicide offenses reported in 2012 were highly-publicized incidents involving circumstances whereby one family member appeared to take the life of another family member. Arrests were made in both incidents and the defendants await final adjudication.

Weapon law violations continue to trend higher than those reported in 2011. The numbers of weapon law violations are the highest reported in the last ten years. As reported in the mid-year



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report, this high number of incidents and clearances would reflect situations where weapons are found in possession of, or accessible to, individuals who have contact with officers.

2012 Group B Crime increased 10.9% (109 incidents).

- Driving Under the Influence: Increased 13.7% (47 incidents)
- Liquor Law Violations: Increased 15.9% (7 incidents)

Total incidents of crime (Groups A & B combined) increased by 0.1% (6 incidents).

Clearance rates, the percentage of offenses for which a perpetrator has been prosecuted, or positively identified but not prosecuted, continue to be high:

- 34.0% of reported Group A Crime
- 78.9% of reported Group B Crime
- 47.0% of all reported crime has been cleared

Total Arrests increased 12.9% (306 arrests)

- Group A Crime Arrests: Increased 2.7% (29 arrests)
- Group B Crime Arrests: Increased 16.8% (139 arrests)
- Group C Arrests (all other arrests): Increased 29.9% (138 arrests)

Group C (non-criminal) calls for police service decreased by 3.4% (-1037 incidents). Notable variations within Group C include the following:

- Alarms decreased 17.6% (-619 alarms)

Total crimes and non-criminal calls for police service showed a slight decrease of 3.0% overall (-1043 crimes/calls for police service):

- Traffic crashes comprise 10.4% of the 2012 calls for service total
- Response to alarms made up 8.7% of the 2012 call total
- Larceny/Theft is the most frequently occurring crime in the City of Troy constituting 4.2% of the calls for service total and 33.0% of all criminal offenses in 2012.

Total crashes decreased 3.5% (-124 incidents):

- Property Damage crashes decreased 8.0% (-201 incidents)
- Injury crashes decreased 1.1% (-4 incidents)
- Fatal crashes increased 500.0% (5 incidents)
- Private Property crashes increased 11.1% (76 incidents)

Total traffic citations issued increased 4.8% (521 citations):

- Hazardous traffic citations issued decreased 1.9% (-141 citations)
- Non-hazardous citations increased 57.1% (337 citations)
- License/title/registration citations increased 14.8% (318 citations)
- Parking citations increased 1.3% (7 citations)



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Distracted Driving totals: 151 citations and 198 warnings issued (decreases of 54.2% and 35.1% respectively)

- 128 citations and 151 warnings issued for handheld devices (decreases of 52.9% and 38.9% respectively)
- 16 citations and 16 warnings issued for texting (decreases of 46.7% and 23.8% respectively)
- 7 citations and 31 warnings issued for other actions (decreases of 75.0% and 16.2% respectively)

The Operations Division of the Troy Police Department continues to show its commitment to Traffic Safety. The number of Drunk Driving arrests is at the highest level in the last five years, with a significant increase of 13.7% over 2011. Liquor Law Violations increased 15.9% over 2011. The total number of Traffic Citations increased 4.8% over 2011. Total arrests are up 12.9%. All of these increases are a direct result of our Police Officers increasing their "self-initiated" found on patrol activities.

Ten Year Trends:

The Ten Year Calls for Police Service report also complies with the National Incident Based Reporting System (NIBRS).

Group A Crime has decreased since 2003, down 637 crimes or 17.0%. Given the economic downturn and corresponding challenges that have impacted Southeast Michigan, the fact that serious crime continues to remain low in Troy is a positive indicator. Group A crimes are typically the most serious offenses and closely correspond to the categories the FBI uses to determine serious crime rates for a community.

- Motor Vehicle Theft offenses have decreased 30.4% (-48 incidents) from the 2003 level
- Larceny/Theft offenses have decreased 11.0% (-172 incidents) from the 2003 level
- Other categories, while showing small annual increases and decreases over the ten year period, have remained relatively the same

Group B Crime (non-serious crime) remains low, down 1,269 crimes or 53.3% since 2003.

Reportable injury and property damage traffic crashes have generally trended down over the last ten year period, with a few years showing slight increases over the year before. There were 2,699 reportable crashes in 2012, as compared to 3,424 in 2003. When private property crashes are added to the totals, the same general downward trend occurs, with a total crash total of 4,561 in 2003, and 3,457 in 2012.

On January 22, 2013, CQ Press released the annual City Crime Rankings 2013: Crime in Metropolitan America, ranking Troy as the third overall safest city in Michigan, and 36th safest city



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overall in America. Making this designation more significant is Troy's proximity to more dangerous areas.

According to the report, Troy has the 2nd lowest crime rate ranking in Michigan for cities with populations of 75,000 to 99,999. Troy was ranked as a "Safest City" in Michigan 11 of the last 16 ranking periods. Troy has achieved "Safest City" rankings as high as 5th and 6th in the United States, in 2006 and 2005, respectively. In fact, in other than this current year and 2009 Troy has consistently ranked among the top 25 safest cities in the United States with populations over 75,000 since 1998.

These statistics reflect a significant and long term accomplishment in the area of public safety. They reinforce a long standing commitment on the part of the City Council, City Management and Police Department to the safety and security of this community. In addition to targeting crime and traffic safety issues, this commitment has traditionally included efforts aimed at prevention and education, especially in the areas of substance abuse; efforts that can directly impact crime and the overall quality of life in a community. The Police Department values the resources the community has consistently made available in these efforts, and strongly believes this partnership has been critical in achieving the above results. The Police Department stands ready to work with the community as it positions itself to meet the challenges of the future, especially in the realm of public safety. The Police Department believes public safety will remain a key element as Troy maximizes its efforts to retain as well as attract businesses, residents, and visitors going forward.

Prepared by Paula Bratto

Troy Police Department

Annual 2012/2011 Comparison - Incident Based Reporting

Group A Crime Categories	INCIDENTS			OFFENSES			ARRESTS			CLEARANCES	
	Annual	Percent	Change	Annual	Percent	Change	Annual	Percent	Change	Annual	
	2012	2011		2012	2011		2012	2011		2012	Percent
Arson	13	14	-7.1%	13	14	-7.1%	0	1	-	6	46.2%
Assault Offenses	470	535	-12.1%	551	623	-11.6%	129	141	-8.5%	155	28.1%
Bribery	0	0	NC	0	1	-	0	0	NC	0	0.0%
Breaking and Entering	184	235	-21.7%	185	236	-21.6%	18	28	-35.7%	10	5.4%
Counterfeiting/Forgery	26	38	-31.6%	26	38	-31.6%	9	9	NC	6	23.1%
Destruction/Damage/Vandalism	332	311	6.8%	351	327	7.3%	16	8	100.0%	23	6.6%
Drug/Narcotic Offenses	274	203	35.0%	412	314	31.2%	283	238	18.9%	380	92.2%
Embezzlement	73	63	15.9%	78	63	23.8%	40	34	17.6%	30	38.5%
Extortion/Blackmail	1	2	-50.0%	1	4	-75.0%	0	0	NC	0	0.0%
Fraud Offenses	151	184	-17.9%	173	204	-15.2%	41	45	-8.9%	42	24.3%
Gambling Offenses	0	0	NC	0	0	NC	0	0	NC	0	0.0%
Homicide Offenses	2	0	+	2	0	+	3	0	+	2	100.0%
Kidnapping/Abduction	0	1	-	1	2	-50.0%	0	0	NC	0	0.0%
Larceny/Theft Offenses	1,391	1,407	-1.1%	1,427	1,437	-0.7%	520	537	-3.2%	447	31.3%
Motor Vehicle Theft	110	143	-23.1%	114	143	-20.3%	7	10	-30.0%	6	5.3%
Pornography/Obscene Material	4	2	100.0%	4	2	100.0%	0	0	NC	0	0.0%
Prostitution Offenses	1	5	-80.0%	2	4	-50.0%	2	5	-60.0%	2	100.0%
Robbery	14	14	NC	14	14	NC	11	7	57.1%	7	50.0%
Sex Offenses, Forcible	22	32	-31.3%	24	45	-46.7%	5	5	NC	8	33.3%
Sex Offenses, Nonforcible	0	0	NC	0	0	NC	0	0	NC	0	0.0%
Stolen Property Offenses	15	8	87.5%	23	15	53.3%	15	8	87.5%	18	78.3%
Weapon Law Violations	24	13	84.6%	32	21	52.4%	18	12	50.0%	26	81.3%
Group A Total	3,107	3,210	-3.2%	3,433	3,507	-2.1%	1,117	1,088	2.7%	1,168	34.0%
Group B Crime Categories											
Bad Checks	36	42	-14.3%	39	46	-15.2%	9	10	-10.0%	9	23.1%
Curfew/Loitering/Vagrancy	0	0	NC	3	0	+	0	0	NC	2	0.0%
Disorderly Conduct	19	25	-24.0%	25	34	-26.5%	9	15	-40.0%	13	52.0%
Driving Under the Influence	391	344	13.7%	474	400	18.5%	389	349	11.5%	463	97.7%
Drunkenness	1	0	+	2	0	+	0	0	NC	1	0.0%
Family Offenses, Nonviolent	7	14	-50.0%	11	12	-8.3%	1	2	-50.0%	4	36.4%
Liquor Law Violations	51	44	15.9%	110	99	11.1%	141	67	110.4%	107	97.3%
Peeping Tom	3	3	NC	3	3	NC	0	1	-	0	0.0%
Runaway (Under 18)	12	14	-14.3%	12	15	-20.0%	0	0	NC	0	0.0%
Trespass of Real Property	21	28	-25.0%	27	29	-6.9%	9	8	12.5%	14	51.9%
All Other	570	488	16.8%	686	615	11.5%	409	376	8.8%	485	70.7%
Group B Total	1,111	1,002	10.9%	1,392	1,253	11.1%	967	828	16.8%	1,098	78.9%
Group A and B Total	4,218	4,212	0.1%	4,825	4,760	1.4%	2,084	1,916	8.8%	2,266	47.0%
Above data includes both completed and attempted offenses.											

