



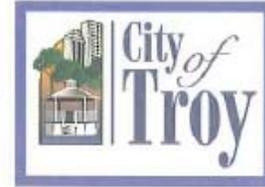
TROY CITY COUNCIL

REGULAR MEETING AGENDA

**MARCH 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

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

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INVOCATION: Pastor Dan Lewis from Troy Christian Chapel

PLEDGE OF ALLEGIANCE:

A. CALL TO ORDER:

B. ROLL CALL:

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

- b) Excuse Absent Council Members:

Suggested Resolution

Resolution #2013-03-

Moved by

Seconded by

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

Yes:

No:

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Transit Center Status Report – March, 2013 (*Presented by: Steve Vandette, City Engineer*)

C-2 Troy Nature Society Presentation (*Introduced by: Carol Anderson, Recreation Director*)

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 Rezoning Application (File Number Z 742) - Proposed 1071 Villa Park (part of Parcel ID #88-20-02-301-010), East Side of Rochester Road, South of South Boulevard, Section 2, From R-1D (One Family Residential) District to RT (One-Family Attached Residential) District

CLICK HERE to view the Resolution Attachment - *Rochester Villas Proposed Rezoning Sketch and Description of the Proposed Rezoning*

Suggested Resolution

Resolution #2013-03-

Moved by

Seconded by

WHEREAS, The City is in receipt of a rezoning request, from R-1D to RT, File Number Z-742, as demonstrated by the Ordinance to amend Chapter 39 of the Code of the City of Troy and as illustrated in the attached Rochester Villas Proposed Rezoning Sketch and Description of Proposed Rezoning.

THEREFORE BE IT RESOLVED, That the proposed rezoning from R-1D to RT is hereby **APPROVED**.

BE IT FINALLY RESOLVED, That the Zoning District Map is hereby **AMENDED**.

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 Liquor Violation Hearing - National Coney Island, Inc. (dba: National Coney Island) – Postponed from February 20, 2013 Liquor Violation Hearings

a) Resolution Recommending Renewal of Liquor License

Suggested Resolution

Resolution #2013-03-

Moved by

Seconded by

WHEREAS, The City of Troy scheduled and held a hearing on February 20, 2013, as allowed under State Law and the City of Troy Ordinances, Chapter 101, and also the Liquor License Agreement between the licensee and the City, to review the following alleged violation:

Name: National Coney Island, Inc. (dba: National Coney Island)

Address: 3364 Rochester Rd., 48084

License No: Class C Resort (41187-2012)

Violation: **SALE TO MINOR (Compliance Test) on November 13, 2012;** and

WHEREAS, After due notice, the licensee was given the opportunity to review this cited infraction, and an opportunity to confront witnesses and/or statements of accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 20, 2013 and was postponed to Monday, March 18, 2013;

NOW, THEREFORE, BE IT RESOLVED, That as a result of this hearing, the Troy City Council has been **PERSUADED** that the alleged violation did occur at the above referenced licensed establishment;

BE IT FURTHER RESOLVED, That due to the violation at the licensed establishment, the Troy City Council, after due notice, appropriate hearing and deliberations, **RECOMMENDS** renewal of the on premises liquor license for the 2013 license year, with the **STIPULATION** that all serving employees receive TIPS or TAMS or other comparable training acceptable to the Troy Police Department, and that licensee **PRESENT** proof of this training to the Troy Police Department within 90 days of today's date;

BE IT FINALLY RESOLVED, That a certified copy of this resolution **SHALL BE SENT** to the Michigan Liquor Control Commission.

Yes:

No:

b) Resolution Objecting to the Renewal of Liquor LicenseSuggested Resolution

Resolution #2013-03-

Moved by

Seconded by

WHEREAS, The City of Troy scheduled and held a hearing on February 20, 2013, as allowed under State Law and the City of Troy Ordinances, Chapter 101, and also the Liquor License Agreement between the licensee and the City, to review the following alleged violation:

Name: National Coney Island, Inc. (dba: National Coney Island)

Address: 3364 Rochester Rd., 48084

License No: Class C Resort (41187-2012)

Violation: **SALE TO MINOR (Compliance Test) on November 13, 2012;** and

WHEREAS, After due notice the licensee was given the opportunity to review this cited infraction, and an opportunity to confront witnesses and/or statements of accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 20, 2013 and was postponed to Monday, March 18, 2013;

NOW, THEREFORE, BE IT RESOLVED, That as a result of this hearing, the Troy City Council has been **PERSUADED** that the alleged violation did occur at the above referenced licensed establishment;

BE IT FURTHER RESOLVED, That due to the violation at the licensed establishment, the Troy City Council, after due notice, appropriate hearing and deliberations, **OBJECTS** to the renewal of the on premises liquor license for the 2013 license year;

BE IT FINALLY RESOLVED, That a certified copy of this resolution **SHALL BE SENT** to the Michigan Liquor Control Commission.

Yes:

No:

H-2 Liquor Violation Hearing - Mon Jin Lau, Inc. (dba: Mon Jin Lau) – Postponed from February 20, 2013 Liquor Violation Hearings

Suggested Resolution

Resolution #2013-03-

Moved by

Seconded by

WHEREAS, The City of Troy scheduled and held a hearing on February 20, 2013, as allowed under State Law and the City of Troy Ordinances, Chapter 101, and also the Liquor License Agreement between the licensee and the City, to review the following alleged violation:

Name: Mon Jin Lau, Inc. (dba: Mon Jin Lau)

Address: 1515 E. Maple Rd., 48084

License No: Class C (353-2012)

Violation: **ALLOWED OVERCROWDING & INTOX. PERSONS** on October 31, 2012; and

WHEREAS, After due notice, the licensee was given the opportunity to review this cited infraction, and an opportunity to confront witnesses and/or statements of accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 20, 2012 and which was postponed to March 18, 2013;

NOW, THEREFORE, BE IT RESOLVED, That as a result of this hearing, The Troy City Council has been **PERSUADED** that there was a violation of the liquor license at the above referenced licensed establishment as set forth above;

BE IT FURTHER RESOLVED, That due to the violation at the licensed establishment, the Troy City Council, after due notice, appropriate hearing and deliberations, **RECOMMENDS** renewal of the on premises liquor license for the 2013 license year, with the **STIPULATION** that the licensee enter into the attached agreement, and provide proof of the required TIPS or TAMS or other comparable training to the Troy Police Department within 90 days of today's date.

BE IT FURTHER RESOLVED, That City Council **AUTHORIZES** the Mayor and the City Clerk to enter into the attached agreement with Mon Jin Lau to address over-crowding and other issues related to health, safety and public welfare; and shall **ATTACH** a copy to the original Minutes of this Meeting.

BE IT FINALLY RESOLVED, That a certified copy of this resolution **SHALL BE SENT** to the Michigan Liquor Control Commission.

Yes:

No:

H-3 Liquor Violation Hearing - Simbad, Inc. (dba: Palm's / Simbad) – Postponed from February 20, 2013 Liquor Violation Hearings

Suggested Resolution

Resolution #2013-03-

Moved by

Seconded by

WHEREAS, The City of Troy scheduled and held a hearing on February 20, 2013, as allowed under State Law and the City of Troy Ordinances, Chapter 101, and also the Liquor License Agreement between the licensee and the City, to review the following alleged violation:

Name: Simbad, Inc. (dba: Palm's / Simbad)
 Address: 336 John R Rd., 48083
 License No: SDM (190650-2012) Class C (190651-2012); and
 Violation: **ALLOWED INTOXICATED PERSON TO OPERATE VEHICLE & CONSUMPTION AFTER HOURS; IMPROPER DISPLAY OF LICENSE on December 12, 2012; and**

WHEREAS, After due notice the licensee was given the opportunity to review this cited infraction, and an opportunity to confront witnesses and/or statements of accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 20, 2013, and was postponed to Monday, March 18, 2013;

NOW, THEREFORE, BE IT RESOLVED, That as a result of this hearing, the Troy City Council has been **PERSUADED** that there was a liquor license violation on December 12, 2012, as set forth above;

BE IT FURTHER RESOLVED, That due to the violation at the licensed establishment, the Troy City Council, after due notice, appropriate hearing and deliberations, **OBJECTS** to the renewal of the on premises liquor license for the 2013 license year;

BE IT FURTHER RESOLVED, That Troy City Council **RESERVES THE RIGHT** to review this resolution for a subsequent sale and transfer of the liquor license;

BE IT FINALLY RESOLVED, That a certified copy of this resolution **SHALL BE SENT** to the Michigan Liquor Control Commission.

Yes:

No:

I. REGULAR BUSINESS:

I-1 Board and Committee Appointments: a) Mayoral Appointments - None; b) City Council Appointments – Zoning Board of Appeals

a) Mayoral Appointments: None

b) City Council Appointments

Suggested Resolution

Resolution #2013-03-

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:

Zoning Board of Appeals

Appointed by Council

7 Regular Members

3 Year Term

Nominations to the Zoning Board of Appeals:

Term Expires: 1/31/2015

David Eisenbacher

(Alternate)

Term currently held by: Bruce Bloomingdale (Resigned)

Term Expires: 4/30/2015

Bruce Bloomingdale

Term currently held by: Michael Bartnik (Resigned)

Yes:

No:

I-2 Board and Committee Nominations: a) Mayoral Nominations – Downtown Development Authority; b) City Council Nominations – None

a) Mayoral Nominations

Suggested Resolution

Resolution #2013-03-
 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	At Large	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

At Large

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	
Papa	Albert	3/14/2015	
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: None**

I-3 No Closed Session Requested

I-4 Proposal to Amend Chapter 69 – Precious Metal, Gems and Items (*Introduced by: Keith Frye, Captain*)

Suggested Resolution

Resolution #2013-03-

Moved by

Seconded by

BE IT RESOLVED, That the Troy City Council hereby **APPROVES** the attached proposed amendment to Chapter 69 of the City of Troy Ordinances, as recommended by City Administration, and that a copy of the amendment be **ATTACHED** to the original Minutes of this meeting.

Yes:

No:

I-5 2012-13 Budget Amendment #2 (*Introduced by: Thomas Darling, Financial Services Director*)

Suggested Resolution

Resolution #2013-03-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **APPROVES** 2012-13 Budget Amendment No. 2 as submitted, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes:

No:

J. CONSENT AGENDA:

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

Suggested Resolution

Resolution #2013-03-

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 Minutes

Suggested Resolution

Resolution #2013-03-

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

- a) City Council Special Study Meeting Minutes - March 4, 2013
- b) City Council Regular Meeting Minutes - March 4, 2013
- c) City Council Special Study Meeting Minutes – March 11, 2013

J-3 No Proposed City of Troy Proclamations

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 1: Award to Low Bidder – Double Shredded Hardwood Mulch and Installation**

Suggested Resolution

Resolution #2013-03-

RESOLVED, That Troy City Council hereby **AWARDS** a one (1) year contract to provide and install Double Shredded Hardwood Mulch with an option to renew for two (2) additional years to the lowest responsible bidder, Parks Services of Troy, MI, at an estimated total one (1) year cost of \$15,500.00 but not to exceed budgetary limitations at unit prices contained in the bid tabulation opened March 11, 2013, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with the contract expiring June 30, 2013;

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

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

Suggested Resolution
Resolution #2013-03-

RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase two (2) 2013 Ford Expeditions and three (3) 2013 Ford Interceptors from Signature Ford Lincoln of Owosso, MI, through the Macomb County Cooperative Purchasing Agreement for an estimated total cost of \$136,425.00.

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

Suggested Resolution
Resolution #2013-03-

RESOLVED, That Troy City Council hereby **AWARDS** a contract to purchase one (1) 2013 Dodge Caravan SE and six (6) 2013 Dodge Chargers for the Police Department from the low total bidder, LaFontaine of Saline, MI, as per the Oakland County Cooperative Bid for an estimated total cost of \$170,733.00.

d) Standard Purchasing Resolution 2: Sole Bidder Meeting Specifications – Vehicle Graphic Materials

Suggested Resolution
Resolution #2013-03-

RESOLVED, That Troy City Council hereby **AWARDS** a two (2) year contract to provide and/or install Vehicle Graphics Materials with an option to renew for two (2) additional years to the sole responsible bidder, Majik Graphics of Clinton Township, MI, at an estimated total of \$21,807.00 but not to exceed budgetary limitations at unit prices contained in the bid tabulation opened March 7, 2013, a copy of which shall be **ATTACHED** to the original Minutes of this meeting,

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

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

- a) Zoning Board of Appeals-Draft-January 15, 2013
- b) Building Code Board of Appeals-Final-February 6, 2013
- c) Planning Commission-Final-February 12, 2013
- d) Building Code Board of Appeals-Draft-March 6, 2013

O-2 Department Reports:

- a) Troy Transit Center Status Report – March, 2013
- b) Building Department Activity Report – February, 2013

O-3 Letters of Appreciation

- a) To Mayor and City Council From Michelle D’Souza Regarding Outstanding Service Provided by Mark Miller and Rick Shepler
- b) To Chief Mayer from Doreen Olko, Director of Emergency Services, Auburn Hills PD Regarding Assistance of Troy’s Special Investigations Unit – Series of Backflow Preventer Thefts
- c) To Chief Mayer From Doreen Olko, Director of Emergency Services, Auburn Hills PD Regarding Assistance of Troy’s Special Investigations Unit – January 15th Attempted Homicide Case
- d) To Chief Mayer From Mrs. Lin Commending the Police Department and the Streets Department

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

P. STUDY ITEMS:

P-1 No Study Items

Q. CLOSED SESSION:

Q-1 No Closed Session

R. ADJOURNMENT:

Respectfully submitted,

A handwritten signature in black ink, appearing to read "B. Kischnick". The signature is written in a cursive, somewhat stylized font.

Brian Kischnick, City Manager

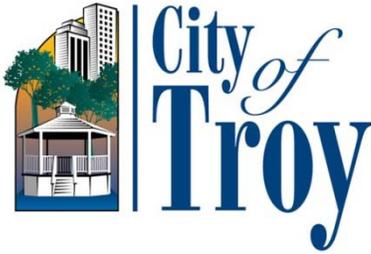
FUTURE CITY COUNCIL PUBLIC HEARINGS:

SCHEDULED REGULAR CITY COUNCIL MEETINGS:

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, April 22, 2013	Special Meeting
Monday, April 24, 2013	Special Meeting



COUNCIL REPORT

March 11, 2013

TO: Brian Kischnick, City Manager

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

SUBJECT: Troy Transit Center Status Report - March 2013

Construction

Construction was briefly suspended in mid-February as the project team worked to address CN Railroad's late requirement of a crash wall along the west tower. Shortly after Council's March 4th approval of design, construction and funding contract amendments, CN provided Hubbell, Roth and Clark written approval of the structural design plan for the crash wall. With that in place, the design team issued a construction bulletin and the construction team began producing the necessary shop drawings. Construction of the foundation and crash wall itself is scheduled for the last two weeks of March.

On February 22nd a revised construction schedule that included the crash wall was issued. Some of the work items were re-scheduled to allow work to proceed on the station building and elevator tower on the Troy side, while design approval was being sought for the crash wall. This action limited the overall time extension to only 30 days and avoided any additional costs due to delays. Project completion is now scheduled for August 5, 2013.

Work activity on the Transit Center in March includes:

- Erection of structural steel, precast exterior concrete panels, and installation of precast concrete steps for the east (Troy side) elevator/bridge support tower
- Construction of the crash and foundation walls for the west elevator tower.
- Erection of the steel frame for the building
- Off-site manufacture of precast concrete panels to fit above crash wall along west elevator tower

Major work coming up in next 30 days includes:

- Station building masonry and roofing
- Erection of structural steel, precast exterior concrete panels, and installation of precast concrete steps for the west (Birmingham side) elevator/bridge support tower
- Platform construction
- Execution of AMTRAK Lease Agreement expected on April 8th, Easement and License agreements as required by CN are in progress

Financial

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.

Property

The City Attorney's Office reports that the Michigan Court of Appeals heard oral arguments on March 6, 2013 in the Grand Sakwa appeal. It will be some time after that before a written opinion will be issued.

Business Opportunities

Troy City Management continues to work closely with the Troy Chamber of Commerce to help identify potential business opportunities for the Transit Center. Marketing Associates has been assisting City Management and the Troy Chamber of Commerce in this effort. A meeting with the Troy Chamber of Commerce Hospitality Committee is scheduled for March 14, 2013. At this meeting, information will be provided to the committee regarding ways area hotels, restaurants and other hospitality businesses can participate with the business development opportunities offered by the facility. For instance, informational kiosks, similar to what is found at Metro Airport, may be a way for local hospitality venues to advertise and connect with Transit Center users. City Management, the Troy Chamber of Commerce and Marketing Associates hope to receive some initial feedback from the Hospitality Committee to see if there is any interest in supporting a Transit Center hospitality kiosk and/or other marketing opportunities.

John Tagle of the Troy Chamber of Commerce and Howard English of Marketing Associates are planning to attend the April 8, 2013 Troy City Council Study Session on the Transit Center. At the Study Session, City Council will be brought up to date on construction activities and business opportunities. City Council direction will be asked for regarding whether or not the sale of Transit Center naming rights and other potential sponsorship opportunities should be pursued.

Project staff is available to answer any questions or provide additional information as necessary.

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				
	Architectural 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 - - -	- - 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

**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
March 2013

Structural Steel - East Elevator/Bridge Support Tower



Structural Steel Placement



Transit Center Construction Photos
March 2013

Precast Concrete Panel – East Tower



Panel Placement



Transit Center Construction Photos
March 2013

East Elevator/Bridge Support Tower



FY 2011- 2012 City of Troy – Troy Nature Society Partnership



Troy Nature Society Annual Report



Who we are

- 501(c)3 nonprofit organization operating Lloyd A. Stage Nature Center
- Assumed operations from city of Troy in July 2011, presenting public and school nature education programs
- Successfully completed two financial audits
- **OUR MISSION: To provide resources and education to inspire the appreciation and preservation of nature**



Where we operate

Lloyd A. Stage Nature Center
6685 Coolidge Hwy. (at South Blvd.) in Troy



- Building
 - 8,200 square feet with children's play area, classrooms, library, wildlife viewing area and exhibition lobby
 - Open Tuesday, Wednesday, Thursday, Saturday, and also during public programs
- Grounds
 - 70 acre nature preserve plus 30 acre farm
 - Propose: TNS to assume control of Farm Area except for buildings and Senior Gardens
 - 2-1/2 miles of walking trails through upland forest, meadows, wetlands and cattail marsh
 - Home to 145 wildlife species
 - Head waters of Rouge River flow through property
 - Trails open year round
 - 8,253 visitors and program participants in 2011 - 2012

What we do



- Seasonal programs and events
 - Families Activities – Maple Syrup Time and Ice Cream Social
 - Elementary & middle school programs - onsite and outreach
 - Preschool Programs – Parent and Tot
 - Adult Education – Woodcock Walk, Moonlight Hike
- Summer camps
 - Week-long programs for ages 6 to 12 years
 - Troy Title 1 school Summer Program – grant subsidized
- Junior Naturalist Club program – donation subsidized
- School field trips – elementary through high school
- Boy and Girl Scout field trips and badge education
- Photo Club activities and contests

Our core values



Make a positive difference in our community providing opportunities for environmental education and recreation in nature

- Offer public interpretive programming for individuals of all ages
- Implement school programming that serves the needs of local schools, educators and their students
- Manage the 100 acres of land as a natural resource so as to preserve the integrity of its plant and animal life
- Expand cooperative programming with other organizations such the Troy Historical Society

Our Environmental Education Programs



- Include learning in the field as well as the classroom
- Incorporate the teaching methods of outdoor education, experiential education, and place-based education
- Are inherently interdisciplinary
- Promote school/community partnerships
- Are hands-on, student-centered, inquiry driven, engage higher level thinking skills, and relevant to students' everyday lives

The difference we make



- Get people outside!
 - Provide alternative to television and computer screens and indoor, sedentary activities – counteract “nature deficit disorder.”
- Benefit children
 - Facilitate greater motor fitness
 - Improve cognitive development
 - Increase sense of wonder, awareness and creativity
- Benefit families and individuals
 - Buffer impact of life’s stresses
 - Create positive environmental ethic
 - Make walking fun and educational

The difference we make



- Promote our community asset
 - Keep programs and building available to the community for outdoor activities
 - Provide education on identification and proper removal of invasive plant species
- Promote stewardship
 - Conduct programs and projects caring for native wildlife, plants, trees and conserving soil and water resources
 - Preserve natural features and spaces important to defining community image and distinctive character
 - Encourage children to be active stewards of the environment

City Partnership Agreement



- Currently: 2 year agreement with one 2-year renewal
- Proposed: Revise to 4-year term with one 4-year renewal
- City retains ownership and is responsible for:
 - Utilities, security, building and grounds maintenance, major capital repairs
- TNS is responsible for:
 - Collections management, volunteer and staff management, all programs and services, marketing, fundraising, information technology

How we will grow



- Recruit new board members skilled in strategic planning, financial management, and education
- Increase membership and volunteer participation in the society's activities
- Expand cooperation with Troy and other regional school districts in support of nature education programming
- Increase participation in Chamber of Commerce
- Continue cooperative programming with Troy Historical Society
- Expand educational programming to encourage appreciation and stewardship of the natural world

Recent Operations Budgets



Fiscal Year Ended June 30

City Operations

- FY 2009/10 \$450,000
- FY 2010/11 \$263,513
- FY 2011/12 \$ 43,700
- FY 2012/13 \$ 33,100

TNS Operations

- FY 2011/12 Actual Assets & Liabilities \$ 54,381
- FY 2012/13 Budget \$120,600

Financial Transition



Fiscal Year Ended June 30, 2012

• Revenue		
– Programs:	\$34,412	
– Donations:	\$35,889	
– Memberships:	\$ 9,200	
– Fundraising:	\$12,365	
Total Revenue:		\$91,866
• Expenses		
– Programs:	\$38,562	
– Fundraising:	\$ 2,567	
– Management/General:	\$27,019	
Total Expenses:		\$68,148
• Change in Net Assets:		\$23,718

Working Together We Will



- Partner with City to support and promote economic and community development
- Continue partnership with City Staff to maintain the Stage Nature Center building and park
- Request the City of Troy provide the following annual financial support:
 - Core Services as outlined in the agreement
 - Operational support of \$50,000
 - Capital maintenance

The Troy Nature Society
Thanks You For Your Support.



Your Partnership With TNS
Makes It Happen!

**TROY NATURE SOCIETY
(a non-profit corporation)**

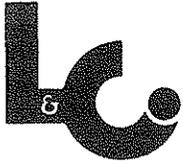
FINANCIAL STATEMENTS – MODIFIED CASH BASIS

For the year ended June 30, 2012

TROY NATURE SOCIETY

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Statement of Assets, Liabilities, and Net Assets	2
Statement of Support, Revenue and Expenses and Changes in Net Assets	3
Statement of Functional Expenses	4
Notes to Financial Statements	5 - 8



Lazzara & Company, P.C.

Certified Public Accountants
Certified Valuation Analysts
Business Advisors & Consultants

"We're in the business of caring"

Michael J. Lazzara, CPA, MBA, CVA
Mary Ellen Taylor, CPA
David A. Lazzara, CPA

David H. Martin, CPA
Randall C. DiFalco, CPA

INDEPENDENT AUDITORS' REPORT

To the Board of Directors
Troy Nature Society
Troy, Michigan

We have audited the accompanying statement of assets, liabilities and net assets – modified cash basis of Troy Nature Society (a non-profit corporation) as of June 30, 2012, and the related statement of support, revenue and expenses and changes in net assets – modified cash basis, and functional expenses – modified cash basis for the year then ended. These financial statements are the responsibility of the Organization's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 2, these financial statements were prepared on the modified cash basis of accounting, which is a comprehensive basis of accounting other than generally accepted accounting principles.

In our opinion, the financial statements referred to above present fairly, in all material respects, the assets, liabilities and net assets of Troy Nature Society as of June 30, 2012, and its support, revenue, and expenses, for the year then ended, on the basis of accounting described in Note 2.

Lazzara & Company, P.C.

LAZZARA & COMPANY, P.C.

August 21, 2012

16010 Nineteen Mile Road, Suite 102, Clinton Township, MI 48038

Phone 586.263.1000 Fax 586.263.1005

www.lazzaracpa.com

TROY NATURE SOCIETY

STATEMENT OF ASSETS, LIABILITIES AND NET ASSETS – MODIFIED CASH BASIS

JUNE 30, 2012

ASSETS

Current Assets		
Cash		\$ <u>52,745</u>
Property and Equipment		
Office equipment		500
Outdoor equipment		<u>1,106</u>
		1,606
Less: accumulated depreciation		<u>(82)</u>
Total Equipment, Net		<u>1,524</u>
Total Assets		\$ <u>54,269</u>

TOTAL LIABILITIES AND NET ASSETS

Current Liabilities		
Payroll withholding payable		\$ <u>2,224</u>
Net Assets		
Unrestricted		43,943
Temporarily restricted		<u>8,102</u>
Total Net Assets		<u>52,045</u>
Total Liabilities and Net Assets		\$ <u>54,269</u>

The accompanying notes are an integral part of these financial statements

TROY NATURE SOCIETY

**STATEMENT OF SUPPORT, REVENUE AND EXPENSES
AND CHANGES IN NET ASSETS – MODIFIED CASH BASIS**

FOR THE YEAR ENDED JUNE 30, 2012

	<u>Unrestricted</u>	<u>Temporarily Restricted</u>	<u>Total</u>
Public Support and Revenue			
Program fees	\$ 34,412	\$ -	\$ 34,412
Donations	19,709	16,180	35,889
Fundraising	12,365	-	12,365
Member dues	9,200	-	9,200
Net assets released from restrictions	<u>8,078</u>	<u>(8,078)</u>	<u>-</u>
Total Public Support And Revenue	<u>83,764</u>	<u>8,102</u>	<u>91,866</u>
Expenses			
Program services	38,562	-	38,562
Fundraising	2,567	-	2,567
Management and general	<u>27,019</u>	<u>-</u>	<u>27,019</u>
Total Expenses	<u>68,148</u>	<u>-</u>	<u>68,148</u>
Change in Net Assets	15,616	8,102	23,718
Net Assets, July 1, 2011	<u>28,327</u>	<u>-</u>	<u>28,327</u>
Net Assets, June 30, 2012	<u>\$ 43,943</u>	<u>\$ 8,102</u>	<u>\$ 52,045</u>

The accompanying notes are an integral part of these financial statements

TROY NATURE SOCIETY

STATEMENT OF FUNCTIONAL EXPENSES – MODIFIED CASH BASIS

FOR THE YEAR ENDED JUNE 30, 2012

	<u>Program Services</u>	<u>Supporting Services</u>		<u>Total</u>
		<u>Fundraising</u>	<u>Management and General</u>	
Contracted Services and Expenses				
Contract services	\$ 11,321	\$ -	\$ -	\$ 11,321
Wages	20,242	-	13,913	34,155
Payroll Taxes	897	-	905	1,802
Total Contracted Services And Expenses	<u>32,460</u>	<u>-</u>	<u>14,818</u>	<u>47,278</u>
Direct Program Expenses				
Transportation	742	-	-	742
Promotion	3,083	712	-	3,795
Supplies	1,310	1,588	-	2,898
Total Direct Program Expenses	<u>5,135</u>	<u>2,300</u>	<u>-</u>	<u>7,435</u>
Administrative Expenses				
Office and postage	-	100	1,798	1,898
Dues	-	-	305	305
Computer expenses	-	-	1,522	1,522
Building and trail maintenance	491	-	-	491
Professional fees	-	-	4,500	4,500
Depreciation	28	-	54	82
Insurance	-	50	2,174	2,224
Miscellaneous	-	75	74	149
Telephone and internet	-	-	1,399	1,399
Training and conferences	-	-	210	210
Bank service charges	448	42	165	655
Total Administrative Expenses	<u>967</u>	<u>267</u>	<u>12,201</u>	<u>13,435</u>
Total Functional Expenses	<u>\$ 38,562</u>	<u>\$ 2,567</u>	<u>\$ 27,019</u>	<u>\$ 68,148</u>

The accompanying notes are an integral part of these financial statements

TROY NATURE SOCIETY

Notes to Financial Statements

Note 1 - Nature of Organization

Troy Nature Society (the Organization) is a non-profit corporation located in Troy, Michigan that promotes the knowledge and appreciation of nature areas and wildlife among its citizens and school children. The Organization was formed in order to foster and encourage the understanding and preservation of natural world, green spaces, and wildlife within the City of Troy and surrounding region and to sponsor continuing education programs. The Organization's source of revenue is principally program fees, donations and fundraising events.

The City of Troy has entered into a contract with the Troy Nature Society that allows the Organization to offer various programs, classes and activities at the Lloyd A. Stage Nature Center and to operate the Nature Center store (See Note 3 – Contracts).

Note 2 - Summary of Significant Accounting Policies

Basis of Accounting

The accompanying financial statements have been prepared on the modified cash basis of accounting, which is a comprehensive basis of accounting other than generally accepted accounting principles. Under the modified cash basis of accounting, revenues and the related assets are recognized when paid in cash rather than when earned, and expenses are recognized when paid in cash rather than when the obligations are incurred. Depreciation and amortization are recognized over the estimated useful life of the assets. Inventory is capitalized and recognized on the statement of activities and changes in assets when sold.

Cash

The Organization places its temporary cash investments with high credit quality financial institutions. At June 30, 2012, the Organization maintained cash balances in a regular checking account.

Property and Equipment

The Organization capitalizes property and equipment over \$250 and lesser amounts are expensed when incurred. Purchases of property and equipment are capitalized at cost. Donations of property and equipment are recorded at their estimated fair value. Such donations are reported as unrestricted contributions unless the donor has restricted the donated asset to a specific purpose. Assets donated with explicit restrictions regarding their use and contributions of cash that must be used to acquire property and equipment are reported as restricted contributions. Absent of donor stipulations regarding how long these donated assets must be maintained, the Organization reports expirations of donor restrictions when the donated or acquired assets are placed in service. The Organization reclassifies temporarily restricted net assets to unrestricted net assets at that time. Property and equipment are depreciated using straight-line method over estimated useful lives ranging from five to thirty years. As of December 31, 2012, the useful life of all property and equipment is 5 years.

TROY NATURE SOCIETY
Notes to Financial Statements

Note 2 - Summary of Significant Accounting Policies - Continued

Inventory

As of June 30, 2012 the Nature Center gift shop was not open and had no inventory.

Functional Expenses

The costs of providing program and supporting services have been reported on a functional basis in the statement of activities and changes in net assets. Direct and indirect costs have been allocated between programs and general and administrative based on estimates from management. Although the methods of allocation used are considered appropriate, other methods could be used that would produce different amounts.

Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Classification of Net Assets

Net assets and revenues and expenses are classified based on the existence or absence of donor-imposed restrictions. Accordingly, net assets are classified as temporarily restricted, permanently restricted or unrestricted. Donor-imposed restrictions that expire with the passage of time and that can be removed by meeting certain requirements, results in temporarily restricted net assets.

Unrestricted Net Assets - This portion of the Organization's net assets is available for general obligations and is not subject to any donor-imposed restrictions. Revenues earned, program services provided, unrestricted contributions and all operating expenses are reported in this category.

Temporarily Restricted Net Assets - This portion of the Organization's net assets is limited to use specified by donor-imposed restrictions. When donor restrictions expire, or the nature and purpose of the restriction is accomplished, temporarily restricted net assets are reclassified to unrestricted net assets and reported in the accompanying statement of activities and changes in net assets - modified cash basis as net assets released from restrictions.

TROY NATURE SOCIETY

Notes to Financial Statements

Note 2 - Summary of Significant Accounting Policies - Continued

Income Taxes

The Organization is a private, non-profit corporation operating in accordance with Section 501(c)(3) of the Internal Revenue Code. At June 30, 2012, the Organization had no uncertain tax positions that qualify for either recognition or disclosure in these financial statements.

Contributed Services

The Organization generally pays for services requiring specific expertise and employs a combination of part-time and full time employees. However, many individuals volunteer their time and perform a variety of tasks that assist the Organization, hence; no amounts have been reflected in the financial statements for donated services.

Note 3 – Contracts

In June 2011, the City of Troy approved an operational agreement with the Troy Nature Society to operate the Lloyd A. Stage Nature Center, located in Troy, Michigan, effective July 1, 2011 which allows the Organization non-exclusive use of the property. The agreement expires on June 30, 2013; however, the board feels confident that the contract will be extended into future years. The City of Troy will not be liable for any payments to the Organization for any services provided; however the City of Troy will be liable for all reasonable utilities, maintenance, and custodial expenses and to maintain all buildings and grounds.

In conjunction with this agreement, the City of Troy agreed to provide up to \$20,000 as start-up funding for the purpose of allowing the Troy Nature Society to retain consultants and purchase equipment, supplies, and materials for programs, activities and classes. Payments will be made on an, as needed, basis. For the year ended June 30, 2012, the Society received \$12,111 from the City of Troy as start-up funding, which represented 13% of the Organization's support. As of June 30, 2012 there was \$2,154 available for future reimbursement from the City of Troy.

The Organization's short term goal is to continue to offer nature courses to be held at the Nature Center, in which the course fees should be able to cover the direct costs of the courses, and to hire an executive director. The longer term goals are to expand course offerings and to open and operate a gift shop for the Nature Center while generating a positive cash flow from program fees, donations, and grants.

Note 4 – Concentration of Credit Risk

For the year ended June 30, 2012, 13% of the Organization's support came from one individual donor and another 13% came from cost reimbursements from the City of Troy.

TROY NATURE SOCIETY
Notes to Financial Statements

Note 5 – Restricted Net Assets

Temporarily restricted net assets are available for the following at June 30, 2012:

Educational programs	\$7,502
Volunteer activities	<u>600</u>
Total restricted assets	<u>\$8,102</u>

Note 6 – Subsequent Events

Subsequent events have been evaluated through August 21, 2012 which is the date the financial statements were available to be issued. Effective July 1, 2012 the Organization hired a salaried part-time executive director to oversee all operations, promote the Troy Nature Society and who reports to the Board of Directors.

Troy Nature Society

October 26, 2012

Jeff Biegler
Recreation Director
City of Troy

Subject: Troy Nature Society (TNS) Annual Report for Fiscal Year 2011 – 2012

Fiscal Year in Review

TNS began conducting school and public nature education programs out of the Lloyd A. Stage Nature Center beginning on July 1, 2011. The initial operation was launched by hiring Debra Williams as the Lead Naturalist to organize and conduct nature programs. Debra was also responsible for identifying and hiring part time Naturalists to help in the preparation and teaching of the programs. Later, TNS hired Laura Taitt as an Independent Contractor to organize the volunteers to help support the programs and well as staff the nature center with a person at the front desk of the building during open hours.

A website www.troynaturesociety.org was created to publish newsletters of activities that have taken place at the nature center, publish photos that were taken at the park of both activities as well as nature related subjects, program announcements, and service activities. The website also handles program registration and payments to reduce work requirements at the nature center.

A major accomplishment of the year was restoring the Junior Naturalist Club back to the public program schedule. This was accomplished by a generous donation to get the program started and operating for two years.

Additionally, the Maple Syrup Time program was reinstated and was attended by over 600 visitors last March.

In April, 2012 the Board of Directors approved a three year Business Plan and Budget.

Consistent with the Business Plan, the board of directors began the process of hiring a part time Executive Director to run the nature center as well as support the fundraising activities. At the conclusion of the fiscal year, Carla Reeb was selected for the position of Executive Director with a hire date of July 1, 2012.

As part of the TNS responsibility, it was decided to maintain the park beyond just keeping it neat and clear of trash. Park Improvement Projects are now lead by committees for Trail Maintenance (Roger Kowalski) and Invasive Plant Species Removal (Mary Creager). Mary will discuss with Kurt the specific operations.

Financial Audits

TNS has had financial audits completed for each of the last two fiscal years. Each of the audits received unqualified opinions. Attached is the audit for FY 2011 – 2012.

Fundraising Activities

Wine Tasting Fundraising was held in November, 2011 to raise money to support the operation of TNS. The event cleared \$10,219 from a combination of ticket sales, raffle, and silent auction.

There were two major donations received for a total of \$14,000. \$12,000 was received as part of the directed donation of \$25,000 to start the Junior Naturalist Club program in January 2012. A second directed donation of \$2,000 was received to be used to fund the Troy School District Summer School Title One Program activities at the Lloyd A Stage Nature Center.

Program Class and Participation Report

The chart below is a list of the public programs that took place during the fiscal year.

Structured Event	Program/Event	Day	Time*	Fee?*	Staff	Tot. #
July	Summer Ecology Days (6-7yrs.)	M-F	M	Yes	DW/LFr/LB/LT	47
July	Summer Ecology Days (8-10yrs.)	M-F	A	Yes	DW/LFr/LB/LFe	43
July	Preschool Earth Explorers	M-F	M	Yes	DW/LB/LT/LFr	61
August	Peek at the Pond	Sat	M	Yes	DW	18
August	Stirring up Science (5-7 yrs.)	M-F	M	Yes	DW/LB	82
August	Stirring up Science (8-10 yrs.)	M-F	A	Yes	DW/AK	35
August	Work Day w/REI	Sat	M/A	No	TNS/REI	48
August	Creepy Crawlle Critters (P 'n' T)	Sun	A	Yes	DW	6
September	Volunteer Appreciation Dinner		E	No	Laura T.	51
October	General Nature Hike	Sat	M	No	Mary C. (vol.)	7
October	General Nature Hike	Sat	M	No	Mary C. (vol.)	6
October	SIO-Brownies Earth & Sky Try-It	Sat	M/A	Yes	DW	24
October	Autumn Adventures P 'n' T	Sun	A	Yes	DW	6
October	General Nature Hike	Sat	M	No	Mary C. (vol.)	6
November	Full Moon Madness	F	E	Yes	DW	13
November	SIO-Bears Achievement #5	Sat	M	Yes	DW	22
December	Deer Santa - am	Sat	M	Yes	DW	24
December	Deer Santa - pm	Sat	A	Yes	DW	15
December	Holiday Nature Hike	W	A	Yes	DW	14
January	Volunteer Training	Sat	A	No	LT/JR/NP/TP/SJ/DW	30
January	Jr. Naturalist Club (inc. Parent Mtg.)	Sat	M/A	Yes	SF/DS/LF/DW	66
February	Jr. Naturalist Club	Sat	M/A	Yes	DW/SFish/LFr	43
March	Maple Syrup Time	Sat	M/A	Yes	DW/staff & vol.	301
March	Maple Syrup Time	Sat	M/A	Yes	DW/staff & vol.	312
March	Advanced Bird Carving	M	M/A	Yes	Larry P. (vol.)	17
March	Advanced Bird Carving	Tu	M/A	Yes	Larry P. (vol.)	17
March	Advanced Bird Carving	W	M/A	Yes	Larry P. (vol.)	17
April	Spring Break Hike	Tues	M	Yes	DW	13
April	SIO-Webelos Naturalist Badge	Sat	M	Yes	DW & SJ	44
April	TNS Membership Meeting	Wed	E	No	TNS Board	44
April	Live Hawks & Owls	Thur	E	Yes	JRogers(speaker)	64

April	Work Day w/REI	Sat	M/A	No	TNS/REI	50
April	Work Day w/Sierra Club	Sat	M/A	No	TNS/Sierra Club	34
April	Jr. Naturalist Club	Sat	A	Yes	SFISH/SFIX/DW	47
April	Woodcock Walk	Wed	E	Yes	LCampbell(vol.)	14
May	Volunteer Pancake Appreciation Dinner	Th	E	No	LTAITT/DW	39
May	SIO - Brownies Bugs Badge	Sat	M	Yes	DW/SJ	50
May	Wing into Spring - P 'n' T	Sun	A	Yes	DW	9
May	Work Day w/Starbucks	Sat	M/A	No	TNS/Starbucks	30
May	Work Day/Program Athens AP Biology	Thur	M/A	No	JR,DW,LF	45
May	Know Your Feathered Neighbors	Sat	M	Yes	SJ	7
May	Jr. Naturalist Club	Sat	M/A	Yes	SFish/SFix/LFR/DW	37
June	Oakland Audubon Soc. Nature Walk	Tu	E	No	OAS Board	40
June	Jr. Naturalist Club	Sat	M/A	Yes	SFISH/SFIX/LFR/DW	42
June	Summer Ecology Days (6-7 yrs.)	M-Th	M/A	Yes	LFR/SJ/LB/LT/DW	40
June	Summer Ecology Days (8-10 yrs)	M-Th	M/A	Yes	LFR/SJ/LB/LT/DW	34
June	Preschool Earth Explorers	M-F	M	Yes	DW	32
June	Family Fun Night	W	E	Yes	DW	31

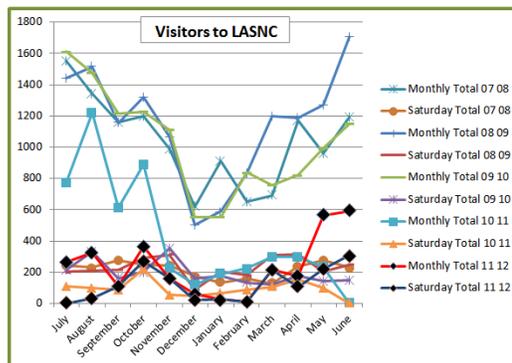
Open Hours Report

The direction from the Board of Directors was that the nature center will be open on Saturdays from 10:00 am to 4:00 pm from March 1 to November 17 each year. The center was also open during the week when public programs were scheduled. The graphs below show, for the past five years, the number of visitors each month and the number of visitors on Saturday. Prior to July 1, 2011, the nature center was open 5 days a week, including Saturday of non-holiday weekends.

Visitor Summary

Month	Number	Saturday
July	263	0
August	324	33
September	111	111
October	363	273
November	160	160
December	62	22
January	25	25
February	12	12
March	213	213
April	176	105
May	566	223
June	591	307
Sum	2866	1484
Average	238.8	123.7

FY 2011 -2012 Visitors



Visitors in FY's 2007 to 2012

Park Support Operations

There were three public scheduled invasive plant species removal programs and one program that was a combination park improvement project and an invasive plant species removal. The three public scheduled programs were sponsored by REI, Sierra Club, and Starbucks with a total of 114 volunteers coming to the nature center and removing 182 bags of Garlic Mustard. This invasive plant removal program was a big success and will allow TNS to proceed next spring with the removal of other

invasive plant species. In May, the Troy Athens Advance Placement Biology classes came over to the nature center to rebuild the Log Life area and remove 30 bags of invasive plants from the park in their morning portion of the field trip program. In the afternoon they participated in aquatic life studies and determining what bugs live in the meadow. This was program was sponsored by the Sierra Club.

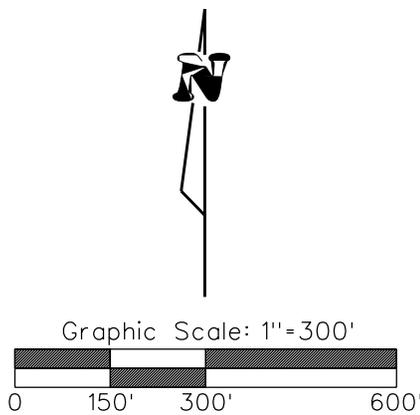
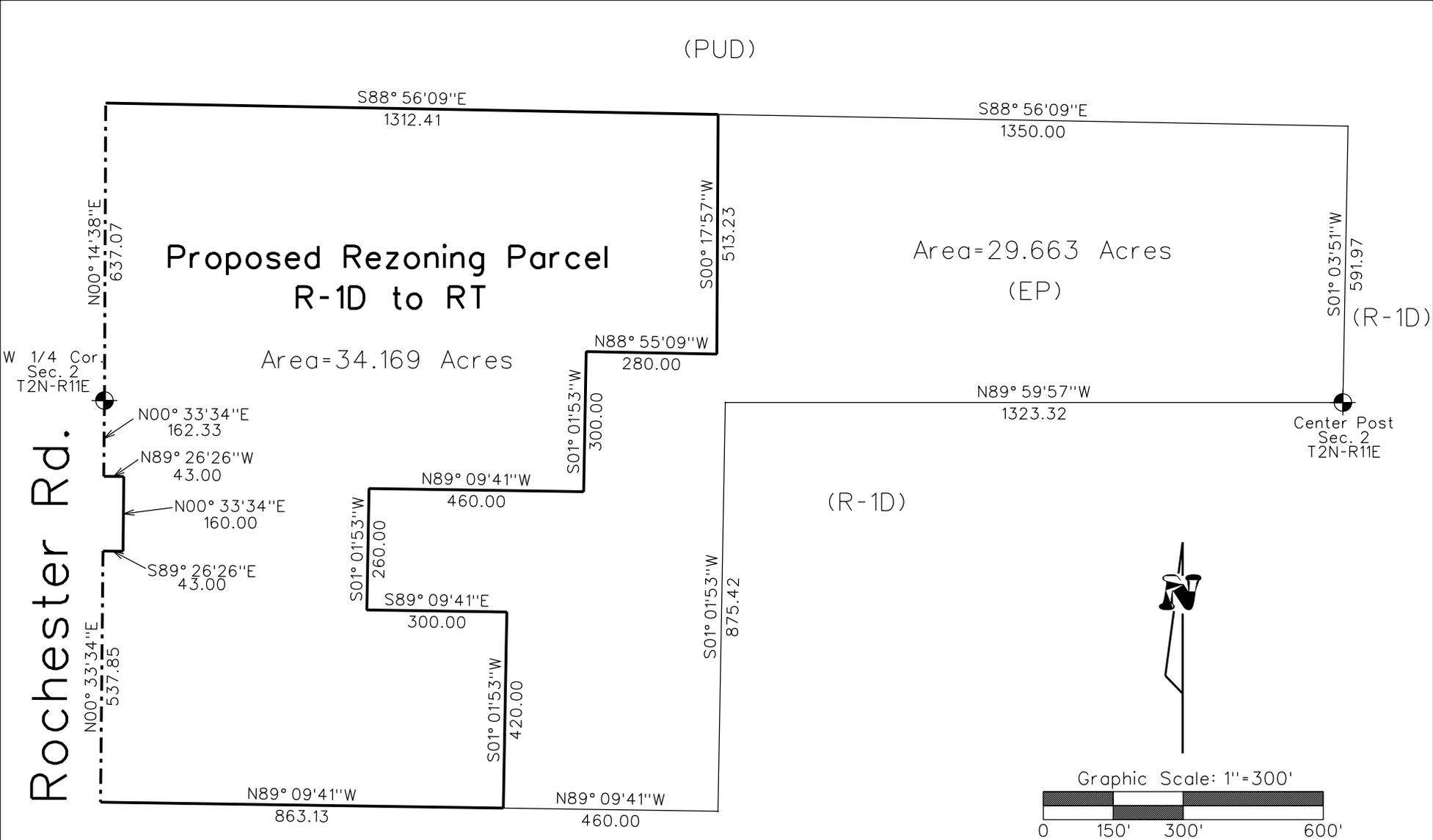
The continued support of the Parks Department will be necessary for TNS to continue this operation. TNS has identified areas where the plant Phragmites is growing. Financial support will be needed to successfully remove this plant from the park property.