Troy Police Department

Annual 2012/2011 Comparison - Incident Based Reporting

Description	INCIDENTS			OFFENSES			ARRESTS			CLEARANCES		
	Annual	Percent	Change	Annual	Percent	Change	Annual	Percent	Change	Annual		
	2012	2011		2012	2011		2012	2011		2012	Percent	
Alarms	2,901	3,520	-17.6%	2,902	3,437	-15.6%	NA	NA	NA	NA	NA	
All Other	26,168	26,586	-1.6%	26,573	27,666	-4.0%	600	462	29.9%	NA	NA	
Group C Miscellaneous Total	29,069	30,106	-3.4%	29,475	31,103	-5.2%	600	462	29.9%	NA	NA	
Group E Fire Total	49	61	-19.7%	49	61	-19.7%	NA	NA	NA	NA	NA	
Grand Totals	33,336	34,379	-3.0%	34,349	35,924	-4.4%	2,684	2,378	12.9%	2,266	47.0%	
Traffic Crashes and Citations												
Reportable Traffic Crashes			<u>2012 Alcohol Involved Crashes</u>				<u>2011 Alcohol Involved Crashes</u>					
Personal Injury	371	375	-1.1%	23 Incidents-6.2% involved alcohol				22 Incidents-5.9% involved alcohol				
Property Damage	2,322	2,523	-8.0%	35 Incidents-1.5% involved alcohol				64 Incidents-2.5% involved alcohol				
Fatal	6	1	500.0%	2 Incidents-33.3% involved alcohol				0 Incidents-0.0% involved alcohol				
Total Reportable	2,699	2,899	-6.9%	60 Incidents-2.2% involved alcohol				86 Incidents-3.0% involved alcohol				
Private Property Crashes	758	682	11.1%									
Crashes Grand Total	3,457	3,581	-3.5%									
Traffic Citations												
Hazardous	7,385	7,526	-1.9%									
Non-hazardous	927	590	57.1%									
License, Title, Registration	2,473	2,155	14.8%									
Parking	541	534	1.3%									
Traffic Citations Total	11,326	10,805	4.8%									
Distracted Driving												
	Citations			Warnings			Combined Total					
	Annual	Percent	Change	Annual	Percent	Change	Annual	Percent	Change			
2012	2011	2012		2011	2012		2011					
Handheld Device	128	272	-52.9%	151	247	-38.9%	279	519	-46.2%			
Other Action	7	28	-75.0%	31	37	-16.2%	38	65	-41.5%			
Texting	16	30	-46.7%	16	21	-23.8%	32	51	-37.3%			
Distracted Driving Total	151	330	-54.2%	198	305	-35.1%	349	635	-45.0%			
Distracted driving citation totals are included in hazardous total.												

National Incident Based Reporting System 10 Year Incident Trend

Group A Crime Categories	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Arson	5	3	3	7	4	5	3	1	14	13
Assault Offenses	617	691	625	643	615	573	603	592	535	470
Bribery	0	0	0	0	0	1	0	0	0	0
Breaking and Entering	292	239	276	313	277	308	232	292	235	184
Counterfeiting/Forgery	109	113	107	71	37	42	26	27	38	26
Destruction/Damage/Vandalism	558	443	364	437	378	361	306	382	311	332
Drug/Narcotic Offenses	106	174	159	198	214	205	186	196	203	274
Embezzlement	82	91	79	83	80	86	50	43	63	73
Extortion/Blackmail	0	0	1	0	1	1	0	3	2	1
Fraud Offenses	167	163	110	177	204	190	167	148	184	151
Gambling Offenses	0	0	0	0	1	0	0	0	0	0
Homicide Offenses	1	0	1	2	1	1	0	1	0	2
Kidnaping/Abduction	0	1	0	0	0	0	2	0	1	0
Larceny/Theft Offenses	1,563	1,564	1,572	1,536	1,451	1,387	1,566	1,328	1,407	1,391
Motor Vehicle Theft	158	112	127	143	166	162	83	109	143	110
Pornography/Obscene Material	2	1	1	2	0	1	1	1	2	4
Prostitution Offenses	1	10	1	5	1	5	5	2	5	1
Robbery	27	20	19	26	20	15	14	9	14	14
Sex Offenses, Forcible	35	30	25	25	30	29	33	20	32	22
Sex Offenses, Nonforcible	0	0	0	0	0	0	0	0	0	0
Stolen Property Offenses	11	14	7	18	13	12	9	12	8	15
Weapon Law Violations	10	14	12	14	13	9	16	13	13	24
Group A Total	3,744	3,683	3,489	3,700	3,506	3,393	3,302	3,179	3,210	3,107
Group B Crime Categories										
Bad Checks	17	11	5	30	43	48	54	52	42	36
Curfew/Loitering/Vagrancy	1	1	0	0	1	0	2	1	0	0
Disorderly Conduct	386	256	243	250	192	107	87	68	25	19
Driving Under the Influence	322	447	446	366	471	377	377	374	344	391
Drunkenness	4	3	23	5	1	1	1	0	0	1
Family Offenses, Nonviolent	10	24	14	17	17	22	13	10	14	7
Liquor Law Violations	60	71	74	89	101	82	44	46	44	51
Peeping Tom	1	3	2	7	2	1	1	3	3	3
Runaway (Under 18)	24	38	28	14	20	16	12	25	14	12
Trespass of Real Property	13	10	22	21	8	15	17	17	28	21
All Other	1,542	1,348	1,260	964	662	464	545	462	488	570
Group B Total	2,380	2,212	2,117	1,763	1,518	1,133	1,153	1,058	1,002	1,111
Group A and B Total	6,124	5,895	5,606	5,463	5,024	4,526	4,455	4,237	4,212	4,218
Data includes both completed and attempted offenses.										
Group C Miscellaneous Total	32,385	32,871	34,464	33,513	35,422	33,722	30,790	30,715	30,106	29,069
Group E Fire Total	77	58	64	27	99	153	101	66	61	49
Grand Totals	38,586	38,824	40,134	39,003	40,545	38,401	35,346	35,018	34,379	33,336
Reportable Traffic Crashes										
Personal Injury	722	716	656	551	615	581	477	316	375	371
Property Damage	2,700	2,638	2,824	2,494	2,704	2,534	2,192	2,279	2,523	2,322
Fatal	2	10	6	4	5	7	3	5	1	6
Total Reportable	3,424	3,364	3,486	3,049	3,324	3,122	2,672	2,600	2,899	2,699
Private Property Crashes	1,137	1,133	1,130	1,032	1,012	948	800	767	682	758
Crashes Grand Total	4,561	4,497	4,616	4,081	4,336	4,070	3,472	3,367	3,581	3,457
Traffic Citations										
Hazardous	12,356	11,538	11,869	8,903	9,765	9,127	8,178	8,214	7,526	7,385
License, Title, Registration	2,676	3,476	3,865	2,965	2,416	2,378	2,279	2,232	2,155	2,473
Non-hazardous	1,153	1,596	1,513	622	677	624	1,136	656	590	927
Parking	886	798	1,195	772	793	470	486	331	534	541
Traffic Citations Total	17,071	17,408	18,442	13,262	13,651	12,599	12,079	11,433	10,805	11,326



CITY COUNCIL AGENDA ITEM

Date: February 14, 2013

To: Brian Kischnick, City Manager

From: Thomas E. Darling, Director Financial Services

Subject: December 31, 2012 – Quarterly Financial Report

History

Section 8.6 of the City Charter requires a quarterly financial report to be provided to City Council.

Financial Considerations

The quarterly report provides City Council with a financial progress to date and comparison to the annual budget and prior year amounts.

CITY OF TROY
QUARTERLY REPORT
SIX MONTHS ENDED DECEMBER 31, 2012
HIGHLIGHTS

General Fund

Total revenues are \$36.9 million to date. This includes recognition of annual tax revenues of \$29.4 million as presented on the July 1, 2012 tax warrant. Revenues are down \$1.2 million compared to the same period last year. This decrease is primarily due to a decrease in tax revenues of \$600 thousand from the decrease in taxable value, a decrease in fines and forfeitures of \$130 thousand from the creation of a separate fund for drug forfeitures and a decrease from other financing sources (operating transfers in) of \$506 thousand due to decreased activity in Major/Local Street expenditures and DDA activities. However, these decreases are partially offset by an increase of \$390 thousand in non-business licenses and permits.

Total actual revenue recognized as a percentage of total budgeted revenue is 73.09%. This percentage is slightly ahead of the prior year of 69.11% for the same time period.

Total expenditures of 23.0 million represent 45.45% of the City's total annual budgeted expenditures of \$50.5 million. This percentage is slightly up compared to the same time period in the prior year of 42.15%.

Refuse Fund

Refuse revenues are \$4.5 million to date. This represents an increase of \$298 thousand from prior year due to the increase in the millage rate of 0.09 mils required to meet escalating costs.

Expenditures to date of \$1.98 million are up \$87 thousand from the same time period in the prior year and represent 44.75 percent of budgeted expenditures for the year.

DDA Fund

Revenues of \$510 thousand are down \$628 thousand from prior year at this time due to the decrease in tax revenues from the decline in taxable value of property within the district.

Expenditures of \$3.0 million primarily represent debt principal and interest payments and are in line with amortization schedules and prior year amounts.

Library Fund

Revenues of \$3.1 million are down \$35 thousand from the same time period in the prior year. This decline is due to the reduction of taxable values.

Expenditures of \$1.5 million are up \$479 thousand from the prior year during this time frame. The increase is primarily due to the current year rescaling for full operations and the change in operating days/times.

Capital Fund

Revenues of \$8.5 million are up \$900 thousand from the same time period in the prior year despite a loss in tax revenues of \$135 thousand. The increase is in grant funding for the Transit Center of \$400 thousand and \$500 thousand for charges related to Tri-Party road projects.

Expenditures for capital projects of \$3.9 million represent 21.92 percent of budgeted expenditures. This compares to 23.26 percent of budgeted expenditures to the same time period in the prior year.

Sanctuary Lake Golf Course

Revenues of \$735.6 thousand are up \$38 thousand from the same time period in the prior year. Expenditures are down \$183 thousand due to timing changes in the refunding of golf course bonds.

Sylvan Glen Golf Course

Revenues of \$714.2 thousand are up \$32 thousand from the same time period in the prior year. Expenditures are down \$27 thousand due to a decrease in capital expenditures.

Aquatic Center

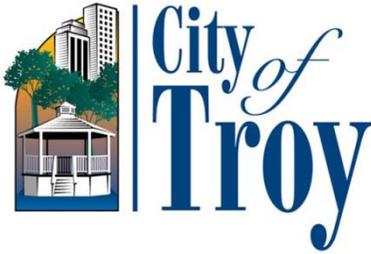
Aquatic Center revenues of \$280 thousand are comparable with prior year amounts during the same time period. Expenditures of \$321 thousand are up \$13 thousand for the same period. Year to date net shortfall is \$41.0 thousand.

Water and Sewer Fund

Sewer fund revenues of \$8.2 million are up \$1.1 million from prior year 2nd quarter YTD results primarily due to consumption and weather conditions. Water revenues of \$9.9 million are up \$1.3 million compared to prior year for this time period and for the same reasons as sewer fund revenues. Sewer fund expenditures of \$6.7 million are up \$534 thousand from prior year and Water fund expenditures of \$9.7 million are up \$1.6 million from the same period. The increases are due to the increased sale volume as noted for revenues. In addition, the Water fund incurred capital costs of \$1.2 million over last year levels.

**Quarterly Financial Report
General Fund
For the Period Ending December 31, 2012**

Description	Last Year Actual	Current Year Budget	Current Month	Year to Date	%
General Fund Revenues					
TAXES	30,424,031	29,658,000	161,021	29,431,797	99.24
LICENSES AND PERMITS - BUSINESS	49,817	45,050	12,855	25,868	57.42
LICENSES AND PERMITS - NON-BUSINESS	1,636,815	1,360,500	108,687	1,098,403	80.74
FEDERAL GRANTS	7,708	7,000	0	0	0.00
STATE GRANTS	6,244,481	5,597,000	11,479	1,192,205	21.30
CONTRIBUTIONS FROM LOCAL UNITS	19,166	15,000	1,126	13,031	86.87
CHARGES FOR SERVICES - FEES	1,719,200	1,590,000	22,413	468,512	29.47
CHARGES FOR SERVICES - RENDERED	2,387,604	2,181,585	97,702	433,840	19.89
CHARGES FOR SERVICES - SALES	78,805	94,000	19,983	60,786	64.67
CHARGES FOR SERVICES - REC	2,854,401	2,591,000	193,675	1,427,413	55.09
FINES AND FORFEITURES	1,054,672	725,900	157,421	451,110	62.14
INTEREST & RENT	1,004,630	1,051,100	70,807	465,283	44.27
OTHER REVENUE	709,340	733,770	169,917	355,005	48.38
OTHER FINANCING SOURCES	4,011,400	4,883,654	794,968	1,471,952	30.14
	52,202,070	50,533,559	1,822,055	36,895,205	73.01
General Fund Expenditures					
FINANCE	2,909,728	2,911,973	184,997	1,316,042	45.19
POLICE	21,529,472	22,917,408	1,644,367	10,329,896	45.07
FIRE	3,784,058	4,541,551	266,746	2,477,742	54.56
BUILDING INSPECTION	1,330,829	1,194,244	360,828	709,730	59.43
ENGINEERING	1,680,728	1,791,177	155,853	824,173	46.01
OTHER GENERAL GOVERNMENT	1,606,131	1,803,921	180,642	768,330	42.59
COUNCIL/EXEC ADMINISTRATION	2,835,492	3,247,645	227,969	1,509,281	46.47
STREETS, DRAINS AND PARKS	6,039,659	7,862,776	546,481	2,984,761	37.96
RECREATION	3,927,293	3,879,078	317,621	1,788,137	46.10
NATURE CENTER	43,703	33,100	5,919	21,593	65.23
LIBRARY	0	0	0	0	0.00
HISTORIC DISTRICT	74,911	144,686	10,169	104,049	71.91
TRANSFERS OUT	111,785	206,000	0	134,786	65.43
	45,873,790	50,533,559	3,901,592	22,968,519	45.45



COUNCIL REPORT

February 14, 2013

TO: Brian Kischnick, City Manager

FROM: Mark Miller, Director of Economic and Community Development
Steven J. Vandette, City Engineer/Project Manager

SUBJECT: Troy Transit Center Status Report - February 2013

Most of the work on the Transit Center since the November groundbreaking has been underground. Water and sewer service leads were installed first, then the foundations for the building and east elevator tower; now work is progressing on the foundation for the west elevator tower. Steel sheeting work on the west side of the tracks, which allows for excavation and pouring of the west elevator tower foundation, was completed several weeks ago. As that work progressed, workers on the east side of the tracks were pouring the station building and east elevator tower foundation walls up to finish floor elevation (see attached pictures).