Major Accessions and Deaccessions

TNS has purchased one computer and two printers and had one computer donated to be used in the office to support the mission of the society.

John Ragan
Board of Directors, President
Troy Nature Society

(PUD)



(R-1D)

NOTE: Sketch was prepared from best available records. No field work was completed.

Document Prepared By
George J. Ballard III, P.S.
Land Surveyor

CITY OF TROY			
OAKLAND COUNTY, MICHIGAN			
Rochester Villas Proposed Rezoning Sketch Parcel #88-20-02-301-010			
FILE: Rezoning_Sketch_Planning_Dept_01092013.DGN			
SCALE	DRAWN BY	NAME	DATE
HOR. 1"=300'	CHECKED BY	GJBIII	01-09-13
VER. 1"=X'		NAME	DATE
		STEVEN J. VANDETTE, P.E.	
		CITY ENGINEER	
CONTRACT NO.		SHEET NO.	JOB NO.
N/A		10F1	N/A

Thursday, January 10, 2013

Section 2, Part of the NW 1/4 & SW 1/4
Parcel: Part of #88-20-02-301-010
Owner: Rochester Villas

Description of Proposed Rezoning: (Taken from best available records)

Part of the Northwest ¼ and the Southwest ¼ of Section 2, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan. Beginning at the West ¼ Corner of said section; thence North 00 degrees 14 minutes 38 seconds East, along the west section line, 637.07 feet; thence South 88 degrees 56 minutes 09 seconds East 1312.41 feet; thence South 00 degrees 17 minutes 57 seconds West 513.23 feet; thence North 88 degrees 55 minutes 09 seconds West 280.00 feet; thence South 01 degrees 01 minutes 53 seconds West 300.00 feet; thence North 89 degrees 09 minutes 41 seconds West 460.00 feet; thence South 01 degrees 01 minutes 53 seconds West 260.00 feet; thence South 89 degrees 09 minutes 41 seconds East 300.00 feet; thence South 01 degrees 01 minutes 53 seconds West 420.00 feet to the north line of "Cherryhurst Subdivision", as recorded in Liber 209, Pages 31-34 of Oakland County Records; thence North 89 degrees 09 minutes 41 seconds West, along said north line, 863.13 feet to the west line of said section 2; thence North 00 degrees 33 minutes 34 seconds East, along said west line, 537.85 feet; thence South 89 degrees 26 minutes 26 seconds East 43.00 feet; thence North 00 degrees 33 minutes 34 seconds East 160.00 feet; thence North 00 degrees 33 minutes 34 seconds East 160.00 feet; thence North 89 degrees 26 minutes 26 seconds West 43.00 feet to the west line of said section 2; thence North 00 degrees 33 minutes 34 seconds East, along said west line, 162.33 feet to the point of beginning, containing 34.169 acres, more or less. The West 33.00 feet of which is currently being used for road purposes.



CITY COUNCIL AGENDA ITEM

Date: March 11, 2013

To: Brian Kischnick, City Manager

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

Subject: PUBLIC HEARING – REZONING APPLICATION (File Number Z 742) – Proposed 1071 Villa Park (part of Parcel ID #88-20-02-301-010), East side of Rochester Road, South of South Boulevard, Section 2, From R-1D (One Family Residential) District to RT (One-Family Attached Residential) District

Background

The subject property was rezoned to CR-1 (One Family Cluster) district in 1972. During the comprehensive rewrite of the Zoning Ordinance, four zoning districts that permitted single family attached residential dwellings (CR-1, R-1T, R-2 and R-EC) were combined into one zoning district, the RT (One-Family Attached Residential) district. The zoning classification of the subject property was supposed to be changed from CR-1 to RT. The property was rezoned in error to the R-1D (One-Family Residential) district in April 2011 when the revised Zoning Map was adopted. Rezoning the subject property to RT will correct this administrative error.

The use of the subject property is Rochester Villas, a multi-family residential development consisting of attached one-family dwelling units. Under the current zoning classification, Rochester Villas is considered a legal nonconforming use, since attached dwelling units are not permitted in R-1D.

The subject property is within the Rochester Road classification of the Master Plan, which contemplates this type of residential development.

The Planning Commission held a public hearing on this item at the February 12, 2013 Regular meeting and recommended approval of the rezoning request.

Recommendation

City Management recommends approval of the rezoning for the following reasons:

1. The rezoning is consistent with the City of Troy Master Plan.
2. The rezoning is consistent with abutting zoning districts and land uses.
3. The rezoning will eliminate the nonconforming status of the subject property.
4. The rezoning will correct an administrative error.

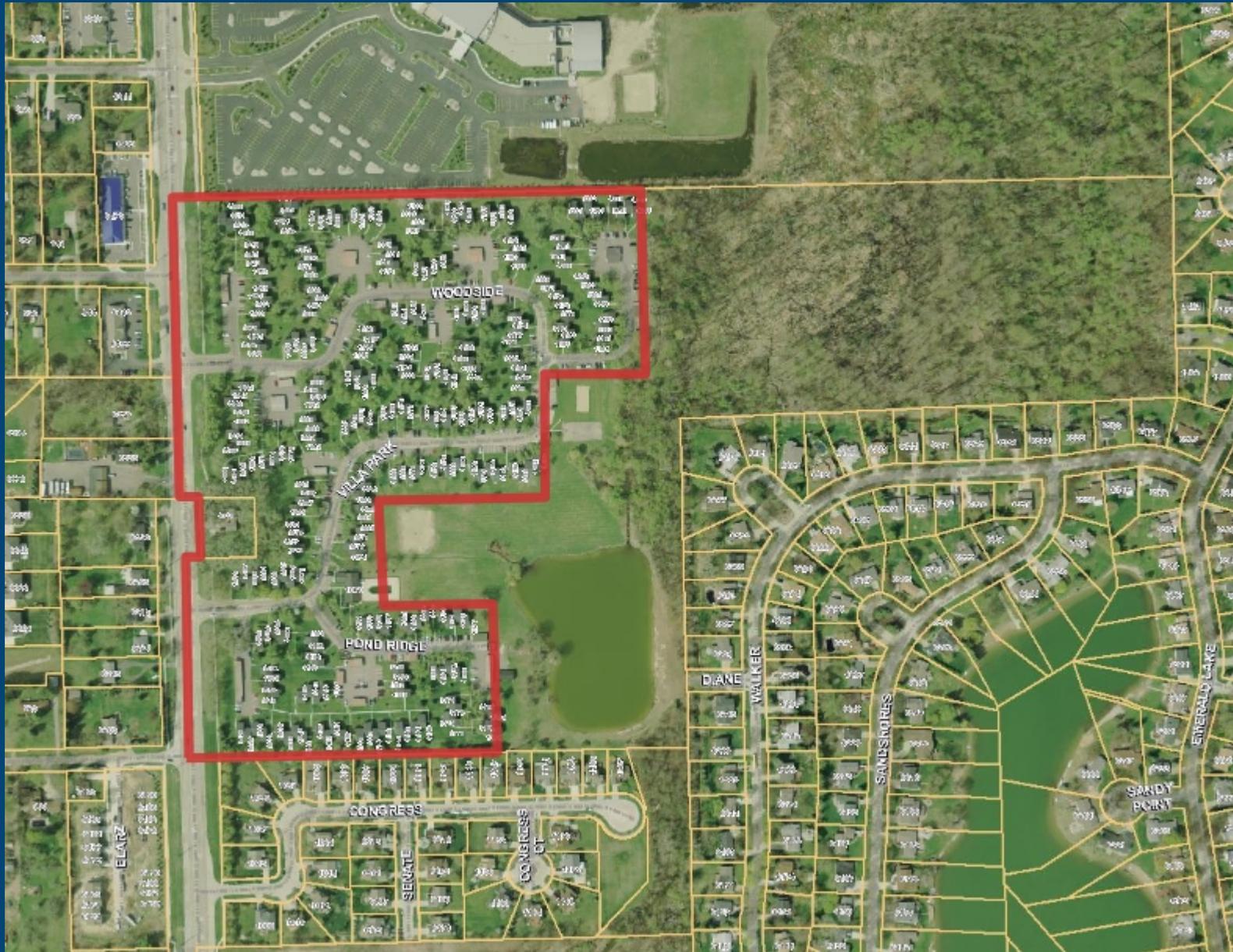


CITY COUNCIL AGENDA ITEM

Attachments:

1. Maps
2. Planning Commission minutes from the February 12, 2013 Regular meeting (excerpt)
3. City of Troy Master Plan (excerpt)

G:\REZONING REQUESTS\Z 742 Rochester Villas Sec 02\CC Public Hearing 2013 03 18.doc



Legend

1,085 0 542 1,085Feet

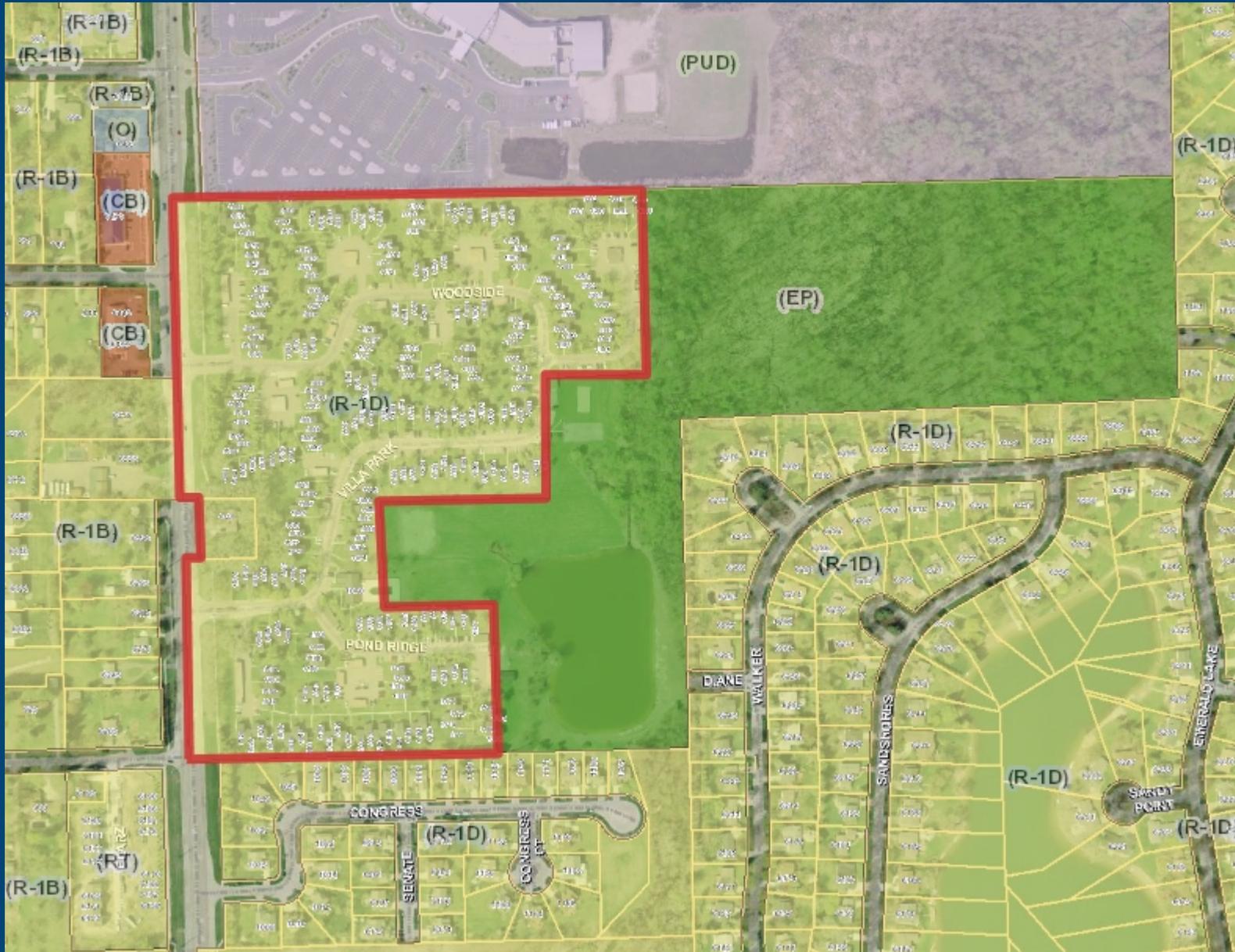
Scale 1: 6,509

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

Printed: 1/31/2013

1071 Villa Park - Current Zoning

City of Troy Planning Department



Legend

Form Based Zoning (Current)

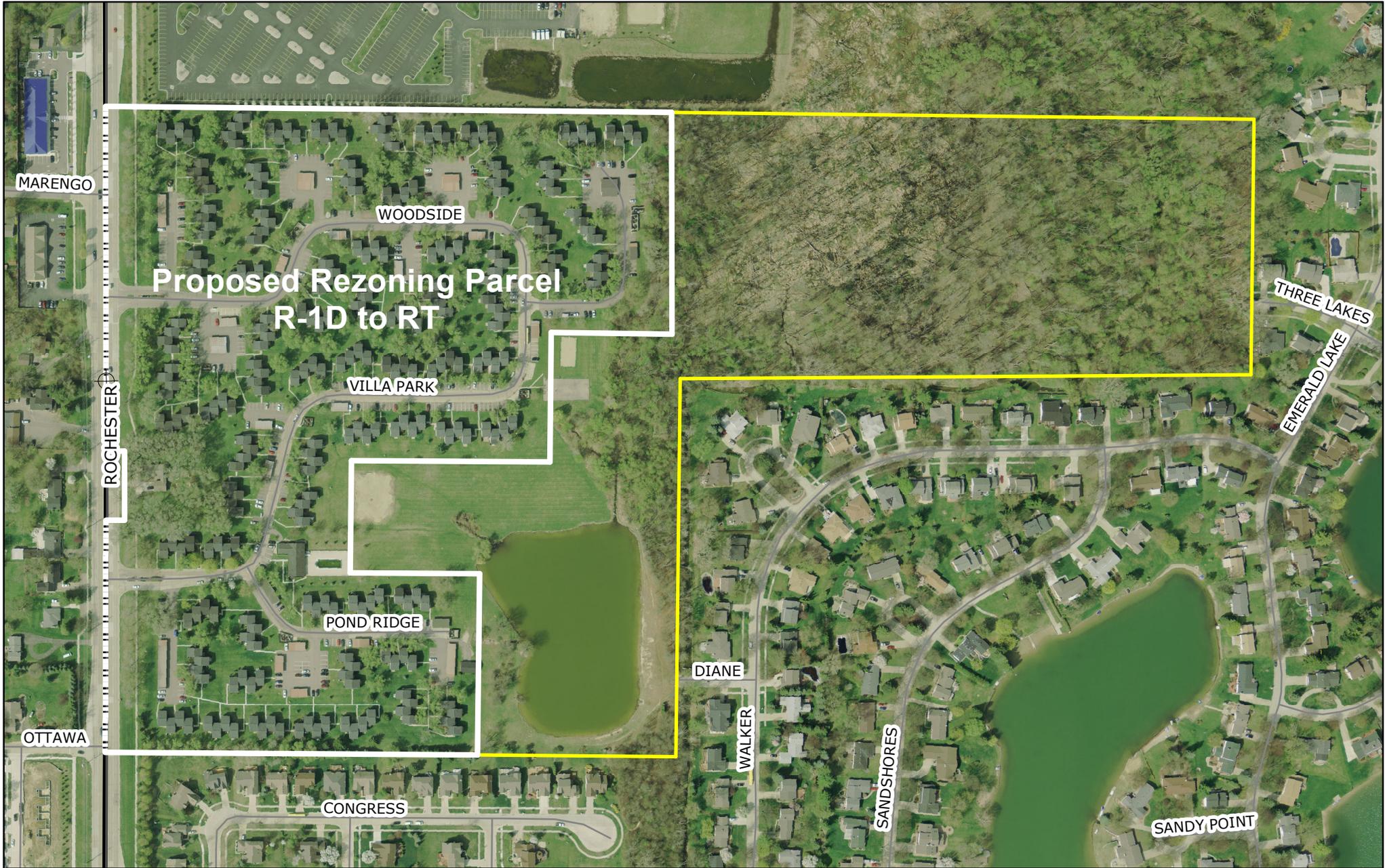
-  (PUD) Planned Unit Development
-  (CF) Community Facilities District
-  (EP) Environmental Protection District
-  (BB) Big Beaver Road (Form Based)
-  (MRF) Maple Road (Form Based)
-  (NN) Neighborhood Nodes (A-U)
-  (CB) Community Business
-  (GB) General Business
-  (IB) Integrated Industrial Business District
-  (O) Office Building District
-  (OM) Office Mixed Use
-  (P) Vehicular Parking District
-  (R-1A) One Family Residential District
-  (R-1B) One Family Residential District
-  (R-1C) One Family Residential District
-  (R-1D) One Family Residential District
-  (R-1E) One Family Residential District
-  (RT) One Family Attached Residential District
-  (MR) Multi-Family Residential
-  (MHP) Manufactured Housing
-  (UR) Urban Residential
-  (RC) Research Center District
-  (PV) Planned Vehicle Sales

1,085 0 542 1,085 Feet

Scale 1: 6,509

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

Printed: 1/31/2013



**Proposed Rezoning Parcel
R-1D to RT**

**Rochester Villas Proposed
Rezoning Sketch
Parcel #88-20-02-301-010**



1 inch = 300 feet

CITY OF TROY
AN ORDINANCE TO AMEND
CHAPTER 39 OF THE CODE
OF THE CITY OF TROY

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as the _____ amendment to the Zoning District Map of the Code of the City of Troy.

Section 2. Amendment

Section 4.02 of Chapter 39 is hereby amended to permit the zoning map of said code to be, and the same is hereby amended to delineate the subject parcel as RT (One-Family Attached Residential), as described in the attached Rochester Villas Proposed Rezoning Sketch and Description of Proposed Rezoning.

The subject property is located on the east side of Rochester Road, south of South Boulevard (1071 Villa Park), in section 2, within the R-1D (One Family Residential) Zoning District, being approximately 34.169 acres in size.

Section 3. Repeal

All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 4. 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 5. Severability Clause

Should any work, 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 6. 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, Michigan, on Monday, the 18th day of March, 2013.

Dane Slater, Mayor

M. Aileen Bittner
City Clerk

PUBLISHED: _____

G:\REZONING REQUESTS\Z 742 Rochester Villas Sec 02\Z 742 Published Map Amendment.doc

8. PUBLIC HEARING – CITY INITIATED REZONING APPLICATION (File Number Z 742) – Proposed 1071 Villa Park (part of Parcel Identification No. 88-20-02-301-010), East Side of Rochester Road, South of South Boulevard, Section 2, From R-1D (One Family Residential) District to RT (One Family Attached Residential) District

Mr. Savidant presented the report on the item.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2013-02-013

Moved by: Edmunds
Seconded by: Schultz

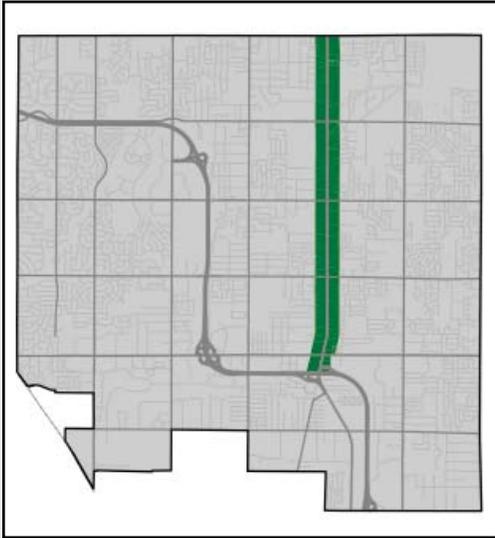
RESOLVED, That the Planning Commission hereby recommends to the City Council that the R-1D to RT rezoning request, located on the east side of Rochester Road, south of South Boulevard (1071 Villa Park), in Section 2, being approximately 34.169 acres in size, be approved for the following reasons:

1. The rezoning is consistent with the City of Troy Master Plan.
2. The rezoning is consistent with abutting zoning districts and land uses.
3. The rezoning will eliminate the nonconforming use status of the subject property.
4. The rezoning will correct an administrative error.

Yes: All present (8)

MOTION CARRIED

Rochester Road: Green Corridor



- *Regional model for a green corridor*
- *A strong focus on access management*
- *Heightened emphasis on strong stormwater management techniques*
- *Retail catering to regional traffic*
- *Innovative site design techniques applied through PUD use to allow for redevelopment for shallow lots*

Rochester Road carries high volumes of traffic causing backups at intersections. The abutting development pattern from Big Beaver Road north to Long Lake Road is a continuous row of highway-oriented commercial uses. North of Long Lake Road, the land use pattern evolves, becoming a mix of commercial and office near the intersections and older single-family homes and multiple-family complexes in between.

If Rochester Road is to have a defined role and pleasing character in the City, it must undergo a significant transformation over time. Ultimately, the Rochester Road Corridor will become a regional showcase for effective stormwater management and enhancement of the natural environment, while encouraging a combination of high-quality land uses. Effective landscaping focused on

native plantings, and improved land use and access management along Rochester will create a green corridor that provides a high level of service for motorists, and which provides an effective natural buffer between high traffic volumes and people visiting adjacent properties. The creation of this green corridor would occur primarily in the right-of-way along road frontages and in the median of a future boulevard.

While the emphasis on innovative stormwater management is specifically called on for the Rochester Road Corridor, new low-impact techniques are to be encouraged elsewhere throughout the City of Troy. As noted in Chapter 7, innovative stormwater management is a priority for the community. Rochester Road will play an important role in this City-wide initiative by proving a regional showcase for such techniques.

New construction along the corridor may include detention and retention basins that work together from site-to-site with other features to create a continuous, linear landscape feature. By connecting properties, the basins create visual relief from traffic. **Low impact development methods will be used throughout the corridor to filter stormwater runoff.** Rochester Road will also be characterized by effective new signage, high-quality lighting, and effective, complementary site and architectural design.

Uses along Rochester Road will include a variety of mixed uses, established in a “pulsing” pattern where the most intense mixed-use or exclusively non-residential development will occur near the Neighborhood Nodes situated along its main intersections. Lower-impact uses, such as small scale retail or condominiums should be encouraged along the corridor frontage between these nodes.



MEMORANDUM

TO: Members of the Troy City Council
 FROM: Lori Grigg Bluhm, City Attorney *LeB*
 Julie Quinlan Dufrane, Assistant City Attorney *JQD*
 DATE: March 18, 2013
 SUBJECT: Liquor Violation Hearing – National Coney Island

This matter was scheduled for a liquor hearing on February 20, 2013. At that time, Kelly Allen, the attorney representing National Coney Island, appeared and notified City Council that her client was mistaken as to the actual date of the hearing, and was unfortunately out of state on February 20, 2013. On behalf of her client, Ms. Allen acknowledged that there was a liquor license violation at National Coney Island, located at 3364 Rochester Road, Troy, on November 13, 2012. On that date, an underage minor decoy was served a glass of white zinfandel wine. The person who served the wine to the minor pled responsible to the charge of selling alcohol to a minor, and she paid a fine of \$100 on November 30, 2012. The Michigan Liquor Control Commission (MLCC) has not yet adjudicated this matter.

National Coney Island has a Class C resort liquor license, which means alcohol is served to patrons for consumption on the premises. Under MCL 436.1501, on premises liquor licenses are automatically renewed on a yearly basis unless the local legislative body (City Council) objects on or before March 31 of each year. A liquor license violation, such as the sale of alcohol to a minor, could serve as a basis for objecting to the automatic renewal of the liquor license. Through the scheduling of liquor hearings, the Troy City Council is empowered to review liquor license infractions at licensed establishments. These reviews are held prior to March 31 of each year, which provides City Council with the opportunity to review each violation, as well as the record of each licensee, to determine whether or not to object to the otherwise automatic renewal of an on-premises liquor license. If a violation is not contested, the scheduled hearing provides the licensee with an opportunity to provide any extenuating circumstances surrounding the violation, or to tell Council about proactive measures taken to minimize the risk of future violations. In past years and when supported by the record, licensed establishments have agreed to take certain actions in consideration of Council's willingness to forego an objection to the automatic renewal of the on premises liquor license. These actions include but are not limited to the requirement for all serving employees to submit to training (TIPS/TAMS training or an equivalent); the exploration and/or implementation of new software designed to minimize sales to minors; participation in programs sponsored by the Troy Community Coalition (such as Project Sticker Shock); and participation in voluntary internal or external sting operations.

Proposed resolutions are prepared for your consideration. The first resolution, Proposed Resolution A, requires the licensee to complete server training. The second resolution, Proposed Resolution B, objects to the automatic renewal of the on premises liquor license, which would require the license to be placed in escrow as of April 1, 2013.



Michigan Department of Licensing and Regulatory Affairs
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
7150 Harris Drive - P.O. Box 30005
Lansing, Michigan 48909-7505
Phone (517) 322-1390 ~ FAX (517) 322-6347

VIOLATION REPORT
(Authorized by P.A. 56 of 1998)

This report is not to be faxed or electronically submitted - an original signature is required.

* OFFICERS please obtain License No., Bus. ID and File # directly from the liquor license *

Table with license details: License Number 41187-2012-SS, Business ID 7514, File Number 665.771/32.5, Name of Licensee NATIONAL CONEY ISLAND, INC., Doing Business As NATIONAL CONEY ISLAND, Mailing Address 3364 Rochester Road, Troy 48083, Township, County Oakland, Type of License(s) & Permit(s) Class C Resort, Date of violation: Day Tuesday, Date 11/13/12, Time 5:40 p.m.

Violation Type: x Minor Intoxicated Person Gambling Controlled Substances
Prohibited Conduct Failure to Cooperate Fighting (must be inside licensed premises)
After Hours Sales / Consumption Other (explain):

If MINOR: Birth date Was this a DECOY? x Yes No If No, you MUST answer below!
If above minor violation was NOT a decoy, describe enforcement action taken:

NOTE! COPY OF APPEARANCE TICKET MUST BE ATTACHED.

Submit Report Below or Indicate Attached Report Number 12-37680

Officer Signature [Signature]
Officer Signature [Signature]
Officer Signature [Signature]
Department Name Troy Police Department

Name and Title Officer Edwin Julian
Name and Title Officer Kate Raschka
Name and Title Officer Gregory Stanczynski
Telephone Number 248-591-3477

WITNESSES

- 1. Name [Redacted] Address 500 West Big Beaver Road, Troy, MI 48084
Will testify to: Purchased wine from licensee
2. Name Heather Elizabeth Hesse Address [Redacted]
Will testify to: Sold wine to minor
3. Name Address
Will testify to:
4. Name Address
Will testify to:
5. Name Address
Will testify to:

EVIDENCE

Location Held (Explain)
LC-600 Rev. 03/05 4880-2362

CR No: 120037660-001 11 12 2012 19:48	Report Type: Arrest Report	Officer: TRJULIANE (169334)	001
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TROY PD
500 W. BIG BEAVER
TROY MI 48064
248-524-3477



Case Report

Administrative Details:

CR No 120037660-001	Subject 4171 - Violation of Liquor Control Laws [41001]
Report Date/Time 11/12/2012 19:48	Occurrence Date/Time 11/12/2012 19:48
Location 3364 ROCHESTER RD	Call Source FIELD INITIATED
Dispatched Offense C3309 LIQUOR INSPECT	Verified Offense 4171 Violation of Liquor Control Laws
County 63 - Oakland	City/Twp/Village 84 - Troy
Division Patrol DPU	
Report Type Arrest Report	
Created By EDWIN JULIAN	Created Date/Time 11/15/2012 02:25 PM

CR No: 120037660-001	Report Type: Arrest Report	Officer: TRJULIANE (150334)	001
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Offenses:		
4174 - Violation of Liquor Control Laws [TRJULIANE (150334)]		
IBR Code / IBR Group 90G - Liquor Law Violations / B	Offense File Class 41001 - LIQUOR LICENSE - ESTABLISHMENT	
Crime Against SO	Location Type 21 - Restaurant	Offense Completed Attempted
Domestic Violence No	Hate/Bias 00 - None (No Bias)	
Using A-Alcohol: No C-Computer Equipment: No D-Drugs/Narcotics: No		

People:							
HESSE, HEATHER ELIZABETH (A-ARRESTEE) [TRJULIANE (150334)]							
Last Name HESSE	First Name HEATHER	Middle Name ELIZABETH	Suffix	Mr/Mrs/Ms			
Aliases		Driver License#	DL State MI	DL Country	Personal ID#		
DOB (Age) 11/28/1991 (20)	Sex F	Race WHITE	Ethnicity	Birth City & State	Birth Country	Country of Citizenship	
Held For	Finger Prints No	Photos No	Miranda Read No	Miranda Waived No	Number of Warrants	FB#	
Street Address		Apt #	County	Country	Home Phone	Work Phone	
City		State	Zip	Cell Phone	Email		

Arrest Information			
Offense		Details	
4171 - Violation of Liquor Control Laws		Arrest Date/Time:	11/18/2012 17:40
		Location:	3304 ROCHESTER
		Arrest#:	2012-210
		Arrest Type:	Summoned/Cited
		DWI Arrest/BAC:	
		Offense Type:	
		Count:	1
		Arresting Officer 1:	TRSTOPCZYNSKI (Stopowski, Gregory 180330)
		Arresting Officer 2:	TRRACZKAK (Raczak, Kate 120971)
MultiClearance	MultiClearance Offense	Armed With	
N - Not Applicable		01 - Unarmed	

(O-OTHER) (B-BUSINESS, ETC.) [TRJULIANE (150334)]							
PE:	W.Type	Name NATIONAL CONEY ISLAND				Suffix	Mr/Mrs/Ms
DOB (Age)	Sex	Race UNKNOWN	Ethnicity	Birth City & State	Birth Country	Country of Citizenship	
Street Address 3304 ROCHESTER		Apt #	County	Country	Home Phone	Work Phone	
City Troy		State MI	Zip 48063	Cell Phone	Email		

Phone/Email	
Type	Description
BU-Business Phone #1	2485240599

(O-OTHER) (R-REPORTED BY) [TRJULIANE (150334)]							
PE:	W.Type:	Last Name	First Name	Middle Name	Suffix	Mr/Mrs/Ms	
DOB (Age)	Sex	Race	Ethnicity	Birth City & State	Birth Country	Country of Citizenship	

CR No: 120037660-001 [Barcode]	Report Type: Arrest Report	Officer: TRJULIANE (150334)	001
(19)	F	WHITE	
Street Address 500 W BIG BEAVER	Apt #	County	Country
Home Phone	Work Phone		
City Troy	State MI	Zip 48084	Cell Phone
Email			
Phone/Email			
Type		Description	
BU-Business Phone #1		2485243477	
Notes MINOR DECOY			

FOUCHEY, KEVIN (O-OTHER) (X-MISCELLANEOUS) [TRJULIANE (150334)]							
PE:	W.Type:	Last Name FOUCHEY	First Name KEVIN	Middle Name	Suffix	Mr/Mrs/Ms	
DOB (Age)	Sex M	Race WHITE	Ethnicity	Birth City & State	Birth Country	Country of Citizenship	
Street Address 3384 ROCHESTER	Apt #	County	Country	Home Phone	Work Phone		
City Troy	State MI	Zip 48083	Cell Phone	Email			
Phone/Email							
Type				Description			
BU-Business Phone #1				2485240599			
Employer NATIONAL CONEY ISLAND	Employer Address	Employer Phone	Occupation ASST MGR	Employer CSZ			

RACZKA, KATE (O-OTHER) (L-POLICE OFFICER) [TRJULIANE (150334)]							
PE:	W.Type:	Last Name Raczka	First Name Kate	Middle Name	Suffix	Mr/Mrs/Ms	
Street Address 500 W. Big Beaver	Apt #	County OAKLAND	Country USA	Home Phone	Work Phone		
City Troy	State MI	Zip 48084	Cell Phone	Email			
Phone/Email							
Type				Description			
BU-Business Phone #1				248-524-3477			

STOPCZYNSKI, GREGORY (O-OTHER) (L-POLICE OFFICER) [TRJULIANE (150334)]							
PE:	W.Type:	Last Name Stopczynski	First Name Gregory	Middle Name	Suffix	Mr/Mrs/Ms	
Street Address 500 W. Big Beaver	Apt #	County OAKLAND	Country USA	Home Phone	Work Phone		
City Troy	State MI	Zip 48084	Cell Phone	Email			
Phone/Email							
Type				Description			
BU-Business Phone #1				248-524-3477			

JULIAN, EDWIN (O-OTHER) (L-POLICE OFFICER) [TRJULIANE (150334)]							
PE:	W.Type:	Last Name Julian	First Name Edwin	Middle Name	Suffix	Mr/Mrs/Ms	

CR No: 120037660-001 [Barcode]		Report Type: Arrest Report		Officer: TRJULIANE (150334)		001	
Street Address 500 W. Big Beaver		Apt #	County OAKLAND	Country USA	Home Phone	Work Phone	
City Troy		State MI	Zip 48064	Cell Phone	Email		
Phone/Email							
Type				Description			
BU-Business Phone #1				248-524-3477			

Property:							
1812 - Receipt 5448 [TRJULIANE (150334)]							
Property Class 48		IBR Type 48 - Documents/Personal or Business			UCR Type K - Miscellaneous		
Status E - Evidence (Including Other Seized Property And Tools)					Count 1	Value 1	
Manufacturer		Model	Serial No. \$3.17		License No.	Color	
Description NATIONAL CONEY ISLAND RECEIPT				Disposition		Evidence Tag 120037660.001	
Recovered Date/Time		Location		Owner [Redacted]			

Narrative:	
12-37660	
<p>On 11/13/2012 Directed Patrol Unit Officers (DPU) STOPCZYNSKI, JULIAN, and RACZKA were conducting Liquor Control Commission (LCC) checks with minor decoy, [Redacted]. Identification was held for safekeeping by the TROY POLICE DEPARTMENT during the LCC checks.</p> <p>At approx 1735 hrs, decoy [Redacted] entered the NATIONAL CONEY ISLAND restaurant at 3364 Rochester Rd. Upon entering the restaurant, [Redacted] sat at the counter and asked the server (w/f, blonde hair) for a glass of White Zinfandel wine.</p> <p>The server asked [Redacted] for her identification, prompting [Redacted] to reply that she left it in the car. The server stated that it was okay and asked what year [Redacted] birthday was in. [Redacted] replied 1993 (which equals 19 years old), and the server still proceeded to pour the glass of wine.</p> <p>Once the wine glass was placed in front of her, [Redacted] contacted PO JULIAN and advised him of the violation. PO STOPCZYNSKI and RACZKA soon entered the restaurant, made contact with the assistant manager, KEVIN FOUCHHEY and the server, HEATHER HESSE, and advised them both of the sale of liquor to a minor, and violation of the Michigan Liquor Control</p>	



Commission.

HESSE was informed of the civil infraction she committed and was issued citation #725631 for "furnishing/sale to a person under 21/fail to inquire age".

LCC violation form was completed and submitted. Officers retained the sales receipt of \$3.17 and tagged it on evidence. Violation report to be submitted to LCC.

ATTACHED: LCC documents, and written statement by decoy, 

EVIDENCE LIST

Incident No.: 120037660-001

Agency: Troy PD

ITEM	NEEDED	IN-FILE	COMMENTS
Audio/Video Tape and Transcripts	()	()	
Autopsy Report	()	()	
BAC/Blood/Semen	()	()	
Ballistics/Bullets	()	()	
Chain of Evidence List	()	()	
Clothing/Shoes	()	()	
Confession (written, audio, video)	()	()	
Controlled Substance (Tox Report)	()	()	
Criminal History	()	()	
CSC Kit	()	()	
Diagram Map	()	()	
Finger/Foot Prints	()	()	
Hair/Fiber	()	()	
Hospital/Medical Records	()	()	
Photographs/Slides	()	()	
Weapons	()	()	
Witness Statements	()	()	
CERTIFIED RECORDS	()	()	
SOS	()	()	
Convictions	()	()	
	()	()	
	()	()	
	()	()	
OTHER PHYSICAL EVIDENCE	()	()	
1812 - Receipt 5448			
VICTIM PROPERTY			
	()	()	
	()	()	
	()	()	

Officer in Charge Date Phone No.

The Prosecuting Attorney's Office certifies that (*) property belonging to the crime victim must be retained by the Law Enforcement Agency for trial purposes in lieu of photograph or other means of memorialization pursuant to 1985 PA 87

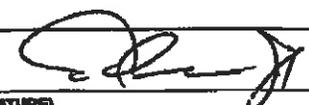
Assistant Prosecutor Date

NARRATIVE REPORT
WITNESS STATEMENT

01	DATE 11/13/12	DAY THU	SHIFT 012919	PLAT 14	BADGE 1	BADGE 2	INCIDENT STATUS <input type="checkbox"/> CLR ARREST <input type="checkbox"/> CLR EXCEPT	<input type="checkbox"/> UNF <input type="checkbox"/> INACT	PRIM CLASS	YEAR 12	INCIDENT # 37660
----	------------------	------------	-----------------	------------	---------	---------	---	--	------------	------------	---------------------

02 Name: _____ DOB: _____ Home Phone: _____
 03 Address: ^(PLEASE PRINT) 500 W Big Beaver Business Phone: 248-524-3477
 04 City: Troy State: MI Zip: 48064
 05 E-mail Address: _____ Cell Phone: _____

06 On November 13, 2012 while working as
 07 a minor decoy at approximately 5:35 pm I went
 08 up to the bar inside National Corey Island (on Rochester
 09 road.) and asked for a glass of white Zin, and the
 10 server (white female, blond hair, asked ~~me~~ for my ID.
 11 I then told her that I could go and get it from
 12 my car. She told me that it was okay, and asked
 13 what year my birthday was in. I told her 1993, and
 14 she still proceeded to pour my glass for me. I contacted
 15 officer Tullian and officer Kabzla and Stop Czyski
 16 came into the restaurant where they made contact, and
 17 I left the building.
 18
 19
 20
 21
 22
 23
 24
 25
 26

27 X: _____
 28 Taken By:  (SIGNATURE)
 29 Place: 3364 ROCHESTER - NATIONAL COREY Date: 11/13/12 Time: 1745
 INVESTIGATING OFFICER(S) REVIEWED BY ASSIGNED TO / BADGE ATTENTION TO

**State of Michigan
Uniform Law Citation**

Ticket No. **725631** Victim Involved

US DOT# _____ Incident No. **12-37600** Dept. No. **1784**

The People of: the State of Michigan
 Township City Village County
 Local Use/Arrest No. _____ Detention Device _____

OF: **TROY** SAC _____

THE UNDERSIGNED SAYS THAT ON: **11** **13** **12** At approximately **1:10** A.M. P.M. Date of Birth _____

State Oper./Chauf. Driver CDL _____ SSN (last 4 digits) _____

Race **W** Sex **F** Height _____ Weight _____ Hair _____ Eyes _____ Occupation/Employer _____

Name (First, Middle, Last) **HEATHER ELIZABETH HESSE**

Street _____ City _____

Vehicle Plate No. _____ Year **0** State _____ Vehicle Description (Year, Make, Color) _____ Veh. Type _____

THE PERSON NAMED ABOVE, in violation of Local Ordinance State Law Administrative Rule
 UPON **NATIONAL CANY ISLAND**
 AT OR NEAR **3364 ROCHESTER**
 WITHIN CITY VILLAGE TOWNSHIP OF **TROY**
 COUNTY OF **OAKLAND**

DID THE FOLLOWING

Type	MCL Cit/PACC Code/Ordinance	Description (include any bond amount collected on each charge)	Charge No.
<input checked="" type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fel <input type="checkbox"/> Fug <input type="checkbox"/> Waly	<input type="checkbox"/> Authorization pend.	FURNISH SAFE TO PERSON UNDER 21 YRS	90.1014
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fel <input type="checkbox"/> Fug <input type="checkbox"/> Waly	<input type="checkbox"/> Authorization pend.		2
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fel <input type="checkbox"/> Fug <input type="checkbox"/> Waly	<input type="checkbox"/> Authorization pend.		3

TO THE COURT: Do not errand on a felony charge until an authorized complaint is filed.

Offense Code(s) **1 2 3**

Key for Type: C/I = Civil Infraction Misd = Misdemeanor Fel = Felony Warn = Warning Fug = Fugitive Waly = Violation for Which Fines/Costs May be Waived Authorization pend. = Authorization pending

Remarks: **1 glass Red wine**

470

CHECK IF APPROPRIATE: Vehicle Impounded Traffic Crash Person in Active Military Service Damage to Property Injury Death Local Court Bond \$ _____ License Posted in Lieu of Bond Appearance Certificate None

SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS

Appearance Date on or before **11/20/12 @ 8:30 AM**

Hearing Date (if applicable) on _____ Juvenile Traffic Misd. (Court will Notify) Formal Hearing Required. (Court will Notify)

In the **52-4 DISTRICT** Court of **OAKLAND COUNTY**

Court Address & Phone Number: **520 W. BIG BEAVER RD. TROY, MI 48064 PHONE (248) 528-0400**

I received a copy of the civil infraction complaint upon the defendant (or owner/co-occupant by posting if applicable). I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.

Completed by: **R. Staszewski** and receipt by: **Heather Hesse** Month **11** Day **13** Year **12**

Officer's Name (printed): **R. Staszewski** Officer's ID No. **117160**

Agency ORI: **6378400** Agency Name: **TROY POLICE DEPARTMENT**

UC-01a (rev. 6/05) COURT COPY 1

Ticket No. **725631**
 Name
 Case No.

LCC

Liquor Licensee History

Business name: National Coney Island
Address: 3364 Rochester (248) 524-0599
Licensee: National Coney Island, Inc.
License type: Class C Resort (41187-2002)
Permits: Sunday Sales, Official Permit (Food)
Comments:

Date	Troy Incident #	Type	Disposition	Date
06/23/99	99-23851	Compliance Test	PASSED	
11/16/99	none	Compliance Test	PASSED	
06/25/00	00-22545	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
07/26/00	none	Compliance Test	PASSED	
08/19/00	00-30817	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
10/27/00	00-39870	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
11/01/00	00-40519	Compliance Test	PASSED	
11/14/00	00-42174	Compliance Test	PASSED	
01/27/01	01-03138	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
04/10/01	01-12199	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
05/03/01		Compliance Test	PASSED	
06/30/01	01-23137	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
08/15/01	01-29313	Compliance Test	PASSED	
09/27/01	01-34735	Compliance Test	PASSED	
10/09/01	01-36257	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
12/12/01	01-44423	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/22/02	02-05722	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/26/02	02-06153	Compliance Test	PASSED	
04/09/02	0210790	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/22/02	02-19909	Liquor Inspection (Road Patrol)	NO VIOLATIONS	

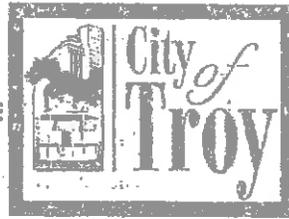
06/27/02	02-20607	Compliance Test	PASSED	
09/08/02	02-29627	Liquor Inspection (Road Patrol- Daniels)	NO VIOLATIONS	
10/8/02	02-33188	Compliance Test	PASSED	
10/26/02	02-35200	Liquor Inspection (Road Patrol- Boussie)	NO VIOLATIONS	
02/15/03	03-4829	Liquor Inspection (Road Patrol- Boussie)	NO VIOLATIONS	
04/23/03	03-12082	Sale to Minor (Compliance Test)	\$500 fine	08/26/03
06/19/03	03-18568	Compliance Test	PASSED	
10/27/03	03-33195	Compliance Test	PASSED	
11/18/03	03-35531	Liquor Inspection (Road Patrol-Dungjen)	NO VIOLATIONS	
02/15/04	04-04696	Liquor Inspection (Road Patrol-Dungjen)	NO VIOLATIONS	
02/18/04	Council	Public Hearings for 2003 Violation(s)-Resolution requiring TIPS/TAM training for all employees who sell alcohol with proof to the PD by 03/30/04; employee contract regarding alcohol sales		
03/23/04	04-08561	Compliance Test	PASSED	
05/05/04		Proof received		
09/03/04	04-27667	Liquor Inspection (Road Patrol-Dungjen)	NO VIOLATIONS	
09/10/04	04-28503	Liquor Inspection (Road Patrol-Dungjen)	NO VIOLATIONS	
01/22/05	05-02496	Liquor Inspection (Road Patrol-Pokley)	NO VIOLATIONS	
03/03/05	05-07167	Compliance Test	PASSED	
03/05/05	05-07450	Liquor Inspection (Road Patrol-Pokley)	NO VIOLATIONS	
05/31/05	05-18234	Liquor Inspection (Road Patrol-Bednard)	NO VIOLATIONS	
08/17/05	05-29062	Liquor Inspection (Road Patrol-Bednard)	NO VIOLATIONS	
01/21/06	06-2778	Liquor Inspection (Road Patrol-Shuler)	NO VIOLATIONS	
02/11/06	06-5758	Liquor Inspection (Road Patrol-Shuler)	NO VIOLATIONS	
03/11/06	06-9419	Liquor Inspection (Road Patrol-Shuler)	NO VIOLATIONS	
07/21/06	06-27940	Liquor Inspection (Road Patrol-Brazel)	NO VIOLATIONS	
07/26/06		Compliance Test	PASSED	
09/08/06	06-34960	Liquor Inspection (Road Patrol-Brazel)	NO VIOLATIONS	
09/15/06	06-35885	Liquor Inspection (Road Patrol-Brazel)	NO VIOLATIONS	
01/24/07		Compliance Test	PASSED	
02/10/07	07-5229	Liquor Inspection (Road Patrol-Drewek)	NO VIOLATIONS	
03/23/07	07-10838	Liquor Inspection (Road Patrol-Drewek)	NO VIOLATIONS	

08/17/07	07-31322	Liquor Inspection (Road Patrol-Cooney)	NO VIOLATIONS
08/25/07	07-32571	Liquor Inspection (Road Patrol-Redmond)	NO VIOLATIONS
10/18/07	07-32137	Compliance Test	PASSED
10/31/07	07-41324	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
12/13/07	07-45816	Compliance Test	PASSED
01/22/08	08-2691	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
02/21/08	08-6566	Compliance Test	PASSED
03/18/08	08-9981	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
05/21/08	08-17769	Compliance Test	PASSED
10/09/08	08-34248	Compliance Test	PASSED
12/20/08	08-43341	Liquor Inspection (Road Patrol- Lamilza)	NO VIOLATIONS
12/30/08	08-44497	Compliance Test	PASSED
02/27/09	09-6663	Liquor Inspection (Road Patrol- Lamilza)	NO VIOLATIONS
05/07/09	09-14280	Compliance Test	PASSED
08/04/09	09-24588	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
08/18/09	09-26207	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
10/28/09	09-33725	Compliance Test	PASSED
10/29/09	09-33979	Liquor Inspection (Road Patrol-Whiteside)	NO VIOLATIONS
12/17/09	09-39320	Compliance Test	PASSED
01/02/10	10-122	Liquor Inspection (Road Patrol-Whiteside)	NO VIOLATIONS
02/28/10	10-5847	Liquor Inspection (Road Patrol-Whiteside)	NO VIOLATIONS
04/25/10	10-11738	Liquor Inspection (Road Patrol-Baroky)	NO VIOLATIONS
06/27/10	10-18982	Liquor Inspection (Road Patrol-Baroky)	NO VIOLATIONS
07/19/10	10-21128	Compliance Test	PASSED
08/27/10	10-26113	Liquor Inspection (Road Patrol-Baroky)	NO VIOLATIONS
09/01/10	10-26650	Compliance Test	PASSED
10/27/10	10-32927	Compliance Test	PASSED
12/01/10	10-36764	Liquor Inspection (Road Patrol-Barrows)	NO VIOLATIONS
12/15/10	10-38381	Compliance Test	PASSED
01/07/11	11-0667	Liquor Inspection (Road Patrol-Barrows)	NO VIOLATIONS

03/08/11	11-7173	Liquor Inspection (Road Patrol-Barrows)	NO VIOLATIONS
05/05/11	11-12953	Compliance Test	PASSED
06/28/11	11-18681	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
07/27/11	11-22007	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
09/01/11	11-26001	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
11/25/11	11-35341	Liquor Inspection (Road Patrol-Geise)	NO VIOLATIONS
12/08/11	11-36752	Compliance Test	PASSED
01/13/12	12-1344	Liquor Inspection (Road Patrol-Geise)	NO VIOLATIONS
03/01/12	12-6636	Liquor Inspection (Road Patrol-Geise)	NO VIOLATIONS
05/04/12	12-14108	Liquor Inspection (Road Patrol-Clark)	NO VIOLATIONS
05/10/12	12-14718	Compliance Test	PASSED
07/14/12	12-23314	Liquor Inspection (Road Patrol-Clark)	NO VIOLATIONS
08/26/12	12-28609	Liquor Inspection (Road Patrol-Clark)	NO VIOLATIONS
10/27/12	12-35662	Liquor Inspection (Road Patrol-Mouch)	NO VIOLATIONS
11/13/12	12-37660	Safe to Minor-Compliance Test	VIOLATION
01/07/13	13-721	Liquor Inspection (Road Patrol-Mouch)	NO VIOLATIONS

500 W. Big Beaver
Troy, MI 48084
(248) 524-3300

The City of Tomorrow...



...Today

February 8, 2013

National Coney Island, Inc.
dba: National Coney Island
3364 Rochester Rd.
Troy, MI 48084

Re: NOTICE OF PUBLIC HEARING - Liquor License Violation

To whom it may concern:

A Public Hearing will be held by and before the Council of the City of Troy at City Hall, 500 W Big Beaver, Troy, Michigan at 7:30 PM, or as soon thereafter as the agenda will permit on the date as indicated below to determine whether the City Council should recommend to the Michigan Liquor Control Commission, the renewal or non-renewal of licenses allowed for the sale and/or consumption of alcoholic beverage, for the following reasons:

Public Hearing: February 20, 2013

License Type: Class C Resort (41187-2012)

Violation: SALE TO MINOR (Compliance Test) on November 13, 2012

You will be given an opportunity to be heard and present evidence at the public hearing and legal counsel may represent you. Please inform your attorney, if you have one, of this notice. If you have questions regarding the procedure or the facts and circumstances surrounding your violation(s), you may contact the City Attorney's office at 248-524-3320.

Sincerely,

M. Aileen Bittner, CMC
City Clerk

c: Thomas J. Giachino
25800 Northwestern Hwy., PO Box 222
Southfield 48037



MEMORANDUM

TO: Members of the Troy City Council
 FROM: Lori Grigg Bluhm, City Attorney *LG*
 Julie Quinlan Dufrane, Assistant City Attorney *JAD*
 DATE: March 18, 2013
 SUBJECT: Liquor Violation Hearing – Mon Jin Lau

This matter was scheduled for a liquor hearing on February 20, 2013. At that time, attorney Harold Fried appeared on behalf of Mon Jin Lau and asked City Counsel to adjourn the hearing so that he could explore a possible global settlement with City Administration.

Mon Jin Lau was cited with violations that occurred on October 31, 2012, and which are set forth in the attached reports. On that day, Troy police officers were dispatched to Stephenson and Maple Road due to traffic congestion in the area. When the officers arrived, they noticed a possible over-crowding issue in the Mon Jin Lau restaurant and in an adjacent tent. Mon Jin Lau had been granted a special event permit by the MLCC for a Halloween costume party.

The Troy Fire Department was summoned for the over-crowding issue, and inspectors arrived at approximately 11:30 p.m.. The fire inspectors immediately determined that the tent was well-over the maximum capacity of 85 persons. There was also over-crowding in the restaurant, and the inspectors had extreme difficulty maneuvering past the front entrance hostess stand. After the manager admitted that he had no idea how many people were in the restaurant, the building was ordered immediately evacuated so that they could do a head count. At that time, all sales of alcohol were suspended so that patrons could settle their bar tabs and exit the building. It took about one hour to clear the building, and after that, the manager/owner Brandon Chin decided not to resume the event.

Brandon Chin was issued a misdemeanor citation for overcrowding (*exceeding occupant load*). This case has not yet been resolved in the 52-4 District Court. Additionally, the licensee was also issued a Michigan Liquor Control Commission (MLCC) citation for over-crowding and also selling, serving or allowing intoxicated person(s) to consume or loiter (MCL 436.1707, 436.1801(2)). This second citation was based on the officers' observations of a number of highly intoxicated patrons both inside and outside the restaurant. One highly intoxicated patron who had allegedly been involved in a fight inside the restaurant was arrested for resisting arrest, and another intoxicated patron was arrested for one count of possession of marijuana and one count of possession of hallucinogen. Both patrons have pled guilty to their respective criminal charges.

Mon Jin Lau has a Class C liquor license which means alcohol is served to patrons for consumption on the premises. Under MCL 436.1501, on premises liquor licenses are automatically renewed on a yearly basis unless the local legislative body (City Council) objects on or before March 31 of each year. A liquor license violation, such as any of the violations alleged above, could serve as a basis for objecting to the automatic renewal of the liquor license.

The owners of Mon Jin Lau admit that a liquor law violation occurred in connection with its Halloween party. They are concerned that City Council could object to the otherwise automatic renewal of the liquor license, which would require placement of the license in escrow as of April 1,

2013. In addition to the Halloween party, City Administration is also aware of large crowds that are present year round on Wednesday nights, which are promoted as "Shanghai Wednesdays." City Administration has discussed some of its concerns with the licensee's attorney. The licensee has submitted an action plan to address the over-crowding and other related issues. The action plan is attached for your review as attachment A, and if acceptable to City Council, would become an agreement between the City of Troy and Mon Jin Lau. In short, the plan provides that Mon Jin Lau must do all of the following: (1) complete TIPS/TAMS training or the equivalent for all serving employees, valet and security personnel, (2) contract with a licensed and insured security company, (3) diligently control its crowds to ensure the building is not over capacity at any time, (4) diligently control its valet parking process to ensure traffic does not congest on Maple Road or Stephenson Road, (5) refrain from seeking special event permits for one year beginning April 1, 2013, (6) refrain from seeking any additional outdoor service permits for two years beginning April 1, 2013, (7) participate in internal and/or external compliance checks, including additional compliance checks from the Troy Fire Department, and (8) agree to an automatic review of its liquor license in February or March of 2014, regardless of whether there have been any alleged liquor violations.

A proposed resolution is prepared for your consideration which approves the agreement and allows Mon Jin Lau to continue in business, as long as there is compliance with the terms of the agreement.

AGREEMENT

The City of Troy and Troy Liquor Licensee Mon Jin Lau, by and through its authorized representatives, voluntarily enter into this Agreement on this ____ day of March, 2013.

RECITALS:

1. Mon Jin Lau was cited with liquor license violations occurring on October 31, 2013 at its premises at 1515 E. Maple Road, in the City of Troy, Michigan.
2. Prior to these citations, Mon Jin Lau implemented measures that were designed to minimize the risk of overcrowding and security measures.
3. Under State Law and City Ordinance, when a liquor license violation is established by a preponderance of the evidence, then the Troy City Council has the ability to object to the otherwise automatic renewal of the liquor license, which would require the liquor license to be placed in escrow starting April 1, 2013.
4. In order to keep the Troy City Council from passing a resolution objecting to the automatic renewal of the liquor license, Mon Jin Lau has agreed to formalize the measures already taken, and implement additional proactive measures, all of which are designed to minimize the risk of future liquor license violations or other City ordinance violations.

AGREEMENT:

The parties, for the above referenced consideration, agree to the following terms and conditions, as part of an effort to address health and public safety concerns:

1. Mon Jin Lau will voluntarily suspend for one (1) year, beginning April 1, 2013, all "Special Event" requests. "Special Event" means any event that would require approval from the Michigan Liquor Control Commission ("MLCC") or City of Troy for a permit, such as an entertainment permit, a dance permit, additional outdoor service, or the like. Mon Jin Lau may, however, apply for a special event permit for a two day Chinese New Year event which will occur annually in March.

(a) If Mon Jin Lau elects to request permit(s) for the special event referred to as the Chinese New Year event, at least two weeks prior to the event, Mon Jin Lau shall provide to the Troy Fire Department a scale drawing of the restaurant which includes the lay out and placement of all tables, chairs, dance floor(s), bar areas, and any other item that utilizes floor space so the fire department may properly calculate occupant load. Such occupant load shall be posted in the restaurant.

(b) Mon Jin Lau shall not request outdoor service or the use of a tent in the parking lot associated with any special event, including the Chinese New year event, for a period of two (2) years from the date of this agreement.

2. On January 16, 2013, Mon Jin Lau entered into a one (1) year security agreement with RPS Protection, LLC of Waterford, Michigan ("RPS") which is a fully licensed and insured security agency in the State of Michigan. Mon Jin Lau agrees to maintain its agreement with RPS or a similarly licensed and insured

security provider for the duration of this agreement. Mon Jin Lau is ultimately responsible for all liquor or ordinance violations, however, Mon Jin Lau expects to rely on RPS to assist.

(a) On Shanghai Wednesdays, Mon Jin Lau will ensure RPS has sufficient and necessary security personnel on premises to address overcrowding and/or disorderly conduct issues with Mon Jin Lau patrons.

(b) Mon Jin Lau may also hire additional personnel for any exit doors to ensure no one is attempting to sneak into the Restaurant.

(c) Security personnel will carry flashlights, and they will concentrate their crowd control efforts in the known "bottleneck" or congested areas such as the entrance, hostess stand, bar areas, and lounge areas.

(d) Security will keep an accurate count of people entering and exiting Mon Jin Lau to ensure that the capacity is kept below the posted maximum. Should an area of the restaurant become congested, Security and Management will prevent people from entering until the congested area has been cleared.

3. Mon Jin Lau will modify its current valet parking procedures to alleviate vehicle and pedestrian congestion and traffic flow issues.

(a) Mon Jin Lau has a rental agreement with its neighbor, UAW Local 771, to use its adjacent parking lot during evening hours. A copy of the agreement is on file with the Troy Building Department.

(b) Valet parking will be mandatory on “Shanghai Wednesdays” and will be posted as such at the Stephenson Highway entrance. Mon Jin Lau and its Valet agree to work with the applicable City of Troy departments, including Planning, Engineering, Police, and Fire, on a revised Valet Plan.

(c) Valet personnel will coordinate with security personnel to ensure that the perimeter of the restaurant is not breached by patrons or people outside the restaurant as happened in October. The valet has been instructed to notify security if there is any security issue which arises near the valet or on the perimeter of the property. Valet will also advise security and management once the valet is full, so the parking lot can be closed. Once the traffic study is complete, Mon Jin Lau will meet with Planning or Engineering for any recommendations or revisions to the proposed plan.

4. TIPS/TAM Training:

Mon Jin Lau staff, both wait staff and bartenders, will go through TIPS or TAM training. Additionally, Mon Jin Lau agrees to train both valet and security personnel to recognize intoxicated/impaired individuals, and where deemed appropriate, valet personnel will refuse to provide patron(s) with their vehicle keys. Mon Jin Lau wait and bar staff are also trained to notify security immediately should any security issues arise, and to alert security of crowd congestion in the restaurant during Shanghai Wednesday's.

5. Penalty:

- (a) Mon Jin Lau agrees to an automatic review of this agreement when the City conducts its annual liquor license review for 2014, regardless of whether there have been any alleged liquor violations.
- (b) Any violation of the terms set forth above may serve as a basis for the City to object to the renewal of the liquor license during the City's 2014 annual liquor license review.
- (c) Any future fire code violations shall result in the issuance of misdemeanor ticket(s) to the appropriate individual or representative of Mon Jin Lau.
- (d) At the discretion of City of Troy police and fire personnel, the number of random, unannounced liquor license compliance checks and fire code compliance checks during business hours may be increased for a period of one (1) year.

Approved by

Mon Jin Lau
By: _____

(Printed Name)

Approved by

City of Troy
By: _____

Dane Slater, Mayor

M. Aileen Bittner, City Clerk

4-155936



Michigan Department of Labor & Economic Growth
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
7150 Harris Drive - P.O. Box 30006
Lansing, Michigan 48909-7505
Phone (517) 322-1380 ~ FAX (517) 322-6347

VIOLATION REPORT
(Authorized by P.A.58 of 1988)

* This report is not to be faxed or electronically submitted - an original signature is required*

* Officers please obtain License No., Bus. ID and File # directly from the liquor license *

License No. 353-2012 Business ID 224 File # _____

1. Name of Licensee Mon Jin Lau ✓ 2. Doing Business As Mon Jin Lau

3. Mailing Address (street, city, zip code) 1515 E Maple Rd, Troy MI 48083

4. Township _____ 5. County Oakland

6. Type of License(s) & Permit(s) Class C

7. Date of Violation: Wednesday October 31, 2012 11:45 AM or PM
(DAY) (DATE) (HOUR)

8. Violation Type:
 Minor
 Intoxicated Person
 Gambling
 Controlled Substances
 Prohibited Conduct
 After hours sales/consumption
 Fighting (must be inside licensed premises)
 Failure to Cooperate
 OTHER: Speed Operating (Overriding)

if MINOR: Birth date _____ Was this a DECOY? Yes No If no, you MUST answer below:
If above minor violation was NOT a decoy describe enforcement action taken:

NA

COPY OF APPEARANCE TICKET MUST BE ATTACHED

9. Submit Report Below or Indicate Attached Report # PD12-26108, 26109, 26110 & FD2012-2657

* REMINDER, PLEASE MAIL THIS REPORT TO THE ADDRESS ABOVE.

Officer Signature [Signature] #200 Name and Title (print) Sgt. A. Satterfield
Officer Signature [Signature] Name and Title (print) Ofc. J. Morgan
Department Name Troy Police Department Phone # 248-524-3448

2012 OCT 26 PM 1:36
MICHIGAN LIQUOR CONTROL COMMISSION

WITNESSES

1. Name Lt. Tonya Perry (FD) Address 500 W Big Beaver, Troy MI 48084

Will testify to: OVERCROWDING

2. Name Tech Chuck Roberts (FD) Address 500 W Big Beaver, Troy MI 48084

Will testify to: OVERCROWDING

3. Name Ofc. D. Drewek Address 500 W Big Beaver, Troy MI 48084

Will testify to: OVERCROWDING / INTOXICATED PERSONS

4. Name Ofc. C. Huck Address 500 W Big Beaver, Troy MI 48084

Will testify to: OVERCROWDING / INTOXICATED PERSONS

5. Name Ofc. L. Schultz Address 500 W Big Beaver, Troy MI 48084

Will testify to: OVERCROWDING / INTOXICATED PERSONS

EVIDENCE

Location Held (Explain):

NONE

WITNESSES

1. Name Ofc. B. LaForest Address 500 W Big Beaver, Troy MI 48084

Will testify to: OVERCROWDING / INTOXICATED PERSONS

2. Name Ofc. R. Bragg Address 500 W Big Beaver, Troy MI 48084

Will testify to: OVERCROWDING / INTOXICATED PERSONS

3. Name Ofc. S. Brazel Address 500 W Big Beaver, Troy MI 48084

Will testify to: OVERCROWDING / INTOXICATED PERSONS

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

Will testify to:

EVIDENCE

Location Held (Explain):

NONE

CR No: 120036166
120036166

1ST REPORT

TROY PD
500 W. BIG BEAVER
TROY MI 48064
248-524-3477



Case Report

Administrative Details:

CR No 120036166	Subject C3732 - Traffic Complaint / Traffic Miscellaneous B Complaint
Report Date/Time 10/31/2012 22:24	Occurrence Date/Time 10/31/2012 22:24
Location E MAPLE RD&STEPHENSON HWY	Call Source TELEPHONE
Dispatched Offense C3732 MISC TRAFFIC	Verified Offense C3732 Traffic Complaint / Traffic Miscellaneous B Complaint
County 83 - Oakland	City/Town/Village 84 - Troy
Division Patrol Shift 3	

Action Requested:

- | | |
|--|--------------------------------------|
| <input type="checkbox"/> Arrest warrant | <input type="checkbox"/> Review only |
| <input type="checkbox"/> Search warrant | <input type="checkbox"/> Forfeiture |
| <input type="checkbox"/> Juvenile petition | <input type="checkbox"/> Other |

CR No: 120036160

MI JURISDICTION INFORMATION FOR

Offenses:		
C3732 - Traffic Complaint / Traffic Miscellaneous B Complaint [TRMORGANJ (104520)]		
IBR Code / IBR Group	Offense File Class	
1		
Crime Against	Location Type	Offense Completed
	21 - Restaurant	Not Applicable
Domestic Violence	Hate/Bias	
No	00 - None (No Bias)	
Using		
A-Alcohol: Yes C-Computer Equipment: No D-Drugs/Narcotics: No		

People:

ROBERTS, CHUCK (W-WITNESS) [TRMORGANJ (104520)]										
PE:	W.Type:	Last Name			First Name			Middle Name	Suffix	M/Mar/His
	EY	Roberts			Chuck					
DOB (Age)	Sex	Race	Ethnicity	Birth City & State	Birth Country	Country of Citizenship				
	M	WHITE								
Street Address			Apt #	County	County	Home Phone	Work Phone			
500 W. Big Beaver										
City			State	Zip	Cell Phone	Email				
Troy			Mi	48063						
Notes										
Troy Fire Tech										

PERRY, LT. TONYA (W-WITNESS) [TRMORGANJ (104520)]										
PE:	W.Type:	Last Name			First Name			Middle Name	Suffix	M/Mar/His
	EY	Perry			LT. Tonya					
DOB (Age)	Sex	Race	Ethnicity	Birth City & State	Birth Country	Country of Citizenship				
	F	WHITE								
Street Address			Apt #	County	County	Home Phone	Work Phone			
500 W. Big Beaver										
City			State	Zip	Cell Phone	Email				
Troy			Mi	48063						
Notes										
Troy Firefighter										

CHIN, BRANDON (O-OTHER) (O-OWNER) [TRMORGANJ (104520)]										
PE:	W.Type:	Last Name			First Name			Middle Name	Suffix	M/Mar/His
		Chin			Brandon					
DOB (Age)	Sex	Race	Ethnicity	Birth City & State	Birth Country	Country of Citizenship				
	M	ASIAN/PACIFIC ISLANDER								
Street Address			Apt #	County	County	Home Phone	Work Phone			
1515 E. Maple										
City			State	Zip	Cell Phone	Email				
Troy			Mi	48063						
Phone/Email										
Type					Description					
BU-Business Phone #1					248-869-2332					

CHIN, BRIAN (O-OTHER) (O-OWNER) [TRMORGANJ (104520)]										
PE:	W.Type:	Last Name			First Name			Middle Name	Suffix	M/Mar/His
		Chin			Brian					

CR No: 120036166
 BY [Signature]

Chin		Brian					
DOB (Age)	Sex	Race	Ethnicity	Birth City & State	Birth Country	Country of Citizenship	
(36)	M	ASIAN/PACIFIC ISLANDER					
Street Address		Apt #	County	County	Home Phone	Work Phone	
1515 E. Maple							
City		State	Zip	Cell Phone	Email		
Troy		MI	48063				
Phone/Email							
Type				Description			
BU-Business Phone #1				248-689-2932			

SCHULTZ, LARRY (O-OTHER) (L-POLICE OFFICER) [TRMORGANJ (104520)]							
PE:	W.Type:	Last Name	First Name	Middle Name	Suffix	Mr/Ms/Ms	
		Schultz	Larry				
Street Address		Apt #	County	Country	Home Phone	Work Phone	
500 W. Big Beaver			OAKLAND	USA			
City		State	Zip	Cell Phone	Email		
Troy		MI	48064				
Phone/Email							
Type				Description			
BU-Business Phone #1				248-524-3477			

HUCK, CHRISTOPHER (O-OTHER) (L-POLICE OFFICER) [TRMORGANJ (104520)]							
PE:	W.Type:	Last Name	First Name	Middle Name	Suffix	Mr/Ms/Ms	
		Huck	Christopher				
Street Address		Apt #	County	Country	Home Phone	Work Phone	
500 W. Big Beaver			OAKLAND	USA			
City		State	Zip	Cell Phone	Email		
Troy		MI	48064				
Phone/Email							
Type				Description			
BU-Business Phone #1				248-524-3477			

SATTERFIELD, ANDREW (O-OTHER) (L-POLICE OFFICER) [TRMORGANJ (104520)]							
PE:	W.Type:	Last Name	First Name	Middle Name	Suffix	Mr/Ms/Ms	
		Satterfield	Andrew				
Street Address		Apt #	County	Country	Home Phone	Work Phone	
500 W. Big Beaver			OAKLAND	USA			
City		State	Zip	Cell Phone	Email		
Troy		MI	48064				
Phone/Email							
Type				Description			
BU-Business Phone #1				248-524-3477			

DREWEK, DOUGLAS (O-OTHER) (L-POLICE OFFICER) [TRMORGANJ (104520)]							
PE:	W.Type:	Last Name	First Name	Middle Name	Suffix	Mr/Ms/Ms	
		Drewek	Douglas				
Street Address		Apt #	County	County	Home Phone	Work Phone	

CR No: 120036166
 BI *****

500 W. Big Beaver		OAKLAND		USA	
City	State	Zip	Cell Phone	Email	
Troy	MI	48084			
Phone/Email					
Type			Description		
BU-Business Phone #1			248-624-3477		

LAFOREST, BRIAN (O-OTHER) (L-POLICE OFFICER) [TRMORGANJ (104520)]						
PE:	W.Type:	Last Name	First Name	Middle Name	Suffix	Mr/Ms/Ms
		LaForest	Brian			
Street Address		Apt #	County	Country	Home Phone	Work Phone
500 W. Big Beaver			OAKLAND	USA		
City	State	Zip	Cell Phone	Email		
Troy	MI	48084				
Phone/Email						
Type			Description			
BU-Business Phone #1			248-624-3477			

BRAZEL, STEPHEN (O-OTHER) (L-POLICE OFFICER) [TRMORGANJ (104520)]						
PE:	W.Type:	Last Name	First Name	Middle Name	Suffix	Mr/Ms/Ms
		Brazel	Stephen			
Street Address		Apt #	County	Country	Home Phone	Work Phone
500 W. Big Beaver			OAKLAND	USA		
City	State	Zip	Cell Phone	Email		
Troy	MI	48084				
Phone/Email						
Type			Description			
BU-Business Phone #1			248-624-3477			

Narrative:	
CR No: 120036166-001 Written By: TRMORGANJ (104520) Date: 11/01/2012 08:06 PM	
2012-36166	
<p>On October 31, 2012 at approximately 2224 hours Troy Officers responded to 1515 E. Maple (Mon Jin Lau) for a traffic complaint. The caller told dispatch there was a traffic jam due to vehicles attempting to enter the Mon Jin Lau parking lot.</p> <p>Officers arrived on scene and requested the assistance of the Troy Fire Department due to overcrowding inside the restaurant. Lt. Perry and Fire Tech Chuck Roberts responded to the scene.</p> <p>Lt. Perry looked inside the tent and stated the tent was well over the capacity of 85 people. Lt. Perry, Fire Tech Roberts, Sgt. Satterfield, Officer's LaForest, Huck, Schultz and I proceeded</p>	

CR No: 120036168
NOT FOR PUBLICATION OR DISTRIBUTION

inside the lobby area of the restaurant. It was obvious the capacity inside was well over the limit of 174 people. We could not walk inside the restaurant due to overcrowding. Fire personnel estimated there were over 500 people inside the restaurant and decided to shut it down at this time.

Officers observed intoxicated people inside the restaurant, in the lobby area as well as several staggering around the parking lot. Officers also observed a female vomiting near the valet area and another vomiting from inside of a moving SUV.

Officers stood by while Mon Jin Lau security requested all patrons leave the premises.

Lt. Perry cited the owners of Mon Jin Lau for overcrowding.

Officers made two separate Drunk & Disorderly/Resisting arrests. Both subjects that were arrested had a very high BAC after submitting to a PBT. (See also 2012-36166 & 2012-36168)

CFS Narrative By: TRBRAZELS* (123401)

101427 - 22:24:25 TRAFFIC JAM IN THE AREA FROM VEHS TRYING TO GET INTO MON JIN LAU.... assisted cars exiting.... no problems w/ vehicular traffic... 51

CFS Narrative By: TRSATTERFIELDA (104489)

**Mon Jin Lau Overcrowding Complaint
10/31/2012**

At 1500 hours 10/31/2012 I conducted an inspection of the restaurant and a temporary tent set up for their annual Halloween event. I had Lt. Eric Calola (812) with me. During the inspection it was noted that there were decorations including large foam creature masks with flowing burlap and other materials hung in the tent. Before I could ask for information on the flame and smoke spread ratings a worker approached me and said he was trying to obtain the after-market spray on fire retardant for the decorations.

I informed him that there was not enough time to treat the items as the product had a drying and curing time and would need to be field tested after the application, and many times the treatment was not successful. After some discussion 812 suggested we field test the existing materials before making them remove the decorations.

Material was cut from one of the props and we did a field test. The test failed as the material rapidly ignited and continued burning after removing the flame. I advised Bryan Chin that the combustible decorations would have to be removed from the tent as well as from the restaurant. This included the hay bales that they had inside the restaurant.

A field test was conducted on material used for "webs" throughout the building and that material passed and was allowed to remain.

Two portable heaters were also observed supplying heat to the tent. I requested Safe-Built mechanical inspector Mark Reilly to respond and advise on their operation. He indicated that they were not approved as they would emit CO gas into the tent. After some discussion with Mark we used a gas meter to determine that there was no CO emission and also required the installation of 3 CO detectors throughout the tent.

Fire extinguishers were sent out to be serviced and tagged and other minor issues were addressed at that time.

I returned to the site at 1630 hours and conducted a final inspection. At that time I approved the tent for use. Before I left at 1715 hours I advised Bryan that he should keep the crowd to the allowable occupancy (85 for the tent and the posted number for the building). He assured me he had security in place and would not allow either to be overcrowded. I advised him that a ticket would be issued should we be called to the scene.

Page 2

At 2300 hours the fire department duty officer, Chuck Roberts (806) received a call from the police department regarding possible overcrowding. After some discussion he contact me at 2325 hours and we responded to the site. While travelling I heard PD on scene involved in a fight with a subject in the parking lot. I advised dispatch we would stage until the scene was secure.

When 806 and myself arrived the scene was secured and we met with officers on scene. I immediately observed a large crowd of people at the front entrance of the restaurant.

I attempted to enter the tent but did not go in as I could tell from outside that it was overcrowded. I counted 65 people in the south quarter portion of the tent that I could see. The people shoulder-to-shoulder and movement was minimal as there was not enough room for actual dancing. I estimate there was at least 150 people in the tent. There was no path of travel to exit the tent from the crowd. I then went to the main entrance of the restaurant and the bouncers cleared a path for me to enter.

I went to the hostess stand and saw that there was no room to continue into the building. I exited at that time.

I advised the pd sergeant that we would have to evacuate the building and if they wanted to continue the event a head count would have to be obtained for persons allowed back in. I advised that the music would have to be turned off and the bar closed at that time to facilitate the emptying of the building.

I spoke with Bryan Chin and advised him of the plan. Bryan said that there were areas in the building where no one was congregated, that the problem was everyone was in one area. I could see from windows that he was not accurate in his assessment. All of the areas of the building were full.

The plan was initiated at approximately 2345 hours. After 15 minutes I requested pd assistance in entering the building to attempt to obtain the occupancy posting from the bar area. I entered with two police officers. While trying to get through the crowd I came to a stop as people could not move out of my way. A much taller police officer was able to make his way in front of me and cleared a small, narrow pathway where we eventually made our way to the bar area.

I asked Bryan how many people he had in the building and he said it was difficult to control the number of people because there were people coming and going from the tent. I asked him several times and he finally admitted he didn't know how many people were in the building.

Page 3

The occupancy posting which was posted on this date was for table and chair seating at 174 or standing room at 250. While the standing room calculations had been done for previous events, it was with the understanding (stated by Bryan Chin) that it would be for empty flooring. It did not take into account the mini bars that were set up, the DJ station that was set up, and the seating along the walls that had been set up. When we created that posting we had advised Bryan that the numbers would be reduced depending on how the site was set up and that it would need to be re-calculated depending on the set-up.

It took approximately 1 hour to empty the building of all patrons. During this time I observed that the DJ was breaking down his equipment. I inquired as to whether they were going to allow people back into the building and Bryan said that it was not feasible.

After the building had cleared somewhat I went into the east dining area. I observed two of the combustible decorations still hanging in that area. When I asked Bryan why these had not been removed with the others he said he was not aware that they were still there.

I had the decorations removed at that time.

I also noted that there were 3 propane torch heaters in the means of egress at the front of the building. I had these turned off.

I issued ticket #80139F for exceeding the occupant load to Brandon Jason Chin at the location. He was advised to appear on November 21, 2012.

Prior to this incident the fire department has responded to a number of overcrowding complaints at the site. Overcrowding issues were noted on 02/22/07, 05/24/2007, 07/26/2007, 10/27/2010, and 10/27/2011. After the overcrowding complaint on 10/27/2010 806 and I met with Bryan Chin to discuss the problem. He was advised on fire code violations and escalating enforcement. At that time he submitted a plan of action for large events to eliminate overcrowding. That included extra security and a counter at the door. The counter was not in place at this incident.

In 2010 we also advised Bryan about the need for flame and smoke spread ratings on decorations and that hay bales and corn stalks were not allowed. He was also encouraged to contact the fire department to discuss the event in advance.

Page 4

There were no efforts by the ownership to contact the fire department in advance of this year's event.

The continuing violation of the fire codes at this location is endangering the public, police officers, and firefighters. While we have made numerous attempts to work with management to provide a safe atmosphere for their patrons, it seems that they choose to ignore our efforts and go back to status quo.

Michigan State Patrol
US DOT # No. 5662 - P. 14 Dept. No.

The People of the State of Michigan
 Township City Village County
 Local Use/Street No. Detection Device

OF: Driver Passenger Pedestrian
 BAC: 0.00

THE UNDERSIGNED SAYS THAT ON: 10/31/12 Year At 11:45 A.M. 11 Mile
 Date Month Day Time

Name: BRANDON JASON CHIN
 Height: 5'10" Weight: 170 Hair: Black Eyes: Brown Occupation: Player

Street: [REDACTED]
 City: [REDACTED]

Vehicle Make/Model: N/A Year: 1999
 Vehicle Description (Year, Make, Color): [REDACTED]

THE PERSON NAMED ABOVE is in violation of Local Ordinance State Law Administrative Rule
 UPON 1516E MAPLE

AT OR NEAR [REDACTED]
 WITHIN CITY VILLAGE TOWNSHIP OF WEST
 COUNTY OF OSHTON DID THE FOLLOWING

Type	MCL OR PAAC Code/ Ordinance	Description (check my bond amount entered on each charge)	Charge No.
<input type="checkbox"/> CA <input type="checkbox"/> Warn <input type="checkbox"/> License susp. pend.	<u>27C</u>	<u>EXCEEDED WEIGHT LOAD</u>	<u>1</u>
<input type="checkbox"/> Mid <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.			<u>2</u>
<input type="checkbox"/> Mid <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.			<u>3</u>

TO THE COURT: It is not being on a felony charge until an authorized complaint is filed.
 (Offense Code(s))

May be Type: Cit = Civil Infraction Misd = Misdemeanor Fel = Felony Warn = Warning Fug = Fugitive
 W/V = Violation for Which Fines/Costs may be Waived Authorization pend. = Authorization pending
 Remarks: Via Letter of Intent/Alternative Disposition
FBI/SPR JKS

Vehicle Impounded Damage to Property Local Court Bond \$
 Traffic Crash Injury License Forfeited in Lieu of Bond
 Felony in Active Military Service Title Title None None

In the OSHTON Court of WEST
 Court Address & Phone Number
500 W. 1000 UNIVERSITY RD.
WEST LANSING, MI 48094
(313) 487-4422

I received a copy of the civil infraction complaint upon the defendant's appearance by paying if applicable.
 I declare under the penalty of perjury that the statements above are true to the best of my information, knowledge, and belief.

Complainant's Signature (and name if applicable) [Signature] Date: 10/31/12
 Officer's Name (and Agency) F. PERRY 8711

Agency Code: 0048 Agency Name: WEST POINT DEPT.

80139



CITY OF TROY

OCCUPANCY POSTING

Name

Location

Street # E / W

Street Name

Premise # Occ #

Seating

Standing Fixed

Chairs Tables / Chairs

Total

Comments

Fire Prevention Division

Inspector Date Posted



Troy Police Department
500 West Big Beaver Road
Troy, Michigan 48084

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

Letter of Understanding

October 5, 2012

Mon Jin Lau Restaurant
Brandon Chin
1515 East Maple Road
Troy, Michigan 48083

Re: Temporary Dance Permit for Halloween Celebration on 10/31/12

Dear Brandon Chin:

You were issued letters of understanding when you previously requested an Outdoor Service Area (enclosed tent), a Temporary Dance Permit, and a Temporary Entertainment Permit for your Chinese New Year Party events on 2/24/10 and 2/9/11 and 2/8/12.

This letter of understanding is in response to your request for Temporary Authorization for Outdoor Service Area (enclosed tent), and a Temporary Dance Permit for your Halloween Party on 10/31/12.

City of Troy Ordinance Chapter 88 Section 9.5 Sub-section b states:

The playing of any radio, television, phonograph, or any musical instruments in such a manner or with such volume, particularly during the hours between 11:00 p.m. and 7:00 a.m. or at any time or place so as to annoy or disturb the quiet, comfort, or repose of persons in any office or in any dwelling, hotel, or other type of residence, or of any persons in the vicinity; is declared unlawful and is prohibited.

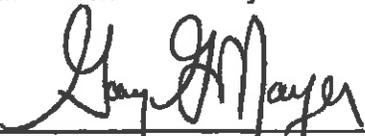
A violation of section 9.5, of this Chapter is a Municipal Civil Infraction subject to the provisions of Chapter 100 of the Code of the City of Troy. Each day that a violation continues is a separate Municipal Civil Infraction violation. Sanctions for each violation of said sections shall include a fine of not more than \$500, costs, damages and injunctive orders as authorized by Chapter 100.

If officers from the Troy Police Department respond to the establishment or any other location within the defined area of the property under the control of the business, and a violation of the Noise Control Ordinance of Section 9.5 or any other City of Troy Ordinance is observed, you, a supervisor or manager, and/or the establishment will receive a summons instead of a warning.

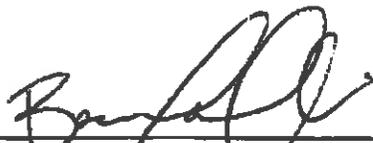
**Troy Police Department
500 West Big Beaver Road
Troy, Michigan 48064**

If you agree with this letter of understanding, please sign both of these letters, and return both letters to the Troy Police Department—Liquor Licensing, 500 W. Big Beaver Road, Troy, MI 48064..

After we receive the signed Letter of Understanding from you, the Police Department will forward your request for a one day Outdoor Service Area (enclosed tent), and Temporary Dance Permit for your Halloween Party scheduled for 10/31/12 to the Michigan Liquor Control Commission without objection.



Gary G. Mayer – Chief of Police



Brandon J. Chin – Rep – Mon Jin Lau

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale thereof.

Commission records indicate the applicant is the holder of a 2012 Class C license with Sunday Sales Permit (PM) and Outdoor Service Permit (1 Area) issued by the Commission; the request for a temporary outdoor service permit would be held in conjunction with the above-noted license for the dates referenced herein.

The requirements for a temporary outdoor service permit under administrative rule R 436.1419 are the filing of a complete application; a diagram showing the proposed area is well-defined and clearly marked; approval of the chief law enforcement officer who has jurisdiction over the licensed premises; and the payment of the \$70.00 inspection fee under MCL 436.1529 at the time of filing. These permits are only available to on-premise licensees under administrative rule R 436.1419.

The requirements for a temporary dance permit under administrative rule R 436.1407 are the filing of a complete application and approval of the chief law enforcement officer who has jurisdiction; and the payment of the \$70.00 inspection fee under MCL 436.1529 at the time of filing. These permits are only available to on-premise licensees under administrative rule R 436.1407.

After reviewing the file and discussion of the issue at the meeting, the Commission finds that all of the requirements have been met and that this request should be approved.

THEREFORE IT IS ORDERED that:

A. The request for a Temporary Outdoor Service Permit and a Temporary Dance Permit is hereby APPROVED.

1. The licensee shall not permit the sale, service or consumption of alcoholic liquor outdoors, except in the well-defined and clearly marked area, under administrative rule R 436.1419.
2. The licensee shall not accept, nor shall a licensed wholesaler or any other non-retail licensee provide, brand logoed refrigeration trucks or any other merchandise of secondary use and value in connection with the event unless the wholesaler or non-retail licensee is in compliance with the Commission's order relative to on premise promotions under administrative rule R 436.1321.
3. The licensee shall close one existing interior additional bar and utilize same in the requested temporary outdoor service area where customers may obtain their alcoholic beverages from a bartender.
4. The licensee shall not permit patrons to transport alcoholic beverages to and/or from the current interior licensed premises to the temporary outdoor service area measuring (DIMENSIONS), located (LIST) from the licensed premises.
5. The licensee shall ensure that alcoholic beverages purchased for consumption in this outdoor service area may not be removed and taken to any adjacent unlicensed area(s).
6. The dance floor shall be at least 100 square feet, clearly marked, and shall not have tables, chairs and other obstacles on the dance floor while customers are dancing, under administrative rule R 436.1407.

B. Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances

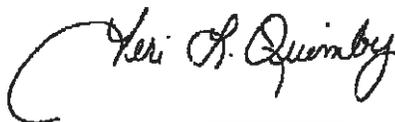
as determined by the state and local law enforcements officials who have jurisdiction over the licensee. Approval of this permit by the Michigan Liquor Control Commission does not waive any of these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals for this business before using this license for the sale of alcoholic liquor on the licensed premises.

- C. The licensee must comply with the provisions of the Michigan Liquor Control Code of 1998 as amended, and the Commission's Administrative Rules.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner

Date Mailed: OCT 19 2012



Troy Police Department
500 West Big Beaver Road
Troy, Michigan 48064

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

It has come to the Troy Police Departments attention that the Troy Fire Department was summoned to your business for an overcrowding issue on 10-27-2010. The Fire Department noted a violation of MLCC R436.1405.

Michigan Liquor Control Commission Rule 5: R 436.1405 Capacity of licensed premises states:

(1) An on-premises licensee shall post, in a conspicuous place, a sign stating the total capacity of each public room of the licensed establishment, based upon the capacity established by the state or local authority having jurisdiction.

(2) If the capacity of the licensed establishment or any public room in the licensed establishment has not been determined by a state or local authority, then the total capacity of each room shall be determined as follows:

- (a) If tables or booths are provided, then there shall be not more than 1 customer for each 15 square feet of total area.
- (b) If tables or booths are not used, then there shall be not more than 1 customer for each 6 square feet of total area.
- (c) If there is a combination of tables or booths and an open area, then the provisions of both subdivisions (a) and (b) of this sub-rule shall be used.
- (d) If seating is provided at a bar, then there shall be not more than 1 seat for each 20 inches of bar length.

(3) An on-premises licensee shall not allow a public room of the licensed establishment to be occupied by more persons than are authorized by this rule.

The Troy Police Department is adamant about enforcing the laws, rules and policies set forth by Michigan law, Troy City Ordinances and the Michigan Liquor Control Commission.

This notice will serve as a formal warning regarding these violations. Any additional violations regarding your liquor license will result in formal enforcement action initiated by the Troy Police Department with the Michigan Liquor Control Commission. Formal enforcement action will not only subject you to sanctions by the Liquor Control Commission, but may also result in recommended sanctions against your license by the Troy City Council. A Police incident report has been generated documenting this incident. The case number is 10-33039

Should you have any questions regarding Liquor Control rules and regulations, or City of Troy ordinances as they pertain to your liquor license, please do not hesitate to contact the Troy police Department Community Services Section 248-524-3448.