In the past two weeks Canadian National Railroad (CN) has imposed a new safety requirement that will require the addition of a crash wall between the tracks and the west (Birmingham side) elevator tower (no wall is needed on the Troy side). The wall will provide added protection to the tower structure in the event of a train derailment. This new requirement has caused construction to stop as our Architectural/ Engineering team works to design a wall that will be acceptable to CN and meet the American Railway Engineering and Maintenance-of-Way Association (AREMA) guidelines. In addition to the added cost of the wall, we anticipate approximately an initial 2-3 week delay in the project schedule. More details on the project schedule and cost will become available as a design solution is identified, but we believe that it could potentially add several hundred thousand dollars to the project.

Despite CN's involvement with preliminary and final design of this project for the past 10 months, a crash wall had not been a requirement until now. Had this been known earlier, the design of the elevator tower, which also supports the bridge, would have been different and the entire project may have had to have changed slightly in order to accommodate the cost of the crash wall. Additionally, had the tower been located outside the CN right-of-way on the Birmingham side, as it is on the Troy side, no crash wall would be required at all.

Due to the potentially significant cost of re-engineering the crash wall into the project, we have approached MDOT concerning amending our contract to apply some of the \$2.2 million we turned back to MDOT last November when our contract was adjusted to match the \$6.2 million project funding limit. MDOT has preliminarily agreed to this approach, pending details to be worked out in the coming weeks. We anticipate that we may have a contract amendment ready for council consideration at the first meeting in March.

Construction of the Transit Center was previously on schedule and on budget; there was no expenditures from the construction contingency. At only 15% of the \$6.2 million project funding spent to date, this is a good position to be in at this early stage of the project. With much more

construction to come, contingency funds will be essential to cover the cost of unknowns associated this work.

Contingency funds are not intended to pay for project scope changes and additions, but rather to compensate for “unknowns” that arise during the course of construction. Underground work is particularly prone to unknowns, such as encountering pockets of poor soil or conflicts with existing underground utilities, which can result in higher than expected construction costs. With significant underground work yet to be completed, including the caisson foundation for the 200 foot long platform on the Birmingham side, contingency funds will be needed to insure that the cost of unknowns is covered. It is not recommended that contingency funds be nearly depleted at this early stage of the project in order change project scope and add the crash wall.

Work activity on the Transit Center this February has included:

- Completion of east (Troy side) elevator tower and station building foundations
- Construction of station foundation walls
- Off-site manufacture of precast concrete stairs and panels for elevator towers
- Off-site manufacture and assembly of structural steel for bridge
- Submittal of crane lift plan to CN for erection of structural steel and precast concrete panels for elevator towers

Major work coming up in next 30 days includes:

- Construction of crash wall and west elevator tower foundation wall
- Erection of structural steel and precast concrete panels for elevator towers
- Development of a lift plan for setting bridge over CN tracks
- Execution of AMTRAK Lease Agreement, Easement and License agreements with CN and consideration of an amendment to the Troy/MDOT funding agreement

A summary of Transit Center costs is attached for the Preliminary Design Phase that ended December 15, 2011, and the Final Design and Construction Phase, which lasts until the project is completed this year.

Since the last update on the status of the land, the City Attorney’s Office reports that the Michigan Court of Appeals scheduled oral argument in the pending appeal for March 6, 2013. It is expected that it will be some time after that before a written opinion will be issued.

Please let me know if you have any questions or would like information on any particular aspect of the project.

Multi-Modal Transit Facility
Preliminary Site Design Phase

Final City of Troy Costs
August 2007 to December 15, 2011

Professional Services:							
Professional Service Provider	Preliminary Site Design	Preliminary Engineering	Lobbyist	MDOT Grant	Environmental Assessment Assistance	RFP Assistance	Total Professional Services
Wendel Dechscherer Assoc.	429,442.00						429,442.00
Hubbell, Roth & Clark, Inc. (to April, 2011)		222,573.00					222,573.00
Clark Hill - Lobbyist			63,750.00				63,750.00
MDOT Grant - Prelim Design				(350,000.00)			(350,000.00)
Hubbell, Roth & Clark					31,278.90		31,278.90
Hubbell, Roth & Clark						9,148.22	9,148.22
Final City of Troy Costs (non-reimbursable)	429,442.00	222,573.00	63,750.00	(350,000.00)	31,278.90	9,148.22	406,192.12

**Transit Center Construction Photos
November-December, 2012**

Groundbreaking – November 27, 2012



East Stair/Elevator Tower - Matt Foundation



**Transit Center Construction Photos
November-December, 2012**

East Stair/Elevator Tower Wall Reinforcement and Forms



East Stair/Elevator Tower Walls and Forms



**Transit Center Construction Photos
November-December, 2012**

Station Building Foundation – North Side



Station Building Foundation - Northwest Corner



**Transit Center Construction Photos
February 2013**

Foundation Wall Construction



Foundation Walls Constructed to Finish Grade



**Transit Center Construction Photos
February 2013**

Steel Sheeting for West Tower Foundation



Steel Sheeting in Place



Transit Center Construction Photos
February 2013

Precast Concrete Steps for Elevator Tower



**Multi-Modal Transit Facility
Preliminary Site Design Phase**

**Final City of Troy Costs
August 2007 to December 15, 2011**

Professional Services:							
Professional Service Provider	Preliminary Site Design	Preliminary Engineering	Lobbyist	MDOT Grant	Environmental Assessment Assistance	RFP Assistance	Total Professional Services
Wendel Dechscherer Assoc.	429,442.00						429,442.00
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MDOT Grant - Prelim Design				(350,000.00)			(350,000.00)
Hubbell, Roth & Clark					31,278.90		31,278.90
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Final City of Troy Costs (non-reimbursable)	429,442.00	222,573.00	63,750.00	(350,000.00)	31,278.90	9,148.22	406,192.12

City of Troy
 Multi-Modal Transit Facility
 MDOT Contract Number 2011-0231
 MDOT Project Number 113143
 AGENDA: CAB

Reimbursement Request Number 7

Invoice Number	Professional Services:								Construction:				Grand Total	% Comp.
	Construction Manager at Risk (CMR):							Total Professional Services	% Comp.	Owner Reimbursable				
	Architectual and Engineering	Pre Construction	General Conditions	Management Services	Consultant Fee	Total CMR	Hard Costs			Soft Costs	Total			
MDOT Contract Award City of Troy Project Reduction ¹							1,958,404.00 (661,024.24)			6,527,208.00 (1,552,087.76)		8,485,612.00 (2,213,112.00)		
City of Troy Contract Award ² Cost Transfer Prior Costs Incurred	648,648.76 64,841.28 549,366.82	34,563.00 - 34,518.08	148,290.00 - 33,598.81	290,878.00 - 30,179.41	175,000.00 - -	648,731.00 - 98,296.30	1,297,379.76 64,841.28 647,663.12	4,456,141.00 - -	518,979.24 (64,841.28) 183,377.89	4,975,120.24 (64,841.28) 183,377.89		6,272,500.00 - 831,041.01		
Current Costs: Hubbell Roth & Clark Transfer DTE Energy ³ Tooles-Clark Transfer AT&T ³ Transfer Ground Penetrating Radar Systems ⁴ Transfer Level 3 Communications, LLC ⁵ Transfer ITC Transmission ⁶	27,608.31 - - - - - -	- - -	4,230.79 -	30,976.87 -	1,953.00 -	37,160.66 -	27,608.31 - 37,160.66 - - - -	45,150.00 -	- -	45,150.00 -		27,608.31 - 82,310.66 - - - -		
Total Current Costs	27,608.31	-	4,230.79	30,976.87	1,953.00	37,160.66	64,768.97	45,150.00	-	45,150.00		109,918.97		
Total Project Costs Incurred to Date	576,975.13	34,518.08	37,829.60	61,156.28	1,953.00	135,456.96	712,432.09	45,150.00	183,377.89	228,527.89	4.6%	940,959.98	15.0%	
Remaining Balance	136,514.91	44.92	110,460.40	229,721.72	173,047.00	513,274.04	649,788.95	4,410,991.00	270,760.07	4,681,751.07		5,331,540.02		
Current Reimbursement												109,918.97		