TROY PD
 500 W. BIG BEAVER
 TROY MI 48064
 248-524-3477



Case Report

Administrative Details:

CR No 120036168	Subject 5311 - Disorderly Conduct [53001]
Report Date/Time 11/01/2012 00:43	Occurrence Date/Time 11/01/2012 00:43
Location 1515 E MAPLE RD Mon Jin Lau	Call Source TELEPHONE
Dispatched Offense 5311 DISORDERLY COND	Verified Offense 5311 Disorderly Conduct
OIC Harrison, Theresa (TRHARRISONT-101132)	OIC Contact Number
County 63 - Oakland	City/Twp/Village 84 - Troy
Division Patrol Shift 2	

Action Requested:

- | | |
|--|--------------------------------------|
| <input type="checkbox"/> Arrest warrant | <input type="checkbox"/> Review only |
| <input type="checkbox"/> Search warrant | <input type="checkbox"/> Forfeiture |
| <input type="checkbox"/> Juvenile petition | <input type="checkbox"/> Other |



4801 - Resisting Officer [TRMORGANJ (104520)]		
IBR Code / IBR Group 90Z - All Other Offenses / B	Offense File Class 48000 - OBSTRUCTING POLICE	
Crime Against	Location Type 21 - Restaurant	Offense Completed Completed
Domestic Violence No	Hate/Bias 00 - None (No Bias)	
Using A-Alcohol: Yes C-Computer Equipment: No D-Drugs/Narcotics: No		

4898 - Obstruct Police and/or Fireman [TRMORGANJ (104520)]		
IBR Code / IBR Group 90Z - All Other Offenses / B	Offense File Class 48000 - OBSTRUCTING POLICE	
Crime Against	Location Type 21 - Restaurant	Offense Completed Completed
Domestic Violence No	Hate/Bias 00 - None (No Bias)	
Using A-Alcohol: Yes C-Computer Equipment: No D-Drugs/Narcotics: No		

5311 - Disorderly Conduct [TRMORGANJ (104520)]		
IBR Code / IBR Group 90C - Disorderly Conduct / B	Offense File Class 53001 - DISORDERLY CONDUCT	
Crime Against SO	Location Type 21 - Restaurant	Offense Completed Completed
Domestic Violence No	Hate/Bias 00 - None (No Bias)	
Using A-Alcohol: Yes C-Computer Equipment: No D-Drugs/Narcotics: No		

People:									
STEVANOVSKI, ROBERT LEE (A-ARRESTEE) [TRMORGANJ (104520)]									
Last Name Stevanovski		First Name Robert		Middle Name Lee		Suffix	Mr/Mrs/Ms		
DOB (Age) [REDACTED] (30)	Sex M	Race WHITE	Ethnicity	Birth City & State	Birth Country	Country of Citizenship			
Complexion	Build	Teeth	Height 6' 0"	Weight 150	Attire				
Held For	Finger Prints No	Photos No	Miranda Read No	Miranda Waived No	Number of Warrants	FBI#			
Street Address [REDACTED]		Apt #	County	Country	Home Phone		Work Phone		
City [REDACTED]		State MI	Zip [REDACTED]	Cell Phone		Email			

Arrest Information	
Offenses	Details
4801 - Resisting Officer	Arrest Date/Time: 11/01/2012 00:10 Location: 1515 E. Maple Arrest#: 88011783 Arrest Type: Taken Into Custody OWI Arrest/BAC: Offense Type: Misd. Count: Arresting Officer 1: TRMORGANJ (MORGAN, JOSEPH 104520)
4898 - Obstruct Police and/or	Arrest Date/Time: 11/01/2012 00:10



Fireman	Location: 1515 E. Maple Arrest#: 8881785 Arrest Type: Taken Into Custody OWI Arrest/BAC: Offense Type: Misd. Count: Arresting Officer 1: TRMORGANJ (MORGAN, JOSEPH 104520)
5311 - Disorderly Conduct	Arrest Date/Time: 11/01/2012 00:10 Location: 1515 E. Maple Arrest#: 8881785 Arrest Type: Taken Into Custody OWI Arrest/BAC: Offense Type: Misd. Count: Arresting Officer 1: TRMORGANJ (MORGAN, JOSEPH 104520)
MultiClearance N - Not Applicable	MultiClearance Offense 01 - Unarmed

SEARS, STEVE (W-WITNESS) [TRMORGANJ (104520)]

PE:	W.Type: EY	Last Name: Sears	First Name: Steve	Middle Name:	Suffix:	Mr/Mrs/Ms:
DOB (Age):	Sex: M	Race: WHITE	Ethnicity:	Birth City & State:	Birth Country:	Country of Citizenship:
Street Address: 1515 E. Maple	Apt #:	County:	Country:	Home Phone:	Work Phone:	
City: Troy	State: MI	Zip: 48063	Cell Phone:	Email:		
Phone/Email						
Type			Description			
BU-Business Phone #1			248-689-2332			
Notes Mon Jin Lau Security						

VALENCIA, MARYANN (W-WITNESS) [TRSATTERFIELDA (104489)]

PE:	W.Type: MS	Last Name: valencia	First Name: maryann	Middle Name:	Suffix:	Mr/Mrs/Ms:
Aliases:	Driver License#:	DL State:	DL Country: USA	Personal ID#:		
DOB (Age): 50	Sex: F	Race: ASIAN/PACIFIC ISLANDER	Ethnicity:	Birth City & State:	Birth Country:	Country of Citizenship:
Street Address: 1515 E. Maple	Apt #:	County:	Country:	Home Phone:	Work Phone:	
City: Troy	State: mi	Zip: 48063	Cell Phone:	Email:		
Employer: Mon Jin Lau	Employer Address: 1515 E. Maple	Employer Phone:	Occupation: Head Hostess	Employer CSZ:		
Notes Head Hostess at Mon Jin Lau. witness statement added.						

LEHMAN, ZACK (W-WITNESS) [TRSATTERFIELDA (104489)]

PE:	W.Type: MS	Last Name: Lehman	First Name: Zack	Middle Name:	Suffix:	Mr/Mrs/Ms:
Aliases:	Driver License#:	DL State:	DL Country: USA	Personal ID#:		
DOB (Age): (19)	Sex: M	Race: WHITE	Ethnicity:	Birth City & State:	Birth Country:	Country of Citizenship:
Street Address:	Apt #:	County:	Country:	Home Phone:	Work Phone:	



City	State	Zip	Cell Phone	Email
	oakland		usa	
Employer	Employer Address	Employer Phone	Occupation	Employer CSZ
			valet	
Notes				
witness statement added				

HAMMOUD, ALI (W-WITNESS) [TRSATTERFIELDA (104489)]									
PE:	W.Type:	Last Name		First Name		Middle Name		Suffix	Mr/Mrs/Ms
	MS	Hammoud		Ali					
DOB (Age)		Sex	Race	Ethnicity	Birth City & State	Birth Country	Country of Citizenship		
35		M	WHITE						
Street Address			Apt #	County	Country	Home Phone	Work Phone		
				wayne	usa				
City	State	Zip	Cell Phone	Email					
Employer	Employer Address			Employer Phone	Occupation	Employer CSZ			
					Valet				
Notes									
witness statement added.									

ANDERSON, DAVE (W-WITNESS) [TRMORGANJ (104520)]									
PE:	W.Type:	Last Name		First Name		Middle Name		Suffix	Mr/Mrs/Ms
	EY	Anderson		Dave					
DOB (Age)		Sex	Race	Ethnicity	Birth City & State	Birth Country	Country of Citizenship		
		M	WHITE						
Street Address			Apt #	County	Country	Home Phone	Work Phone		
LSI Protection									
City	State	Zip	Cell Phone	Email					
Notes									
Level Security International LLC									

ALBERT, J (W-WITNESS) [TRMORGANJ (104520)]									
PE:	W.Type:	Last Name		First Name		Middle Name		Suffix	Mr/Mrs/Ms
	EY	Albert		J					
DOB (Age)		Sex	Race	Ethnicity	Birth City & State	Birth Country	Country of Citizenship		
		M	BLACK						
Street Address			Apt #	County	Country	Home Phone	Work Phone		
LSI Protection									
Phone/Email									
Type					Description				
BU-Business Phone #1									
Notes									
Level Security International									

HARRISON, T (O-OTHER) (L-POLICE OFFICER) [TRHARRISONT (101132)]									
PE:	W.Type:	Last Name		First Name		Middle Name		Suffix	Mr/Mrs/Ms/Dot
	OF	Harrison		T					
DOB (Age)		Sex	Race	Ethnicity	Birth City & State	Birth Country	Country of Citizenship		
			UNKNOWN						
Street Address			Apt #	County	Country	Home Phone	Work Phone		
500 W. Big Beaver				OAKLAND	USA				
City	State	Zip	Cell Phone	Email					



Troy	MI	48084		
Phone/Email				
Type		Description		
BU-Business Phone #1		248-524-3477		
Notes				
OIC				

MORGAN, J (O-OTHER) (L-POLICE OFFICER) [TRHARRISONT (101132)]										
PE:	W.Type:	Last Name			First Name			Middle Name	Suffix	Mr/Mrs/Ms Officer
	OF	Morgan			J					
DOB (Age)		Sex	Race	Ethnicity	Birth City & State	Birth Country	Country of Citizenship			
			UNKNOWN							
Street Address			Apt #	County	Country	Home Phone	Work Phone			
500 W. Big Beaver				OAKLAND	USA					
City		State	Zip	Cell Phone	Email					
Troy		MI	48084							
Phone/Email										
Type					Description					
BU-Business Phone #1					248-524-3477					
Notes										
Arresting Officer wrote report										

SATTERFIELD, A (O-OTHER) (L-POLICE OFFICER) [TRHARRISONT (101132)]										
PE:	W.Type:	Last Name			First Name			Middle Name	Suffix	Mr/Mrs/Ms Bgt
	OF	Satterfield			A					
DOB (Age)		Sex	Race	Ethnicity	Birth City & State	Birth Country	Country of Citizenship			
			UNKNOWN							
Street Address			Apt #	County	Country	Home Phone	Work Phone			
500 W. Big Beaver				OAKLAND	USA					
City		State	Zip	Cell Phone	Email					
Troy		MI	48084							
Phone/Email										
Type					Description					
BU-Business Phone #1					248-524-3477					
Notes										
Assisting in cuffing defendant										

HUCK, C (O-OTHER) (L-POLICE OFFICER) [TRMORGANJ (104520)]										
PE:	W.Type:	Last Name			First Name			Middle Name	Suffix	Mr/Mrs/Ms Officer
	OF	Huck			C					
DOB (Age)		Sex	Race	Ethnicity	Birth City & State	Birth Country	Country of Citizenship			
			UNKNOWN							
Street Address			Apt #	County	Country	Home Phone	Work Phone			
500 W. Big Beaver				OAKLAND	USA					
City		State	Zip	Cell Phone	Email					
Troy		MI	48084							
Phone/Email										
Type					Description					
BU-Business Phone #1					248-524-3477					
Notes										
Officer assisted with arrest										



LAFORREST, B (O-OTHER) (L-POLICE OFFICER) (TRMORGANJ (104520))							
PE:	W.Type:	Last Name	First Name	Middle Name	Suffix	Mr/Mrs/Ms Officer	
	OF	LaForest	B				
DOB (Age)	Sex	Race	Ethnicity	Birth City & State	Birth Country	Country of Citizenship	
		UNKNOWN					
Street Address		Apt #	County	Country	Home Phone	Work Phone	
600 W. Big Beaver			OAKLAND	USA			
City	State	Zip	Cell Phone	Email			
Troy	MI	48084					
Phone/Email							
Type				Description			
BU-Business Phone #1				248-524-3477			
Notes							
Assisted with arrest							

Narrative:

CR No: 120036168-001 Written By: TRMORGANJ (104520) Date: 11/01/2012 01:14 AM

2012-36168

On November 1, 2012 Troy Officers were on scene at Mon Jin Lau, located at 1515 E. Maple, due to overcrowding. Officers Laforest, Huck, Schultz, Sgt. Satterfield and I were inside Mon Jin Lau assisting the Troy Fire Department in shutting down the establishment. The Fire Department estimated at least 500 people were inside the restaurant and the capacity was 174. Officers observed a Mon Jin Lau security officer, later identified Dave Anderson, running towards the S/E corner of the restaurant. Anderson grabbed a W/M, later identified as Robert Stevanovski, and escorted him to the ground. Anderson advised me that Stevanovski took a swing at his ex-girlfriend's new boyfriend inside the restaurant. I assisted Anderson as he escorted Stevanovski out of the building. I ordered Stevanovski to leave the parking lot several times but he refused to obey my commands. It was obvious to officers that Stevanovski was intoxicated.

Officers then observed Stevanovski push his way through the crowd that was congregating outside of the main doors. I again ordered Stevanovski to leave the parking lot several times and he still refused to do so. I stopped Stevanovski as he approached the valet workers. Stevanovski pushed me towards the valet key board. I ordered Stevanovski to leave again several more times and he still refused to leave. I grabbed Stevanovski's right arm and attempted to handcuff him. Stevanovski pulled away from me at that time. Officer LaForest also grabbed Stevanovski's right arm and did an arm bar in an attempt to get his right arm behind his back for handcuffing. Stevanovski still struggled and refused to obey our commands. Officers escorted Stevanovski on to the hood of a vehicle that was in the valet area for pick up. Officer Huck then grabbed Stevanovski's left arm and placed it behind his back. Sgt. Satterfield was able to handcuff Stevanovski at that time.



Officer LaForest and I escorted Stevanovski to Officer Bragg's patrol car. At one point he spun around and attempted to flee from us. Stevanovski repeatedly pulled away from officers and refused to get into the patrol car. Stevanovski eventually complied and entered Officer Bragg's patrol car. Officer Bragg transported Stevanovski to TPD lockup for booking and processing.

While in lockup Stevanovski would not cooperate with booking procedures. PSA's placed Stevanovski into a cell until he sobered up. Stevanovski repeatedly yelled and punched the jail cell door. Stevanovski also refused to answer any questions.

Sgt. Satterfield, PSA Guest and I requested Stevanovski submit to a PBT. Stevanovski acted as if he was blowing into the PBT but he was not. Stevanovski did this at least four separate times. Stevanovski said God would take care of me and I was "Fucked."

I request DB review and seek appropriate warrants charging Stevanovski with Drunk & Disorderly, Resisting arrest as well as Hinder & Obstruct.

No further action taken by officers.

CR No: 120036168-002 Written By: TRHARRISONT (101132) Date: 11/01/2012 06:37 AM

Writer was assigned the above investigation and reviewed the reports.
Writer then completed the prosecutor point requesting authorization for a warrant charging Hinder and Obstruct, Resisting Arres and Drunk and Disorderly.
Harrison

CR No: 120036168-003 Written By: TRVAILLANCOURTS (101196) ATTACHMENT ONLY REPORT - No

CR No: 120036168-004 Written By: TRHARRISONT (101132) Date: 11/02/2012 08:18 AM

R/O, defendant Robert Lee Stevanovski, case was presented to APA MacGregor for review/issue. The warrant was sworn to/before and the defendant was arraigned in front of Magistrate Chisholm, bond was set at \$10,000.00 c/s or 10%.

Harrison

CR No: 120036168-005 Written By: TRSATTERFIELDA (104489) Date: 11/03/2012 12:40 AM

Today, November 2nd, 2012, I Sgt. Satterfield, went to Mon Jin Lau to obtain additional



statements from the incident on October 31st, 2012.

I recieved statements from Maryann Valencia (head hostess of Mon Jin Lau), Zack Lehman (valet worker), and Ali Hammoud (valet worker).

Valencia stated that she observed Stevanovski "swinging at people" in the bar, being escorted out of the bar by security, and "yelling and causing a scene".

Hammoud stated that he witnessed security "Dave" escorting Stevanovski out of the restaurant because Stevanovski was involved in a fight.

Lehman stated that witnessed Stevanovski resisting police officers and that Stevanovski was "obviously drunk and very belligerent to point that he banged into a white chrysler 300".

(see witness statements).

CR No: 120036168-006 Written By: TRMORGANJ (104520) Date: 11/07/2012 03:11 PM

2012-36168 (Follow Up)

I received a written statement via email from Dave Anderson and Steve Sears regarding this incident. Anderson and Sears are security guards at Mon Jin Lau and were working the night this incident occurred.

Sears stated he responded to a report that a customer was being confrontational with one of Mon Jin Lau's bartenders. Sears asked the customer to leave and he originally refused. Sears stated he started walking the customer to the front doors when the customer pushed him. Sears stated they wrestled for a few seconds and the customer then stepped back and cocked his arm as if he was going to punch Sears. Anderson jumped in at that time and stopped the customer from punching Sears. See attached witness statements for further details.

CR No: 120036168-007 Written By: TRCANTLONR (100959) ATTACHMENT ONLY REPORT - No Narrative

CR No: 120036168-008 Written By: TRCANTLONR (100959) ATTACHMENT ONLY REPORT - No Narrative

CR No: 120036168-009 Written By: TRBODEKRJ (100919) ATTACHMENT ONLY REPORT - No Narrative

CR No: 120036168-010 Written By: TRCANTLONR (100959) ATTACHMENT ONLY REPORT - No Narrative

CR No: 120036168-011 Written By: TRCANTLONR (100959) Date: 12/07/2012 10:38 AM

CR No: 120036168



12/06/12 - PGAC - PSI ORDERED - JUDGE DRURY

STATE OF MICHIGAN 52-4 JUDICIAL DISTRICT JUDICIAL CIRCUIT	JUDGMENT OF SENTENCE <input type="checkbox"/> COMMITMENT TO JAIL	CASE NO. 12-004727 FY
--	--	---

ORI Court Address 520 W BIG BEAVER ROAD Court Telephone no.
 MI-630165J TROY, MI 48084 (248) 528-0400

Police Report No. 12-36168

THE PEOPLE OF The State of Michigan

V

Defendant's name, address, and telephone no.
 (586) 709-1067
 STEVANOVSKI/ROBERT/LEE
 24 LAFAYETTE ST.
 MT. CLEMENS, MI 48043

CTN/TCN	SID	DOB
631209796701	2182709M	5/19/1982

THE COURT FINDS:

1. Defendant was found guilty on DEC. 6, 2012 of the crime(s) as stated below:
 Date

Count	CONVICTED BY Plea* Court; Jury	DISMISSED BY*	CRIME	CHARGE CODE(S) MCL citation/PACC code
1	G		ATTEMPTED-POLICE OFFICER-ASSAULTIN	750.81D1 [A]

*For plea: insert "G" for guilty plea, "NC" for nolo contendere, or "MI" for guilty but mentally ill. For dismissal: insert "D" for dismissed by court or "NP" for dismissed by prosecutor/plaintiff.

2. Defendant represented by an attorney: KHALID M. SHEIKH P-56975
 advised of right to counsel and appointed counsel and knowingly, intelligently and voluntarily waived that right.

IT IS ORDERED:

8. Deferred status is revoked. HYTA status is revoked.
 9. Defendant is sentenced to jail as follows: Report at _____ m.

Count	Date Sentence Begins	Sentenced		Credited		To Be Served		Release Authorized for the Following Purpose	Release Period	
		Mos.	Days	Mos.	Days	Mos.	Days		From	To
1								<input type="checkbox"/> Upon payment of fine/costs <input type="checkbox"/> To work or seek work..... <input type="checkbox"/> For attendance at school.. <input type="checkbox"/> For medical treatment..... <input type="checkbox"/> Other _____		

10. Defendant shall pay:

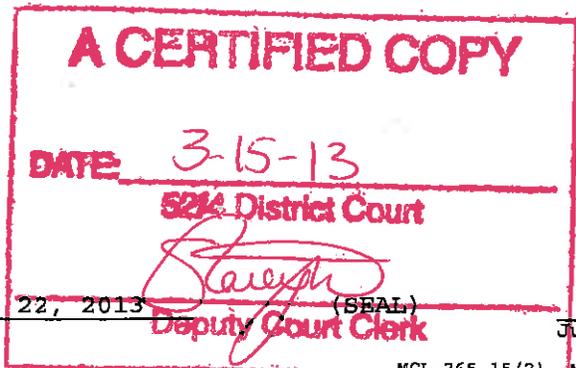
COUNT	STATE MIN	CRIM VICT	RESTITUTION	CRT COSTS	FINE	ATTY FEES	OTHER	TOTAL
1	50.00	75.00		570.00	380.00		1010.00	2,085.00

The due date for payment is _____. Fine, costs, and fees not paid within 56 days of the due date are subject to a 20% late penalty on the amount owed. Only the fine and some costs may be satisfied by serving time in jail. Defendant shall serve _____ days in jail beginning _____ for failure to pay on time.

11. Defendant shall be placed on probation for 18 months and abide by the terms of probation (See separate order.)

15. Other: 18 MTHS PROBATION @ 50/MTH; 20 HOURS COMMUNITY SERVICE; NO ALCOHOL, CONTROLLED SUBSTANCES OR MOOD ALTERING DRUGS, RANDOM TESTING; ETGS 4X/MTH; DRUG SCREENS 1X/MTH; NO CONSUMPTION OF LIQUIDS PRIOR TO TESTING; NO ASSAULTIVE BEHAVIOR TOWARDS ANYONE, NO CONTACT WITH MON JIN LAU RESTAURANT, NO POSS OF FIREARMS, WEAPONS, OR AMMO OF ANY KIND OR RESIDE IN HOME W/SAME; STEP FORWARD W/IN 21 DAYS; FOLLOW RULES OF PROBATION AS DIRECTED

***ILT



William E. Bolle
 Judge/CLERK

JAN. 22, 2013 (SEAL) Deputy Court Clerk Judge/CLERK WILLIAM E. BOLLE P-10970 Bar no.



TROY PD
 500 W. BIG BEAVER
 TROY MI 48064
 248-524-3477



Case Report

Administrative Details:

CR No 120036166	Subject 3504 - Hallucinogen -Possess [35001]
Report Date/Time 10/31/2012 23:53	Occurrence Date/Time 10/31/2012 23:53
Location 1515 E MAPLE RD <i>Mon Jin Lau</i>	Call Source TELEPHONE
Dispatched Offense 1313 ASSAULT & BATTE	Verified Offense 3504 Hallucinogen -Possess
OIC Harrison, Theresa (TRHARRISONT-101132)	OIC Contact Number
County 63 - Oakland	City/Twp/Village 84 - Troy
Division Patrol Shift 3	
Action Requested:	
<input type="checkbox"/> Arrest warrant	<input type="checkbox"/> Review only
<input type="checkbox"/> Search warrant	<input type="checkbox"/> Forfeiture
<input type="checkbox"/> Juvenile petition	<input type="checkbox"/> Other



3504 - Hallucinogen -Possess		
IBR Code / IBR Group	Offense File Class	
35A - Drug/narcotic Violations / A	35001 - VIOLATION OF CONTROLLED SUBSTANCE ACT	
Crime Against	Location Type	Offense Completed
SO	03 - Bar/Night Club	Completed
Domestic Violence	Hate/Bias	
No	00 - None (No Bias)	
Using		
A-Alcohol: Yes C-Computer Equipment: No D-Drugs/Narcotics: Yes		
Criminal Activity		
P - Possessing/Concealing		

3562 - Marijuana -Possess		
IBR Code / IBR Group	Offense File Class	
35A - Drug/narcotic Violations / A	35001 - VIOLATION OF CONTROLLED SUBSTANCE ACT	
Crime Against	Location Type	Offense Completed
SO	03 - Bar/Night Club	Completed
Domestic Violence	Hate/Bias	
No	00 - None (No Bias)	
Using		
A-Alcohol: Yes C-Computer Equipment: No D-Drugs/Narcotics: Yes		
Criminal Activity		
P - Possessing/Concealing		

4801 - Resisting Officer [TRDREWEKD (104495)]		
IBR Code / IBR Group	Offense File Class	
90Z - All Other Offenses / B	48000 - OBSTRUCTING POLICE	
Crime Against	Location Type	Offense Completed
	03 - Bar/Night Club	Completed
Domestic Violence	Hate/Bias	
No	00 - None (No Bias)	
Using		
A-Alcohol: Yes C-Computer Equipment: No D-Drugs/Narcotics: Yes		

5311 - Disorderly Conduct [TRDREWEKD (104495)]		
IBR Code / IBR Group	Offense File Class	
90C - Disorderly Conduct / B	53001 - DISORDERLY CONDUCT	
Crime Against	Location Type	Offense Completed
SO	03 - Bar/Night Club	Completed
Domestic Violence	Hate/Bias	
No	00 - None (No Bias)	
Using		
A-Alcohol: Yes C-Computer Equipment: No D-Drugs/Narcotics: Yes		

LAMAN, SOLOMON KIRK (A-ARRESTEE) [TRDREWEKD (104495)]										
Last Name		First Name		Middle Name		Suffix		Mr/Mrs/Ms		
Laman		Solomon		Kirk						
Aliases			Driver License#		DL State	DL Country	Personal ID#			
					MI					
DOB (Age)	Sex	Race	Ethnicity	Birth City & State	Birth Country	Country of Citizenship				
	(26)	M	WHITE	Other Ethnicity/National Origin						



Eye Color Brown		Hair Color Brown		Hair Style Straight		Hair Length Medium		Facial Hair Clean Shaven	
Complexion Light		Build Medium		Teeth		Height 6' 0"		Weight 165	
Held For		Finger Prints No		Photos No		Miranda Read No		Miranda Waived No	
Street Address		Apt #		County		Country		Home Phone	
City		State		Zip		Cell Phone		Email	
SSN		MDOC/PRN#							

Arrest Information

Offenses	Details
3504 - Hallucinogen -Possess	Arrest Date/Time: 10/31/2012 23:50 Location: Arrest#: 58811742 Arrest Type: Onview OWI Arrest/BAC: Offense Type: Felony Count: Arresting Officer 1: TROREMKO (DREWEK, DOUGLAS 104485)
3562 - Marijuana -Possess	Arrest Date/Time: 10/31/2012 23:50 Location: Arrest#: 58811742 Arrest Type: Onview OWI Arrest/BAC: Offense Type: Mid. Count: Arresting Officer 1: TROREMKO (DREWEK, DOUGLAS 104485)
4801 - Resisting Officer	Arrest Date/Time: 10/31/2012 23:50 Location: Arrest#: 58811742 Arrest Type: Onview OWI Arrest/BAC: Offense Type: Mid. Count: Arresting Officer 1: TROREMKO (DREWEK, DOUGLAS 104485)
5311 - Disorderly Conduct	Arrest Date/Time: 10/31/2012 23:50 Location: Arrest#: 58811742 Arrest Type: Onview OWI Arrest/BAC: Offense Type: Mid. Count: Arresting Officer 1: TROREMKO (DREWEK, DOUGLAS 104485)
MultiClearance N - Not Applicable	MultiClearance Offense 01 - Unarmed

CRIME LAB, REP OF OCSD (W-WITNESS) [TRHARRISONT (101132)]

PE:	W.Type:	Last Name	First Name	Middle Name	Suffix	Mr/Mrs/Ms
	CH	Crime Lab	Rep of OCSD			
DOB (Age)	Sex	Race	Ethnicity	Birth City & State	Birth Country	Country of Citizenship
		UNKNOWN				

Notes

Rep for analysis of suspected marijuana and mushrooms

HARRISON, T (O-OTHER) (L-POLICE OFFICER) [TRHARRISONT (101132)]

PE:	W.Type:	Last Name	First Name	Middle Name	Suffix	Mr/Mrs/Ms Det
	OC	Harrison	T			
DOB (Age)	Sex	Race	Ethnicity	Birth City & State	Birth Country	Country of Citizenship
		UNKNOWN				
Street Address		Apt #	County	Country	Home Phone	Work Phone



500 W. Big Beaver		OAKLAND		USA	
City	State	Zip	Cell Phone	Email	
Troy	MI	48084			
Phone/Email					
Type			Description		
BU-Business Phone #1			248-524-3477		
Notes					
OIC					

DREWEK, D (O-OTHER) (L-POLICE OFFICER) [TRHARRISONT (101132)]						
PE:	W.Type:	Last Name	First Name	Middle Name	Suffix	Mr/Mrs/Me Officer
	OF	Drewek	D			
DOB (Age)	Sex	Race	Ethnicity	Birth City & State	Birth Country	Country of Citizenship
		UNKNOWN				
Street Address		Apt #	County	Country	Home Phone	Work Phone
500 W. Big Beaver			OAKLAND	USA		
City	State	Zip	Cell Phone	Email		
Troy	MI	48084				
Phone/Email						
Type			Description			
BU-Business Phone #1			248-524-3477			
Notes						
Arresting Officer wrote report						

SATTERFIELD, ANDREW (O-OTHER) (L-POLICE OFFICER) [TRDREWEKD (104495)]						
PE:	W.Type:	Last Name	First Name	Middle Name	Suffix	Mr/Mrs/Me
		Satterfield	Andrew			
DOB (Age)	Sex	Race	Ethnicity	Birth City & State	Birth Country	Country of Citizenship
		UNKNOWN				
Street Address		Apt #	County	Country	Home Phone	Work Phone
500 W. Big Beaver			OAKLAND	USA		
City	State	Zip	Cell Phone	Email		
Troy	MI	48084				
Phone/Email						
Type			Description			
BU-Business Phone #1			248-524-3477			

LAFORREST, BRIAN (O-OTHER) (L-POLICE OFFICER) [TRDREWEKD (104495)]						
PE:	W.Type:	Last Name	First Name	Middle Name	Suffix	Mr/Mrs/Me
		LaForest	Brian			
DOB (Age)	Sex	Race	Ethnicity	Birth City & State	Birth Country	Country of Citizenship
		UNKNOWN				
Street Address		Apt #	County	Country	Home Phone	Work Phone
500 W. Big Beaver			OAKLAND	USA		
City	State	Zip	Cell Phone	Email		
Troy	MI	48084				
Phone/Email						
Type			Description			
BU-Business Phone #1			248-524-3477			

HUCK, CHRISTOPHER (O-OTHER) (L-POLICE OFFICER) [TRDREWEKD (104495)]						
--	--	--	--	--	--	--



PE:	W.Type:	Last Name Huck	First Name Christopher	Middle Name	Suffix	Mir/Mrs/Ms
DOB (Age)	Sex	Race UNKNOWN	Ethnicity	Birth City & State	Birth Country	Country of Citizenship
Street Address 500 W. Big Beaver		Apt #	County OAKLAND	Country USA	Home Phone	Work Phone
City Troy	State MI	Zip 48084	Cell Phone	Email		
Phone/Email						
Type			Description			
BU-Business Phone #1			248-524-3477			

Property:						
1910 - Marijuana 5410 [TRDREWEKD (104495)]						
Property Class 10	IBR Type 10 - Drugs/Narcotics			UCR Type K - Miscellaneous		
Status C - Confiscated In Drug, Forgery/Counterfeiting, Or Gambling					Count 1	Value 0
Description marijuana			Disposition		Evidence Tag 120036166.001	
Recovered Date/Time	Location		Owner []			
Drug Information						
Drug Type 05 - Marijuana			Drug Quantity 0.9		Drug Measure GM - Gram	

Property:						
1995 - Other Hallucinogen (BMDA, DMT, Mescaline, Peyote, Etc.) 5410 [TRDREWEKD (104495)]						
Property Class 10	IBR Type 10 - Drugs/Narcotics			UCR Type K - Miscellaneous		
Status C - Confiscated In Drug, Forgery/Counterfeiting, Or Gambling					Count 1	Value 0
Description psilocybin mushrooms			Disposition		Evidence Tag 120036166.002	
Recovered Date/Time	Location		Owner []			
Drug Information						
Drug Type 11 - Other Hallucinogens (BMDA, DMT, Mescaline, Peyote,			Drug Quantity 1.1		Drug Measure GM - Gram	

Narrative:	
CR No: 120036166-001 Written By: TRDREWEKD (104495) Date: 11/01/2012 01:32 AM	
<p>(#12-36166)l, officer Drewek and officer Huck, were dispatched to Mon Jin Lau 1515 E. Maple. Officers received a complaint about overcrowding and traffic backing up onto Stephenson & Maple. Officer Laforest and Sergeant Satterfield also arrived on scene for backup due to the large crowd. Officers positioned several patrol vehicles blocking the entrance into the bar. Officer Laforest was advised by one of the valet, that there was a very drunk subject outside the bar that fell into the bushes. He had some injuries on his face and appeared very intoxicated. A limo</p>	



driver also advised officer Laforest and both gave similar descriptions of the HBD W/M. Alliance was dispatched to the area to medically treat the AIP but officers were unable to locate him. Approx 3-4 minutes later, another valet employee came up to me. He explained there was a W/M with injuries on his face that was banging on doors and windows trying to get into the bar. He stated he was stumbling around and appeared very intoxicated. He pointed the subject out to me. I observed the subject banging on the tent trying to get into the bar. Management and bouncers were no longer letting anyone inside due to the overcrowding. Officers also made an earlier announcement via the PA that no one else would be let in. He matched the description of the AIP we were looking for 4 minutes earlier. I walked over to him and grabbed him by his left shoulder in order to escort him over to my vehicle. I also grabbed him by the shoulder to ensure he would not fall down because he was very intoxicated and unbalanced. I believed he may be a danger to himself or others, based on the reported and observed disorderly conduct, his level of intoxication, and the injuries on his face. I advised him he was drunk and to come with me. I identified myself as the police and began walking him over towards my patrol car so that alliance could medically treat him. The subject did have some cuts on his face possibly from falling down earlier. He had a half dollar size abrasion on his left cheek near his eye. He had another half dollar size abrasion on the left side of his chin. He was very intoxicated and was having trouble walking. I observed a plastic baggy with some zig zags inside sticking out of the subject's front coat pocket. He smelled heavily of intoxicants and marijuana. The subject then grabbed onto my upper arm and demanded that I let him go. I advised him to let go of my arm and he refused. He started pulling at me harder and was pulling away. I advised him to stop resisting and he refused. I broke away from his grasp and he fell to the ground. I held the subject down and advised dispatch I was fighting with one. Officer Laforest, Huck and sergeant Satterfield arrived to assist. Officer Laforest had one hand and the subject's other arm was underneath him. Officers advised the subject to put his hands behind his back and he refused. Officer Huck gave several strikes to the subject's left common paroneal advising him to stop resisting. Officer Laforest was able to handcuff the subject and retrieved the baggy of marijuana from his front left pocket. I retrieved a baggy of psilocybin mushrooms from the subject's right coat pocket. The subject was later identified as Solomon Laman. I transported Solomon to TPD lockup and turned him over to lockup personnel. Lockup personnel were unable to properly book Solomon because he was uncooperative. I gave him a PBT with instrument #8084 and he registered a .28 BAC. I tested the marijuana and mushrooms using the NIK test and they both tested positive. I weighed the marijuana at 0.9 grams and tagged it into evidence, #120036166.001. I weighed the mushrooms at 1.1 grams and tagged it into evidence, #120036166.002. Request DB seek appropriate warrants.

CR No: 120036166-002 Written By: TRHARRISON (101132) Date: 11/01/2012 07:13 AM

CR No: 120036166



Writer was assigned the above investigation and reviewed the reports.
Writer then completed the prosecutor point requesting authorization for a warrant charging Resisting Arrest/Obstructing, Disorderly Conduct, Possession Marijuana and Mushrooms.
Harrison

CR No: 120036166-003 Written By: TRBODEKRJ (100919) ATTACHMENT ONLY REPORT - No Narrative

CR No: 120036166-004 Written By: TRFORGUED (140661) Date: 11/07/2012 11:55 AM

Records corrected spelling of arrestee's first name on 11-07-12 - dff

CR No: 120036166-005 Written By: TRMONACELLIP (101026) ATTACHMENT ONLY REPORT - No

CR No: 120036166-006 Written By: TRHARRISONT (101132) Date: 11/09/2012 07:03 AM

Poss. Controlled Substance (count 1), Possession Marijuana (count 2), defendant Soloman Kirk Laman, case was presented to APA Brainard for review/issue. The warrant was sworn to/before and the defendant was arraigned in front of Judge Drury on 11/02/2012, bond was set at \$1,000.00 personal.
Harrison

CR No: 120036166-007 Written By: TRGREENHERNANDEZJ (118826) ATTACHMENT ONLY REPORT -

CR No: 120036166-008 Written By: TRCANTLONR (100959) ATTACHMENT ONLY REPORT - No Narrative

CR No: 120036166-009 Written By: TRCANTLONR (100959) ATTACHMENT ONLY REPORT - No Narrative

STATE OF MICHIGAN
52-4 JUDICIAL DISTRICT
JUDICIAL CIRCUIT

JUDGMENT OF SENTENCE
 COMMITMENT TO JAIL

CASE NO.
12-004743 SM

ORI
MI-630165J

Court Address 520 W BIG BEAVER ROAD
TROY, MI 48084

Court Telephone no.
(248) 528-0400

Police Report No. 12-36156

THE PEOPLE OF The State of Michigan

V

Defendant's name, address, and telephone no.
(810) 241-5923
LAMAN/SOLOMAN/KIRK
31262 CLINE DR.
BEVERLY HILLS, MI 48025
CTN/TCN SID DOB
631209797001 3971606X 11/01/1985

THE COURT FINDS:

1. Defendant was found guilty on FEB. 20, 2013 of the crime(s) as stated below:
Date

Count	CONVICTED BY			DISMISSED BY*	CRIME	CHARGE CODE(S) MCL citation/PACC code
	Plea*	Court	Jury			
1					CONT SUBS-POSSESSION (SCH. 5, LSD,	333.74032C-A

*For plea, insert "G" for guilty plea, "NC" for nolo contendere, or "MI" for guilty but mentally ill. For dismissal: insert "D" for dismissed by court or "NP" for dismissed by prosecutor/plaintiff.

2. Defendant represented by an attorney: CHRISTOPHER M. AMBROSE P-38590
 advised of right to counsel and appointed counsel and knowingly, intelligently and voluntarily waived that right.

3. Conviction reportable to Secretary of State. Defendant's driver's license number is MI L550772469841.

IT IS ORDERED:

8. Deferred status is revoked. HYTA status is revoked.
 9. Defendant is sentenced to jail as follows: Report at _____ m.

Count	Date Sentence Begins	Sentenced		Credited		To Be Served		Release Authorized for the Following Purpose	Release Period	
		Mos.	Days	Mos.	Days	Mos.	Days		From	To
1								<input type="checkbox"/> Upon payment of fine/costs <input type="checkbox"/> To work or seek work..... <input type="checkbox"/> For attendance at school.. <input type="checkbox"/> For medical treatment..... <input type="checkbox"/> Other _____		

10. Defendant shall pay:

COUNT	STATE MIN	CRIM VICT	RESTITUTION	CRT COSTS	FINE	ATTY FEES	OTHER	TOTAL
1	50.00	75.00		420.00	280.00		860.00	1,685.00

The due date for payment is _____. Fine, costs, and fees not paid within 56 days of the due date are subject to a 20% late penalty on the amount owed. Only the fine and some costs may be satisfied by serving time in jail. Defendant shall serve _____ days in jail beginning _____ for failure to pay on time.

11. Defendant shall be placed on probation for 15 months and abide by the terms of probation (See separate order.)

15. Other: 7411;\$50/MTH POE;OUT-PATIENT SUBSTANCE ABUSE COUNSELING;
NO ALCOHOL/MOOD ALTERING SUB;RANDOM PBTS/DRUG SCREENS;PROOF OF RX MEDS
TO PROB;MAY USE MEDICAL MARIJ W/VALID MEDICAL CARD;
FOLLOW RULES OF PROBATION AS DIRECTED

** HAB **

A CERTIFIED COPY
DATE: 3-15-13
5214 District Court
Deputy Court Clerk

William E. Bolle

FEB. 20, 2013
Date

Judge/~~XXXXXXXXXX~~ WILLIAM E. BOLLE

P-10970
Bar no.

STATE OF MICHIGAN
52-4 JUDICIAL DISTRICT
JUDICIAL CIRCUIT

JUDGMENT OF SENTENCE
 COMMITMENT TO JAIL

CASE NO.
12-004743 SM

ORI
MI-630165J

Court Address 520 W BIG BEAVER ROAD
TROY, MI 48084

Court Telephone no.
(248) 528-0400

Police Report No. 12-36156

THE PEOPLE OF The State of Michigan

V

Defendant's name, address, and telephone no.
(810) 241-5923
LAMAN/SOLOMAN/KIRK
31262 CLINE DR.
BEVERLY HILLS, MI 48025
CTN/TCN SID DOB
631209797001 3971606X 11/01/1985

THE COURT FINDS:

1. Defendant was found guilty on FEB. 20, 2013 of the crime(s) as stated below:
Date

Count	CONVICTED BY		DISMISSED BY*	CRIME	CHARGE CODE(S) MCL citation/PACC code
	Plea*	Court/Jury			
2				CONT SUBS-POSSESSION OF MARIJUANA	333.74032D

*For plea: insert "G" for guilty plea, "NC" for nolo contendere, or "MI" for guilty but mentally ill. For dismissal: insert "D" for dismissed by court or "NP" for dismissed by prosecutor/plaintiff.

2. Defendant represented by an attorney: CHRISTOPHER M. AMBROSE P-38590
 advised of right to counsel and appointed counsel and knowingly, intelligently and voluntarily waived that right.

3. Conviction reportable to Secretary of State. Defendant's driver's license number is MI L550772469841.

IT IS ORDERED:

8. Deferred status is revoked. HYTA status is revoked.

9. Defendant is sentenced to jail as follows: Report at _____ m.

Count	Date Sentence Begins	Sentenced		Credited		To Be Served		Release Authorized for the Following Purpose	Release Period	
		Mos.	Days	Mos.	Days	Mos.	Days		From	To
2								<input type="checkbox"/> Upon payment of fine/costs <input type="checkbox"/> To work or seek work..... <input type="checkbox"/> For attendance at school.. <input type="checkbox"/> For medical treatment..... <input type="checkbox"/> Other _____		

10. Defendant shall pay:

COUNT	STATE MIN	CRIM VICT	RESTITUTION	CRT COSTS	FINE	ATTY FEES	OTHER	TOTAL
2	50.00	75.00		420.00	280.00			825.00

Balance Due: \$825.00

The due date for payment is _____. Fine, costs, and fees not paid within 56 days of the due date are subject to a 20% late penalty on the amount owed. Only the fine and some costs may be satisfied by serving time in jail. Defendant shall serve _____ days in jail beginning _____ for failure to pay on time.

11. Defendant shall be placed on probation for 15 months and abide by the terms of probation (See separate order.)

15. Other: 7411; SAME TERMS & CONDITIONS AS COUNT I

** HAB **

A CERTIFIED COPY

DATE: 3-15-13
5214 District Court
[Signature]
Deputy Court Clerk

[Signature]
Judge/ ~~XXXXXXXXXX~~ WILLIAM E. BOLLE

FEB. 20, 2013
Date

(SEAL)

P-10970
Bar no.



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN LIQUOR CONTROL COMMISSION
ANDREW J. DELONEY
CHAIRMAN

STEVEN H. HILFINGER
DIRECTOR

February 4, 2013

Attorney Harold Fried and John Henke
29800 Telegraph Rd
Southfield, MI 48034

RE: Complaint No. 2-155936
Mon Jin Lau, Inc.
D/B/A Mon Jin Lau
1515 E. Maple
Troy, MI 48084

REC'D

FEB - 8 2013

TROY POLICE DEPT.

Dear Attorney's Fried and Henke

At your request, the hearing in the above matter scheduled for February 14, 2013 in Sterling Heights has been postponed. Your office will be advised of the rescheduled hearing date.

Should any questions arise regarding this matter, please contact this office at (517) 636-5299. My office hours are from 6:00 a.m. to 2:30 p.m.

****PLEASE CALL (517) 636-5299 TO CONFIRM THAT YOU HAVE RECEIVED THIS LETTER******

Sincerely,

MICHIGAN LIQUOR CONTROL COMMISSION

Lori S. Schrader
Executive Services

*** THIS LETTER WAS SENT VIA BOTH FAX & U.S. MAIL.**

Cc: Licensee

*Robert Stevanovski (c/o Troy Police Dept)
Sgt. A Satterfield, Ofc. J. Morgan, Ofc. D Drewek, Ofc. C. Huck
Ofc. L. Schultz Lt. Tonya Perry Tech Chuck Roberts

LCC Liquor Licensee History

Business name: **Mon Jin Lau**
Address: 1515 E. Maple (248) 689-2332
Licensee: Mon Jin Lau, Inc. Marco Chin 689-2332
License type: **Class C (353-2002)**
Permits: Sunday Sales
Comments:

Date	Troy Incident #	Type	Disposition	Date
9/18/78		Council approved license transfer		
10/15/78	78-23487	Sale to minors	Dismissed	5/1/79
4/10/84		Non-employees on premises after hours Hinder and obstruct police officers during investigation	Fined \$75	7/18/84
6/17/92	92-17105	Sale to minor (compliance test)	Fined \$200	10/28/92
08/11/94	94-27026	Sale to minor (compliance test)	Fined \$500	11/22/94
11/07/94	94-37828	Gambling (Citizen Complaint)	insufficient evidence to pursue	11/21/94
4/11/98	98-13271	Customers after-hours	\$400 Fine by MLCC	08/10/98
01/16/99	99-02454	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/25/99	99-07623	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
07/16/99	99-27117	Compliance Test	PASSED	
04/26/00	00-14152	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
07/26/00	none	Compliance Test	PASSED	
10/19/00	00-38783	Sale to Minor (Compliance Test)	Fined \$500	
11/16/00	00-42519	Compliance Test	PASSED	
11/20/00	00-43043	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
01/16/01	01-01852	Liquor Inspection (Road Patrol)	NO VIOLATIONS	

02/26/01		Council Show Cause-resolution to require TIPS/TAM training for all servers with proof to PD within 6 months		
03/17/01	01-09244	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
05/03/01		Compliance Test	PASSED	
06/12/01	01-20614	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
08/16/01	01-29493	Compliance Test	PASSED	
08/28/01	01-30934	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
10/05/01	01-36176	Compliance Test	PASSED	
11/03/01	01-39805	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
01/10/02	02-01066	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/22/02	02-05660	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/26/02	02-06149	Compliance Test	PASSED	
04/24/02	02-12683	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/28/02	02-20764	Compliance Test	PASSED	
07/10/02	02-22341	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
09/12/02	02-30219	Liquor Inspection (Road Patrol- Mairorano)	NO VIOLATIONS	
10/18/02	02-34357	Compliance Test	PASSED	
11/15/02	02-37238	Liquor Inspection (Road Patrol- Langbeen)	NO VIOLATIONS	
01/04/03	03-422	Liquor Inspection (Road Patrol- Langbeen)	NO VIOLATIONS	
03/04/03	03-6283	Liquor Inspection (Road Patrol- Langbeen)	NO VIOLATIONS	
04/25/03	03-12394	Compliance Test	PASSED	
06/26/03	03-19485	Compliance Test	PASSED	
07/11/03	03-21305	Liquor Inspection (Road Patrol-Isham/Zagacki)	NO VIOLATIONS	
08/28/03	03-26975	Liquor Inspection (Road Patrol-Isham)	NO VIOLATIONS	
09/12/03	03-28505	Liquor Inspection (Road Patrol-Isham)	NO VIOLATIONS	
10/29/03	03-33451	Sale to Minor (compliance test)	\$600 fine	03/01/04
01/19/04	04-01896	Liquor Inspection (Road Patrol-Zagacki/Schehr)	NO VIOLATIONS	
02/16/04	04-04846	Liquor Inspection (Road Patrol-Zagacki/Schehr)	NO VIOLATIONS	
03/03/04	Council	Public Hearings for 2003 Violation(s)-Resolution requiring TIPS/TAM training for all employees who sell alcohol with proof to the PD within 180 days; employee contracts re: alcohol sales		

03/08/04	04-06904	Liquor Inspection (Road Patrol-Zagacki/Schehr)	NO VIOLATIONS
03/12/04		Signed employee contracts received	
03/23/04	04-08534	Compliance Test	PASSED
04/24/04	04-11816	Liquor Inspection (Road Patrol-Daniels/Warzecha)	NO VIOLATIONS
06/30/04	04-19512	Compliance Test	PASSED
07/20/04	04-21921	Liquor Inspection (Road Patrol- Daniels)	NO VIOLATIONS
09/17/04	04-29370	Liquor Inspection (Road Patrol- Daniels)	NO VIOLATIONS
02/02/05	05-03771	Liquor Inspection (Road Patrol- Giorgi)	NO VIOLATIONS
02/17/05	05-05340	Liquor Inspection (Road Patrol- Giorgi)	NO VIOLATIONS
03/04/05	05-07285	Sale to Minor (Compliance Test)	\$800 fine
03/23/05	05-09477	Liquor Inspection (Road Patrol-Giorgi)	NO VIOLATIONS
04/28/05	05-13946	Liquor Inspection (Road Patrol- Novak)	NO VIOLATIONS
07/27/05	05-26103	Liquor Inspection (Road Patrol- Novak)	NO VIOLATIONS
10/17/05	05-36714	Liquor Inspection (Road Patrol- Feld)	NO VIOLATIONS
01/23/06	06-3013	Liquor Inspection (Road Patrol- Feld)	NO VIOLATIONS
02/15/06	Council	Public Hearings for 2005 Violation(s)-Resolution requiring TIPS/TAM training for all employees who sell alcohol with proof to the PD within 90 days	
06/21/06		Proof Received	
06/23/06	06-23842	Liquor Inspection (Road Patrol- Taylor)	NO VIOLATIONS
07/06/06		Application for Additional Bar received	
07/15/06	06-26937	Liquor Inspection (Road Patrol- Taylor)	NO VIOLATIONS
07/26/06		Compliance Test	PASSED
08/26/06	06-33174	Liquor Inspection (Road Patrol- Taylor)	NO VIOLATIONS
01/24/07		Compliance Test	PASSED
02/03/07	07-4223	Liquor Inspection (Road Patrol- Laforest)	NO VIOLATIONS
03/26/07	07-10855	Liquor Inspection (Road Patrol- Laforest)	NO VIOLATIONS
05/10/07	07-17229	Compliance Test	PASSED
05/14/07	07-17847	Liquor Inspection (Road Patrol- Strong)	NO VIOLATIONS
06/11/07	07-21774	Liquor Inspection (Road Patrol- Strong)	NO VIOLATIONS
08/13/07	07-30710	Liquor Inspection (Road Patrol- Strong)	NO VIOLATIONS
10/18/07	07-32097	Compliance Test	PASSED

12/13/07	07-45762	Compliance Test	PASSED
12/18/07		Application for Additional bar cancelled by MLCC	
02/21/08	08-6525	Compliance Test	PASSED
05/21/08	08-17710	Compliance Test	PASSED
05/22/08	08-17980	Liquor Inspection (Road Patrol-Minton)	NO VIOLATIONS
07/25/08	08-26159	Liquor Inspection (Road Patrol-Minton)	NO VIOLATIONS
09/04/08	08-31046	Liquor Inspection (Road Patrol-Minton)	NO VIOLATIONS
10/09/08	08-34294	Compliance Test	PASSED
10/26/08	08-37124	Liquor Inspection (Road Patrol-Minton)	NO VIOLATIONS
12/26/08	08-44085	Liquor Inspection (Road Patrol-Minton)	NO VIOLATIONS
12/30/08	08-44428	Compliance Test	PASSED
02/27/09	09-6659	Liquor Inspection (Road Patrol-Minton)	NO VIOLATIONS
04/30/09	09-13409	Liquor Inspection (Road Patrol-Whiteside)	NO VIOLATIONS
05/07/09	09-14187	Compliance Test	PASSED
06/28/09	09-20448	Liquor Inspection (Road Patrol-Whiteside)	NO VIOLATIONS
08/23/09	09-26734	Liquor Inspection (Road Patrol-Whiteside)	NO VIOLATIONS
10/26/09	09-33541	Liquor Inspection (Road Patrol-Owczarzak)	NO VIOLATIONS
10/28/09	09-33689	Compliance Test	PASSED
12/17/09	09-39248	Compliance Test	PASSED
01/05/10	10-468	Liquor Inspection (Road Patrol-Owczarzak)	NO VIOLATIONS
07/19/10	10-21084	Compliance Test	PASSED
07/26/10	10-22427	Liquor Inspection (Road Patrol-Cascioli)	NO VIOLATIONS
09/01/10	10-26607	Compliance Test	PASSED
10/27/10	10-32848	Compliance Test	PASSED
10/27/10	10-33039	Warning issued to Mon Jin Lau for overcrowding	
11/28/10	10-36423	Liquor Inspection (Road Patrol-Kramer)	NO VIOLATIONS
12/15/10	10-38340	Compliance Test	PASSED
03/06/11	11-6940	Liquor Inspection (Road Patrol-Kramer)	NO VIOLATIONS
05/05/11	11-12903	Compliance Test	PASSED
08/01/11	11-22591	Liquor Inspection (Road Patrol-Kramer)	NO VIOLATIONS

09/05/11	11-26401	Liquor Inspection (Road Patrol-Kramer)	NO VIOLATIONS
11/16/11	11-34419	Liquor Inspection (Road Patrol-Jones)	NO VIOLATIONS
12/08/11	11-36711	Compliance Test	PASSED
01/26/12	12-2861	Liquor Inspection (Road Patrol-Jones)	NO VIOLATIONS
03/20/12	12-8920	Liquor Inspection (Road Patrol-Jones)	NO VIOLATIONS
05/09/12	12-14670	Compliance Test	PASSED
05/20/12	12-16109	Liquor Inspection (Road Patrol-McWilliams)	NO VIOLATIONS
07/26/12	12-24991	Liquor Inspection (Road Patrol-Weingart)	NO VIOLATIONS
09/06/12	12-30064	Liquor Inspection (Road Patrol-Weingart)	NO VIOLATIONS
10/31/12	12-36156	Mon Jin Lau was cited by Troy Fire Department for overcrowding at their Halloween Party, and a Violation Report was sent to the MLCC regarding the incident on 10/31/12	
10/31/12	12-36166	Resisting arrest / hallucinogen possession incident at Halloween Party	
10/31/12	12-36168	Resisting arrest / disorderly conduct incident at Halloween Party	
11/08/12	12-37128	Liquor Inspection (Road Patrol-Weingart)	NO VIOLATIONS
11/12/12	12-37554	Compliance Test	PASSED
01/12/13	13-1289	Liquor Inspection (Road Patrol-Weingart)	NO VIOLATIONS
03/14/13	13-8002	Liquor Inspection (Road Patrol-Weingart)	NO VIOLATIONS

500 W. Big Beaver
Troy, MI 48064
(248) 524-3300

The City of Tomorrow...



...Today

February 8, 2013

Brandon Chin
Mon Jin Lau, Inc.
dba: Mon Jin Lau
1515 E. Maple Rd.
Troy, MI 48064

Re: NOTICE OF PUBLIC HEARING - Liquor License Violation

To whom it may concern:

A Public Hearing will be held by and before the Council of the City of Troy at City Hall, 500 W Big Beaver, Troy, Michigan at 7:30 PM, or as soon thereafter as the agenda will permit on the date as indicated below to determine whether the City Council should recommend to the Michigan Liquor Control Commission, the renewal or non-renewal of licenses allowed for the sale and/or consumption of alcoholic beverage, for the following reasons:

Public Hearing: February 20, 2013

License Type: Class C (353-2012)

**Violation: ALLOWED OVERCROWDING & INTOX. PERSONS on
October 31, 2012**

You will be given an opportunity to be heard and present evidence at the public hearing and legal counsel may represent you. Please inform your attorney, if you have one, of this notice. If you have questions regarding the procedure or the facts and circumstances surrounding your violation(s), you may contact the City Attorney's office at 248-524-3320.

Sincerely,

M. Aileen Bittner, CMC
City Clerk

c: Harold S. Fried
29800 Telegraph Rd.
Southfield 48034



MEMORANDUM

TO: Members of the Troy City Council
 FROM: Lori Grigg Bluhm, City Attorney *LG*
 Julie Quinlan Dufrane, Assistant City Attorney *JQD*
 DATE: March 18, 2013
 SUBJECT: Liquor Violation Hearing – Simbad, Inc. d/b/a Rotana Café (f/k/a The Palms Restaurant)

This matter was previously scheduled for a liquor hearing on February 20, 2013. At that time, a representative of the restaurant appeared without counsel. There was a criminal matter pending at that time, and the hearing was continued until March 18, 2013, as agreed to by the licensee.

Our office was subsequently advised by Attorney Shamil Halabu that there is a proposed sale of the liquor license from Sabah Garmo, operating as Simbad, Inc. (The Palms Restaurant, Rotana Café) to Shuala Toma, operating as Thomas & Toma, Inc. Paperwork has been submitted to the Michigan Liquor Control Commission (MLCC), but cannot be finalized until the pending liquor license violations are resolved. The City has not started processing the proposed transfer yet, since the proposed new owners have not yet submitted the required application documentation.

If the liquor violation is not acknowledged by the licensee, then City Administration has the burden to show that it is more likely than not that a violation occurred at the restaurant. According to the attached police reports, on December 12, 2012, Troy police officers were dispatched to the area at approximately 5:00 am for a possible domestic assault in progress. When the first officer arrived, he observed a white SUV speeding through the parking lot without any headlights on. The officer approached the white SUV and spoke to the driver who smelled strongly of intoxicants. Through questioning, the officer determined that the driver was an employee at the restaurant located at 336 John R. He told the officer that he had been drinking at work until 4:30 a.m., and that his boss had asked him to pull the white SUV around to the front of the restaurant. The driver, who had a blood alcohol level of 0.17, pled guilty to the criminal offense of operating a motor vehicle while impaired.

The manager (Bill Thomas) came out of the restaurant and confirmed that he was the owner of the SUV. He was issued a criminal ticket for *allowing an intoxicated person to drive a motor vehicle*. This criminal case is still pending. In addition to this charge, the restaurant was also cited for serving alcohol after hours (after 2 am), and for failing to prominently display the liquor license, since the license was eventually located stuffed in a drawer behind the bar.

Although not originally included as part of the liquor license violation hearing, there have been two subsequent liquor license violations at the restaurant, one on February 24, 2013 and a second one on February 27, 2013.

Simbad, Inc. has a Class C liquor license which means alcohol is served to patrons for consumption on the premises. Under MCL 436.1501, on-premises liquor licenses are automatically renewed on a yearly basis unless the local legislative body (City Council) objects on or before March 31 of each year. Any liquor license violation can serve as a basis for objecting to the automatic renewal of the liquor license. A proposed resolution objecting to the license renewal is prepared for your consideration. This action would require the liquor license to be placed in escrow as of April 1, 2013. This action would not preclude a subsequent transfer of the liquor license, but it would require City Council action to remove the liquor license from escrow.



Michigan Department of Licensing and Regulatory Affairs
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
7150 Harris Drive - P.O. Box 30005
Lansing, Michigan 48909-7505
Phone (517) 322-1390 ~ FAX (517) 322-6347

VIOLATION REPORT
(Authorized by P.A. 58 of 1998)

This report is not to be faxed or electronically submitted - an original signature is required.

* OFFICERS please obtain License No., Bus. ID and File # directly from the liquor license *

Form with fields: License Number SFE 4063066405, Business ID, File Number, Name of Licensee SABAH GARMO, Doing Business As PALMS RESTAURANT, Mailing Address (street, city, zip code) 336 John R; Troy, Michigan 48083, Township, County Oakland, Type of License(s) & Permit(s) Class C - SDM, Date of violation: Day Wednesday, Date 12/12/12, Time 4:30 am

Violation Type: Minor x Intoxicated Person Gambling Controlled Substances
Prohibited Conduct Failure to Cooperate Fighting (must be inside licensed premises)
x After Hours Sales / Consumption x Other (explain): Improper display of license

If MINOR: Birth date Was this a DECOY? Yes x No If No, you MUST answer below!
If above minor violation was NOT a decoy, describe enforcement action taken:

NOTE! COPY OF APPEARANCE TICKET MUST BE ATTACHED.

Submit Report Below or Indicate Attached Report Number 12-40832

* REMINDER, PLEASE MAIL THIS REPORT TO THE ADDRESS ABOVE.*

Officer Signature Douglas F. Drewak
Officer Signature

Name and Title Officer Douglas Drewak
Name and Title

Department Name Troy Police Department

Telephone Number 248-524-3477

WITNESSES

- 1. Name Samad Saleem Address
Will testify to: Works at establishment which provided liquor to him after permitted hours
2. Name Kusi Youns Address
Will testify to: Works at establishment with witness #1
3. Name Address
Will testify to:
4. Name Address
Will testify to:
5. Name Address
Will testify to:

EVIDENCE

Location Held (Explain)
LC-600 Rev. 03/05 4880-2362

CR No: 120040832-001 	Report Type: Arrest Report	Officer: TRDREWEKD (104495)	001
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TROY PD
500 W. BIG BEAVER
TROY MI 48064
248-524-3477



Case Report

Administrative Details:

CR No 120040832-001	Subject 8041 - Operating Under the Influence of Alcohol / Liquor OWI [54002]
Report Date/Time 12/12/2012 05:08	Occurrence Date/Time 12/12/2012 05:08
Location 288 JOHN R RD	Call Source 911
Dispatched Offense 1313 DOMESTIC	Verified Offense 8041 Operating Under the Influence of Alcohol / Liquor OWI
County 63 - Oakland	City/Twp/Village 84 - Troy
Division Patrol Shift 3	
Report Type Arrest Report	
Created By DOUGLAS DREWEK	Created Date/Time 12/12/2012 06:01 AM

CR No: 120040832-001 	Report Type: Arrest Report	Officer: TRDREWEKD (104495)	001
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Offenses:

4171 - Violation of Liquor Control Laws [TRDREWEKD (104495)]		
IBR Code / IBR Group 90G - Liquor Law Violations / B	Offense File Class 41001 - LIQUOR LICENSE -ESTABLISHMENT	
Crime Against SO	Location Type 21 - Restaurant	Offense Completed Completed
Domestic Violence No	Hate/Bias 00 - None (No Bias)	
Using A-Alcohol: Yes C-Computer Equipment: No D-Drugs/Narcotics: No		

8041 - Operating Under the Influence of Alcohol / Liquor OWI [TRDREWEKD (104495)]

IBR Code / IBR Group 90D - Driving Under the Influence / B	Offense File Class 54002 - OPERATING UNDER THE INFLUENCE OF LIQUOR OR DRUGS	
Crime Against SO	Location Type 13 - Highway/Road/Aley/Sidewalk	Offense Completed Completed
Domestic Violence No	Hate/Bias 00 - None (No Bias)	
Using A-Alcohol: Yes C-Computer Equipment: No D-Drugs/Narcotics: No		

8042 - Permitted Person Under the Influence of Alcohol to operate [TRDREWEKD (104495)]

IBR Code / IBR Group 90D - Driving Under the Influence / B	Offense File Class 54002 - OPERATING UNDER THE INFLUENCE OF LIQUOR OR DRUGS	
Crime Against SO	Location Type 13 - Highway/Road/Aley/Sidewalk	Offense Completed Completed
Domestic Violence No	Hate/Bias 00 - None (No Bias)	
Using A-Alcohol: Yes C-Computer Equipment: No D-Drugs/Narcotics: No		

People:

THOMAS, BILL (A-ARRESTEE) [TRDREWEKD (104495)]

Last Name THOMAS		First Name BILL		Middle Name	Suffix	Mr/Mrs/Ms
Aliases			Driver License#	DL State MI	DL Country	Personal ID#
DOB (Age) (47)	Sex M	Race WHITE	Ethnicity Arab	Birth City & State	Birth Country	Country of Citizenship
Eye Color Brown	Hair Color Black	Hair Style Wavy	Hair Length Medium	Facial Hair Clean Shaven		
Complexion Light Brown	Build Heavy	Teeth	Height 6' 2"	Weight 300	Attire	
Held For	Finger Prints No	Photos No	Miranda Read No	Miranda Waived No	Number of Warrants	FBI#
Street Address		Apt #	County	Country	Home Phone	Work Phone
City		State	Zip	Cell Phone	Email	

Notes
restaurant manager/vehicle owner

Arrest Information	
Offenses	Details
4171 - Violation of Liquor Control	Arrest Date/Time: 12/12/2012 09:30 Location:

CR No: 120040632-001 	Report Type: Arrest Report	Officer: TRDREWEKD (104495)	001
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Laws	Arrest#: 000 Arrest Type: Summoned/Cited OWI Arrest/BAC: Offense Type: Misd. Count: Arresting Officer 1: TRDREWEKD (DREWEK, DOUGLAS 104495)
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8042 - Permitted Person Under the Influence of Alcohol to operate	Arrest Date/Time: 12/12/2012 08:20 Location: Arrest#: 19015 Arrest Type: Summoned/Cited OWI Arrest/BAC: Offense Type: Misd. Count: Arresting Officer 1: TRDREWEKD (DREWEK, DOUGLAS 104495)
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MultiClearance N - Not Applicable	MultiClearance Offense	Armed With 01 - Unarmed
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SALEEM, SARMAD KHAIRI (A-ARRESTEE) [TRDREWEKD (104495)]

Last Name SALEEM	First Name SARMAD	Middle Name KHAIRI	Suffix	Mr/Mrs/Ms
Aliases	Driver License#	DL State MI	DL Country	Personal ID#
DOB (Age) (23)	Sex M	Race WHITE	Ethnicity Arab	Birth City & State
Birth Country	Country of Citizenship	Held For No	Finger Prints No	Photos No
Miranda Read No	Miranda Waived No	Number of Warrants	FBI#	
Street Address	Apt #	County	Country	Home Phone
City	State MI	Zip	Cell Phone	Email

Arrest Information

Offenses	Details
8041 - Operating Under the Influence of Alcohol / Liquor OWI	Arrest Date/Time: 12/12/2012 08:40 Location: Arrest#: 888 Arrest Type: Onview OWI Arrest/BAC: Yes/17 Offense Type: Misd. Count: Arresting Officer 1: TRDREWEKD (DREWEK, DOUGLAS 104495)

MultiClearance N - Not Applicable	MultiClearance Offense	Armed With 01 - Unarmed
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YOUNG, KUSI R (O-OTHER) (I-PERSON INTERVIEW) [TRDREWEKD (104495)]

PE:	W.Type:	Last Name YOUNG	First Name KUSI	Middle Name R	Suffix	Mr/Mrs/Ms
Aliases	Driver License#	DL State MI	DL Country	Personal ID#		
DOB (Age) (31)	Sex M	Race UNKNOWN	Ethnicity	Birth City & State	Birth Country	Country of Citizenship
Street Address	Apt #	County	Country	Home Phone	Work Phone	
City	State	Zip	Cell Phone	Email		

Property:

3501 - Automobile/Car/Vehicle (not Stolen Or Recovered) 5403 [TRDREWEKD (104495)]			
Property Class 03	IBR Type 03 - Automobiles	UCR Type V - Other Vehicle (not Stolen or Recovered)	
Status	Count	Value	

CR No: 120040832-001		Report Type: Arrest Report	Officer: TRDREWEKD (184485)	001
I - Information Only			1	1
Manufacturer Range Rover	Model HSE	Serial No. SALME11494A146299	License No. temp tag	Color WHI - White
Vehicle Year 2009	Body Style 4D - 4 Door	State MI	License Year 2012	
Description suspect's vehicle		Disposition	Evidence Tag	
Recovered Date/Time	Location	Owner II		

Narrative:

(#12-40832), officer Drewek and officer Pokley, were dispatched to the area of 288 John R on a possible domestic. Someone called police stating there was a man and woman yelling at each other approx 4 businesses north of the planet fitness. I arrived on scene and observed a white Range Rover N/B in the parking lot near planet fitness. The driver had no headlights or taillights on and he was driving very quickly. He pulled into a parking space near the Palms Restaurant at 336 John R, which is approx 4 businesses N/O the Planet Fitness. The vehicle pulled up next to a black Hummer that was occupied by two females. There was another male outside of the vehicle speaking to the two females. That business is usually closed by now, so it was unusual for cars and people to be parked in that area. I walked up to the two vehicles and asked the subjects what they were doing. They stated they were just getting off work. The passenger of the black Hummer stated she works at the Palms. I asked if anyone was arguing and they stated no. While speaking to them, there was a strong aroma of intoxicants coming from the white Range Rover. I advised the driver of the Range Rover he was driving with no lights on. I requested his DL, which identified him as Sarmad Saleem. Sarmad's eyes were also very glassy. He also had a very drunk look about his face. Sarmad spoke limited English so the other A/M standing outside, Kusi Youns, helped translate. Officer Pokley arrived on scene as backup. The 2 girls in the black Hummer left the scene. I asked Sarmad out of the vehicle and patted him down. There was a strong aroma of intoxicants on Sarmad's breath and person. When he got out he appeared very unbalanced at first. Sarmad stated he was a bus boy at the Palms and his boss, Bill Thomas, asked him to pull his vehicle around front. Sarmad admitted his last alcoholic drink was approx 1 hour ago, which would have been around 0430 hours. He too stated he was just getting off work. I performed the following sobriety tests on Sarmad:

1. Nastagmus: moderate
2. One leg stand for 20 seconds: Sarmad's leg dropped to the ground 7-8 times during the 20 second test.
3. Heel to toe 10 paces: Sarmad took more then 10 paces. Most of the times his heel and toe didn't touch. When he was walking his steps were crossing over each other due to his poor balance. His feet were very crooked also instead of one foot straight ahead of the other.
4. PBT: I read Sarmad his PBT rights. He registered a .18 BAC with instrument #13371.

I advised and placed Sarmad under arrest for OWI. I handcuffed him (DLTC) and searched him. I placed him in the back seat of my vehicle. The owner of the Range Rover/manager of the restaurant came outside, Bill Thomas. I advised him about being open so late and about drinking after hours. The vehicle was left parked in the parking lot. I transported Sarmad to TPD lockup and turned him over to lockup personnel. While up in lockup, I read Sarmad his chemical test rights verbatim from SOS form DI-93. Sarmad agreed to take a breath test. Sarmad registered a .17 BAC. I confiscated and destroyed his MI DL. He was issued a temporary paper DL. I sent an e-mail for a copy of the in car video. I issued Sarmad citation #12972 for OWI. Sarmad has no prior alcohol violations.

Later that day, Myself and officer Huck went back to the Palms restaurant for follow up. I retrieved the manager/vehicle owner's information, Bill Thomas. I issued him a citation for allowing an intoxicated person to drive his vehicle, #13015. I also requested to see his LCC license, which was not properly posted for everyone to see. In fact, it took Bill 5-6 minutes to locate the restaurant's liquor license. It was finally found hidden in a drawer behind the bar. Request follow up on the LCC violation.

EVIDENCE LIST

Incident No.: 120040832-001

Agency: Troy PD

ITEM	NEEDED	IN-FILE	COMMENTS
Audio/Video Tape and Transcripts	()	()	
Autopsy Report	()	()	
BAC/Blood/Semen	()	()	
Ballistics/Bullets	()	()	
Chain of Evidence List	()	()	
Clothing/Shoes	()	()	
Confession (written, audio, video)	()	()	
Controlled Substance (Tox Report)	()	()	
Criminal History	()	()	
CSC Kit	()	()	
Diagram Map	()	()	
Finger/Foot Prints	()	()	
Hair/Fiber	()	()	
Hospital/Medical Records	()	()	
Photographs/Slides	()	()	
Weapons	()	()	
Witness Statements	()	()	
CERTIFIED RECORDS	()	()	
SOS	()	()	
Convictions	()	()	
	()	()	
	()	()	
	()	()	
OTHER PHYSICAL EVIDENCE	()	()	
3501 - Automobile/Car/Vehicle (not Stolen Or Recovered)			
VICTIM PROPERTY			
	()	()	
	()	()	
	()	()	

Officer In Charge

Date

Phone No.

The Prosecuting Attorney's Office certifies that (*) property belonging to the crime victim must be retained by the Law Enforcement Agency for trial purposes in lieu of photograph or other means of memorialization pursuant to 1985 PA 87

Assistant Prosecutor

Date

**State of Michigan
Uniform Law Citation**

Ticket No. **12TR12972** Victim Involved

US DOT# _____ Incident No. **12-040832** Dept. No. **6378400**

The People of: the State of Michigan
 Township City Village County

Local Use/Arrest No. _____ Detection Device _____

OF: **TROY** BAC **.17** 1 of 1

THE UNDERSIGNED Month Day Year At approximately A.M. Date of Birth P.M. Month Day Year
SAYS THAT ON: **12 12 12 05:27**

State Oper./Chauff. Driver License Number _____ SSN (last 4 only) _____
MI CDL

Race Sex Height Weight Hair Eyes Occupation/Employer
W M 5' 10" 140 _____ **BRO** _____

Name (First, Middle, Last) **SARMAD KHAIRI SALEEM**

Street _____

City _____ State _____ Zip Code _____

Vehicle Plate No. Year State Vehicle Description (Year, Make, Color) Type
TEMP TAG 2012 MI 2009 RANGE ROVER HSE WHITE P A

THE PERSON NAMED ABOVE, in violation of Local Ordinance State Law Administrative Rule
UPON **288 JOHN R**
AT OR NEAR **PLANET FITNESS**
WITHIN CITY VILLAGE TOWNSHIP OF **TROY**
COUNTY OF **OAKLAND** DID THE FOLLOWING

Type	MCL Cit./PACC Code/Ordinance	Description (include any bond amount collected on each charge)	No.
<input type="checkbox"/> CI <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend. <input checked="" type="checkbox"/> Med <input type="checkbox"/> Fug Ord: 257.2251-A <input type="checkbox"/> Fel <input type="checkbox"/> Waiv 1025000		OPER WHILE INTOXICATED (ALCOHOL/DRUGS)	1
<input type="checkbox"/> CI <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend. <input type="checkbox"/> Med <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv			2
<input type="checkbox"/> CI <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend. <input type="checkbox"/> Med <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv			3

TO THE COURT: Do not arraign on a felony charge until an authorized complaint is filed.

Offense Code(s)
1 106.5.15(1) 2 3

Key for Type: CI = Civil Infraction Med = Misdemeanor Fel = Felony Warn = Warning Fug = Fugitive
Waiv = Violation for Which Fines/Costs May be Waived Authorization pend. = Authorization pending

Remarks:

CHECK IF APPROPRIATE Damage to Property Local Court Bond \$ _____
 Vehicle Impounded Injury License Forfeited in Lieu of Bond
 Traffic Crash Death Appearance Certificate

Person in Active Military Service Yes No None

SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS
Appearance Date on or before **12-19-12 @ 0630**

Hearing Date (if applicable) on _____ Contact Court
 Juvenile Traffic Med. (Court will Notify) Formal Hearing Required. (Court will Notify)

In the **52ND DISTRICT COURT** Court of **TROY**
Court Address & Phone Number **52ND DISTRICT COURT, 4TH DIVISION
520 WEST BIG BEAVER ROAD
TROY, MI 48084
(248) 528-0400**

I served a copy of the civil infraction complaint upon the defendant (or own clerk/agent by posting if applicable).
I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.

Complainant's Signature and receipt if applicable
D.DREWEK Month **12** Day **12** Year **12**

Officer's Name (printed) **D.DREWEK** Officer's ID No. **49**

Agency ORI **MI-6378400** Agency Name **TROY PD**

UC-01a Online payment Web site: <https://courts.ostgov.com/OakEfile/index.aspx>
(rev. 6/05)

Ticket
12TR12972
Name
SALEEM, SARMAD
Case No.

STATE OF MICHIGAN
52-4 JUDICIAL DISTRICT
JUDICIAL CIRCUIT

JUDGMENT OF SENTENCE
 COMMITMENT TO JAIL

CASE NO.

12-005382 OD
X-REF: 12TR12972

ORI
MI-630165J

Court Address 520 W BIG BEAVER ROAD
TROY, MI 48084

Court Telephone no.
(248) 528-0400

Police Report No. 12-40832

THE PEOPLE OF

CITY OF TROY

V

Defendant's name, address, and telephone no.
(313) 790-1196
SALEEM/SARMAD/KHAIRI
33110 KARIN DR APT 104
STERLING HTS, MI 48310

CTN/TCN	SID	DOB
C912347005L	4567178H	10/10/1989

THE COURT FINDS:

1. Defendant was found guilty on FEB. 14, 2013 of the crime(s) as stated below:
Date

Count	CONVICTED BY Plea* Court Jury	DISMISSED BY*	CRIME	CHARGE CODE(S) MCL citation/PACC code
1	G		OPER W/IMPAIRED BY LIQUOR	257.6253-A

*For plea: insert "G" for guilty plea, "NC" for nolo contendere, or "MI" for guilty but mentally ill. For dismissal: insert "D" for dismissed by court or "NP" for dismissed by prosecutor/plaintiff.

2. Defendant represented by an attorney: THOMAS R. WALCOTT P-28659
 advised of right to counsel and appointed counsel and knowingly, intelligently and voluntarily waived that right.

3. Conviction reportable to Secretary of State. Defendant's driver's license number is MI S450758468780.

IT IS ORDERED:

8. Deferred status is revoked. HYTA status is revoked.

9. Defendant is sentenced to jail as follows: Report at _____ m.

Count	Date Sentence Begins	Sentenced		Credited		To Be Served		Release Authorized for the Following Purpose	Release Period	
		Mos.	Days	Mos.	Days	Mos.	Days		From	To
1								<input type="checkbox"/> Upon payment of fine/costs <input type="checkbox"/> To work or seek work..... <input type="checkbox"/> For attendance at school.. <input type="checkbox"/> For medical treatment.... <input type="checkbox"/> Other _____		

10. Defendant shall pay:

COUNT	STATE MIN	CRIM VICT	RESTITUTION	CRT COSTS AND FINE	ATTY FEES	OTHER	TOTAL
1	50.00	75.00	250.00	975.00		710.00	2,050.00

Balance Due: \$2,060.00

The due date for payment is 4/15/13. Fine, costs, and fees not paid within 56 days of the due date are subject to a 20% late penalty on the amount owed. Only the fine and some costs may be satisfied by serving time in jail. Defendant shall serve _____ days in jail beginning _____ for failure to pay on time.

11. Defendant shall be placed on probation for 12 months and abide by the terms of probation (See separate order.)

15. Other: 12 MTHS PROBATION, \$50 POE, REPORT, PAYMENT PLAN, NO ALCOHOL, CONTROLLED SUBSTANCES OR MOOD ALT DRUGS-NO CONSUMPTION OF LIQUIDS PRIOR TO TESTING, DRUG SCREENS IF PO ORDERS, ETG'S 3X MONTH, THERAPY TO BE COMPLETED AT ARAB AMERICAN CHALDEAN COUNCIL SUBSTANCE ABUSE, CITY OF TROY \$275, ESL CLASSES REG W/IN 14 DAYS, FOLLOW RULES OF PROBATION AS DIRECTED

** SEW **

Attachment "A"



MARCH 14, 2013
Date

Judge/XXXXXXXXX KIRSTEN NIELSEN HARRIE

P-45155
Bar no.

State of Michigan Uniform Law Citation		Ticket No. 12TR13015		<input type="checkbox"/> Victim Involved
US DOT #		Incident No. 12-040832		Dept. No. 6378400
The People of: <input type="checkbox"/> the State of Michigan <input type="checkbox"/> Township <input checked="" type="checkbox"/> City <input type="checkbox"/> Village <input type="checkbox"/> County		Local Use/Arrest No.		Detection Device
OF: TROY		BAC		1 of 1
THE UNDERSIGNED SAYS THAT ON:		Month 12	Day 12	Year 12
At approximately <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M.		Date 05:30		Month 12 Day 12 Year 12
State MI	<input checked="" type="checkbox"/> Oper./Chauf. <input type="checkbox"/> CDL	Driver License Number		SSN (last 4 digits)
Race W	Sex M	Height 6' 02"	Weight 350	Hair BRO Eyes BRO Occupation/Employer
Name (First, Middle, Last) BILL THOMAS				
Street				
City				
Vehicle Plate No. TEMP TAG	Year 2012	State MI	Vehicle Description (Year, Make, Color) 2008 RANGE ROVER HSE WHITE	Veh. Type P / A
THE PERSON NAMED ABOVE, in violation of <input checked="" type="checkbox"/> Local Ordinance <input type="checkbox"/> State Law <input type="checkbox"/> Administrative Rule				
UPON 336 JOHN R				
AT OR NEAR PALMS RESTAURANT				
WITHIN <input checked="" type="checkbox"/> CITY <input type="checkbox"/> VILLAGE <input type="checkbox"/> TOWNSHIP OF TROY				
COUNTY OF OAKLAND DID THE FOLLOWING				
MGL Cite/PAGC Code				
Type	Ordinance	Description (include any bond amount collected on each charge)		No.
<input type="checkbox"/> CI <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.	<input type="checkbox"/> 1340000	ALLOW PERSON TO OPERATE WHILE INTOXICATED (ALCOHOL / DRUGS)		1
<input checked="" type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Warn				2
<input type="checkbox"/> Fel <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.				3
<input type="checkbox"/> CI <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.				
<input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Warn				
<input type="checkbox"/> Fel <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.				
TO THE COURT: Do not arraign on a felony charge until an authorized complaint is filed.				
Offense Code(s) 1 106.5.15(2) 2 3				
Key for Type: CI = Civil Infraction; Misd = Misdemeanor; Fel = Felony; Warn = Warning; Fug = Fugitive; Wblu = Violation for Which Fines/Costs May be Waived; Authorization pend. = Authorization pending				
Remarks:				
CHARGE IF APPROPRIATE <input type="checkbox"/> Damage to Property <input type="checkbox"/> Local Court Bond \$ <input type="checkbox"/> <input type="checkbox"/> Vehicle Impounded <input type="checkbox"/> Injury <input type="checkbox"/> License Posted in Lieu of Bond <input type="checkbox"/> <input type="checkbox"/> Traffic Crash <input type="checkbox"/> Death <input type="checkbox"/> Appearance Certificate <input type="checkbox"/> Person in Active Military Service <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> None				
SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS Appearance Date on or before 12-26-12 @ 0830				
Hearing Date (if applicable) on <input type="checkbox"/> Contact Court <input type="checkbox"/> <input type="checkbox"/> Juvenile Traffic Misd. (Court will Notify) <input type="checkbox"/> Formal Hearing Required. (Court will Notify)				
In the 52ND DISTRICT COURT Court of TROY				
Court Address & Phone Number 52ND DISTRICT COURT, 4TH DIVISION 520 WEST BIG BEAVER ROAD (248) 526-0400 TROY, MI 48084				
<input checked="" type="checkbox"/> I served a copy of the civil infraction complaint upon the defendant (or owner/occupant by posting if applicable). I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.				
Complainant's Signature and receipt if applicable		Month 12	Day 12	Year 12
D.DREWEK				
Officer's Name (printed)		Officer's ID No.		
D.DREWEK		49		
Agency ORI MI- 6378400		Agency Name TROY PD		
UC-816 Online payment Web site: https://courts.oa.gov.com/OakEfile/index.aspx (rev. 6/05)				

Ticket
12TR13015
 Name
THOMAS, BILL
 Case No.

LCC Liquor Licensee History

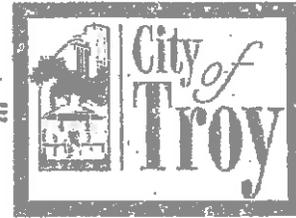
Business name: **Simbad, Inc.**
 Address: 336 John R
 Licensee:
 License type: Class C SDM
 Permits: Dance, Entertainment
 Comments: Rep:

Date	Troy Incident #	Type	Disposition	Date
02/01/10		Council grants approval		
/ /		Temp C of O granted by Bldg Dept		
/ /		Business Opens		
09/29/10	10-29856	Liquor Inspection (Road Patrol-Owczarzak)	NO VIOLATIONS	
10/19/10	10-32017	Liquor Inspection (Road Patrol-Owczarzak)	NO VIOLATIONS	
10/27/10	10-32852	Compliance Test	PASSED	
11/16/10	MLCC	NSF Check to MLCC	Fined \$50	1/19/11
12/15/10	10-38344	Compliance Test	PASSED	
01/31/11	11-3080	Liquor Inspection (Road Patrol-Owczarzak)	NO VIOLATIONS	
05/05/11	11-12906	Compliance Test	PASSED	
07/25/11	11-21764	Liquor Inspection (Road Patrol-Whiteside)	NO VIOLATIONS	
09/12/11	11-27174	Liquor Inspection (Road Patrol-Whiteside)	NO VIOLATIONS	
11/27/11	11-35560	Liquor Inspection (Road Patrol-Kramer)	NO VIOLATIONS	
12/08/11	11-36714	Compliance Test	PASSED	
01/22/12	12-2409	Liquor Inspection (Road Patrol-Kramer)	NO VIOLATIONS	
03/26/12	12-9517	Liquor Inspection (Road Patrol-Kramer)	NO VIOLATIONS	
05/09/12	12-14673	Compliance Test	PASSED	
05/20/12	12-16108	Liquor Inspection (Road Patrol-Weingart)	NO VIOLATIONS	
07/22/12	12-24439	Liquor Inspection (Road Patrol-Weingart)	NO VIOLATIONS	

09/06/12	12-30065	Liquor Inspection (Road Patrol-Weingart)	NO VIOLATIONS
11/08/12	12-37126	Liquor Inspection (Road Patrol-Weingart)	NO VIOLATIONS
11/12/12	12-37557	Compliance Test	PASSED
12/12/12	12-40832	Allowed Intoxicated Person to Operate Vehicle, Allowed Consumption After Hours, Improper Display of License	VIOLATION
12/16/12		License SUSPENDED and PLACED IN ESCROW by MLCC for failure to provide proof of insurance	
01/11/13	13-1160	Liquor Inspection (Road Patrol-Weingart)	NO VIOLATIONS
01/29/13		License RELEASED FROM ESCROW by the MLCC	
02/24/13	13-5949	Allowed After Hours Sales / Consumption	VIOLATION
02/27/13	13-6262	Allowed After Hours Sales / Consumption and Alcohol Served To Minors	VIOLATION
03/14/13	13-8005	Liquor Inspection (Road Patrol-Weingart)	NO VIOLATIONS

500 W. Big Beaver
Troy, MI 48084
(248) 524-3300

The City of Tomorrow...



...Today

February 8, 2013

Sabah Ganno
Simbad, Inc.
dba: Palm's / Simbad
336 John R Rd.
Troy, MI 48083

Re: NOTICE OF PUBLIC HEARING - Liquor License Violation

To whom it may concern:

A Public Hearing will be held by and before the Council of the City of Troy at City Hall, 500 W Big Beaver, Troy, Michigan at 7:30 PM, or as soon thereafter as the agenda will permit on the date as indicated below to determine whether the City Council should recommend to the Michigan Liquor Control Commission, the renewal or non-renewal of licenses allowed for the sale and/or consumption of alcoholic beverage, for the following reasons:

Public Hearing: February 20, 2013
License Type: SDM (190650-2012) Class C (190651-2012)
ALLOWED INTOX. PERSON TO OPERATE VEHICLE &
CONSUMPTION AFTER HOURS; IMPROPER DISPLAY OF
Violation: LICENSE on December 12, 2012

You will be given an opportunity to be heard and present evidence at the public hearing and legal counsel may represent you. Please inform your attorney, if you have one, of this notice. If you have questions regarding the procedure or the facts and circumstances surrounding your violation(s), you may contact the City Attorney's office at 248-524-3320.

Sincerely,

M. Aileen Bittner, CMC
City Clerk

c: Joseph Shallal
255 South Old Woodward, Suite 310
Birmingham, 48009



CITY COUNCIL AGENDA ITEM

Date: March 21, 2013

To: Brian Kischnick, City Manager

From: Gary G. Mayer, Chief of Police *ggm*
 Keith A. Frye, Police Captain- Investigative/ Administrative Services Division *KAF #607*

Subject: Proposal to Amend Chapter 69- Precious Metal, Gems and Items

History

Under State law (MCL 445.481 eq. seq.) and City Ordinance (Chapter 69), dealers in precious metal and gems are required to register with their local community, and are also required to submit records of each transaction to local law enforcement. Currently, these records are provided in hard copy, and manually input into a data base that can be used for law enforcement purposes. One way to increase efficiency and provide immediate access to these transactions is to allow for electronic filing. The proposed ordinance amendment accomplishes this, and also includes a few minor revisions that have been made to the State law provisions. The electronic filing will be available through the Oakland County Courts and Law Enforcement System (CLEMIS), under a contract with software provider Leads Online.

Purchasing

Leads Online is an internet based application that consolidates Pawn Shop and Scrap Metal information for investigative use. Payment for this access is through CLEMIS operational funds.

Financial

There are no additional financial obligations associated with the adoption of this amendment.

Recommendation

This proposed ordinance amendment was provided to you as an informational item for the March 4, 2013 Regular Meeting, and is now proposed for action at the March 18, 2013 Regular Meeting.

City Attorney's Review as to Form and Legality

L. Grigg Bluhm
 Lori Grigg Bluhm, City Attorney

3-14-2013
 Date

KAF/kaf\Agenda Items\03.04.13 - Chapter 69 Amendment

CITY OF TROY
AN ORDINANCE TO AMEND
CHAPTER 69 OF THE CODE
OF THE CITY OF TROY

THE CITY OF TROY ORDAINS:

Section 1. Short Title: That Chapter 69 – Miscellaneous Licensed Businesses of the City of Troy Code of Ordinances is hereby amended to clarify provisions for the registration of precious metal, gems and items dealers, agents and employees; to provide for electronic record submission for transactions; to specify prohibited conduct and to provide a penalty for a violation of the Ordinance.

Section 2. Amendment.

Chapter 69 of the Troy Code of Ordinances is hereby amended to read as follows:

Chapter 69 – Miscellaneous Licensed Businesses

1. Registration of Dealers in Precious Metal and Gem Dealers and Items.
 - a. Registration. A dealer in precious metal, gems and items must be registered by the City prior to conducting business in the City of Troy. All employees and/or agents of the dealer must also be registered with the City prior to conducting business. Any new employees and agents must be registered within 24 hours of the time of hire.
 - b. All applications for a certificate of registration shall be reviewed by the City of Troy to determine compliance with Public Act 95 of 1981, MCLA 445.481, et. seq., as amended, and the Troy Code of Ordinances.
 - c. This section does not require registration for an internet drop-off store that is in compliance with Ordinance and State law provisions governing internet drop-off stores.
 - d. This section does not require registration for a person that is engaged in the sale, purchase, consignment, or trade of precious items for himself or herself.
- 1.1 Definitions as used in this section:
 - (a) "Agent or employee" means a person who, for compensation or valuable consideration is employed either directly or indirectly by a dealer.
 - (b) "Dealer" means any person, corporation, partnership, or association, which, in whole or in part, engages in the ordinary course of repeated and recurrent transactions of buying or receiving precious items from the public within this state.
 - (c) "Gold" means elemental gold having an atomic weight of 196.967 and

the chemical element symbol of Au, whether found by itself or in combination with its alloys or any other metal.