¹Per Council Resolution #2012-01-009, total cost not to exceed \$6,272,500

²Not to exceed contracts

³Relocation of overhead utilities to underground

⁴GPR search for underground utilities

⁵Telecommunications facility inspection

⁶De-energize Troy-Wheeler 120KV transmission circuit



Berkley • Beverly Hills • Birmingham • Clawson • Ferndale • Hazel Park • Huntington Woods • Lathrup Village • Oak Park • Pleasant Ridge • Royal Oak • Troy

QUARTERLY REPORT January 2013

BOARD OF TRUSTEES	
Representative	Municipality
J. Bais-DiSessa	City of Berkley
C. Wilson	Village of Beverly Hills
L. Wood	City of Birmingham
M. Pollock	City of Clawson
A. Lynch	City of Ferndale
A. LeCureaux	City of Hazel Park
A. Allie	City of Huntington Woods
J. Mueller	City of Lathrup Village
K. Yee	City of Oak Park
S. Ball	City of Pleasant Ridge
G. Rassel	City of Royal Oak
T. Richnak	City of Troy

OFFICERS	
Chair:	J. Mueller
Vice Chair:	G. Rassel
Secretary:	C. Wilson
Advisory Committee:	A. Allie S. Ball J. Mueller G. Rassel

J. A. McKeen	General Manager
R. Jackovich	Operations Manager

Board of Trustees
SOCRRA

Subject: Quarterly Report - January 2013

Board Members:

Attached is a copy of SOCRRA's Quarterly Report covering the first six months operation of the 2012/13 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 2012/13 was \$18,135, before depreciation. This is a significant decrease from the net income of \$495,663 that was recorded for the first 6 months of 2011/12. The net loss for the first 6 months was \$181,451 less than budgeted.

	<u>Actual</u>	<u>Compared to Budget</u>
Revenue	\$9,820,015	-\$ 52,207
Expenses	\$9,838,150	-\$233,658
Net Income	-\$18,135	+\$181,451

Revenue was lower than planned due to decreased revenue from the sale of recycled materials (-\$392,000) which was partially offset by increased non-member refuse tonnage from Car Trucking, Rizzo Services and Tringali Sanitation (+\$229,000), member services being greater than budgeted (+\$105,000), and non-member yard waste being greater than budgeted (+\$14,000).

Expenses were below budget primarily due to lower than planned costs for non-labor Administrative and General Expenses (-\$191,000), lower than planned contractor expenses (-\$140,000), and labor expenses (-\$8,000). These decreases were partially offset by increases in maintenance expenses (+\$83,000) and supplies (+\$22,000).

Total revenue for the first six months of 2012/13 decreased by \$66,000 compared to the first six months of 2011/12. This decrease was due to decreased revenue from the sale of recycled materials due to lower commodity prices (-\$365,000) and decreased compost sales (-\$60,000). These decreases were partially offset by higher revenue from the member communities (+\$328,000) due to the rate increase as of July 1, increased non-member refuse (+\$16,000), higher yard waste from non-members (+\$8,000) and rental of homes (+\$10,000).

Operating expenses for the first six months of 2012/13 were \$448,000 higher compared to the first six months of 2011/12 primarily due to higher contractor and disposal costs.

Additional financial detail is attached.

MATERIAL HANDLED

SOCRRA processed 106,467 tons of refuse, yard waste and recyclables during the first six months of the current fiscal year. This represents a decrease of 1.5% or 1,601 total tons compared to the same period last year. Member refuse decreased by 4.1% from the previous year. It appears as if the trend of decreasing member refuse is continuing. For the first half of this year, recycling tonnage from the member communities increased by 1.9%. Non-member refuse increased by 8.7% compared to last year due to Tringali Sanitation, Rizzo Services and Car Trucking delivering higher tonnages to our Troy Transfer Station.

Our recent history of tonnage handled for the first half of the fiscal year is displayed in the table below:

	2008/09	2009/10	2010/11	2011/12	2012/13
Member Refuse	57,068	55,082	54,326	55,319	53,039
Non-Member Refuse	3,874	6,204	15,469	13,431	14,600
Member Recycling	8,556	8,384	8,688	8,819	8,986
Non-Member Recycling	183	2,024	839	240	261
Yard Waste	<u>30,581</u>	<u>35,891</u>	<u>28,963</u>	<u>30,259</u>	<u>29,581</u>
TOTAL	100,262	107,585	108,285	108,068	106,467

CAPITAL EXPENDITURES

Capital expenditures for the first six months of the fiscal year totaled \$56,945 and were for the purchase of a new shuttle truck for the Troy Transfer Station (\$14,000), the final payments for the new loader at the compost site (\$13,000), the replacement of a portion of the driveway of the Troy Transfer Station (\$12,000), retention pond improvements at the Compost Site (\$8,000), the renovation of the MRF tour room (\$5,000) and the initial costs for relocating the compactor from Madison Heights to the cash customer area of the Troy Transfer Station (\$4,000).

MAJOR PROJECTS

RECYCLED COMMODITY PRICES

The prices that we receive for our recycled paper and plastic products have been very low throughout the first six months of this year. However, the prices for both paper and plastic have improved from the lowest prices, which were recorded in October of 2012. The prices are significantly below the prices assumed in our budget, so our revenue from the sale of recycled materials is almost \$400,000 below budget. We are continuing to have to pay to recycle our mixed color glass. During the first half of the year, we were able to ship about 200,000 pounds of the mixed #1-#7 injection molded plastics material for recycling. We continue to have to pay to have this material recycled. We are working with several potential plastic recyclers in order to develop more than one outlet for this material.

PROCESSING MATERIALS FROM OTHER COMMUNITIES

Car Trucking, Rizzo Services and Tringali Sanitation are continuing to bring us a significant amount of refuse from outside of the SOCRRA communities. The incremental revenue from Rizzo and Tringali helps us to offset the fixed costs of running the Troy Transfer Station.

SOLAR PHOTOVOLTAIC SYSTEM AT THE COMPOST SITE

We worked with a developer of solar photovoltaic systems to submit a proposal to DTE for a very large solar system that would be constructed over one of our old landfills at our Compost

Site in Rochester Hills. DTE would own and operate the system, receive the energy generated by the system and pay SOCRRA a modest lease fee. This would be one of the largest solar photovoltaic systems in Michigan and would be an interesting use for a contaminated site. We are awaiting DTE's decision regarding our proposal.

RECYCLING BIN BLITZ

As part of our celebration of America Recycles Day, during the month of November SOCRRA and the member communities sold recycling bins at a reduced price of \$6. This is about half of the usual price. We are doing this in order to encourage more residents to recycle and to use more than one bin for recycling in order to recycle the full range of materials that can be collected through our curbside recycling program. We sold 972 recycling bins during the month of November which was a 50% increase from the number of bins sold during November of 2011.

FALL LEAF SEASON

The recently completed fall leaf season went extremely well. Our municipal crews and contractors were able to completely clean up the leaves in a very short period of time due to the great weather this fall. All of our collection and hauling contractors, the municipal crews, the member communities and the SOCRRA employees cooperated to make this leaf season very successful. During the winter months, residents of the SOCRRA communities can bring in up to 10 kraft paper bags of yard waste to our Troy Transfer Station for disposal. We will be continuing this service until curbside pickup of yard waste begins again in April.

REUSE OF SOCRRA'S MADISON HEIGHTS FACILITY

We are continuing to work with Rizzo Services to develop a plan for the reuse of SOCRRA's Madison Heights property as a transfer station and single stream recycling processing center. We have presented a conceptual design of a new facility to Madison Heights and we will be working with Madison Heights to ensure that issues important to them are addressed as we redevelop our property. We have contracted with RRS to update their single stream recycling feasibility study. Discussions with Rizzo are continuing. We hope to have a final plan ready to present to the Board during 2013.

SOCRRA'S ARTICLES OF INCORPORATION

We have completed the process of revising SOCRRA's Articles of Incorporation, which were last updated in 1976. This required that the Articles be approved by a unanimous vote of the Board and by the governing body of each member community. The final approval was obtained on December 3 and the revised Articles are now in effect.

USE OF OAKLAND COUNTY LOCAL GOVERNMENT INVESTMENT POOL

The Board approved the use of Oakland County's Local Government Investment Pool (LGIP) for investing a portion of SOCRRA's working capital and we have deposited a significant amount of money with the Pool. The LGIP offers a competitive interest rate, next day liquidity and is managed in compliance with Michigan statutes and SOCRRA's investment policy. While funds invested in the LGIP are not insured, having some of SOCRRA's uninsured funds in the LGIP will help to mitigate our level of risk.

ANNUAL AUDIT

The audit report for the 2011/12 fiscal year was completed by our auditors, Plante & Moran. This was the second audit performed by Plante & Moran under our five year agreement. The audit found the Authority to be in complete conformity with generally accepted accounting practices. The auditors concluded that the Authority's level of working capital improved over the previous year and finally reached our goal level of 7.5% of annual expenditures. The liability

for landfill postclosure costs increased by \$452,000 due to higher than planned costs for leachate disposal. Despite that increase, the net assets of SOCRRA increased by \$186,000 during 2011/12.

RECYCLING LATEX PAINT

We have established a method of recycling the latex paint that is brought in to our household hazardous waste program. The vendor that receives the materials generated by this program delivers all of the latex paint to a company in western Michigan that blends the recycled paint into a product that is sold at Habitat for Humanity stores. We will be testing this recycling method for the next 12 months to determine if this will be a long term outlet for our latex paint.

Respectfully submitted,

Jeffrey A. McKeen, P.E.
General Manager

SOCRRA
STATEMENT OF INCOME
JULY 1, 2012 THROUGH DECEMBER 31, 2012

<u>REVENUES</u>	<u>ESTIMATED</u>	<u>ACTUAL</u>	<u>VARIANCES</u>
MEMBER SERVICES	\$8,396,922.00	\$8,501,442.15	\$104,520.15
NON-MEMBER REFUSE	365,000.00	593,615.87	228,615.87
NON MEMBER YARD WASTE	41,000.00	54,808.80	13,808.80
	<hr/>	<hr/>	<hr/>
	\$8,802,922.00	\$9,149,866.82	\$346,944.82
 <u>RECYCLING</u> 			
NEWSPAPERS	\$445,000.00	\$259,463.61	(\$185,536.39)
BOXBOARD	150,000.00	66,442.53	(\$83,557.47)
CARDBOARD	35,000.00	20,593.13	(14,406.87)
PLASTIC	222,000.00	163,351.01	(58,648.99)
SCRAP METAL	41,000.00	24,894.47	(16,105.53)
TIN CANS	67,000.00	34,465.43	(32,534.57)
NON FERROUS METAL	6,500.00	9,302.20	2,802.20
GLASS	5,000.00	4,652.00	(348.00)
BATTERIES	1,500.00	687.72	(812.28)
USED ELECTRONICS	7,000.00	4,364.81	(2,635.19)
	<hr/>	<hr/>	<hr/>
	\$980,000.00	\$588,216.91	(\$391,783.09)
 <u>OTHER</u> 			
REVENUES-COMPOST	\$23,000.00	\$23,644.00	\$644.00
INTEREST ON INVESTMENTS	7,500.00	5,361.10	(2,138.90)
RENTAL INCOME	45,800.00	43,132.50	(2,667.50)
GRANTS	0.00	0.00	0.00
MISC. INCOME	13,000.00	9,793.85	(3,206.15)
	<hr/>	<hr/>	<hr/>
	\$89,300.00	\$81,931.45	(\$7,368.55)
 <hr/> <hr/>			
TOTAL REVENUES	\$9,872,222.00	\$9,820,015.18	(\$52,206.82)
 <u>EXPENSES</u> 			
	<u>BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCES</u>
	<u>APPROPRIATIONS</u>	<u>EXPENDITURES</u>	
MADISON HEIGHTS FACILITY	\$85,359.00	\$76,118.65	(\$9,240.35)
TROY TRANSFER FACILITY	1,040,820.00	1,270,227.26	229,407.26
MATERIAL RECOVERY FACILITY	516,010.00	587,449.49	71,439.49
HOUSEHOLD HAZARDOUS WASTE	116,925.00	111,928.30	(4,996.70)
COMPOST/LANDFILL FACILITY	181,081.00	236,327.15	55,246.15
ADMINISTRATIVE & GENERAL	689,528.00	452,198.09	(237,329.91)
COLLECTION FEES	5,135,549.00	5,029,154.14	(106,394.86)
COLLECTION & DISPOSAL FEES IN TRANSIT	2,306,536.00	2,074,746.77	(231,789.23)
	<hr/>	<hr/>	<hr/>
	\$10,071,808.00	\$9,838,149.85	(\$233,658.15)
 <hr/> <hr/>			
REVENUES OVER EXPENSES	(\$199,586.00)	(\$18,134.67)	\$181,451.33
 <hr/> <hr/>			
NET INCOME BEFORE DEPRECIATION	(\$199,586.00)	(\$18,134.67)	\$181,451.33

SOCRRA
STATEMENT OF INCOME
JULY 1, 2012 THROUGH DECEMBER 31, 2012

<u>REVENUE</u>	<u>TOTAL TONS</u>	<u>AMOUNT</u>
MEMBER SERVICES	53,038.77	\$8,501,442.15
NON-MEMBER REFUSE	14,599.59	593,615.87
<u>YARD WASTE</u>		
MEMBERS	29,071.78	0.00
OTHERS	509.20	54,808.80
<u>RECYCLABLES</u>		
MEMBERS	8,986.40	0.00
OTHERS	261.16	0.00
	106,466.90	\$9,149,866.82
<u>RECYCLING</u>		
NEWSPAPERS		\$259,463.61
BOXBOARD		\$66,442.53
CARDBOARD		20,593.13
PLASTIC		163,351.01
SCRAP METAL		24,894.47
TIN CANS		34,465.43
NON FERROUS METAL		9,302.20
GLASS		4,652.00
BATTERIES		687.72
USED ELECTRONICS		4,364.81
		\$588,216.91
<u>OTHER</u>		
COMPOST SALES		\$23,644.00
INTEREST ON INVESTMENTS		5,361.10
RENTAL INCOME		43,132.50
GRANTS		0.00
MISC. INCOME		9,793.85
		\$81,931.45
TOTAL REVENUE		\$9,820,015.18
<u>EXPENSES</u>		
MADISON HEIGHTS FACILITY		\$76,118.65
TROY TRANSFER FACILITY		1,270,227.26
MATERIAL RECOVERY FACILITY		587,449.49
HOUSEHOLD HAZARDOUS WASTE		111,928.30
COMPOST/LANDFILL FACILITY		236,327.15
ADMINISTRATIVE & GENERAL		452,198.09
COLLECTION CONTRACT EXPENSES		5,029,154.14
COLLECTION & DISPOSAL FEES IN TRANSIT		2,074,746.77
		\$9,838,149.85
NET INCOME BEFORE DEPRECIATION		(\$18,134.67)
DEPRECIATION		205,652.34
NET INCOME		(\$223,787.01)