- (d) "Internet drop-off store" means a person, corporation, or firm that contracts with other persons, corporations, or firms to offer its precious items for sale, purchase, consignment, or trade through means of an internet website and meets the conditions described in section 1.6.
- (e) "Jewelry" means an ornamental item made of a material that includes a precious gem.
- (f) "Local governmental unit" means the City of Troy.
- (g) "Local police agency" means the police agency of the City of Troy.
- (h) "Platinum" means elemental platinum having an atomic weight of 195.09 and the chemical element symbol of Pt, whether found by itself or in combination with its alloys or any other metal.
- (i) "Precious gem" means a diamond, alexandrite, ruby, sapphire, opal, amethyst, emerald, aquamarine, morganite, garnet, jadeite, topaz, tourmaline, turquoise, or pearl.
- (j) "Precious item" means jewelry, a precious gem, or an item containing gold, silver, or platinum. Precious item does not include the following:
 - (i) Coins, commemorative medals, and tokens struck by, or in behalf of, a government or private mint.
 - (ii) Bullion bars and discs of the type traded by banks and commodity exchanges.
 - (iii) Items at the time they are purchased directly from a dealer registered under this act, a manufacturer, or a wholesaler who purchased them directly from a manufacturer.
 - (iv) Industrial machinery or equipment.
 - (v) An item being returned to or exchanged at the dealer where the item was purchased and which is accompanied by a valid sales receipt.
 - (vi) An item which is received for alteration, redesign, or repair in a manner that does not substantially change its use and returned directly to the customer.
 - (vii) An item which does not have a jeweler's identifying mark or a serial mark and which the dealer purchases for less than \$5.00.
 - (viii) Scrap metal which contains incidental traces of gold, silver, or platinum which are recoverable as a by-product.
 - (ix) Jewelry which a customer trades for other jewelry having a greater value, and which difference in value is paid by the customer.
- (k) "Silver" means elemental silver having an atomic weight of 107.869 and the chemical element symbol of Ag, whether found by itself or in combination with its alloys or any other metal.

1.2 Administration of Ordinance.

The Chief of Police for the City of Troy or his or her designee shall be responsible for reviewing all applications for a certificate of registration.

1.3 Application by a Dealer

- (a) A dealer who applies for a certificate of registration from the City of Troy shall submit the following information on the form provided:
- (i) His or her name, home address, phone number, driver's license number or other valid state identification number, date of birth, and right thumb print (print to be affixed to the application by the police department). Applications for more than one establishment shall be made on separate application forms.
 - (ii) The name, address, telephone number, and hours of the dealer's business. If the dealer's business is a corporation, an updated copy of the Articles of Incorporation or a valid certified copy of the assumed name certificate from the Clerk of Oakland County must be provided.
 - (iii) The name, address, date of birth and right thumb print of each employee or agent of the dealer.
- (b) The dealer shall also submit a signed statement indicating that he or she has read and understands the provisions of Public Act No. 95 of ~~the Public Acts~~ 1981, MCLA 445.481, et. seq., as amended, and this Ordinance and further that said dealer has informed his or her agents or employees, and will immediately inform all new agents or employees, as to the provisions of Public Act No. 95 of ~~Public Acts~~ 1981, MCLA 445.481, et. seq., as amended, and this Ordinance.
- (c) The dealer shall submit a signed statement that neither he or she, nor any of his or her agents or employees has been convicted of a felony under Public Act No. 95 of ~~Public Acts~~ 1981, MCLA 445.481, et. seq. as amended, or under Section 535 of Public Act No. 328 of ~~the Public Acts~~ 1931, MCLA 750.535, as amended, within the five year period preceding the date of the application, or convicted of a misdemeanor under said laws within a one year period preceding the date of this application.
- (d) The dealer shall submit proof of proper zoning or other special exception permits as required by the Zoning Board of Appeals and Planning Commission of the City of Troy.
- (e) The dealer shall pay a fee for each licensed registered establishment in the City of Troy. License Registration fees shall be in accordance with Chapter 60, Fees and Bonds of the City of Troy Code of Ordinances.

- (f) If dealer has satisfied the criteria as set forth in this Ordinance and State Law, then a certificate of registration shall be issued.
- (g) The dealer shall post the certificate of registration in a conspicuous place in the dealer's place of business.
- (h) Within ten days of any name or address change, dealer shall notify the Troy Police Department of the change.

1.4. Records of Transactions.

- (a) A dealer shall maintain a record of each transaction on record forms, with the information as set forth in subsection (h). Each record shall be legibly written in ink in the English language. Each record shall be filled out in quadruplicate by the dealer or agent or employee of the dealer. One copy of the record shall be given to the customer; one copy shall be retained by the dealer pursuant to subsection (g); and one copy shall be provided to the Troy police department. Additionally, dealer shall provide an electronic record to the City of Troy Police Department, as set out in subsection (e).
- (b) At the time the dealer receives or purchases a precious item, the dealer or the agent or employee of the dealer shall insure that the following information is recorded accurately on a record of transaction form:
 - (i) The dealer certificate of registration number.
 - (ii) A general description of the precious item or precious items received or purchased, including the type of metal or precious gem. In the case of watches, the description shall contain the name of the maker and the number of both the works and the case. In the case of jewelry, all letters and marks inscribed on the jewelry shall be included in the description.
 - (iii) The name, date of birth, driver's license number or State of Michigan personal identification card number, and street and house number of the customer, together with a legible imprint of the right thumb of the customer, or if that is not possible, of the left thumb or a finger of the customer. However, the thumbprint or fingerprint shall only be required on the record of transaction form retained by the dealer. The thumbprint or fingerprint shall be made available to the Troy Police Department employees and agents and any sheriff's department or any other police agency if there is a police investigation involving a precious item or items that are described on the record of transaction. After a period of one (1) year from the date of the transaction, if a police investigation concerning a precious item or items described on the record of transaction has not occurred, the dealer, the Troy Police Department and any other police agencies with a copy of a record of transaction shall destroy and not keep a permanent record of the transaction. A dealer who goes out of business or changes his or her business address to another jurisdiction either within or out of the State of Michigan shall transmit

- the records of all transactions made by the dealer within one (1) year before his or her closing or moving to the Troy Police Department.
- (iv) The price to be paid by the dealer for the precious item or precious items.
 - (v) The form of payment made to the customer; check, money order, bank draft, direct deposit or cash. If the payment is by check, money order, bank draft or direct deposit, the dealer shall indicate the number of the check, money order, bank draft or direct deposit.
 - (vi) The customer's signature.
- (b) The record of each transaction shall be numbered consecutively, commencing with the number 1 and the calendar year.
- (c) Within 48 hours after receiving or purchasing a precious item, the dealer shall submit an electronic record of the transaction to the Troy Police Department, as set forth in subsection (d) below. If the customer resides outside of Troy, as stated in the record of transaction form, dealer shall send a copy of the record of transaction form to the police agency of the city, village or township in which the customer resides, or if that city, village or township does not have a police agency, to the sheriff's department of the county in which the customer resides. The record of transaction forms received by the Troy Police Department or any other agency under this subsection shall not be open to inspection by the general public. The Troy Police Department shall be responsible for insuring the confidentiality of the records of transaction forms which it holds and insure that the record of transaction forms are used only for the purpose for which they were received.
- (d) The dealer must also transmit an electronic record of each transaction on an electronic fill in type form that will be provided to each dealer. This record must include all information that is required on the paper record of transaction form set forth in sub-paragraph (g). This electronic transmission shall be submitted to the Troy Police Department or its designee within 48 hours after dealer receives or purchases a precious item. This transmission shall be made by means of a modem or similar device, and received in a format that allows the data to be entered into the Troy Police Department computerized system or another law enforcement records system, such as CLEMIS. All dealers shall have the equipment, programs and/or capacity for the required electronic transmissions installed and approved by Troy, and this shall happen as soon as possible, so that electronic transmissions will be received for all transactions occurring on or before May 1, 2013. The City of Troy will not accept any hard copy paper forms for transactions occurring on or after May 1, 2013 unless the Troy Police Chief or his designee requires a paper submittal, and such directive will be made in writing.
- (e) The dealer's record of transaction forms and each precious item received by the dealer shall be available for inspection by the Oakland County Prosecuting Attorney, the Troy City Attorney, the Troy Police Department, the Oakland County Sheriff's Department and any other sheriff's

department or police agency of the local governmental unit in which the customer resides, and the Michigan State Police. This accessibility shall be at all times during the ordinary business hours of the dealer. As a condition of doing business, a dealer is considered to have given consent to the inspection prescribed by this subsection.

- (f) A paper copy of each record of transaction form shall be retained by the dealer for not less than one (1) year after the transaction to which the record pertains.
- (g) The form of the paper record of transaction shall have an 8- ½ by 11 inch size and shall be as follows:

"Record of Transaction"

Dealer Certification # _____ # _____
(Printed on form) (Transaction # printed on form)

(1) Description of Property: _____

(2) _____, 20____ (Date)
(3) _____ (Name of Dealer/Employee/Agent)
(4) _____ (Name of Customer)
(Date of Birth-Customer)

(Customer's Driver's License or Michigan Personal ID Number) (Customer's Street Address)

(City, State and Zip Code)

(County of Residency)

(5) _____ (Price Paid)
(Name of police Agency of City, Village, or Township where Customer Resides)

(6) _____
(Number of Check, Bank Draft Money Order or Direct Deposit)

Thumbprint or Fingerprint

(Signature of Customer)

- (h) As used in this section, "customer" means the person from whom the dealer, or agent or employee of the dealer receives or purchases a precious item.

1.5 Retention Period of Precious Items.

A precious item received by a dealer shall be retained by the dealer for nine (9) calendar days after it was received, without any form of alteration other than that required to make an accurate appraisal of its value.

1.6. Internet Drop Off Store Regulations.

In order to be exempt from obtaining a certificate of registration from the City of Troy, an Internet Drop-Off Store doing business in the City must comply with the following provisions:

(a) Has a fixed place of business within this state except that he or she exclusively transacts all purchases or sales by means of the internet and the purchases and sales are not physically transacted on the premises of that fixed place of business.

(b) Has the personal property or other valuable thing available on a website for viewing by photograph, if available, by the general public at no charge, which website shall be searchable by zip code or state, or both. The website viewing shall include, as applicable, serial number, make, model, and other unique identifying marks, numbers, names, or letters appearing on the personal property or other valuable thing.

(c) Maintains records of the sale, purchase, consignment, or trade of the personal property or other valuable thing for at least 2 years, which records shall contain a description, including a photograph, if available, and, if applicable, serial number, make, model, and other unique identifying marks, numbers, names, or letters appearing on the personal property or other valuable thing.

(d) Provide the Troy Police Department with any name under which it conducts business on the website and provide the Troy Police Department access to the business premises at any time during normal business hours for purposes of inspection.

(e) Within 24 hours after a request from the Troy Police Department or any other police agency with an electronic copy of the seller's or consignor's name, address, telephone number, driver license number and issuing state, the buyer's name and address if applicable, and a description of the personal property or other valuable thing as described in subdivision (c). The information shall be provided in a format acceptable to the local police agency but shall at least be in a legible format and in the English language.

(f) Provide that payment for the personal property or other valuable thing is executed by means of check or other electronic payment system, so long as the payment is not made in cash. No payment shall be provided to the seller until the item is sold.

(g) Immediately remove the personal property or other valuable thing from the website if the local police agency determines that the personal property or other valuable thing is stolen.

1.7 Prohibited Conduct.

A dealer or an agent or employee of a dealer shall not:

(a) Knowingly receive or purchase a precious item from any person who is less than 18 years of age or any person known by the dealer or agent or employee of the dealer to have been convicted of theft or receipt of stolen property within the preceding 5 years, whether that person is acting in his or her own behalf or as the agent of another.

(b) Knowingly receive or purchase a precious item from a person unless that person presents a valid driver's license or a valid State of Michigan personal identification card.

1.8. Registration Revocation.

Any dealer, or agent or employee of a dealer who is convicted of any misdemeanor pursuant to this Chapter or a similar ordinance in another local unit of government or of a misdemeanor or felony under Public Act No. 95 of 181, MCLA 445.481, et. seq., as amended ("Precious Metal and Gem Dealer Act") or Section 535 of Public Act No. 328 of 1931, MCLA 750.535, as amended of the Michigan Penal Code or of a similar statute or ordinance of the State of Michigan or any other State statute or local ordinance, shall not be permitted to operate as a dealer within the City of Troy for a period of five (5) years and his or her registration shall be immediately revoked.

1.9 Penalty

A dealer or an agent or employee of a dealer who knowingly fails to make entry of any material matter in his or her record as required by this Ordinance or State law is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or a fine of \$500, or both.

Section 3. Repeal

All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 4. 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 5. 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 6. 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 Monday, _____, 2013.

Dane Slater, Mayor

Aileen Bittner, City Clerk



CITY COUNCIL AGENDA ITEM

Date: March 12, 2013

To: Brian Kischnick, City Manager

From: Thomas Darling, Director of Financial Services

Subject: Budget Amendment #2 - (Introduced by: Thomas Darling)

History

We review all ongoing capital projects and outstanding purchase orders, to determine if a budget amendment is necessary. Capital projects are individually reviewed and compared to the projected completed status contained in the 2012-13 Budget. Amendments are then made to reconcile any differences.

The budget amendments will keep us in compliance with P.A. 621 of 1978 Uniform Budgeting Act, which calls for budgets to be amended when necessary.

Financial

The amendments will provide the necessary funding in the 2012-13 Budget to complete various capital projects and open purchase orders.

Recommendation

It is requested that City Council approve Budget Amendment No. 2 as recommended by City Management.

Budget Amendment #2

Capital Projects Fund

- Increase expenditure budget \$238,006 for principal and interest payment due 5/1/2013 on Series 2000 MTF bond debt.
- Increase expenditure budget \$348,236 for Transit Center Crash Wall contract amendment approved as item I-08 at the March 4, 2013 regular Council Meeting.
- Increase revenue budget \$348,236 for Transit Center Crash Wall contract amendment funded by the Federal Rail Administration (FRA) via the Michigan Department of Transportation (MDOT).

A Special Study Session of the Troy City Council was held on Monday, March 4, 2013, at City Hall, 500 W. Big Beaver Rd. Mayor Slater called the meeting to order at 6:00 PM.

A. ROLL CALL:

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

B. DISCUSSION ITEM:

-
- C-1 Administration (City Manager, Finance, Treasury, Assessing, Purchasing, City Clerk, City Attorney, Human Resources, Information Technology) – Troy Working Together - “What Kind of City Do We Want to Be?”**

C. PUBLIC COMMENT:

Reinhardt, Marvin	Spoke about traffic around schools, and other various topics.
Bloomingtondale, Bruce	Spoke about “What Kind of City Do We Want to Be?”

D. ADJOURNMENT:

The Meeting **ADJOURNED** at 7:09 PM.

Mayor Dane Slater

M. Aileen Bittner, CMC
 City Clerk

Pastor John Frankenstein from Zion Christian 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, March 4, 2013, at City Hall, 500 W. Big Beaver Rd. Mayor Slater called the meeting to order at 7:30 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 Troy Youth Assistance Presentation (*Presented by: Cindy Stewart, Community Affairs Director*)

C-2 Troy Historic Village – A City of Troy – Troy Historical Society Partnership (*Presented by: Loraine Campbell, Museum Director*)

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 No Public Hearings

F. PUBLIC COMMENT FOR ITEMS ON THE AGENDA:

Savage, James	Spoke about the transit center
Dylewski, Aaron	Spoke about the transit center.

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

H. POSTPONED ITEMS:

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

The Mayor **OPENED** the Public Hearing. The Mayor **CLOSED** the Public Hearing after receiving no public comment.

Resolution #2013-03-048
Moved by McGinnis
Seconded by Henderson

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: All-7
No: None

MOTION CARRIED

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

Resolution #2013-03-049
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:

Historic District Commission

Appointed by Council
7 Regular Members
3 Year Term

Nominations to the Historic District Commission:

Term Expires: 3/1/2014

Ann Partlan

Term currently held by: Ann Partlan

Yes: All-7
No: None

MOTION CARRIED

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

a) Mayoral Nominations

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

b) City Council Nominations:

Resolution #2013-03-050
Moved by Fleming
Seconded by Henderson

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

Nominations to the Zoning Board of Appeals:

Term Expires: 1/31/2015

David Eisenbacher

(Alternate)

Term currently held by: Bruce Bloomingdale (Resigned)

Term Expires: 4/30/2015

Bruce Bloomingdale

Term currently held by: Michael Bartnik (Resigned)

Yes: All-7
No: None

MOTION CARRIED

I-3 Closed Session

Resolution #2013-03-051
Moved by Fleming
Seconded by McGinnis

BE IT RESOLVED, That Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL15.268 (e) Pending Litigation – *Knutson v. City of Troy, et. al.*

Yes: All-7
No: None

MOTION CARRIED

I-4 DTE Energy Solar Currents Proposal (Introduced by: Glenn Lapin, Economic Development Specialist)

Resolution #2013-03-052

Moved by Campbell

Seconded by McGinnis

WHEREAS, The City of Troy was approached by Solar Project Developers, GenPoint Energy and Inovateus, to identify potential sites for inclusion in a response to a Request For Proposal issued by DTE Energy for DTE's Solar Currents program; and

WHEREAS, DTE Energy is seeking to build approximately a 1 Megawatt solar panel system in Troy as a part of its commitment to have at least 10% of its generated power originate from renewable energy sources; and

WHEREAS, DTE Energy has targeted approximately four acres of the City owned future Public Park site adjacent to northbound I-75 (east of I-75) and south of Long Lake Road for this project; and

WHEREAS, A 20-year lease of the site is being proposed by DTE Energy which would generate annual lease payments to the City in an amount to be determined; and

WHEREAS, All project expenses, including maintenance, would be borne by DTE Energy;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **DIRECTS** the City Attorney and City Manager to negotiate a Lease Agreement to present to City Council.

Yes: McGinnis, Pennington, Slater, Campbell, Fleming, Henderson

No: Tietz

MOTION CARRIED

I-5 2013 Tri-Party Program – Concrete Slab Replacements on County Roads (Introduced by: Steve Vandette, City Engineer)

Resolution #2013-03-053

Moved by Fleming

Seconded by McGinnis

RESOLVED, That the Cost Participation Agreement between the City of Troy and the Board of Road Commissioners for Oakland County for the 2013 Tri-Party Program is hereby **APPROVED** at an estimated cost to the City of Troy of \$177,692, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the agreement, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7

No: None

MOTION CARRIED

I-6 Approval of Second Amendment to MDOT Capital Contract for Troy Multi-Modal Transit Facility, MDOT Contract No. 2011-0231/A2 (Introduced by: Steve Vandette, City Engineer)

Resolution #2013-03-054
Moved by McGinnis
Seconded by Campbell

WHEREAS, On September 12, 2011 City Council approved Capital Contract No. 2011-0231 with MDOT (Resolution No. 2011-09-210) for \$8,485,212 in federal funds for the final design and construction of the Troy Multi-Modal Transit Facility; and

WHEREAS, On January 17, 2012, City Council resolved that the total cost of the Troy Multi-Modal Transit Center not exceed \$6,272,500 (Resolution No. 2012-01-008); and

WHEREAS, On November 12, 2012, City Council approved the First Amendment to the MDOT Capital Contract to reduce the grant funding amount from the original \$8,485,212 to \$6,272,500; and

WHEREAS, Canadian National Railroad (CN) has recently imposed a safety requirement that requires the addition of a crash wall for the west elevator/bridge support tower on the Birmingham side at a cost of \$348,236.

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** a Second Amendment to MDOT Capital Contract No. 2011-0231 between the City of Troy and the Michigan Department of Transportation to increase the funding amount from \$6,272,500 to a not to exceed amount of \$6,620,736, and **AUTHORIZES** the Mayor and Clerk to execute the contract amendment documents.

Yes: Slater, Campbell, Fleming, Henderson, McGinnis, Pennington
No: Tietz

MOTION CARRIED

I-7 Approval of Second Amendment to Architectural/Engineering Services Contract for Design of the Safety Crash Wall at the Troy Multi-Modal Transit Facility (Introduced by: Steve Vandette, City Engineer)

Resolution #2013-03-055
Moved by Fleming
Seconded by McGinnis

WHEREAS, On January 17, 2012, City Council approved a contract with Hubbell, Roth and Clark, Inc. (HRC) for Architectural and Engineering Services (A/E) for the Multi-Modal Transit Facility (Resolution No. 2012-01-008); and

WHEREAS, On November 12, 2012 City Council approved Contract Amendment No. 1 in the amount \$64,822.20 for Construction Testing Services in support of the Troy Multi-Modal Transit Facility. The total amount of the contract became \$713,470.96; and

WHEREAS, HRC has submitted a design proposal in the amount of \$60,613 for design, testing and construction staking for the crash wall required by CN along the west elevator/bridge support tower.

THEREFORE BE IT RESOLVED, That Troy City Council hereby **APPROVES** Contract Amendment No. 2 in the amount of \$60,613, as submitted by HRC for design, testing and construction staking for construction of the safety crash wall, for a total contract amount of \$774,083.96 and **AUTHORIZES** the Mayor and Clerk to execute the contract amendment documents.

Yes: Slater, Campbell, Fleming, Henderson, McGinnis, Pennington

No: Tietz

MOTION CARRIED

I-8 Approval of Contract Amendment No. 2 for Construction of the Safety Crash Wall at the Troy Multi-Modal Transit Facility (*Introduced by: Steve Vandette, City Engineer*)

Resolution #2013-03-056

Moved by Campbell

Seconded by McGinnis

WHEREAS, The City of Troy received a federal grant for the construction of the Troy Multi-Modal Transit Facility through the American Recovery and Reinvestment Act (ARRA) High-Speed Intercity Passenger Rail (HSIPR) Program, Federal Rail Administration (FRA), as secured through a TIGER grant; and

WHEREAS, On January 17, 2012 City Council resolved that the total cost of the Troy Multi-Modal Transit Facility shall not exceed \$6,272,500; and

WHEREAS, On October 22, 2012 City Council approved Contract Amendment No. 1 in the amount of \$4,456,141 for construction of the Troy Multi-Modal Transit Facility by Toolles/Clark and the total contract, including the original contract amount for construction management services, became \$5,104,872; and

WHEREAS, Toolles/Clark LLC has submitted a Guaranteed Maximum Price (GMP) proposal of \$287,623 for construction of the crash wall required by CN along the west elevator/bridge support tower.

THEREFORE BE IT RESOLVED, That Troy City Council hereby **APPROVES** Contract Amendment No. 2 in the amount of \$287,623 as submitted by Toolles/Clark for construction of the safety crash wall for a total contract amount with Toolles/Clark of \$5,392,495 and **AUTHORIZES** the Mayor and Clerk to execute the contract amendment documents.

Yes: Campbell, Fleming, Henderson, McGinnis, Pennington, Slater
No: Tietz

MOTION CARRIED

J. CONSENT AGENDA:

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

Resolution #2013-03-057
Moved by McGinnis
Seconded by Fleming

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented with the exception of Item(s) J-07, which **SHALL BE CONSIDERED** after Consent Agenda (J) items, as printed.

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 #2013-03-057-J-2

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

- a) City Council Minutes-Draft – February 18, 2013
- b) City Council Minutes-Draft – February 20, 2013

J-3 No Proposed City of Troy Proclamations:

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 3: Exercise Renewal Option – Mowing and Landscape Services**

Resolution #2013-03-057-J-4a

WHEREAS, On March 15, 2010, Troy City Council awarded a three-year contract to provide mowing and landscape services with an option to renew for two (2) additional years to the low total bidder, Green Meadows Lawnscape of Sterling Heights, MI (Resolution #2010-03-071 Item I-4b); and

WHEREAS, The awarded bidder has agreed to exercise a one-year option to renew plus add additional acreage under the same prices, terms, and conditions as originally bid;

NOW, THEREFORE, BE IT RESOLVED, That the Troy City Council hereby **DEEMS** it to be in the City's best interest to exercise the option to renew the contract with Green Meadows Lawnscape now of Shelby Township, MI, to provide one-year requirements of mowing and landscape services to all municipal property under the same contract prices, terms, and conditions for an estimated total cost of \$410,000 expiring December 31, 2013.

b) Standard Purchasing Resolution 3: Exercise Renewal Option - Hauling and Disposal of Dirt and Debris

Resolution #2013-03-057-J-4b

WHEREAS, On April 2, 2012, Troy City Council awarded a one-year contract to provide Hauling and Disposal of Dirt and Debris with an option to renew for one (1) additional year to the low bidder, Bedrock Express LTD of Ortonville, MI (Resolution #2012-04-070-J-4a); and

WHEREAS, The awarded bidder has agreed to exercise the one-year option to renew under the same prices, terms, and conditions;

NOW, THEREFORE, BE IT RESOLVED, That the Troy City Council hereby **DEEMS** it to be in the City's best interest to exercise the option to renew the contract with Bedrock Express LTD of Ortonville, MI, to provide one-year requirements of Hauling and Disposal of Dirt and Debris under the same contract prices, terms, and conditions expiring April 30, 2014.

c) Standard Purchasing Resolution 4: Cooperative Contracts - Upgrade and Expansion of Exchange Email System

Resolution #2013-03-057J-4c

WHEREAS, The City utilizes Microsoft Exchange as the foundation for its email system; and

WHEREAS, The current version Exchange 2003 will no longer be supported as of April, 2014; the newest versions 2010 and 2013 offer many features which would improve City email services, and there is a need to expand mailbox size;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the purchase of Exchange 2013 and related hardware through the National IPA and REMC cooperative contracts with CDW-G as detailed in Attachment B, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, utilizing approved purchasing procedures for an estimated cost of \$79,355.00, plus an estimated \$2,800.00 for annual recurring maintenance fees.

J-5 Addendum #1 – Charnwood Hills Phase 1 Contract #12-05 Chip Seal Treatment in Charnwood Hills

Resolution #2013-03-057-J-5

RESOLVED, That contract No. 12-05, Charnwood Hills Phase I Chip Seal with Highway Maintenance & Construction Co., P.O. Box 74411, Romulus, MI 48174-04111, be **AMENDED** to include Chip Seal work in Charnwood Hills Phase 2 Sewer Project Area at an estimated cost of \$230,000.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT UPON** submission of proper contract and bid documents, including bonds, insurance certificates and all specified requirements, and if additional work is required such additional work is **AUTHORIZED** in an amount not to exceed 20% of the total project cost.

J-6 Request for Special Budget Study Session Date Change

Resolution #2013-03-057-J-6

BE IT RESOLVED, That the Special Budget Study Meeting scheduled for Monday, April 29th at 7:30pm in the Council Boardroom at 500 W. Big Beaver Road be **RESCHEDULED** for Wednesday, April 24th at 7:30pm in the Council Boardroom at 500 W. Big Beaver Road.

J-8 Paint Creek 3rd Annual Regional Arts & Culture Awards

Resolution #2013-03-057-J-8

RESOLVED, That Troy City Council hereby **NOMINATES** The Belian Art Gallery and Gallery Director Zabel Belian to represent the City of Troy in the Paint Creek Center of the Arts' "2013 Regional Arts Awards" competition.

J-7 Gennari v City of Troy Lawsuit

Resolution #2013-03-058

Moved by Slater

Seconded by Fleming

RESOLVED, That the City Attorney is hereby **AUTHORIZED** and **DIRECTED** to represent the City of Troy in any and all claims and damages in the matter of *Maurice Gennari, Sandra Gennari, and Sandra Gennari Trust, u/a/d April 2008 v. City of Troy, et. al.* (Oakland County Circuit Court Case No. 2013-132103-CH) and to retain any necessary expert witnesses to adequately represent the City.

Yes: All-7

No: None

MOTION CARRIED

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings:

a) March 18, 2013 - Rezoning Application (Z-742) – Proposed 1071 Villa Park

K-2 Memorandums (Items submitted to City Council that may require consideration at some future point in time):

- a) Proposal to Amend Chapter 69 – Precious Metal, Gems and Items

L. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:

Reinhardt, Marvin	Spoke about a walkable city, traffic around schools, and other various topics.
Werpetinski, James	Thanked management for study sessions and encourages support of the Historical Society and Troy Youth Assistance.
Dylewski, Aaron	Spoke about trails and pathways, and green space.

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

- a) Election Commission-Final-September 27, 2012
 b) Parks and Recreation Advisory Board-Final-September 27, 2012
 c) Parks and Recreation Advisory Board-Final-October 25, 2012
 d) Building Code Board of Appeals-Final-January 2, 2013
 e) Planning Commission Special/Study-Draft-January 22, 2013
 f) Planning Commission Special/Study-Final-January 22, 2013
 g) Election Coordinating Committee-Final-January 25, 2013
 h) Building Code Board of Appeals-Draft-February 6, 2013
 i) Election Commission-Draft-February 25, 2013
 Noted and Filed

O-2 Department Reports:

- a) 2012 Towing Contract Report – A & M Towing (*Introduced by: Keith A. Frye, Captain – Investigative/Administrative Services Division*)
 Noted and Filed

O-3 Letters of Appreciation

- a) Letter of Appreciation to Chief Mayer From David McCain, US Dept. of Justice Regarding Officer Assistance at the ATF Comprehensive Violence Reduction Partnership Taskforce
- b) Letter of Appreciation to Chief Mayer From Asteria Diana Regarding Officer Scott Allan and Traffic Emergency Assistance
- c) Letter of Appreciation to Chief Mayer From Stephanie Bergeron, Walsh College Regarding Traffic Flow Assistance for Commencement Ceremonies
- d) Letter of Appreciation to Troy Police Department From Bethany Mosshart Regarding Police Services
- e) Letter of Appreciation to Officer Paul Bednard From Shelley and Henry Rosenfield Regarding Traffic Assistance
- f) Letter of Appreciation to Chief Mayer From Jeffrey Kreibich Regarding Excellence in Police Services Concerning an Armed Robbery Incident
Noted and Filed

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

O-5 Historical Society Annual Report
Noted and Filed

O-6 Department of Licensing and Regulatory Affairs Bureau of Construction Codes Notice of Public Hearing for Michigan Part 7 Plumbing Code Rules and Survey and Remonumentation Rules
Noted and Filed

The Meeting **RECESSED** at 9:28 PM.

The Meeting **RECONVENED** at 9:40 PM.

P. STUDY ITEMS:

P-1 Library – Troy Working Together – “What Kind of City Do We Want to Be?”

The Meeting **RECESSED** at 10:24 PM.

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

Q. CLOSED SESSION:

Q-1 Closed Session

R. ADJOURNMENT:

The Meeting **ADJOURNED** at 10:33 PM.

Mayor Dane Slater

M. Aileen Bittner, CMC
City Clerk

A. CALL TO ORDER:

A Regular Meeting of the Troy City Council was held on Monday, March 11, 2013, at City Hall, 500 W. Big Beaver Rd. Mayor Slater called the meeting to order at 6:03 PM.

B. ROLL CALL:

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

Resolution #2013-03-059

Moved by Slater

Seconded by Fleming

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of Council Member Tietz at the City Council Special Study Meeting of Monday, March 11, 2013.

Yes: Slater, Campbell, Fleming, Henderson, McGinnis, Pennington

No: None

Absent: Tietz

MOTION CARRIED

C. DISCUSSION ITEM:

C-1 Economic & Community Development – Troy Working Together – “What Kind of a City Do We Want to Be?”

C-2 Capital – Project Update

D. PUBLIC COMMENT:

Reinhardt, Marvin	Spoke about utilizing Troy businesses/resources and local road conditions.
Hodorek, Ellen	Thanked management for study sessions and spoke about “What Kind of a City Do We Want to Be?”

E. ADJOURNMENT:

The Meeting **ADJOURNED** at 7:57 PM.

Mayor Dane Slater

M. Aileen Bittner, CMC
City Clerk



CITY COUNCIL AGENDA ITEM

Date: March 12, 2013

To: Brian Kischnick, City Manager

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

Subject: Standard Purchasing Resolution 1: Award To Low Bidder – Double Shredded Hardwood Mulch and Installation

History

The Parks Division is responsible for the maintenance of all municipal property including medians. This maintenance includes the beautification of landscape beds. Historically, the mulch installation for these landscaped beds was included in the upgraded landscape services contract at an estimated cost of \$20,000.00 annually. The City of Troy identified a benefit to contract directly with mulch installation companies and will save an estimated \$4,500.00 annually.

Purchasing

On March 11, 2013, bids were received as required by City Charter and Code for one-year requirements of Double Shredded Hardwood Mulch and Installation with an option to renew for two additional years. 263 vendors were notified of the bid opportunity via the MITN website with seven (7) bid responses received.

After reviewing these proposals, Parks Services of Troy, MI was the lowest responsible bidder and is being recommended for the installation of the double shredded hardwood mulch at unit prices identified in the attached bid tabulation.

Financial

Funds for these materials and installation are available through the Parks Division operating budgets.

Recommendation

City management recommends awarding a one (1) year contract to provide and install Double Shredded Hardwood Mulch; with an option to renew for two (2) additional years to the following lowest responsible bidder: Parks Services of Troy, MI at unit prices as contained in the attached bid tabulation for an estimated total one (1) year cost of \$15,500.00, with the recognition that this estimate may increase but not to exceed budgetary limitations. The award is contingent upon the contractor's submission of properly executed bid documents including insurance certificates and all other specified requirements.

Opening Date -- 3/11/2013
 Date REVIEWED - 3/12/2013

sl

CITY OF TROY
 BID TABULATION
 SERVICES: PROVIDE/INSTALL DOUBLE SHREDDED HARDWOOD MULCH

VENDOR NAME:			Parks Services	Frank's Landscaping & Interlocking Brick Co. Inc.	Green Meadows Landscape, Inc.	WH Canon Inc.	Summer Breeze Lawn Care Inc.
Chk. #			531014081-8	26171	21251622	373528	9068807395
Chk. Amount			\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00
ITEM #	EST QTY	DESCRIPTION	Unit Price	Unit Price	Unit Price	Unit Price	Unit Price
1	450	Big Beaver Median	\$ 31.00	\$ 31.69	\$ 31.95	\$ 37.50	\$ 45.00
2	25	City Hall	\$ 31.00	\$ 31.69	\$ 31.95	\$ 37.50	\$ 48.00
3	25	Troy Community Center	\$ 31.00	\$ 31.69	\$ 31.95	\$ 37.50	\$ 48.00
ESTIMATED ANNUAL TOTAL COST:			\$ 15,500.00	\$ 15,845.00	\$ 15,975.00	\$ 18,750.00	\$ 22,650.00
HRS OF OPERATION:			8:00 am - 5:00 pm	24 hours/day	7:00 am - 6:00 pm	24 hours/day	7:00 am - 7:00 pm
Hrs of Operation			M-F	7 days/week	Blank	7 days/week	M-F
Days of Operation							
24 Hr. Contact Phone No.			(248) 786-9597	(313) 363-3461	(586) 707-1499	(734) 732-1761	(248) 640-1455
SITE INSPECTION:			Yes	Yes	Yes	Yes	No
Y or N							
PESTICIDE APPLICATION LICENSE#			N/A	NDS001616	500185	820099	N/A
PROMIXITY:			Troy, MI	Dearborn Heights, MI	Shelby Township, MI	Romulus, MI	Pontiac, MI
Location							
PAYMENT TERMS:			Net 30 Days	Net 30 Days	Net 30 Days	Net 30 Days	Blank
EXCEPTIONS:			Blank	None	None	None	
INSURANCE:			X	X	X	X	X
Can meet							
Cannot meet							
ALL OR NONE AWARD:			Yes	Yes	Yes	Yes	Yes
Y or N							

PROPOSAL: One-Year Requirements to Provide/Install Double Shredded Hardwood Mulch; with an option to renew for two (2) additional years.

****BOLDFACE TYPE DENOTES LOWEST RESPONSIBLE BIDDER**

ATTEST:
 Kurt Bovensiep
 Susan Riesterer
 Susan Leirstein

MaryBeth Murz
 Purchasing Manager

Opening Date -- 3/11/2013
 Date REVIEWED - 3/12/2013

sl

CITY OF TROY
 BID TABULATION
 SERVICES: PROVIDE/INSTALL DOUBLE SHREDDED HARDWOOD MULCH

VENDOR NAME:			Superior Scape Inc.	Brinkwood Products, Inc.			
Chk. #			1252733445	55338471			
Chk. Amount			\$1,000.00	\$1,000.00			
ITEM #	EST QTY	DESCRIPTION	Unit Price	Unit Price			
1	450	Big Beaver Median	\$ 50.50	\$ 55.00			
2	25	City Hall	\$ 48.50	\$ 55.00			
3	25	Troy Community Center	\$ 48.50	\$ 55.00			
ESTIMATED ANNUAL TOTAL COST:			\$ 25,150.00	\$ 27,500.00	\$ -	\$ -	\$ -
HRS OF OPERATION:			7:00 am - 6:00 pm	8:00 am - 5:00 pm			
Hrs of Operation			M-F	M-F			
Days of Operation							
24 Hr. Contact Phone No.			(313) 580-9296	(616) 293-5157			
SITE INSPECTION:			Y	N			
Y or N							
PESTICIDE APPLICATION LICENSE#			N/A	N/A			
PROMIXITY:			Shelby Township, Mi	Byron Center, MI			
Location							
PAYMENT TERMS:			2 wks. Upon completion	Net 30 Days			
EXCEPTIONS:			N/A	300 Cubic Yd. Minimum			
INSURANCE:			X	X			
Can meet							
Cannot meet							
ALL OR NONE AWARD:			Yes	Yes			
Y or N							

PROPOSAL: One-Year Requirements to Provide/Install Double Shredded Hardwood Mulch; with an option to renew for two (2) additional years.



CITY COUNCIL AGENDA ITEM

Date: March 11, 2013

To: Brian Kischnick, City Manager

From: MaryBeth Murz, Purchasing Manager
 Timothy L. Richnak, Public Works Director
 Samuel P. Lamerato, Superintendent of Fleet Maintenance

Subject: Standard Purchasing Resolution 4: Award – Macomb County Cooperative Purchasing Agreement
 – Fleet Vehicles

History

The five (5) vehicles being purchased are replacement vehicles for the Fire and Police Department. The five (5) obsolete vehicles will be removed from service and sold at auction with estimated proceeds of \$32,000.00. This purchase replaces existing vehicles and does not increase the size of the existing Department of Public Works motor pool fleet.

Purchasing

Signature Ford Lincoln is the low total bidder in the Macomb County Cooperative Bid. The Macomb County Contract ID number is 12-07. The contract pricing is valid thru 2013 model year Ford vehicles.

Financial

Funds are available in the Public Works Fleet Division capital account. The Fleet Division capital account has sufficient funds for the additional \$2,425.00 from other purchases that came in under budget estimates.

<u>Signature Ford Lincoln</u>	<u>Budget</u>	<u>Unit Cost</u>	<u>Estimated Total</u>
(2) Ford Expeditions - Fire	\$56,000.00	\$28,537.50	\$57,075.00
(2) Ford Interceptors - Police Patrol	\$53,000.00	\$26,108.00	\$52,216.00
(1) Ford Interceptor - Police	<u>\$25,000.00</u>	\$27,134.00	<u>\$27,134.00</u>
(5)	\$134,000.00		\$136,425.00

Recommendation

City management requests authorization to purchase two (2) 2013 Ford Expeditions, for the Fire Department and three (3) 2013 Ford Interceptors, for the Police Department from the low total bidder, Signature Ford Lincoln of Owosso, MI, as per the Macomb County Cooperative Bid for an estimated total cost of \$136,425.00.

Reviewed by:

 Susan Leirstein; CPPO, CPPB
 Purchasing Director

 Date

2013 Expedition 4-Door and Expedition EL 4x2 (U1F) (K1F EL) & 4x4 (U1G) (K1G EL) SSV Major Standard Equipment

Dimension Comparison			
SSV Package	Expedition	Expedition EL	Chevrolet Suburban
Overall length	206.5	221.3	222.4
Wheelbase	119.0	131.0	130.0
Rear Overhang	48.2	51.1	52.2

MECHANICAL

- Axle – Non-Limited Slip 3.73
- Brakes – 4-Wheel Disc (ABS)
- Engine – 5.4L, FFV, SOHC, V8
- Steering – Variable Assist Power
- Suspension – Multi-link Independent Rear
- Transmission – 6-Speed Auto

SAFETY/SECURITY

- AdvanceTrac® w/ RSC (Roll Stability Control®)
- Airbags, Safety Canopy™ (Incl. 3rd Row), and Side Impact
- Child Safety Locks – Rear
- Remote Keyless Entry and SecuriCode™ (Keypad)
- LATCH (Lower Anchors & Tethers for Children) system
- Lighting – Illuminated Entry w/ Approach Lamps
- Perimeter Alarm
- Personal Safety System® (seat belt pre-tensioners, load limiting retractors, dual stage front air bags, driver seat position sensing & crash severity sensing)
- SecuriLock® Passive Anti-Theft System (PATS)
- S.O.S. Post Crash Alert System
- Tire Pressure Monitoring System (TPMS)
- Traction Control (Brake Assist & Engine Braking)

EXTERIOR

- Bumper – Body Colored
- Door Handles – Black
- Exhaust – Single
- Glass – Solar Tinted Front/Privacy Tinted Rear
- Grille – Black
- Headlamps – Dual Reflector
- Lighting – Fog Lamps
- Mirrors, Black, Power, Heated w/Puddle Lamps
- Roof Rack – Black Side Rails w/ Black Crossbars
- Skid Plates (Front skid plates on 4x2; front, transfer case & gas tank on 4x4)
- Trim – Mold-in-Color, Black
- 17" Aluminum (P265/70R17) (EL)
- 17" Steel Wheels (P265/70R17) (Non-EL)

INTERIOR/COMFORT

- Climate Control – Manual w/Rear Auxiliary Controls
- Coat Hooks – (2) 2nd Row, (2) 3rd Row
- Cupholders – (2) 1st Row, (3) 3rd Row

- Door Locks – Power w/ AutoLock
- Grab Handles – 1st Row, 2nd row and Liftgate
- Floor covering – Vinyl
- Lighting
 - Delayed Accessory Lighting
 - Dome Lamp – 1st Row and Cargo
 - Illuminated Door Switches
 - Reading Lamps – 1st Row
- Overhead Console w/Sunglass Holder and Conversation Mirror
- Rear View Mirror – Electrochromic
- Seats
 - 1st Row Captain's Chairs
 - Cloth (1st Row) and Vinyl (2nd Row)
 - 1st Row – 6-way Power Driver's Seat with Manual Recline and Manual Lumbar
 - 2nd Row – 40/20/40 (no armrest or cupholder) w/Recline
- Shifter – Column
- Steering Wheel, Leather
- Tilt
- Storage – Glove Box
- Sunvisors w/ Dual Illuminated Mirrors
- Windows – Power – Driver 1 Touch Up/Down

FUNCTIONAL

- AM/FM Stereo/Single CD/MP3 Capable
 - 6 Speakers
 - Speed Sensitive Volume
- Cigar Lighter
- Cruise Control
- Easy Fuel™ (Capless Refueling)
- Headlamps
 - AutoLamp
 - Rain Lamps
- Instrument Cluster(Tachometer, Trip Odometer, and Compass and Outside Temperature Display)
- MyKey™
- Power Point – (1) 1st Row, (1) Cargo
- Tow Hooks – Front (4x4 only)
- Trailer Sway Control
- Trailer Tow – Integrated Class IV w/ 4-pin connector
- Windows – Rear Defroster
- Windshield Wipers – Intermittent Front & Rear

<input type="checkbox"/>	4x2 Expedition Base Price	U1F/102A	\$25,237.00
<input type="checkbox"/>	4x4 Expedition Base Price	U1G/102A	\$27,825.00
<input type="checkbox"/>	4x2 Expedition EL Base Price	K1F/102A	\$28,458.00
<input type="checkbox"/>	4x4 Expedition EL Base Price	K1G/102A	\$31,010.00

Available in:	Interior Gray (FL)
Dark Blue Pearl Metallic	[DX] []
Vermillion Red	[F1] []
Tuxedo Black	[UH] []
Sterling Gray Metallic	[UJ] []
Autumn Red Metallic	[GT] []
Ingot Silver Metallic	[UX] []
Oxford White	[Z1] []

Available Options:

	<u>Option</u>	<u>Price</u>
<input checked="" type="checkbox"/> HEAVY DUTY TRAILER TOW PACKAGE (included in bid)	536	Included
<i>Includes:</i>		
<ul style="list-style-type: none"> • Class IV trailer Hitch receiver • Wiring harness w/4 & 7 pin connector • Heavy duty auxiliary transmission oil cooler • Heavy duty radiator • Electronic braking wiring kit 		
<input type="checkbox"/> FLEET CONVENIENCE PACKAGE	50F	350.00
<i>Includes:</i>		
<ul style="list-style-type: none"> • Power Adjustable Pedals • Reverse Sensing System • Message Center 		
<input type="checkbox"/> Daytime Running Lights	43D	40.00
<input type="checkbox"/> Engine Block Heater	41H	30.00
<input type="checkbox"/> License Plate Bracket	153	N/C
<input type="checkbox"/> Running Boards	186	390.00
<input type="checkbox"/> Seats, 2nd Row 40/20/40 Bench, Cloth	21F	105.00
<input type="checkbox"/> Seats, 2nd Row 3rd/Row Bench Cloth/Req. 875	21F/875	855.00
<input type="checkbox"/> Seats, 3rd Row 60/40 Split Bench Vinyl	875	750.00
<input type="checkbox"/> Rear door handles and locks made inoperative		
Rear Window switches made inoperative	SIG	240.00
<input type="checkbox"/> Courtesy Lamp Made Inoperative	Alt3	110.00
<input type="checkbox"/> Dual Spot Lamps	Alt2	700.00
<input type="checkbox"/> Single Spot Lamp	Alt1	350.00

Total Price \$_____

Macomb County Bid Price (Bid #12-07, MY2013) in the State of Michigan 2013 Sedan Police Interceptor Major Standard Equipment

MECHANICAL

- Alternator – 220-amp
- Auxiliary Transmission Oil Cooler
- Battery – H.D. maintenance-free 78A/750 CCA
- Brakes – 4-Wheel Heavy-Duty Disc w/ H.D. Front and Rear Calipers
- Column Shifter – vinyl molded-black shift knob
- Drive train – All-Wheel-Drive
- Dual Exhaust – Quasi
- Electric Power Assist Steering (EPAS) – Heavy-Duty
- Engine – 3.5L V6 Ti-VCT FFV1 (Note: FFV is not available on the EcoBoost™ engine)
- Engine Hour Meter
- Engine Oil Cooler
- Independent Front Suspension with Front and Rear Stabilizer Bar
- Transmission – 6-Speed Transmission

EXTERIOR

- Decklid – Cylinder Lock
- Door Handles – Painted Black
- Front Door Lock Cylinders (Front Driver/Passenger)
- Glass – Solar-Tinted
- Grille – Black
- Headlights – Projector Halogen
- Mirrors – Black Caps (MIC), Power Electric Remote, Manual Folding with Integrated Blind Spot Mirrors (integrated blind spot mirrors not included when equipped with BLIS®)
- Nameplate Badging – "Police Interceptor" and "Road Leaf" FFV Badging
- Roof Mount Antenna
- Tail Lamps – Halogen with Halogen deck lid Lamps
- Tires
 - P245/55R18 A/S BSW
 - Wheels – 18" x 8" (E-coat with Black Top Coat) Steel with Wheel Hub Cover
 - Full Size Spare Tire P245/55R18 A/S BSW
 - 18" Conventional Steel Spare Wheel
- Underbody Deflector

INTERIOR / COMFORT

- Climate Control – Single Zone Manual
- Console Mounting Plate – Black e-Coat
- Door Locks – Power – Rear Door Handles and Locks Operable
- Floor – Heavy-Duty Thermoplastic Elastomer
- Pedals – Power adjustable
- Power points – 2 located in I/P lower close-out
- Seats

- 1st Row Heavy-Duty Cloth Bucket
- 6-way power driver (man rcln, man lumbar) with 2-way manual passenger (man rcln, no lumbar)
- Built-in steel intrusion plates in both front seatbacks
- 2nd row Vinyl Bench
- 2nd row door-panels – simplified, no pockets or door speakers, easy clean surface
- Scuff Plates – Front & Rear
- Steering wheel – Manual/Tilt, Urethane Wrapped with Speed Controls / Audio Controls
- Storage – Overhead Console with dome/map lights and sunglass holder
- Sun visors – Non-Illuminated Driver/Passenger
- Trunk – Flat Load Floor
- Universal equipment tray atop instrument panel (ideal for radar and other police equipment)
- Windows
 - Power, 1-touch Up/Down Driver-Side
 - Window disable lock, 2nd Row
 - Power Rear Windows Driver Switch Only
- Work task light – 1st row
- 1 FFV in non-Green States

SAFETY & SECURITY

- Accessory Delay
- AdvanceTrac® w/ESC® (Electronic Stability Control™) w/Hydraulic Brake Assist
- Airbags
 - Front Airbags
 - Side-Impact Airbags
 - Safety Canopy® with rollover sensor
- Anti-Lock Brakes (ABS) with Traction Control
- Battery saver feature
- LATCH (Lower Anchors and Tethers for Children) system on rear outboard seat locations
- SOS Post-Crash Alert System™
- Tire Pressure Monitoring System (TPMS)
- **3Yr/36,000 Miles Bumper to Bumper Warranty**
- **5Yr/100,000 Miles Powertrain Warranty**

FUNCTIONAL

- Easy Fuel® Capless Fuel-Filler
- MyFord™
 - Police Cluster
 - AM/FM / CD / MP3 Capable / Clock / 4 speakers
 - 4.2" Color LCD Screen Center Stack "Smart Display"
 - 5-way Steering Wheel Switches, Redundant Controls
- Power pigtail harness
- Simple Fleet Key (w/o microchip, easy to replace)
- Two-way radio pre-wire

Base Prices

[]	Sedan All Wheel Drive (3.5L V6 FFV, 288 HP) P2M/500A	\$23,392.00
[]	Sedan All Wheel Drive (3.7L V6 FFV, 305 HP) P2M/500A/99K	\$23,502.00
[]	Sedan All Wheel Drive (3.5L V6 GTDI EcoBoost, 365 HP, 148 MPH, 99T/44C) P2M/500A	\$26,137.00
[]	Sedan Front Wheel Drive (3.5L V6 FFV 288 HP) P2L/500A	\$22,392.00

Terms: Net 10 days

VEHICLE BRAND AND MODEL: Ford Sedan Police Interceptor

BID PRICE EXPIRES: TBD

Subject to change without notice by Ford Motor Company

**** New this year**

VEHICLE COLOR: Order Code	Interior Trim Color Charcoal Black	
	- RW -	
Arizona Beige Clearcoat Metallic	[AQ]	[]
Medium Brown Metallic	[BU]	[]
Dark Toreador Red Clearcoat Metallic	[JL]	[]
Dark Blue	[LK]	[]
Norsea Blue Clearcoat Metallic	[KR]	[]
Royal Blue	[LM]	[]
Light Blue Metallic	[LN]	[]
Light Ice Blue Clearcoat Metallic	[LS]	[]
Ultra Blue Clearcoat Metallic	[MM]	[]
Smokestone Clearcoat Metallic	[HG]	[]
Light Gray	[TM]	[]
Silver Grey Metallic	[TN]	[]
Ingot Silver Clearcoat Metallic	[UX]	[]
Black Clearcoat	[UA]	[]
Oxford White Clearcoat	[YZ]	[]
Kodiak Brown Metallic	[J1]	[]
Deep Impact Blue	[J4]	[]
Sterling Grey Metallic	[UJ]	[]
Medium Titanium Clearcoat Metallic	[YG]	[]

INTERCEPTOR OPTIONAL FEATURES:

Items marked bid are included in the above price of required equipment in bid

	<u>Code</u>	<u>\$Cost</u>
<u>Functional</u>		
<input type="checkbox"/> EcoBoost Speed Limited Calibration (131 mph Top Speed, EcoBoost Only)	12T	N/C
<u>Flooring/Seats</u>		
<input type="checkbox"/> 1 st row carpet floor covering and 2 nd row vinyl floor covering	17I	125.00
<input type="checkbox"/> 2nd Row Cloth Seats	CW/88C	60.00
<input type="checkbox"/> Rear Console Plate (Not available with Interior Upgrade Pkg – 65U)	97D	35.00
<input type="checkbox"/> <u>Interior Upgrade Package</u>	12P	350.00
<ul style="list-style-type: none"> • Cloth Rear Seats • Floor mats, front and rear • 1st Row Carpet Floor Covering with 2nd Row Vinyl • Floor Covering • Full floor console with unique police finish panels 		
Note: Not available with the following Police Interceptor Packages: #4 (854), #5 (855), #6 (856)		
<u>Lamps</u>		
<input type="checkbox"/> Dark Car Feature – Courtesy lamp disable when any door is opened	13C	20.00
<input type="checkbox"/> Daytime Running Lamps	942	45.00
<input type="checkbox"/> LED Side Fender Vent Lights	96E	220.00
<input type="checkbox"/> Pre-wiring for grille lamp, siren, and speaker	51G	50.00
<input type="checkbox"/> Spot Lamp – Driver Only (Incandescent Bulbs)	21D	210.00
<input type="checkbox"/> Spot Lamp – Driver Only (LED Bulbs)	21L	340.00
<input type="checkbox"/> Spot Lamp – Dual (driver and passenger) (Incandescent Bulbs)	21P	385.00
<input type="checkbox"/> Spot Lamp – Dual (driver and passenger) (LED Bulbs)	21B	605.00
<input type="checkbox"/> Trunk Storage Vault (Includes lockable door)	19T	120.00
<u>Wheels</u>		
<input type="checkbox"/> Wheel Covers (18" Full Face Wheel Cover)	64L	60.00
<u>Misc</u>		
<input type="checkbox"/> Engine Block Heater	41H	35.00
<input type="checkbox"/> License Plate Bracket – Front	153	N/C
<input type="checkbox"/> Badge Delete (Police Interceptor Badge Only)	19D	N/C
<input type="checkbox"/> 100 Watt Siren/Speaker (includes bracket and pigtail)	96P	275.00

Electrical/Wiring

[] Electronics Tray (w/o Fan)	62D	219.00
[] Trunk Circulation Fan (mounted on package tray)	97T	60.00
[] Noise Suppression Bonds (Ground Straps)	20P	95.00

Audio/Video

[] Rear View Camera (Req. Electrochromic Rearview Mirror – Camera is Displayed in rear view mirror)	77B	229.00
[] SYNC® Basic (Voice Activated Communication System, Includes Reverse Sensing)	53M/76R	534.00
[] Remappable (4) switches on steering wheel (less Voice, not avail. w/SYNC)	47J	112.00
[] Remappable (4) switches on steering wheel (with Voice, requires SYNC)	47K	112.00

Doors/Windows

[] Hidden Door Lock Plunger	63B	135.00
[] Hidden Door Lock Plunger and Rear Door Handle Inoperable	63P	155.00
[] Rear Door Handles Inoperable/Locks Operable	18L	35.00
[] Rear Door Handles Inoperable/Locks Inoperable	18G	35.00
[] Windows-Rear window power delete, operable from front driver side switches	67D	25.00
[] Lock system; Single Key/All Vehicles Keyed Alike	43	50.00
Keyed Alike 1284x= 43B Keyed Alike 1294x= 43C Keyed Alike 0135x= 43D		
Keyed Alike 1435x= 43E Keyed Alike 0576x= 43F Keyed Alike 0151x= 43G		
Keyed Alike 1111x= 43J		

Safety & Security

[] Ballistic Door Panels – Driver Front Door Only	65E	1550.00
[] Ballistic Door Panels – Driver & Pass Front Doors	65C	3095.00
[] BLIS® – Blind Spot Monitoring with Cross Traffic Alert	55B	433.00
[] Lockable Gas Cap for Easy Fuel Capless Fuel-Filler	98K	20.00
[] Mirrors– Heated, Non BLIS	549	60.00
[] Perimeter Anti-Theft Alarm – Activated by Hood, Door, or Decklid	59B/60P	347.00
[] Remote Keyless Entry Key Fob (w/o Keypad) (N/A w/Keyed Alike)	60P	242.00
[] Reverse Sensing	76R	277.00
[] <u>Police Interceptor #1 – Front Headlamp Lighting Solution</u>	661	819.00

– Base projector beam headlamp plus two (2) multi-function Park/Turn/Warn (PTW) bulbs for Wig-wag simulation, and two (2) white hemispheric lighthouse LED side warning lights.

Note: Not available with Police Interceptor Package #6 – 856

[] <u>Police Interceptor #1a - Front Headlamp/Police Interceptor Housing Only</u>	13P	120.00
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– Pre-drilled hole for side marker police use, does not include LED installed Bulb (eliminates need to drill housing assemblies)

– Pre-molded side warning LED holes with standard twist lock sealed capability (**does not** include LED installed lights)

Note: Not available with Police Interceptor Package #1 – 661

Note: Not available with Police Interceptor Package #6 – 856

[] <u>Police Interceptor #2 – Tail Lamp Lighting Solution</u>	662	401.00
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– Includes base lamp, plus two (2) rear integrated hemispheric red lighthouse LED side warning lights in taillamps

Note: Not available with Police Interceptor Package #6 – 856

[] <u>Police Interceptor #3 – Rear Lighting Solution</u>	663	453.00
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– Includes two (2) backlit flashing linear high-intensity LED lights (driver side red/passenger side blue) mounted inside back window; surrounds brake stop light)

– Includes two (2) linear high-intensity LED lights (driver side red / passenger side blue) mounted on inside trunk decklid (lights activate when decklid is open)

Note: Not available with Police Interceptor Package #6 – 856

[] <u>Police Interceptor #4 – Trunk Upfit Package</u>	854	652.00
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• Rear console mounting plate – contours through 2nd row; channel for wiring

• Wiring overlay harness with lighting and siren interface connections

• Vehicle Engine Harness:

– Two (2) light connectors – supports up to three (3) LED lights each (engine compartment)

– One (1) grille LED light connector – supports two (2) LED lights

– Two (2) 50 amp battery ground circuits in power distribution junction block (in trunk)

– One (1) 10-amp siren/speaker circuit (engine to trunk)

– Trunk circulation fan maintains airflow from cabin to trunk

– Trunk electronics tray (4 sq. ft) with 18" of travel

Note: Not available with the following Police Interceptor Packages: #5 (855); #6 (856)

[] Police Interceptor #5 – Light Controller Package	855	1449.00
<ul style="list-style-type: none"> • Includes content from the following Police Interceptor Packages: #4 (854) plus: – Whelen Light Controller (PCC8R) – Whelen PCC8R Light Relay Center (electronics tray mounted) – Light Controller / Relay Center Wiring (jumper harness) – Whelen Specific Cable (console to trunk) connects PCC8R to Control Head 		
Note: Not available with the following Police Interceptor Packages: #4 (854); #6(856)		

[] Police Interceptor #6 – Ready for the Road Package	856	3206.00
<ul style="list-style-type: none"> • Includes content from the following Police Interceptor Packages: #1 (661); #2 (662); #3 (663); #4 (854); #5 (855) plus: – Whelen Cencom Sapphire Light Controller Head – Whelen Cencom Sapphire Relay Center/Siren/Amp(mounted on ElectronicsTray) – Light Controller / Relay Cencom Wiring (wiring harness) – Whelen Specific WECAN Cable (console to trunk) connects Cencom to Control Head – Grille linear LED Lights (Red/Blue) – 100-Watt Siren / Speaker – Trunk Storage Vault – Hidden Door-Lock Plunger / Rear-Door Handles Inoperable 		

VINYL WRAP OPTIONS

[] Two-Tone Vinyl Package #1	141	750.00
<ul style="list-style-type: none"> • Roof Vinyl • RH/LH Front Doors Vinyl • RH/LH Rear Doors Vinyl 		
[] Two-Tone Vinyl Package #2	142	750.00
<ul style="list-style-type: none"> • Roof Vinyl • Hood Vinyl • Decklid Vinyl 		
[] Two-Tone Vinyl Package #3	143	645.00
<ul style="list-style-type: none"> • Roof Vinyl • RH/LH Front Doors Only Vinyl 		
[] Two-Tone Vinyl Package #8	148	380.00
<ul style="list-style-type: none"> • Roof Vinyl • Vinyl Wrap in Police White (YZ) Only 		
[] Two-Tone Vinyl Package #9	149	275.00
<ul style="list-style-type: none"> • RH/LH Front Doors Only Vinyl • Vinyl Wrap in Police White (YZ) Only 		
[] Vinyl Word Wrap	144	715.00
– "POLICE" located on LH/RH sides of vehicle ("White" lettering)		
[] Reflective Vinyl Word Wrap	145	715.00
– "POLICE" located on LH/RH sides of vehicle ("Black" lettering)		
[] Reflective Vinyl Word Wrap	146	715.00
– "POLICE" located on LH/RH sides of vehicle ("White" lettering)		
[] Vinyl Word Wrap	147	715.00
– "SHERIFF" located on LH/RH sides of vehicle ("White" lettering)		

Limited Maintenance Packages (includes Oil Change, Tire Rotation, and Multipoint inspection)*

[] 75,000 miles (assumes 5,000 mile intervals = 15 service events)	521	750.00
[] 75,000 miles (assumes 3,000 mile intervals = 25 service events)	522	1220.00
[] 100,000 miles (assumes 5,000 mile intervals = 20 service events)	523	900.00
[] 100,000 miles (assumes 3,000 mile intervals = 33 service events)	524	1460.00
[] 125,000 miles (assumes 5,000 mile intervals = 25 service events)	525	1220.00
[] 125,000 miles (assumes 3,000 mile intervals = 41 service events)	526	1845.00
[] 150,000 miles (assumes 5,000 mile intervals = 30 service events)	527	1340.00
[] 150,000 miles (assumes 3,000 mile intervals = 50 service events)	528	2200.00

Extended Warranty Option's (\$100.00 Deductible) 100,000 Mile Coverage

[] 5-Year Premium Care Warranty (500 Plus Components Coverage)	2150.00
[] 4-Year Premium Care Warranty (500 Plus Components Coverage)	2110.00
[] 3-Year Premium Care Warranty (500 Plus Components Coverage)	2080.00
[] 5-Year Extra Care Warranty (113 Essential Components Coverage)	1955.00
[] 4-Year Extra Care Warranty (113 Essential Components Coverage)	1925.00
[] 3-Year Extra Care Warranty (113 Essential Components Coverage)	1905.00
[] 5-Year Base Care Warranty (84 Major Components Coverage)	1860.00
[] 4-Year Base Care Warranty (84 Major Components Coverage)	1840.00
[] 3-Year Base Care Warranty (84 Major Components Coverage)	1820.00

Macomb County Bid Price (Bid #12-07, MY2013) in the State of Michigan 2013 Utility Police Interceptor Major Standard Equipment

MECHANICAL

- Alternator – 220-amp
- Axle Ratio – 3.65 (AWD), 3.16 (FWD)
- Battery – H.D. maintenance-free 78A/750-CCA
- Brakes – 4-Wheel Heavy-Duty Disc w/H.D. Front and Rear Calipers
- Column Shifter
- Drivetrain – All-Wheel Drive
- Electric Power Assist Steering (EPAS) – Heavy-Duty
- Engine – 3.7L V6 Ti-VCT
- Engine Hour Meter
- Engine Oil Cooler
- Fuel Tank – 18.6 gallons
- Suspension – independent front & rear
- Transmission – 6-speed automatic

EXTERIOR

- Antenna, Roof-mounted
- Cladding – Lower bodyside cladding (Black)
- Door Handles – Black (MIC)
- Exhaust True Dual
- Front Door Lock Cylinders (Front Driver/Passenger/Liftgate)
- Glass – 2nd and 3rd Row Privacy Glass
- Grille – Black
- Headlamps – Halogen Projector (Bi- Functional)
- Liftgate – Manual 1-Piece – Fixed Glass w/Door Lock Cylinder
- Mirrors – Black Caps (MIC), Power Electric Remote, Manual Folding with Integrated Spotter (integrated blind spot mirrors not included when equipped with BLIS®)
- Spare – 18" Full-Size Tire
- Spoiler – Painted Black
- Tail lamps – LED
- Tailgate Handle – □Painted Black
- Tires – P245/55R18 A/S BSW
- Wheel-Lip Molding – Black (MIC)
- Wheels – 18" x 8.0 Steel with Wheel Hub Cap
- Windshield – Acoustic Laminated

INTERIOR/COMFORT

- Cargo Hooks
- Climate Control – Single-Zone Manual
- Door Locks
 - Power, two stage unlock
 - Rear Door Handles and Locks Operable
 - Autolock (Locks when shift into gear)
- Floor – Flooring – Heavy-Duty Thermoplastic Elastomer
- Grab Handles – (1 – Front)
- Lighting
 - 1st Row Task Light (driver and passenger)
- Overhead Console
 - 1st Row Overhead Dome/Map Work Light (Red/White)
- Mirror – Day/night Rearview
- Overhead Console
- Particulate Air Filter
- Power Adjustable Pedals (Driver Dead Pedal)

INTERIOR/COMFORT (continued)

- Powerpoints – (2) First Row, (1) Rear Power Access Point
- Scuff Plates – Front & Rear
- Seats
 - 1st Row Police Grade Cloth Trim, Dual Front Buckets
 - 1st Row – Driver 6-way Power track (fore/aft. Up/down, tilt with manual recline, 2-way manual lumbar)
 - 1st Row – Passenger 2-way manual track (fore/aft. with manual recline)
 - Built-in steel intrusion plates in both driver/passenger seatbacks
 - 2nd Row Vinyl, 60/40 Split Bench Seat (manual fold flat, no tumble) – fixed seat track
- Speedometer – Calibrated
- Steering Wheel – Manual/Tilt, Urethane wheel finish w/Silver Painted Bezels) with Speed Controls and Redundant Audio Controls
- Sun visors, color-keyed, non illuminated
- Universal Top Tray – Center of I/P for mounting aftermarket equipment
- Windows, Power, 1-touch Down Driver-Side with disable feature

SAFETY/SECURITY

- AdvanceTrac® w/RSC (Roll Stability Control) w/Hydraulic Brake Assist
- Airbags, 2nd generation driver & front-passenger, side seat, Roll Curtain Airbags and Safety Canopy
- Anti-Lock Brakes (ABS) with Traction Control
- Battery saver feature
- Belt-Minder® (Front Driver/Passenger)
- LATCH (Lower Anchors and Tethers for Children) system on rear outboard seat locations
- Seat Belts, Pretensioner/Energy-Management System w/adjustable height in 1st Row
- SOS Post-Crash Alert System™
- Tire Pressure Monitoring System (TPMS)
- **3Yr/36,000 Miles Bumper to Bumper Warranty**
- **5Yr/100,000 Miles Powertrain Warranty**

FUNCTIONAL

- Easy Fuel Capless Fuel-Filler
- MyFord™
 - Police Cluster
 - AM/FM/CD/MP3 Capable/Clock/6 speakers
 - 4.2" Color LCD Screen Center-Stack "Smart Display"
 - 5-way Steering Wheel Switches, Redundant Controls
- Power pigtail harness
- Simple Fleet Key (w/o microchip, easy to replace)
- Two-way radio pre-wire
- Windows – Rear Defroster
- Wipers – Front Speed-Sensitive Intermittent; Rear Dual Speed Wiper

AWD ONLY MODELS INCLUDE

- Recovery Hooks, Rear Only

- [] Interceptor Utility All Wheel Drive Base Price K8A/500A **\$25,283.00**
- [] Interceptor Utility Front Wheel Drive Base Price K7A/500A **\$24,282.00**

Terms: Net 10 days

VEHICLE BRAND AND MODEL: Ford Utility Police Interceptor

BID PRICE EXPIRES: TBD

Subject to change without notice by Ford Motor Company

VEHICLE COLOR: Order Code	Interior Trim Color	
	Charcoal Black	
	- 9W -	
Arizona Beige Clearcoat Metallic	[AQ]	[]
Medium Brown Metallic	[BU]	[]
Dark Toreador Red Clearcoat Metallic	[JL]	[]
Dark Blue	[LK]	[]
Norsea Blue Clearcoat Metallic	[KR]	[]
Royal Blue	[LM]	[]
Light Blue Metallic	[LN]	[]
Light Ice Blue Clearcoat Metallic	[LS]	[]
Ultra Blue Clearcoat Metallic	[MM]	[]
Smokestone Clearcoat Metallic	[HG]	[]
Light Gray	[TM]	[]
Silver Grey Metallic	[TN]	[]
Ingot Silver Clearcoat Metallic	[UX]	[]
Black Clearcoat	[UA]	[]
Oxford White Clearcoat	[YZ]	[]
Kodiak Brown Metallic	[J1]	[]
Deep Impact Blue	[J4]	[]
Sterling Grey Metallic	[UJ]	[]
Medium Titanium Clearcoat Metallic	[YG]	[]

INTERCEPTOR OPTIONAL FEATURES:

Items marked bid are included in the above price of required equipment in bid

Flooring/Seats

	<u>Code</u>	<u>\$Cost</u>
<input type="checkbox"/> 1st and 2nd row carpet floor covering	16C	125.00
<input type="checkbox"/> 2nd Row Cloth Seats	FW/ 88F	60.00
<input type="checkbox"/> Rear Console Plate (Not available with Interior Upgrade Pkg – 65U)	85R	35.00
<input checked="" type="checkbox"/> <u>Interior Upgrade Package</u>	65U	350.00
• 1st and 2nd Row Carpet Floor Covering		
• Cloth Seats		
• Center Floor Console less shifter w/unique Police console finish plate – Includes Console Top Plate – Finish 3 (incl. 2 cup holders)		
• Floor Mats, front and rear		
Note: Not available with Police Interceptor Package #24 – 67G		
Note: Not available with Police Interceptor Package #25 – 67H		

Lamps

<input type="checkbox"/> Dark Car Feature – Courtesy lamp disable when any door is opened	43D	20.00
<input type="checkbox"/> Daytime Running Lamps	942	45.00
<input type="checkbox"/> Side Marker Lights in Skull Caps	63B	225.00
<input type="checkbox"/> Dome Lamp – Red/White in Cargo Area	17T	50.00
<input type="checkbox"/> Pre-wiring for grille lamp, siren, and speaker	60A	50.00
<input type="checkbox"/> Spot Lamp – Driver Only (Incandescent Bulbs)	51Y	215.00
<input type="checkbox"/> Spot Lamp – Driver Only (LED Bulbs)	51R	395.00
<input type="checkbox"/> Spot Lamp – Dual (driver and passenger) (Incandescent Bulbs)	51Z	350.00
<input type="checkbox"/> Spot Lamp – Dual (driver and passenger) (LED Bulbs)	51S	620.00

Body

<input type="checkbox"/> Glass – Solar Tint 2nd and 3rd Row (Deletes Privacy Glass)	92G	120.00
<input type="checkbox"/> Roof Rack Side Rails – Black	68Z	100.00

Wheels

<input type="checkbox"/> Wheel Covers (18" Full Face Wheel Cover)	64B	60.00
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Misc

<input type="checkbox"/> Engine Block Heater	41H	35.00
<input type="checkbox"/> License Plate Bracket – Front	153	N/C
<input type="checkbox"/> Badge Delete (Police Interceptor Badge Only)	16D	N/C
<input type="checkbox"/> 100 Watt Siren/Speaker (includes bracket and pigtail)	18X	275.00
<input type="checkbox"/> Aux Air Conditioning	17A	548.00

[] Noise Suppression Bonds (Ground Straps)	60R	100.00
Audio/Video		
[] Rear View Camera (Req. Electrochromic Rearview Mirror – Video is Displayed in rear view mirror. Requires 53M)	21B/53M	500.00
[] SYNC® Basic (Voice Activated Communication System)	53M	275.00
[] Remappable (4) switches on steering wheel (less Voice, not avail. w/SYNC)	61R	139.00
[] Remappable (4) switches on steering wheel (with Voice, requires SYNC)	61S	155.00
Doors/Windows		
[] Hidden Door Lock Plunger	52H	140.00
[] Hidden Door Lock Plunger and Rear Door Handle Inoperable	52P	160.00
[] Rear Door Handles Inoperable/Locks Operable	68L	35.00
[] Rear Door Handles Inoperable/Locks Inoperable	68G	35.00
[] Windows-Rear window power delete, operable from front driver side switches	18W	25.00
[] Lock system; Single Key/All Vehicles Keyed Alike	59	50.00
Keyed Alike 1284x= 59B Keyed Alike 1294x= 59C Keyed Alike 0135x= 59D		
Keyed Alike 1435x= 59E Keyed Alike 0576x= 59F Keyed Alike 0151x= 59G		
Keyed Alike 1111x= 59J		
Safety & Security		
[] Ballistic Door Panels – Driver Front Door Only	90D	1585.00
[] Ballistic Door Panels – Driver & Pass Front Doors	90E	3170.00
[] BLIS® – Blind Spot Monitoring with Cross Traffic Alert (Inc. 21B&53M)	55B/21B/53M	906.00
[] Mirrors– Heated, Non BLIS	549	60.00
[] Lockable Gas Cap for Easy Fuel Capless Fuel-Filler	19L	20.00
[] Perimeter Anti-Theft Alarm – Activated by Hood, Door, or Decklid	593/595	353.00
[] Glass – Solar Tint 2nd Row Only (Deletes Privacy Glass)	92R	85.00
[] Remote Keyless Entry Key Fob (w/o Keypad) (N/A w/Keyed Alike)	595	251.00
[] Reverse Sensing	76R	264.00
[] Police Interceptor 21 – Front Headlamp Lighting Solution	66A	817.00
– Includes base projector beam headlamp plus two (2) multi-function Park/Turn/Warn (PTW) bulbs for Wig-wag simulation and two (2) white hemispheric lighthouse LED side warning lights.		
Note: Not available with Police Interceptor Package #25 – 67H		
[] Police Interceptor #21a - Front Headlamp/Police Interceptor Housing Only	86P	125.00
– Pre-drilled hole for side marker police use, does not include LED installed bulb (eliminates need to drill housing assemblies)		
– Pre-molded side warning LED holes with standard twist lock sealed capability (does not include LED installed lights).		
Note: Not available with Police Interceptor Package #21 – 66A		
Note: Not available with Police Interceptor Package #25 – 67H		
[] Police Interceptor 22 – Tail Lamp Lighting Solution	66B	402.00
– Includes base lamp plus two (2) rear integrated hemispheric lighthouse white LED side warning lights in taillamps		
Note: Not available with Police Interceptor Package #25 – 67H		
[] Police Interceptor 23 – Rear Lighting Solution	66C	427.00
– Includes two (2) backlit flashing linear high-intensity LED lights (driver's side red/passenger side blue) mounted to inside liftgate glass)		
– Includes two (2) backlit flashing linear high-intensity LED lights (driver's side red/Passenger side blue) installed on inside lip of liftgate (lights activate when liftgate is open)		
Note: Not available with Police Interceptor Package #25 – 67H		
[] Police Interceptor 24 – Cargo Wiring Upfit Package	67G	1189.00
– Rear console plate – contours through 2nd row; channel for wiring		
– Wiring overlay harness with lighting and siren interface connections		
– Vehicle Engine Harness:		
• Two (2) light connectors – supports up to three (3) LED lights each (engine compartment)		
– Two (2) 50 amp battery ground circuits in right hand rear-quarter power distribution junction block		
– One (1) 10-amp siren/speaker circuit (engine to cargo area)		
– Whelen Lighting PCC8R Control Head		
– Whelen PCC8R Light Relay Center (mounted behind 2nd row seat)		
– Light Controller / Relay Center Wiring (jumper harness)		
– Whelen Specific Cable (console to cargo area) Connects PCC8R to Control Head		
– Pre-wiring for grille LEDs and siren/speaker		
Note: Not available with Police Interceptor Package #25 – 67H		

<input type="checkbox"/>	Police Interceptor 25 – Ready for the Road Package All-in Complete	67H	3002.00
	<u>Package – Includes Police Interceptor #21, #22, #23, #24 Packages plus</u>		
	– Whelen Cencom Sapphire Light Controller Head		
	– Whelen Cencom Sapphire Relay Center / Siren / Amp (mounted behind 2nd row seat)		
	– Light Controller / Relay Cencom Wiring (wiring harness)		
	– Whelen Specific WECAN Cable (console to cargo area) connects Cencom to Control Head		
	– Grille linear LED Lights (Red / Blue)		
	– 100-Watt Siren / Speaker		
	– Hidden Door-Lock Plunger / Rear-Door Handles Inoperable		
	– LESS the following items from Package #67G (Higher level components included):		
	• Whelen Lighting PCC8R Control Head		
	• Whelen PCC8R Light Relay Center (mounted behind 2nd row seat)		
	• Light Controller / Relay Center Wiring (jumper harness)		
	Note: Not available with the following Police Interceptor Packages: #21 (66A); #22 (66B); #23 (66C); #24 (67G)		

VINYL WRAP OPTIONS

<input type="checkbox"/>	<u>Two-Tone Vinyl Package #1</u>	91A	750.00
	• Roof Vin		
	• RH/LH Front Doors Vinyl		
	• RH/LH Rear Doors Vinyl		
<input type="checkbox"/>	<u>Two-Tone Vinyl Package #2</u>	91B	750.00
	• Roof Vinyl		
	• Hood Vinyl		
<input type="checkbox"/>	<u>Two-Tone Vinyl Package #3</u>	91C	645.00
	• Roof Vinyl		
	• RH/LH Front Doors Only Vinyl		
<input type="checkbox"/>	<u>Two-Tone Vinyl Package #8</u>	91H	440.00
	• Roof Vinyl		
	• Vinyl Wrap in Police White (YZ) Only		
<input type="checkbox"/>	<u>Two-Tone Vinyl Package #9</u>	91J	275.00
	• RH/LH Front Doors Only Vinyl		
	• Vinyl Wrap in Police White (YZ) Only		
<input type="checkbox"/>	<u>Vinyl Word Wrap</u>	91D	715.00
	– "POLICE" located on LH/RH sides of vehicle ("White" lettering)		
<input type="checkbox"/>	<u>Vinyl Word Wrap</u>	91G	715.00
	– "SHERIFF" located on LH/RH sides of vehicle ("White" lettering)		

Police Interceptor Limited Maintenance Packages (includes Oil Change, Tire Rotation, and Multipoint inspection)*

<input type="checkbox"/>	75,000 miles (assumes 5,000 mile intervals = 15 service events)	50A	770.00
<input type="checkbox"/>	75,000 miles (assumes 3,000 mile intervals = 25 service events)	50B	1250.00
<input type="checkbox"/>	100,000 miles (assumes 5,000 mile intervals = 20 service events)	50C	920.00
<input type="checkbox"/>	100,000 miles (assumes 3,000 mile intervals = 33 service events)	50D	1495.00
<input type="checkbox"/>	125,000 miles (assumes 5,000 mile intervals = 25 service events)	50E	1250.00
<input type="checkbox"/>	125,000 miles (assumes 3,000 mile intervals = 41 service events)	50F	1890.00
<input type="checkbox"/>	150,000 miles (assumes 5,000 mile intervals = 30 service events)	50G	1375.00
<input type="checkbox"/>	150,000 miles (assumes 3,000 mile intervals = 50 service events)	50H	2255.00

Police Interceptor Extended Warranty Option's (\$100.00 Deductible) 100,000 Mile Coverage

<input type="checkbox"/>	5-Year Premium Care Warranty (500 Plus Components Coverage)	2150.00
<input type="checkbox"/>	4-Year Premium Care Warranty (500 Plus Components Coverage)	2110.00
<input type="checkbox"/>	3-Year Premium Care Warranty (500 Plus Components Coverage)	2080.00
<input type="checkbox"/>	5-Year Extra Care Warranty (113 Essential Components Coverage)	1955.00
<input type="checkbox"/>	4-Year Extra Care Warranty (113 Essential Components Coverage)	1925.00
<input type="checkbox"/>	3-Year Extra Care Warranty (113 Essential Components Coverage)	1905.00
<input type="checkbox"/>	5-Year Base Care Warranty (84 Major Components Coverage)	1860.00
<input type="checkbox"/>	4-Year Base Care Warranty (84 Major Components Coverage)	1840.00
<input type="checkbox"/>	3-Year Base Care Warranty (84 Major Components Coverage)	1820.00

Total Price \$ _____ ea



CITY COUNCIL AGENDA ITEM

Date: March 11, 2013

To: Brian Kischnick, City Manager

From: MaryBeth Murz, Purchasing Manager
 Timothy L. Richnak, Public Works Director
 Samuel P. Lamerato, Superintendent of Fleet Maintenance

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

History

The seven (7) vehicles being purchased are replacement vehicles for the Police Department. The seven (7) obsolete vehicles will be removed from service and sold at auction with estimated proceeds of \$36,000.00. This purchase replaces existing vehicles and does not increase the size of the existing Department of Public Works motor pool fleet.

Purchasing

LaFontaine - Saline is the low total bidder in the Oakland County Cooperative Bid. The Oakland County Contract ID number is 3341. The contract pricing is valid thru 9/30/2013. This contract is for 2013 model year Chrysler and Dodge vehicles.

Financial

Funds are available in the Public Works Fleet Division capital account.

<u>LaFontaine - Saline</u>	<u>Budget</u>	<u>Unit Cost</u>	<u>Estimated Total</u>
(6) Dodge Chargers Police Patrol	\$150,000.00	\$24,485.00	\$146,910.00
(1) Dodge Caravan SE	<u>\$25,000.00</u>	\$23,823.00	<u>\$23,823.00</u>
(7)	\$175,000.00		\$170,733.00

Recommendation

City management requests authorization to purchase six (6) 2013 Dodge Chargers and one (1) 2013 Dodge Caravan SE, for the Police Department from the low total bidder, LaFontaine of Saline, MI, as per the Oakland County Cooperative Bid for an estimated total cost of \$170,733.00.

Reviewed by:

 Susan Leirstein; CPPO, CPPB
 Purchasing Director

 Date

CONTRACT

Dispatch via Print



OAKLAND COUNTY PURCHASING DIVISION

Executive Office Building 41 West
2100 Pontiac Lake Rd.
Lower Level
Waterford MI 48328-0462
Main Phone 248/858-0511
www.oakgov.com/purchasing/

Lafontaine Chrysler Dodge Jeep
Nicholas Zaborski
900 W Michigan Ave
PO Box 340
Saline MI 48176

Contract ID 000000000000000000003341		Page 1 of 2	
Contract Dates 11/02/2011 to 09/30/2013		F.O.B. DEST	Terms NET 0
Buyer Andy Krumwiede	Phone 248/858-7678	Email krumwiedea@oakgov.com	
Description: 2013 Chrysler,Jeep,Dodg B-COOP		Contract Maximum 450,000.00	

Vendor ID 0000016997
Phone: 734/429-9431 Nicholas Zaborski
Fax: nzaborski@lafontainemotors.com

Tax Exempt ID: 38-6004876

Line #	Item Number	Item/Description	Category Co	Item UOM	Contract Price
1	000000000000029493	2013 Chrysler, Dodge, Jeep Vehicles	25000000	EA	1.00

This contract is for 2013 model year Chrysler, Dodge, and Jeep vehicles, including the Dodge Charger Police model. Government entities are to contact the dealer for verification of the vehicle ordered and send all Purchase Orders directly to the dealer.

The dealer is responsible for delivery to all participants located within Oakland County. Delivery charges to municipalities outside the County of Oakland must be noted on the Purchase Order.

Contact for Lafontaine Dealer: Curt Remsing at creming@lafontaine.com.
Phone- 810.691.0348.

The vehicle shall include a minimum of five (5) gallons of fuel with each vehicle delivery or pickup. This is included in the base price of the vehicle. NO EXCEPTIONS.

The standard cost subtotal shall include cost of the TITLE which is currently \$15.00

The dealer should note any other irregularities in regards to options etc on the final quote to the government entity.

Color will be determined at the time of order by the County or other government entity ordering the vehicle.

LATE PAY CHARGE from DATE OF DELIVERY:

OVER 10 BUSINESS DAYS \$ 0
OVER 15 BUSINESS DAYS 1%
OVER 30 BUSINESS DAYS 3%

Charge per mile for delivery to any government entity outside of Oakland County \$2.00/ per mile

FOB: DESTINATION- Vendor is responsible until vehicle is accepted at time of pick-up or delivery.

Out of stock purchases are subject to price adjustments due to loss of protection, floor plan credit and possible GM advertising charges.

THIS IS A COOPERATIVE PURCHASING BLANKET ORDER.

Inasmuch as no specific quantities are indicated on this contract, there is no commitment involved by Oakland County other than for the payment of goods procured under the conditions of this contract.

Oakland County issues individual Purchase Orders on behalf of County Departments as authorization for items ordered from this contract. The individual Purchase Order numbers are to be used on all Invoices, Bills of Lading, Shipping Documents and all correspondence relating to the Purchase Order.

Authorized Signature



CITY COUNCIL AGENDA ITEM

Date: March 12, 2013

To: Brian Kischnick, City Manager

From: Susan A. Leirstein, Purchasing Director
MaryBeth Murz, Purchasing Manager
Gary G. Mayer, Police Chief
William S. Nelson, Fire Chief
Timothy L. Richnak, Public Works Director

Subject: Standard Purchasing Resolution 2: Sole Bidder Meeting Specifications – Vehicle Graphic Materials

History

The Police, Fire and Motor Pool Departments are responsible for the maintenance of City vehicles and emergency equipment as per Troy City Council's ongoing objective to enhance the health and safety of the community. This maintenance includes the installation and/or purchase of vehicle graphic materials for the Police, Fire and Motor Pool Departments. In 2009, City Council approved a two (2) year contract with an option to renew for two (2) additional years. The existing contract is expiring, necessitating Vehicle Graphics to be re-bid.

Purchasing

On March 7, 2013, bids were received as required by City Charter and Code for two (2) year requirements of Vehicle Graphic Materials with an option to renew for two (2) additional years. 59 vendors were notified of the bid opportunity via the MITN website. One (1) sole bid response was received.

Majik Graphics of Clinton Township, MI was the sole bidder meeting specifications and is being recommended for the installation and/or purchase of vehicle graphic materials at the unit prices identified in the attached bid tabulation. Even though pricing is up for some material, labor rates are in-line with those bid in 2009.

Financial

Funds for these materials and installation are available and within each respective departmental operating budget.

Recommendation

City management recommends awarding a two (2) year contract to provide and/or install Vehicle Graphic Materials for the Police, Fire and Motor Pool Departments; with an option to renew for two (2) additional years to the sole bidder meeting specifications: Majik Graphics, Inc. of Clinton Township, MI at unit prices as contained in the attached bid tabulation for an estimated total cost of \$21,807.00. This estimate may increase but will not exceed budgetary limitations. The award is contingent upon the contractor's submission of properly executed bid documents including insurance certificates and all other specified requirements.

G:\Bid Award 13-14 New Format\Award Standard Purchasing Resolution 1 VehicleGraphics ITB-COT 13-01.doc

Opening Date: 3/7/2013
 Date REVIEWED: 3/12/2013 sl

CITY OF TROY
 VEHICLE GRAPHIC MATERIALS
 BID TABULATION

VENDOR NAME:

Check Number
 Check Amount

Majik Graphics, Inc.
9105206231
\$500.00

PROPOSAL-- TWO YEAR REQUIREMENTS TO INSTALL AND/OR PURCHASE VEHICLE GRAPHIC MATERIAL FOR POLICE, FIRE, AND FLEET DEPARTMENTS WITH AN OPTION TO RENEW FOR TWO ADDITIONAL YEARS

Item	Qty.	Description	Unit Price	Extension		Unit Price	Extension	
1. POLICE VEHICLE GRAPHICS (COMPLETE) - Non Reflective								
1A.	12 ea	Police Vehicles - (Fully Marked Patrol)	\$ 345.00	\$ 4,140.00				
1B.	4 ea	Police Vehicles - (Semi Marked Traffic)	\$ 160.00	\$ 640.00				
1C.	4 ea	Police Vehicles (K-9)	\$ 375.00	\$ 1,500.00				
1D.	2 ea	Police Vehicles (Evidence Tech)	\$ 375.00	\$ 750.00				
1E.	1 ea	Police Vehicle (Community Services)	\$ 375.00	\$ 375.00				
1F.	1 ea	Police Vehicle (Service Aide) - reflective	\$ 560.00	\$ 560.00				
Sub-Total				\$ 7,965.00			\$ -	

COST FOR REPLACEMENT OF DAMAGED SECTIONS

	Material	Labor	Total Cost	Material	Labor	Total Cost
	Lump Sum/Unit	Lump Sum/Unit	Mat.+Labor/Unit	Lump Sum/Unit	Lump Sum/Unit	Mat.+Labor/Unit
1G.	14 ea	Front Fender - either side	\$ 42.00	\$ 35.00	\$ 77.00	\$ -
1H.	14 ea	Rear Quarter Panel - either side	\$ 25.00	\$ 35.00	\$ 60.00	\$ -
1I.	24 ea	Doors - Front or Rear - either side	\$ 42.00	\$ 35.00	\$ 77.00	\$ -
1J.	12 ea	Vehicle Trunk - Letters/Numbers	\$ 42.00	\$ 35.00	\$ 77.00	\$ -
Sub-Total					\$ 4,690.00	\$ -

LABOR COST FOR REMOVAL OF DECALS & GRAPICS

	Labor		Labor	
1K.	20 ea	Fully Marked Patrol Cars	\$ 115.00	
1L.	4 ea	Semi Marked Traffic Safety Vehicles	\$ 75.00	
1M.	1 ea	Fully Marked PSA Vehicle - (Reflective)	\$ 135.00	
Sub-Total			\$ 2,735.00	\$ -

ADDITIONAL ITEMS

	Material	Labor	Material	Material	Labor	Material
	Lump Sum/Unit	Lump Sum/Unit	Mat.+Labor/Unit	Lump Sum/Unit	Lump Sum/Unit	Mat.+Labor/Unit
1N.	4 ea	K-9 Markings (Head on Pillar)	\$ 10.00	\$ 10.00	\$ 20.00	\$ -
1O.	4 ea	K-9 Graphics (Name on Pillar)	\$ 10.00	\$ 10.00	\$ 20.00	\$ -
1P.	4 ea	K-9 Graphics (Caution on Window)	\$ 10.00	\$ 10.00	\$ 20.00	\$ -
1Q.	4 ea	Unit Designator (K-9,Evidence,etc)	\$ 20.00	\$ 10.00	\$ 30.00	\$ -
1R.	8 sets	12" Roof Numbers (Set of 3)	\$ 28.00	\$ 15.00	\$ 43.00	\$ -
1S.	16 ea	American Flags	\$ 6.00	\$ 10.00	\$ 22.00	\$ -
Sub-Total					\$ 1,056.00	\$ -

Item	Qty.	Description	Unit Price	Extension		Unit Price	Extension	
2. FIRE VEHICLE GRAPHICS (REFLECTIVE)								
2A.	2 ea	Staff/Utility Vehicles	\$ 430.00	\$ 860.00			\$ -	
2B.	1 ea	Fire Apparatus (Large)	\$ 309.00	\$ 309.00			\$ -	
2C.	1 ea	Command Vehicle	\$ 440.00	\$ 440.00			\$ -	
Sub-Total				\$ 1,609.00			\$ -	

COST FOR REPLACEMENT OF DAMAGED SECTIONS

	Material	Labor	Material	Material	Labor	Material
	Lump Sum/Unit	Lump Sum/Unit	Mat.+Labor/Unit	Lump Sum/Unit	Lump Sum/Unit	Mat.+Labor/Unit
2D.	2 ea	Front & Back Fender - either side	\$ 47.00	\$ 35.00	\$ 82.00	\$ -
2E.	2 ea	Rear Quarter Panel - either side	\$ 47.00	\$ 35.00	\$ 82.00	\$ -
2F.	2 ea	Doors - Front or Rear - either side	\$ 47.00	\$ 35.00	\$ 82.00	\$ -
2G.	2 ea	Vehicle Front - Letters/Numbers	\$ 10.00	\$ 20.00	\$ 30.00	\$ -
2H.	2 ea	Vehicle Rear Hatch - Letters/Numbers	\$ 47.00	\$ 35.00	\$ 82.00	\$ -
2I.	4 ea	Labor Cost for removal of decals	\$ -	\$ 145.00	\$ 145.00	\$ -
Sub-Total					\$ 1,296.00	\$ -

Opening Date: 3/7/2013
 Date REVIEWED: 3/12/2013 sl

CITY OF TROY
 VEHICLE GRAPHIC MATERIALS
 BID TABULATION

VENDOR NAME:

Majik Graphics, Inc.