SOCRRA
 STATEMENT OF REVENUES & EXPENDITURES
 COMPARED WITH TOTAL BUDGET
 JULY 1, 2012 THROUGH DECEMBER 31, 2012

<u>REVENUES</u>	<u>TOTAL BUDGET 2012/13</u>	<u>ACTUAL 6 MONTHS</u>	<u>BALANCE</u>	
MEMBERS SERVICES	\$16,793,838.00	\$8,501,442.15	\$8,292,395.85	51%
NON-MEMBER REFUSE	690,000.00	593,615.87	96,384.13	86%
<u>YARD WASTE</u>				
NON-MEMBERS	64,000.00	54,808.80	9,191.20	86%
<hr/>				
	\$17,547,838.00	\$9,149,866.82	\$8,397,971.18	
<u>RECYCLABLES</u>				
NEWSPAPERS	\$1,010,000.00	\$259,463.61	\$750,536.39	26%
BOXBOARD	320,000.00	66,442.53	253,557.47	
CARDBOARD	80,000.00	20,593.13	59,406.87	26%
PLASTIC	500,000.00	163,351.01	336,648.99	33%
SCRAP METAL	92,000.00	24,894.47	67,105.53	27%
TIN CANS	156,000.00	34,465.43	121,534.57	22%
NON FERROUS METAL	15,000.00	9,302.20	5,697.80	62%
GLASS	10,000.00	4,652.00	5,348.00	47%
BATTERIES	4,000.00	687.72	3,312.28	17%
USED ELECTRONICS	12,000.00	4,364.81	7,635.19	36%
<hr/>				
	\$2,199,000.00	\$588,216.91	\$1,610,783.09	27%
<u>OTHER</u>				
COMPOST SALES	\$50,000.00	\$23,644.00	\$26,356.00	47%
INTEREST ON INVESTMENTS	16,000.00	5,361.10	10,638.90	34%
RENTAL OF HOMES	92,000.00	43,132.50	48,867.50	47%
GRANTS	0.00	0.00	0.00	0%
MISC. INCOME	25,000.00	9,793.85	15,206.15	39%
<hr/>				
	\$183,000.00	\$81,931.45	\$101,068.55	45%
<hr/> <hr/>				
TOTAL REVENUES	\$19,929,838.00	\$9,820,015.18	\$10,109,822.82	49%

SOCRRA
 STATEMENT OF REVENUES & EXPENDITURES
 COMPARED WITH TOTAL BUDGET
 JULY 1, 2012 THROUGH DECEMBER 31, 2012

<u>EXPENSES</u>	<u>TOTAL BUDGET 2012/13</u>	<u>ACTUAL 6 MONTHS</u>	<u>BALANCE</u>	
MADISON HEIGHTS FACILITY	\$104,790.00	\$76,118.65	\$28,671.35	73%
TROY TRANSFER FACILITY	3,110,350.00	1,270,227.26	1,840,122.74	41%
MATERIAL RECOVERY FACILITY	1,066,530.00	587,449.49	479,080.51	55%
HOUSEHOLD HAZARDOUS WASTE	233,650.00	111,928.30	121,721.70	48%
COMPOST/LANDFILL FACILITY	399,414.00	236,327.15	163,086.85	59%
ADMINISTRATIVE & GENERAL	1,288,100.00	452,198.09	835,901.91	35%
COLLECTION & DISPOSAL FEES	12,690,919.00	5,029,154.14	7,661,764.86	40%
COLLECTION & DISPOSAL FEES IN TRANSIT	0.00	2,074,746.77	(2,074,746.77)	0%
	<u>\$18,893,753.00</u>	<u>\$9,838,149.85</u>	<u>\$9,055,603.15</u>	
TOTAL EXPENDITURES	<u>\$18,893,753.00</u>	<u>\$9,838,149.85</u>	<u>\$9,055,603.15</u>	52%
NET INCOME	<u>\$1,036,085.00</u>	<u>(\$18,134.67)</u>	<u>\$1,054,219.67</u>	-2%

S O C R R A
 COMPARATIVE STATEMENT
 JULY 1, 2012 THROUGH DECEMBER 31, 2012

	<u>2012/13</u>	<u>2011/12</u>	<u>VARIANCES</u>
<u>REVENUES</u>			
MEMBER SERVICES	\$8,501,442.15	\$8,173,490.04	\$327,952.11
NON MEMBER REFUSE	593,615.87	577,125.93	16,489.94
<u>YARD WASTE</u>			
MEMBERS	0.00	0.00	0.00
OTHERS	54,808.80	46,834.40	7,974.40
	<hr/>	<hr/>	<hr/>
	\$9,149,866.82	\$8,797,450.37	\$352,416.45
<u>RECYCLABLES</u>			
NEWSPAPERS	\$259,463.61	\$424,297.46	(\$164,833.85)
BOXBOARD	66,442.53	0.00	66,442.53
CARDBOARD	20,593.13	209,967.31	(189,374.18)
PLASTIC	163,351.01	216,041.90	(52,690.89)
SCRAP METAL	24,894.47	32,365.18	(7,470.71)
TIN CANS	34,465.43	55,513.68	(21,048.25)
NON FERROUS METAL	9,302.20	8,627.23	674.97
GLASS	4,652.00	2,786.25	1,865.75
BATTERIES	687.72	656.96	30.76
USED ELECTRONICS	4,364.81	3,030.94	1,333.87
	<hr/>	<hr/>	<hr/>
	\$588,216.91	\$953,286.91	(\$365,070.00)
<u>OTHER</u>			
COMPOST SALES	\$23,644.00	\$84,086.00	(\$60,442.00)
INTEREST ON INVESTMENTS	5,361.00	8,453.90	(3,092.90)
RENTAL OF HOMES	43,132.50	33,105.00	10,027.50
GRANTS	0.00	0.00	0.00
MISC. INCOME	9,793.85	9,808.76	(14.91)
	<hr/>	<hr/>	<hr/>
	\$81,931.35	\$135,453.66	(\$53,522.31)
TOTAL REVENUES	\$9,820,015.08	\$9,886,190.94	(\$66,175.86)
OPERATING EXPENSES	\$9,838,149.85	\$9,390,527.90	\$447,621.95
EXCESS	<hr/>	<hr/>	<hr/>
	(\$18,134.77)	\$495,663.04	(\$513,797.81)

SOCRRA
TOTAL SERVICE CHARGES
JULY 1, 2012 THROUGH DECEMBER 31, 2012

<u>MUNICIPALITY</u>	<u>TOTAL TONS</u>	<u>SERVICE CHARGES</u>
BERKLEY	5,019	\$442,739.98
BEVERLY HILLS	4,001	308,352.00
BIRMINGHAM	8,807	693,756.31
CLAWSON	4,555	369,816.05
FERNDALE	7,749	818,460.55
HAZEL PARK	4,617	537,744.00
HUNTINGTON WOODS	2,596	177,834.00
LATHRUP VILLAGE	1,652	136,676.00
OAK PARK	7,291	781,853.21
PLEASANT RIDGE	1,434	86,996.96
ROYAL OAK	21,270	2,133,034.88
TROY	22,107	2,014,078.21
	<hr/>	<hr/>
SUB-TOTAL	91,097	\$8,501,342.15
	<hr/>	<hr/>
OTHER CUSTOMERS	15,177	\$648,524.67
DROP OFF CENTERS	193	0.00
	<hr/>	<hr/>
TOTAL	106,467	\$9,149,866.82

SOCRRA
IMPROVEMENT FUND
JULY 1, 2012 THROUGH DECEMBER 31, 2012

EXPENDITURES

TS Driveway Replacement	\$12,188.83
TS Used Truck	\$14,000.00
MRF Cash Customer Bay/Compactor Wall	4,259.65
MRF Tour Room Renovation	5,291.07
CS Retention Pond	8,314.33
CS Equipment - Loader Payments	12,891.00
TOTAL	<u>\$56,944.88</u>



CITY COUNCIL REPORT

Date: February 13, 2013

To: Brian Kischnick, City Manager

From: Mark Miller, Economic and Community Development Director
 Steve Vandette, City Engineer
 Bill Huotari, Deputy City Engineer/Traffic Engineer

Subject: Federal Aid Funding for Major Roads

The Oakland County Federal Aid Funding Committee, of which Troy is a member, held their annual meeting on February 12, 2013 for the purpose of discussing and approving federal aid funding for various road projects throughout the County.

Troy was successful in receiving an increase of \$985,000 in federal funds for the Livernois, Long Lake to Square Lake project. Our request to increase the federal funds was made to bring estimated project costs, last estimated in 2008, in line with current and anticipated costs in the construction year of 2017.

The estimated total project cost for the Livernois project is \$7,946,000. Eighty percent (80%) of the project cost or \$6,356,000 is federal funds and the City share (local match) is 20% or \$1,590,000. The City share is funded from Major Roads, Water and Sewer funds and is included in the 6-Year CIP plan for construction in 2017. A summary of all federally funded road projects in Troy is attached.

One new funding source discussed at the meeting will provide new funding for projects on principal arterials in Oakland County and is discussed in more detail below:

National Highway Prevention Program (NHPP)

When MAP-21 (highway bill) was enacted in 2012, it expanded the National Highway System (NHS) definition to include roads with a National Functional Classification (NFC) of principal arterials – regardless of ownership. This action resulted in MDOT allocating a portion of Michigan's National Highway Performance Program (NHPP) apportionment to local urban areas which contained principal arterials. As a result, the Oakland County Federal Aid Committee (FAC) has been granted obligation authority of \$2,374,909 for FY 2013, with gradually increasing amounts for each fiscal year.

The federally mandated goals of the NHPP are:

- To provide support for condition and performance of the National Highway System (NHS)
- To provide support for the construction of new facilities on the NHS



CITY COUNCIL REPORT

- To ensure that investments of Federal-aid funds are directed to support progress toward the achievement of performance targets established in a State's asset management plan for the NHS.
 - *(It is important to note that the performance targets have not yet been set by the State)*

Relevant eligible activities include:

- Construction, reconstruction, resurfacing, restoration, rehabilitation, preservation or operational improvement.
- Construction, replacement, rehabilitation, preservation and protection of bridges
- Inspection and evaluation of bridges and tunnels on the NHS
- Bicycle transportation and pedestrian walkways
- Safety improvements
- Infrastructure-based intelligent transportation systems capital improvements

Starting in FY 2014, project locations will be developed jointly between the RCOC and the eight (8) communities that are eligible: Cities of Auburn Hills, Birmingham, Clawson, Farmington Hills, Madison Heights, Pontiac, Royal Oak and Troy.

These funds may only be used on principal arterials as shown on the attached map. In Troy, the majority of principal arterials are County Roads. Rochester Road and the west end of Maple Road are City Majors that meet the criteria for principal arterials and would be eligible for funding under this program. RCOC has jurisdiction of approximately 78% of the total centerline mileage throughout the County. Troy's principal arterials account for just 2.4% of the total centerline mileage.

The Funding Committee approved funds for RCOC to use on projects, recommended annually, by a committee made up of the eight (8) member communities and the RCOC. Essentially, the RCOC will be the lead agency and be responsible for the design and administration of the resulting projects. Local agencies will be involved in determining project type, location, size, etc.

We anticipate meeting with the RCOC to discuss FY 2014 projects within the next few months. The federal aid available under this program is a typical 80% federal and 20% local match arrangement. It is anticipated that the local match will be split 50/50 between the RCOC and corresponding local agency. While we do not know at this time what if any projects may be approved in Troy, we will be part of the discussion to ensure that Troy receives its share of these new road funds.

MAJOR ROAD FEDERAL FUNDS 2013-2019

Agency	Project	Phase	Year	Federal	Local	Source
2014						
RCOC	Dequindre, Long Lake to Auburn	ROW	2014	3,200,000	800,000	C
	2014 TOTAL			3,200,000	800,000	
2015						
TROY	John R, Long Lake to Square Lake	CON	2015	6,500,000	1,625,000	C
TROY	Livernois, Long Lake to Square Lake	ROW	2015	2,400,000	600,000	C
	2015 TOTAL			8,900,000	2,225,000	
2016						
TROY	John R, Square Lake to South Boulevard	CON	2016	6,500,000	1,625,000	C
RCOC	Dequindre, Long Lake to Auburn	CON	2016	12,000,000	3,000,000	C
	2016 TOTAL			18,500,000	4,625,000	
2017						
TROY	Livernois, Long Lake to Square Lake	CON	2017	6,356,000	1,590,000	C
	2017 TOTAL			6,356,000	1,590,000	
2019						
TROY	Rochester, Barclay to Trinway	CON	2019	13,386,000	3,465,000	C
	2019 TOTAL			13,386,000	3,465,000	
TOTALS				50,342,000	12,705,000	

*** Subject to change based on State/Federal funding changes ***

PHASE

ROW - Right-of-Way

CON - Construction

SOURCE

C - Economic Development Category "C" - projects to increase capacity and reduce congestion

AGENCY

* Lead agency noted and responsible for project implementation, design, property acquisition and construction

Gary G Mayer

From: Leitch, Stephanie M. (ALCS) [Stephanie.M.Leitch [REDACTED]]
Sent: Tuesday, January 29, 2013 11:54 AM
To: Gary G Mayer
Subject: Acknowledge an Officer - T. Garcher

Good Morning Chief,

I meant to send this email awhile and I kept forgetting. I noticed there was not a process to commend an officer on your website so, I am sending this email instead.

I lived in Sterling Heights for 22 years and moved to Virginia about 5 years ago. I was visiting family in Michigan over the Thanksgiving holiday and I was involved in an accident in Troy. Due to the inclement weather and the high number of traffic accidents, I went to the police station to report the incident. The officer that responded to the police station was T.Garcher and I just want to take a moment and acknowledge this officer. I have never been in an accident before and was a little nervous about the reporting process. He was extremely professional, knowledgeable and efficient. He talked me through the accident and asked very direct questions.

After we discussed the accident, the officer expressed his concern about the damage to my vehicle. He mentioned I should take my vehicle into a shop before I make the trip back to Virginia. I was extremely impressed with Officer Garcher's approachability, professionalism and genuine concern.

Please send my thanks to him again and thank you for all the hard work you do every day for the community.

Sincerely,
Stephanie Leitch



POLICE OFFICER TIM GARCHER -
THANK YOU FOR MAKING SUCH A GREAT
IMPRESSION ON THIS LADY AND REPRESENTING
TROY PD SO WELL.
Gary

SULZER

Sulzer Metco (US) Inc.
1972 Meijer Dr
Troy, MI 48084 USA
www.sulzer.com

February 4, 2013

Mr. Mitch Grusnick
Building Inspector
City of Troy
500 W Big Beaver
Troy, MI 48084

RECEIVED

FEB - 7 2013

PLANNING

Phone direct +1 (248) 280-3124
Fax direct +1 (248) 288-4162
E-Mail direct kevin.luer@sulzer.com
Date February 5, 2013

SUBJECT: Thank you

Dear Mitch:

On January 21st 2013, our foundry building was damaged by a forklift propane tank explosion which significantly and temporarily disrupted our manufacturing operations. Sulzer Metco (US) Inc. would like to thank you and your team for prompt permitting, inspections and support in expediting our safe recovery to resume all operations within 11 days.

We are pleased and thankful that our training and your training ensured that people were safe at all times and no one was injured.

Over the next few weeks, we will be repairing and rebuilding various portions of our affected plant. We look forward to working safely and closely with the City of Troy during the continued recovery operation.

Should you need any further information regarding any matter, please do not hesitate to contact me.

Thank you again.

With Best Regards,



Kevin R. Luer, PhD
Director of Operations



CITY COUNCIL ANNOUNCEMENT **OF CANCELLATION OF PUBLIC** **HEARING**

February 5, 2013

TO: Brian Kischnick, City Manager
Aileen Bittner, City Clerk

FROM: Tom Darling, Director of Financial Services
Nino Licari, City Assessor

SUBJECT: Cancellation of Public Hearing – Michigan Next Energy Exemption –
LG Chem, Inc.

History:

On February 4, 2013, at the direction of staff, a Public Hearing was set for March 4, 2013 to consider a Next Energy Exemption for LG Chem, Inc. for the 2013 Assessment Year.

On February 5, 2013, at 7:39 AM, the State Tax Commission notified all local Assessors that the law allowing these exemptions had expired, in spite of the Next Energy Authority's claim to the contrary.

Therefore, there is no longer a need for a Public Hearing on March 4, 2013, as no Next Energy Exemptions may be granted for 2013.

Please cancel the Public Hearing for this item at your earliest convenience.