PROPOSAL-- TWO YEAR REQUIREMENTS TO INSTALL AND/OR PURCHASE VEHICLE GRAPHIC MATERIAL FOR POLICE, FIRE, AND MOTOR POOL DEPARTMENTS WITH AN OPTION TO RENEW FOR TWO YEARS

Item	Qty.	Description	Unit Price	Extension		Unit Price	Extension	
3. FLEET - GRAPHICS ONLY								
3A.	24 ea	Decals 8" - Dept Design	\$ 18.00	\$ 432.00				
3B.	12 ea	Decals 8" - Plain	\$ 18.00	\$ 216.00				
3C.	24 ea	Decals 16" - Dept Design	\$ 38.00	\$ 912.00				
3D.	12 ea	Decals 16" - Plain	\$ 38.00	\$ 456.00				
Sub-Total				\$ 2,016.00			\$ -	

Item	Description	Material	Material
General Decal Costs/Each			
4A.	Letters/Numbers	\$ 0.65	
4B.	Stripes	\$ 0.30	
4C.	Shield Markings	\$ 1.75	
5	Computerized "New" Vehicle Design	NO CHARGE	

Item	Description (Reflective)	Material	Labor	Material	Material	Labor	Material
Updated Chevron - Addendum 1		Lump Sum/Unit	Lump Sum/Unit	Mat.+Labor/Unit	Lump Sum/Unit	Lump Sum/Unit	Mat.+Labor/Unit
2H.1	2 ea Chevron	\$ 140.00	\$80.00	\$ 220.00			\$ -
Sub-Total				\$ 440.00			\$ -

ESTIMATED TOTAL COST:

\$21,807.00

\$ -

CONTACT INFORMATION:

Hrs of Operation M-F 8 - 5:00pm
 Phone # (586) 354-8392

SITE INSPECTION:

Y/N N
 DATE Current Contractor

INSURANCE:

Can Meet X
 Cannot Meet

PAYMENT TERMS:

Net 30 days

WARRANTY:

Life of Vehicle

DELIVERY OF DECALS:

UPS or other as needed.

COMPLETION OF WORK:

5 Business Days

EXCEPTIONS:

Blank

ACKNOWLEDGEMENT:

Y or N Y

NO BID:

HIGHLIGHTED AREA DENOTES SOLE BIDDER MEETING SPECIFICATIONS

ATTEST:

Susan Leirstein
 Susan Riesterer
 William Nelson

MaryBeth Murz,
 Purchasing Manager

On January 15, 2013, at 7:30 p.m., in the Council Chambers of Troy City Hall, Chair Kneale called the Zoning Board of Appeals meeting to order.

1. ROLL CALL

Present:

Michael Bartnik
Glenn Clark
Kenneth Courtney
William Fisher
Allen Kneale
David Lambert

Absent:

Thomas Strat

Also Present:

Bruce Bloomingdale, Alternate
Paul Evans, Zoning & Compliance Specialist
Allan Motzny, Assistant City Attorney

Mr. Bloomingdale is seated.

2. APPROVAL OF MINUTES – November 20, 2012

RESOLVED, to approve the November 20, 2012 meeting minutes.

Moved by Clark
Seconded by Fisher

Yes: All

MOTION PASSED

3. APPROVAL OF AGENDA – No changes

4. HEARING OF CASES

A. VARIANCE REQUEST, FLORAINE BISHAY, 3459 TALBOT – In order to construct an attached garage, a 4 foot variance to the required 25 foot front yard setback.

Moved by Courtney
Seconded by Fisher

RESOLVED, to grant the request.

Yes: All

MOTION PASSED

5. COMMUNICATIONS – None

6. MISCELLANEOUS BUSINESS –The Board desires the ZBA application form more clearly direct applicants to explicitly state their practical difficulty. Chair Kneale and Mr. Evans will jointly prepare a draft application for Board perusal at the next meeting.

7. PUBLIC COMMENT – None

8. ADJOURNMENT – The Zoning Board of Appeals meeting ADJOURNED at 8:01 p.m.

Respectfully submitted,

Allen Kneale, Chair

Paul Evans, Zoning and Compliance Specialist

Chair Dziurman called the Regular meeting of the Building Code Board of Appeals to order at 3:00 p.m. on February 6, 2013 in the Lower Level Conference Room of the Troy City Hall.

1. ROLL CALL

Members Present:

Theodore Dziurman, Chair
 Gary Abitheira
 Teresa Brooks
 Michael Carolan
 Brian Kischnick

Support Staff Present:

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

Also Present:

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

2. APPROVAL OF MINUTES

Moved by: Carolan
 Support by: Abitheira

RESOLVED, To approve the minutes of the January 2, 2013 Regular meeting as submitted.

Yes: All present (5)

MOTION CARRIED

3. HEARING OF CASES

A. VARIANCE REQUEST, PATRICK STIEBER FOR ALLIED SIGNS, INC., 70 WEST MAPLE – 1) In order to place two ground signs (menu boards), each measuring 44 square feet in area, a variance from the Sign Code that limits the area of signs not visible from the road to 36 square feet each. Both signs will not be visible from the public right of way. 2) In order to place three 9.57 square foot ground signs, a variance from the Sign Code which allows a maximum of two ground signs on the site, and 3) In order to place a 33 square foot wall sign, a 28.19 square foot variance from the requirement that the total combined area of all wall signs not exceed 10% of the front area of the structure.

CODE SECTIONS: 1) 85.01.04 (A) (3); 2) 85.02.04 (C) (4) (a and b);
 3) 85.02.04 (C) (4) (d)

Mr. Grusnick gave a report on the item. He stated building permits were issued to construct a new McDonald's restaurant at this location and the requested variances pertain to the new restaurant. The site currently has two existing ground signs that will be refaced to include McDonald's. Five wall signs totaling 80.4 square feet were approved by the City; a fifth west elevation wall sign was denied.

Mr. Grusnick reported that the department received no response to the public hearing notice.

The applicant, Patrick Stieber of Allied Signs, and property owner, Peter Ruppe, were present.

Mr. Stieber addressed the three variance requests. 1) The two menu boards are McDonald's standardized signs and are sized to accommodate food choices. The same size menu boards can be found at several nearby locations. 2) The directional ground signs at the approaches will help reduce traffic congestion and confusion. 3) The west elevation wall sign is a standard sign used on newer restaurant designs.

Mr. Ruppe announced there was an approved lot split that should allow for additional ground signs. He provided Mr. Grusnick the approved lot split survey.

Mr. Grusnick agreed and advised the Board members that each parcel is permitted two ground signs. The request for variance (2) shall be reduced from three to one additional 9.57 foot ground sign located at the West Maple Road approach.

There was Board member discussion on the following:

- Uniqueness of site; multiple buildings and drive approaches.
- The necessity of a directional sign at the approaches. Some thought it not necessary at West Maple Road as the approach is clearly marked and the building is very visible.
- Multiple wall signage already approved and the need for an additional sign on the west elevation.
- The site has two existing tenant ground signs that will be refaced to include McDonald's.

Moved by: Kischnick

Support by: Carolan

RESOLVED, (1) To approve the variance to place two 44 square foot ground signs (menu boards); (2) To deny the revised request for a third ground sign at the West Maple Road approach; and (3) To deny the variance request for the wall sign.

Discussion of the motion on the floor.

Mr. Kischnick addressed reasons for recommendation of denial for requests (2) and (3). The lot split approval permits one additional ground sign on both parcels. The revised request for one additional directional ground sign at the West Maple Road is unnecessary and would add sign clutter. The proposed wall sign is not highly visible; it faces another building to the west. Mr. Kischnick said McDonald's signage is a brand of its own and is very visible through building architecture.

Vote on the motion on the floor.

Yes: All present (5)

MOTION CARRIED

4. COMMUNICATIONS

None.

5. PUBLIC COMMENT

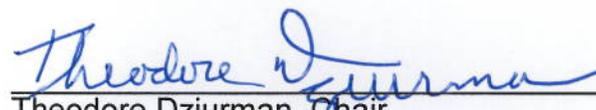
None.

6. MISCELLANEOUS BUSINESS

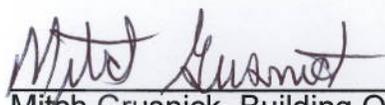
7. ADJOURNMENT

The Regular meeting of the Board of Building Appeals adjourned at 3:25 p.m.

Respectfully submitted,



Theodore Dziurman, Chair



Mitch Grusnick, Building Official/Code Inspector

Chair Tagle called the Regular meeting of the Troy City Planning Commission to order at 7:00 p.m. on February 12, 2013 in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

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

Absent:

Michael W. Hutson

Also Present:

R. Brent Savidant, Planning Director
Susan Lancaster, Assistant City Attorney
Ben Carlisle, Carlisle/Wortman Associates, Inc.
Eric Huang, Student Representative

2. APPROVAL OF AGENDA

Resolution # PC-2013-02-009

Moved by: Schultz
Seconded by: Sanzica

RESOLVED, To approve the Agenda as prepared.

Yes: All present (8)

MOTION CARRIED

3. APPROVAL OF MINUTES

Resolution # PC-2013-02-010

Moved by: Edmunds
Seconded by: Schepke

RESOLVED, To approve the minutes of the January 22, 2013 Special/Study meeting as printed.

Yes: Edmunds, Kempen, Krent, Sanzica, Schepke, Schultz, Tagle
Abstain: Strat

MOTION CARRIED

4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

POSTPONED ITEM

5. 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. Savidant informed the Planning Commission that the applicant requested postponement of this item in writing. The applicant has an agreement to purchase the abutting property to the north of the subject parcel, and requested additional time to revise the site design and prepare a Traffic Study.

No action was taken.

SPECIAL USE REQUEST AND PRELIMINARY SITE PLAN REVIEW

6. PUBLIC HEARING – SPECIAL USE AND PRELIMINARY SITE PLAN REVIEW (File Number SU 400) – Proposed Starbucks/Qdoba Oakland Mall Outlot, Northwest Corner of John R and 14 Mile, Section 35, Currently Zoned GB (General Business) District

Mr. Carlisle presented the report on the item.

Jim Butler, Professional Engineering Associates, addressed items of concern listed in the report. He indicated that the site plan would be revised to address all of the required items, including moving the building footprint forward to provide an additional required stacking space.

There was general discussion on the item.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2013-02-011

Moved by: Schultz

Seconded by: Strat

RESOLVED, That the Planning Commission hereby postpones the item to the next meeting or until such time that the applicant can put together an updated and complete site plan package.

Yes: All present (8)

MOTION CARRIED

PRELIMINARY SITE PLAN REVIEW

- 7. PRELIMINARY SITE PLAN REVIEW (File Number SP 979) – Proposed Galleria of Troy, North side of Big Beaver between Wilshire and I-75, Section 21, Currently Zoned BB (Big Beaver) District

Mr. Carlisle presented the report on the item.

Jim Butler, Civil Engineer from Professional Engineering Associates, addressed items of concern listed in the report.

Scott Bowers, Architect from A², addressed architectural issues.

There was general discussion on the item.

Some members of the Planning Commission questioned the interpretation of the provision requiring the principal building to be set back a maximum of 30 feet from the right-of-way. This was addressed by Mr. Savidant and Mr. Carlisle.

Mr. Butler indicated the site could be redesigned so that it was compliant with the Zoning Ordinance.

Resolution # PC-2013-02-012

Moved by: Schultz
Seconded by: Krent

RESOLVED, That the Planning Commission hereby postpones the item to the next meeting or until such time that the applicant can put together an updated and complete site plan package.

Yes: All present (8)

MOTION CARRIED

REZONING REQUEST

- 8. PUBLIC HEARING – CITY INITIATED REZONING APPLICATION (File Number Z 742) – Proposed 1071 Villa Park (part of Parcel Identification No. 88-20-02-301-010), East Side of Rochester Road, South of South Boulevard, Section 2, From R-1D (One Family Residential) District to RT (One Family Attached Residential) District

Mr. Savidant presented the report on the item.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2013-02-013

Moved by: Edmunds

Seconded by: Schultz

RESOLVED, That the Planning Commission hereby recommends to the City Council that the R-1D to RT rezoning request, located on the east side of Rochester Road, south of South Boulevard (1071 Villa Park), in Section 2, being approximately 34.169 acres in size, be approved for the following reasons:

1. The rezoning is consistent with the City of Troy Master Plan.
2. The rezoning is consistent with abutting zoning districts and land uses.
3. The rezoning will eliminate the nonconforming use status of the subject property.
4. The rezoning will correct an administrative error.

Yes: All present (8)

MOTION CARRIED

ZONING ORDINANCE TEXT AMENDMENT

9. ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 245) – Sober Living Facility

Mr. Carlisle presented a report on this item, including draft provisions regulating sober living facilities.

There was general discussion on the item.

David Lord, representative from Great Lakes Recovery Community, addressed questions related to sober living facilities.

Planning Commission determined that it would be appropriate to limit sober living facilities to adults, 18 years of age and above.

Staff informed Planning Commission next steps would be to present a revised draft based on feedback.

OTHER BUSINESS

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 9:15 p.m.

Respectfully submitted,



John J. Tagle, Chair



R. Brent Savidant, Planning Director

Chair Dziurman called the Regular meeting of the Building Code Board of Appeals to order at 3:00 p.m. on March 6, 2013 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Members Present:

Theodore Dziurman, Chair
Gary Abitheira
Teresa Brooks
Michael Carolan

Members Absent:

Brian Kischnick

Support Staff Present:

Mitch Grusnick, Building Official/Code Inspector
Allan Motzny, Assistant City Attorney
Rick Kessler, Plans Examiner, SafeBuilt
Eric Caloia, Fire Lieutenant
William McNabb, Fire Lieutenant
Kathy L. Czarnecki, Recording Secretary

Also Present:

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

2. APPROVAL OF MINUTES

Moved by: Abitheira
Support by: Carolan

RESOLVED, To approve the minutes of the February 6, 2013 Regular meeting as submitted.

Yeas: All present (4)
Absent: Kischnick

MOTION CARRIED

3. HEARING OF CASES

- A. VARIANCE REQUEST, RANDY ORAM FOR INTERNATIONAL OUTDOOR INC., 500 WEST LONG LAKE – A variance for relief of Chapter 85, Section 85.02.05 (c) (5) (e) to place a 70 foot tall, 1608 square foot ground sign

Mr. Grusnick briefly reviewed the four variance requests before the Board.

Chair Dziurman announced the Board is in receipt of a written request from the petitioner to postpone the item for one month to the April Board meeting.

Chair Dziurman opened the floor for public comment.

Nancy McSwain of 1166 Fairways, Troy, property owner of a vacant parcel on Wright, was present. Ms. McSwain said she is opposed to the proposed variance requests. She addressed the negative impact the proposed sign would have on her personal property as well as the properties of her friends and neighbors in the area as relates to the size and illumination of the sign, potentially distracting traffic. Ms. McSwain voiced concern that approval would set a precedent for future billboard signs.

Vince Pangle of 5235 Wright, was present. Mr. Pangle said he is opposed to the proposed variance requests. He addressed the negative impact the signage would have on the aesthetics of the area and property values. He said approval would set a precedent for future billboards. Mr. Pangle stated he believes the applicant is attempting to wear down the resolve of residents by numerous postponements and tabling requests. He said he would continue to speak in opposition of the request.

Chair Dziurman closed the floor for public comment.

Mr. Grusnick stated the department received one written letter signed by two property owners (four signatures) voicing opposition to the proposed variance requests.

Chair Dziurman said the City is generally opposed to billboard signage, noting the City's history with two previous legal matters.

Mr. Motzny stated all written and verbal public comment from this meeting and previous meetings would be part of the public record going forward.

Mr. Grusnick briefly discussed the public hearing notification process. He confirmed that office buildings located on the west side of the subject area could be visually impacted by the variance requests but are not located within the 300 foot radius for public notification.

Moved by: Abitheira
Support by: Carolan

RESOLVED, To postpone the item for one month to the April 3, 2013 meeting and that notification of the re-scheduled Public Hearing be mailed to parcels within the 300 foot radius.

Yeas: All present (4)

Absent: Kischnick

MOTION CARRIED

- B. **VARIANCE REQUEST, JIM REYERS FOR WOLVERINE BUILDING GROUP, 1680 JACKSON, BETHANY VILLA SENIOR COMMUNITY CENTER** – A variance of the 2009 Michigan Building Code Section 903.2.1.2 for relief of the required installation of a building automatic sprinkler system and Section 1018.1 for relief of the required one hour fire resistance corridor rating

Mr. Grusnick reviewed the voting options of the Board.

Those present representing the applicant were:

- Mike Houseman, Wolverine Group
- Jay Miedema, Post Associates
- Margaret Davey, Paragon Management
- Janeen Wiltse, Bethany Villa

Mr. Houseman provided information on the history and foundation of the HUD regulated housing community. He said Bethany Villa intends to use the community center, presently under construction, to hold meetings for its residents and to house its business office, which currently works out of two apartments. Mr. Houseman distributed an informational sheet that outlines Bethany Villa policies and procedures of the community center, a copy of which is attached and made a part hereof of the minutes.

Mr. Houseman addressed the interpretation of the A2 classification of the plans submitted. He said the intent was never to have the community center classified as A2, and it was an error on the part of the architect who designed the plans. He asked if the plans could be re-classified from A2 to A3, noting that an A3 classification is a better fit, with the exception of the stove and residential hood in the kitchen. Mr. Houseman addressed fire-related items; i.e., fire rated drywall, fire rating of walls, attic draft stops, numerous exit/egress doors, compartmentalization, audible and visible fire alarms. He said the plans did not indicate a fire line running to the building, nor were fire suppression drawings submitted. Mr. Houseman provided a status of the building construction; foundation complete, floors poured, exterior walls up, framed. He emphasized the Community Center would never be available to rent by Bethany Villa residents or the general public.

Fire Lieutenant Eric Caloia stated that the Fire Department is opposed to granting the variance request for relief of the Code required fire suppression. He stated the plans reviewed on December 20, 2012 showed the community center would be sprinkled and a fire suppression system installed. He said the plans did not show smoke detectors in the building. Lieutenant Caloia stated that both the Fire Code

and Building Code require the installation of a fire suppression system for a building classified as A2. He indicated it was just recently brought to their attention that the classification was changed by the architect from A-2 to A3. Lieutenant Caloia said the Fire Department has not received any new or revised drawings for review.

Mr. Kessler reviewed the plans for the City and approved it for permits. He said the fire alarm drawing was not part of the plans submitted to the Building Department. The A2 use classification was identified on the plans submitted by the subcontractor. Mr. Kessler addressed the distinction between A2 and A3 classifications. He indicated the issue in this case is the consumption of food and beverage. Mr. Kessler explained that combined or mixed uses having different use classifications are permitted, when smaller accessory uses are less than 10% of the area.

Mr. Kessler has been informed the Bethany Villa Community Center is an owner/operated facility that conducts controlled events. He explained how this specific community center use fits within the laundry list of both the A2 and A3 classifications. Mr. Kessler feels that most of the characteristics of the community center fit within the A3 classification, and falls into the A2 classification because of the consumption of food and beverage.

Fire Lieutenant William McNabb addressed the Fire Department's policy for inspections. He said the department generally inspects assembly places annually, especially if alcohol is served. Inspections are always conducted should a complaint be filed. Lieutenant McNabb stated the Fire Department never wants to give up life safety features. He said one concern of the Fire Department is that based on the square footage of the building, the occupancy rate could far exceed the occupancy load quoted by the applicant.

Mr. Kessler addressed occupancy loads and ventilation rates.

Ms. Davey informed members that HUD conducts monthly reviews and generally annual site visits of its properties. She stated HUD does not permit residents to use a community center building for the preparation of food; all food/meals would be catered. She indicated refrigerators are used to keep beverages cold. Ms. Davey said residents are not permitted to rent the building for any private events; that the building can only be used by its residents as a meeting place.

There was discussion on the following:

- Departmental process in determining building classifications.
- Change in building use in the future.
- Granting variance request subject to conditions.
- No mechanism in place for Building Department to change building classification.
- Kitchen critical; potential to partition out.
- Financial aspect of fire suppression; sprinkled building.

Mr. Houseman requested postponement of the item until a full board is present. He said construction would cease and the project would die should the Board not grant the variance request.

Moved by: Abitheira

Support by: Carolan

RESOLVED, To postpone the item to the April 3, 2013 meeting, at the request of the applicant and until such time that a full Board might be present.

Yeas: All present (4)

Absent: Kischnick

MOTION CARRIED

4. COMMUNICATIONS

None.

5. PUBLIC COMMENT

None.

6. MISCELLANEOUS BUSINESS

None.

7. ADJOURNMENT

The Regular meeting of the Board of Building Appeals adjourned at 4:51 p.m.

Respectfully submitted,

Theodore Dziurman, Chair

Kathy L. Czarnecki, Recording Secretary

BUILDING CODE BOARD OF APPEALS SIGN-IN SHEET

March 6, 2013

NAME (PLEASE PRINT)	ADDRESS
Nadby M Swain	1166 FAIRWAYS TROY
Mike Houseman	4045 Barden SE Grand Rapids 49512
Vince Pangle	5235 WIZGINT TROY MI 48098
Janceen Wilts	1680 Jackson Dr. Troy
Margaret Davey	1680 Jackson Dr. Troy
Jay Miedema	40 Pearl St., Ste 900, Grand Rapids 49503
Eric CA COIT	TFD
Wm McNamee	TFD.
NAME (PLEASE PRINT)	ADDRESS

BUILDING CODE BOARD OF APPEALS MEETING SIGN-IN SHEET

March 6, 2013

Bethany Villa

Bethany Villa Community Center Policies and Procedures

OFFICE HOURS

The Community Center scheduled office hours are:

Monday through Friday 8:30am - 5:00 pm

BUILDING USE

The Bethany Villa Community Center is available for staff organized meetings or small group activities.

This is a low income senior independent living facility strictly regulated by H.U.D. Federal Housing and Urban Development Administration.

1. Alcohol is strictly prohibited in the facility.
2. Smoking in the community center is strictly prohibited.
3. No on site food preparation is involved. Any snacks or food consumed at meetings will be prepared offsite and brought in.
4. Meeting Rooms will be used for resident meetings and activities as follows:
 - a. Resident meetings are on an as needed basis, generally four times per year.
 - b. Weekly scheduled activities (educational, social, physical, nutritional).
 - c. The residents will be able to use the facilities during normal business hours Monday – Friday for their own general use of the meeting rooms to play games, watch TV or for socialization amongst themselves.
5. The Computer Room will be available for the residents use for classes and open lab during normal business hours only.
6. Hanging or attaching decorations to the wall, ceiling, floor, door, or windows is prohibited.
7. The kitchen is for serving only. Any prepared foods will be delivered on site.
8. The Community Center is NOT available for use by the public and cannot be rented for use by residents or their family.
9. All lighting in the Community Center shall be non-dimmable lighting for the safety of the staff and residents.

HOLIDAYS

The Community Center will be closed on New Years Eve, New Years Day, Martin Luther King Day, Memorial Day, 4th of July, Labor Day, Thanksgiving, the Friday after Thanksgiving, Christmas Eve and Christmas Day.

1680 Jackson Drive
Troy, MI 48083

(248) 689-5838
Fax: 248-689-3903
email: bethanyvilla1@comcast.net





CITY COUNCIL AGENDA ITEM

Date: March, 7 2013

To: Brian Kischnick, City Manager 

From: Mark F. Miller, Director of Economic and Community Development 
Steve Burns, Building Official, SAFEbuilt 
Mitch Grusnick, City Building Official 

Subject: Building Department Activity Report – February, 2013

The following attachment contains a summary of permit activity, project valuation and inspection counts for the Building Inspection Department from January 2011 to February 2013. Permit activity and inspections have continued to increase.

We have issued 1374 building related permits for the year so far. Year to date project valuations thru February are at \$22,696,889. Compared to February 2012 we issued 967 building related permits that had a valuation of \$16,514,779.

Our inspectors performed 2281 inspections in 2013 compared to 1972 in 2012.

Attachments:

1. Building Department Activity Report, January 2011 thru February 2013.

Preparer of memo\File name\File location

January 2011													
Permit Activity	Residential			Commercial			Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year	
	New	Alt.	Misc.	New	Alt.	Misc.							
Count	2	16	23	0	23	0	0	361	70	473	473	400	
Valuation	\$ 435,315.00	\$ 300,111.00	\$ 200,000.00	\$ -	\$ 4,683,200.00	\$ -	\$ -	\$ -	\$ -	\$ 5,618,730.00	\$ 5,618,730.00	\$ 2,919,092.00	
Plan Reviews	2	16	23	0	23	0	0	0	0	44	44	44	
Inspections	Approved	Cancelled	Disapproved	Locked Out	Not Ready	Partial Approved							
Count	608	38	113	18	17	93				887	887	887	
Inspections by Trade	Building	Electrical	Fence	Mechanical	Plumbing	Sewer							
Count	207	307	0	250	108	15				887	887	887	

February 2011													
Permit Activity	Residential			Commercial			Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year	
	New	Alt.	Misc.	New	Alt.	Misc.							
Count	3	9	1	0	28	1	0	214	46	303	775	768	
Valuation	\$ 638,800.00	\$ 169,821.00	\$ 125,000.00	\$ -	\$ 1,805,444.00	\$ 3,200.00	\$ -	\$ -	\$ -	\$ 2,742,245.00	\$ 8,360,995.00	\$ 8,905,362.00	
Plan Reviews	3	8	2	0	28	1	0	0	0	42	42	86	
Inspections	Approved	Cancelled	Disapproved	Locked Out	Not Ready	Partial Approved							
Count	463	30	104	20	15	119				753	1610	1610	
Inspections by Trade	Building	Electrical	Fence	Mechanical	Plumbing	Sewer							
Count	159	265	2	229	86	9				753	1640	1640	

March 2011													
Permit Activity	Residential			Commercial			Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year	
	New	Alt.	Misc.	New	Alt.	Misc.							
Count	2	26	5	0	28	0	4	308	69	436	1211	1197	
Valuation	\$ 404,400.00	\$ 507,485.00	\$ 334,965.00	\$ -	\$ 3,694,381.00	\$ -	\$ -	\$ -	\$ -	\$ 4,941,231.00	\$ 13,302,226.00	\$ 13,517,366.00	
Plan Reviews	2	23	8	0	28	0	0	0	0	61	147	147	
Inspections	Approved	Cancelled	Disapproved	Locked Out	Not Ready	Partial Approved							
Count	571	29	117	23	9	122				871	2511	2511	
Inspections by Trade	Building	Electrical	Fence	Mechanical	Plumbing	Sewer							
Count	205	320	1	239	97	8				871	2511	2511	

October 2011														YTD Totals	Prev. Year
Permit Activity	Residential			Commercial			Misc.	One-Stop	Other	MID Totals	YTD Totals	Prev. Year	YTD Totals	Prev. Year	
	New	Alt.	Misc.	New	Alt.	Misc.									
Count	1	91	19	3	30	2	0	446	98	690	81,237,219.00	5604	4,968		
Valuation	\$ 193,000.00	\$ 2,520,394.00	\$ 116,090.00	\$ 1,850,000.00	\$ 3,383,737.00	\$ 323,000.00	\$ -	\$ -	\$ -	\$ 8,386,161.00	\$ 81,237,219.00	\$ 51,569,020.00	\$ 51,569,020.00		
Plan Reviews	1	92	18	3	30	2	0	12	158	1234	0	0	0		
Inspections	Approved			Disapproved			Locked Out			Partial Approved					
Count	708	44	196	18	25	163	3			1143	9512				
Inspections by Trade	Building			Electrical			Mechanical			Plumbing			Sewer		
Count	353	364	9	9	274	117	22	2	2	1143	9512				
C of O	22														

November 2011														YTD Totals	Prev. Year
Permit Activity	Residential			Commercial			Misc.	One-Stop	Other	MID Totals	YTD Totals	Prev. Year	YTD Totals	Prev. Year	
	New	Alt.	Misc.	New	Alt.	Misc.									
Count	12	60	18	1	23	0	5	331	96	596	90,710,445.00	6200	5,551		
Valuation	\$ 3,052,209.00	\$ 505,266.00	\$ 128,436.00	\$ 300.00	\$ 5,675,200.00	\$ -	\$ 111,815.00	\$ -	\$ -	\$ 9,473,226.00	\$ 90,710,445.00	\$ 56,971,485.00	\$ 56,971,485.00		
Plan Reviews	12	57	21	18	18	1	12	12	121	1355					
Inspections	Approved			Disapproved			Locked Out			Partial Approved					
Count	695	37	179	21	24	125	1			1082	10394				
Inspections by Trade	Building			Electrical			Mechanical			Plumbing			Sewer		
Count	336	311	14	14	263	112	33	7	6	1082	10394				
C of O	42														

December 2011														YTD Totals	Prev. Year
Permit Activity	Residential			Commercial			Misc.	One-Stop	Other	MID Totals	YTD Totals	Prev. Year	YTD Totals	Prev. Year	
	New	Alt.	Misc.	New	Alt.	Misc.									
Count	4	52	15	1	31	0	0	337	59	493	95,033,417.00	6899	6,045		
Valuation	\$ 785,517.00	\$ 377,887.00	\$ 329,809.00	\$ 500.00	\$ 2,829,265.00	\$ -	\$ -	\$ -	\$ -	\$ 4,322,972.00	\$ 95,033,417.00	\$ 60,919,114.00	\$ 60,919,114.00		
Plan Reviews	4	50	17	31	31	1	1	103	1458	1458					
Inspections	Approved			Disapproved			Locked Out			Partial Approved					
Count	583	72	131	18	18	105	0			931	11525				
Inspections by Trade	Building			Electrical			Mechanical			Plumbing			Sewer		
Count	268	286	6	6	217	46	11	11	11	931	11525				
C of O	13														

April 2012																			
Permit Activity	Commercial				Residential				Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year					
	New	Alt.	Misc.	New	Alt.	Misc.	Alt.	Misc.											
Count	3	34	1	18	103	14	523	2330	114										
Value	\$ 2,212,000.00	\$ 5,617,710.00	\$ 20,080.00	\$ 2,492,514.00	\$ 994,958.00	\$ 49,102.00		\$ 11,765,382.00	\$ 34,713,024.00	\$ 8,507,065.00									
Plan Reviews Received	2	34	2	11	103	34	186	523											
Inspections	Approved				Cancelled				Disapproved		Locked Out		Not Ready		Partial Approved		Other		
Count	763	67	130	26	32	93	1111	4077											
Inspections by Trade	Building				Electrical				Mechanical		Plumbing		Sewer		Water		Other		
Count	284	14	14	246	160	45	10	1111	4077										
C of O	20								21										

May 2012																		
Permit Activity	Commercial				Residential				Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year				
	New	Alt.	Misc.	New	Alt.	Misc.	Alt.	Misc.										
Count	2	41	2	35	159	4	480	3159	647									
Value	\$ 1,090,000.00	\$ 5,361,598.00	\$ 36,950.00	\$ 3,633,455.00	\$ 1,439,792.00	\$ 17,500.00		\$ 11,559,555.00	\$ 46,272,579.00	\$ 4,416,260.00								
Plan Reviews Received	1	41	2	25	121	52	242	765										
Inspections	Approved				Cancelled				Disapproved		Locked Out		Not Ready		Partial Approved		Other	
Count	865	55	130	27	27	109	1234	5311										
Inspections by Trade	Building				Electrical				Mechanical		Plumbing		Sewer		Water		Other	
Count	460	22	22	252	151	47	21	1234	5311									
C of O	31								31									

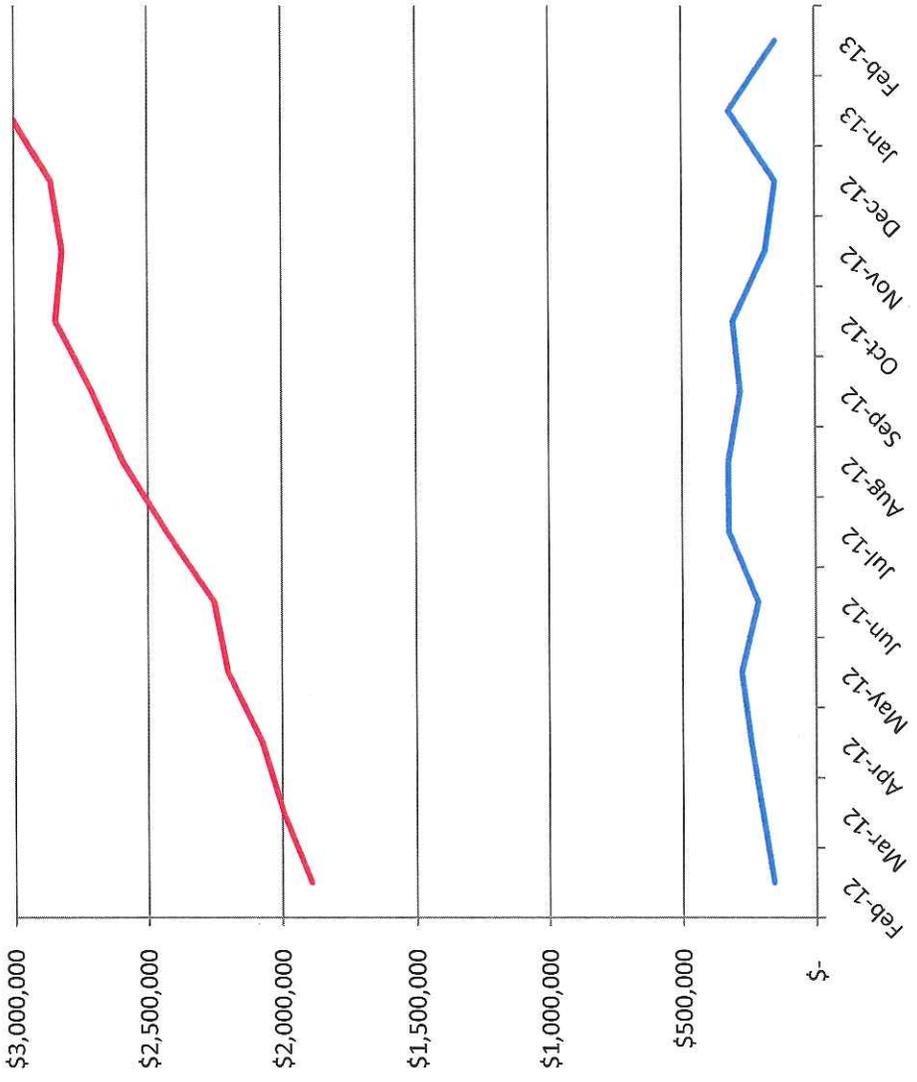
June 2012																		
Permit Activity	Commercial				Residential				Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year				
	New	Alt.	Misc.	New	Alt.	Misc.	Alt.	Misc.										
Count	2	36	0	15	117	9	597	4011	680									
Value	\$ 571,000.00	\$ 3,506,516.00	\$ -	\$ 2,236,278.00	\$ 1,250,418.00	\$ 69,050.00		\$ 7,633,262.00	\$ 33,905,841.00	\$ 24,104,658.00								
Plan Reviews Received	1	36	1	9	127	31	205	970										
Inspections	Approved				Cancelled				Disapproved		Locked Out		Not Ready		Partial Approved		Other	
Count	863	36	175	29	38	114	1755	6566										
Inspections by Trade	Building				Electrical				Mechanical		Plumbing		Sewer		Water		Other	
Count	444	37	44	255	159	23	10	1255	6566									
C of O	25								14									

January 2013																							
Permit Activity	Commercial			Residential			Misc.	One-Step	Other	MTD Totals	YTD Totals	Prev. Year	Inspections										
	New	Alt.	Misc.	New	Alt.	Misc.							Approved	Cancelled	Disapproved	Locked Out	Not Ready	Partial Approved	Other				
Count	3	55	3	10	57	6	17	487	92	730	730	571	828	59	76	29	20	133	1145	1145	1445		
Valuation	\$ 150,500.00	\$ 14,747,570.00	\$ 30,000.00	\$ 2,264,345.00	\$ 365,089.00	\$ 22,000.00				\$ 17,779,504.00	\$ 17,779,504.00	\$ 7,124,788.00											
Main Reviews	2	55	4	2	57	7	3			137	137	137											
Inspections	Approved	Cancelled	Disapproved	Locked Out	Not Ready	Partial Approved	Other																
Count	828	59	76	29	20	133	1145																
Inspections by Trade	Building	Electrical	Fence	Mechanical	Plumbing	Sewer	Water	Special Event	Other														
Count	337	375	4	277	159	22	1145	21	1145														
Cof O	26																						
Count	27																						

February 2013																							
Permit Activity	Commercial			Residential			Misc.	One-Step	Other	MTD Totals	YTD Totals	Prev. Year	Inspections										
	New	Alt.	Misc.	New	Alt.	Misc.							Approved	Cancelled	Disapproved	Locked Out	Not Ready	Partial Approved	Other				
Count	1	23	3	8	48	2	14	475	70	644	1374	416	827	46	82	23	33	125	1135	2281			
Valuation	\$ 5,000.00	\$ 2,313,269.00	\$ 20,000.00	\$ 1,998,331.00	\$ 572,885.00	\$ 7,900.00				\$ 4,917,385.00	\$ 22,696,889.00	\$ 9,389,991.00											
Main Reviews		23	4	8	48	3	3			86	223												
Inspections	Approved	Cancelled	Disapproved	Locked Out	Not Ready	Partial Approved	Other																
Count	827	46	82	23	33	125	1135																
Inspections by Trade	Building	Electrical	Fence	Mechanical	Plumbing	Sewer	Water	Special Event	Other														
Count	365	357	4	245	146	13	1136	6	1136														
Cof O	38																						
Count	23																						

City of Troy

Fees
Trailing 12



	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13
COM: New	\$ -	\$ -	\$ -	\$ -	\$ -
COM: Alt/Rep	\$ -	\$ -	\$ -	\$ -	\$ -
COM: Misc	\$ -	\$ -	\$ -	\$ -	\$ -
RES: New	\$ -	\$ -	\$ -	\$ -	\$ -
RES: Alt/Rep	\$ -	\$ -	\$ -	\$ -	\$ -
RES: Misc	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL	\$ -				

Run the Category Detail report for Permits. Use the month's date range.	January-13	February-13	March-13	April-13	May-13	June-13
Commercial, Add/Alter	52 \$ 14,346,092	22 \$ 2,090,079				
Commercial, Demo and New	1 \$ 23,500					
Commercial Access. Structure	1 \$ 85,000	1 \$ 5,000				
Commercial, Kiosk						
Commercial, Parking Lot						
Commercial, Pool						
Commercial, Repair						
Commercial, New Building	1 \$ 42,000					
Commercial, Wall						
Commercial, Wreck		1				
Commercial, Temp Off. Trailer						
Electrical	163	165				
Electrical, Fire Alarm	23	15				
Electrical, Signs	14	11				
Fence	3	1				
Fire Alarm	22	15				
Fire Protection	28	35				
Inst./Hosp., Add/Alter	2 \$ 205,000	1 \$ 223,190				
Inst./Hosp., New Building						
Industrial, Add/Alter	1 \$ 196,478					
Industrial, New Building						
Industrial, Wreck						
Industrial, Parking Lot						
Mechanical	134	118				
Mechanical, Air	8	11				
Mechanical, Heat	28	43				
Mechanical, Refrigeration	2	2				
Multi., Garage/Acc. Structure						
Multi., Add/Alter						
Multi., Repair	1 \$ 20,000					
Municipal, Add/Alter						
Municipal, New Construction						
Plumbing	86	79				
Religious, Add/Alter						
Religious, Parking Lot						
Residential, Add/Alter	29 \$ 433,418	19 \$ 365,500				
Residential, Fnd./Slab/Rat Wall						
Residential, Demo & New	1 \$ 183,504					
Residential, Fire Repair						
Residential, Garage/Acc. Structure						
Residential, New Construction	9 \$ 2,080,841	8 \$ 1,998,331				
Residential, Pool/Spa/Hot Tub						
Residential, Repair					1 \$ 20,150	
Residential, Roof	6 \$ 33,605				6 \$ 44,042	
Residential, Siding					4 \$ 51,000	
Residential, Window	21 \$ 78,066				18 \$ 92,193	
Residential, Wrecking	6 \$ 22,000				2 \$ 7,900	
Satellite/Antennas	3 \$ 30,000				2 \$ 20,000	
Sewer Installation, Sanitary	11	14				
Sewer Installation, Storm	7	9				
Sewer Tap						
Sidewalk	8	7				
Sign	41	20				
Special Event						
Special Inspection						
Tent						
Twn House, Add/Alter						
Water, Commercial New	2					
Water, Religious Add/Alter						
Water, Commercial Add/Alter	2	4				
Water, Industrial Add/Alter						
Water, Residential Add/Alter						
Water, Residential New	13	8				
Zoning, Animal						
Zoning, Temp Use or Structure	1					
Zoning, Outdoor Dining						
TOTALS:	730 \$ 17,779,504	644 \$ 4,917,385	0 \$ -	0 \$ -	0 \$ -	0 \$ -

Mayor Slater and City Council,

UBT would like to acknowledge the outstanding service provided by city employees, Mark Miller and Rick Shepler. They were very professional and timely in assisting us with our sewer and plumbing issues. UBT was without restroom facilities for 3 days and the services of these gentlemen were essential in addressing the issues.

With great appreciation,

Michelle D'Souza, CEO
and UBT Staff



Tim R
HR
C: Mark m
Rick Shepler



POLICE DEPARTMENT

February 11, 2013

1899 N. Squirrel Road
 Auburn Hills, MI 48326-2753
 Phone: 248.370.9444
 Fax: 248.370.9365

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


 Dear Chief Mayer,

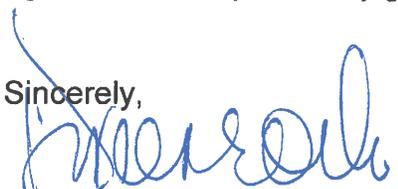
On behalf of the Auburn Hills Police Department, please accept our sincere appreciation for the assistance we received from the Special Investigation Unit (S.I.U.) in connection with our series of the thefts of backflow preventers.

Our Department took several reports of backflow preventers being cut or pulled off commercial buildings in the area of Harmon and Giddings Roads with an estimated loss of \$120,000. Through a report of a suspicious vehicle we were able to identify a suspect vehicle. The information on the suspect vehicle along with a probable suspect was given to S.I.U.

S.I.U. worked the suspect for several days and ultimately arrested him. The suspect, a wanted parole absconder, was found in possession of narcotics at the time of his arrest. It is believed that this suspect is responsible for similar thefts in the Genesee, Wayne, and Oakland Counties.

The Special Investigations Unit has continues to be an incredible resource for our Departments and an excellent model of cooperation between law enforcement agencies. I am personally grateful for this unit's professionalism and dedication.

Sincerely,

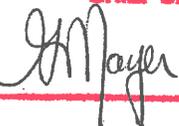

 Doreen E. Olko
 Director of Emergency Services

SPECIAL INVESTIGATIONS UNIT.
 SGT. DON OSTROWSKI - TROY PD
 P.O'S DAN LANGBEEN + TIM DANIELS - TROY PD
 P.O. JERAMY PETERS - AUBURN HILLS PD
 P.O. BRIAN KASCHYK - BLOOM FIELD TWP PD

SIV - GREAT WORK ON A DIFFICULT
 SUSPECT. THANKS. ANOTHER GREAT
 COOPERATIVE EXAMPLE OF POLICE WORK.



RECEIVED
 CHIEF OF POLICE

 2-18-2013



POLICE DEPARTMENT

1899 N. Squirrel Road
Auburn Hills, MI 48326-2753
Phone: 248.370.9444
Fax: 248.370.9365

February 11, 2013

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

Dear Chief Mayer,

On behalf of the Auburn Hills Police Department, please accept my sincere appreciation for the assistance we received from the Special Investigation Unit (S.I.U.) in connection with our attempt homicide case on January 15, 2013.

When we determined that we need SIU's assistance we contacted them in the middle of the night and received a quick response. A briefing was given to the SIU members along with some intelligence data that had been gathered. SIU was in Flint in the area of a possible suspect address shortly after being contacted. After just a few hours of surveillance SIU arrested the suspect without incident he left his residence. This arrest brought our case of attempted homicide to a closure in less than 14 hours.

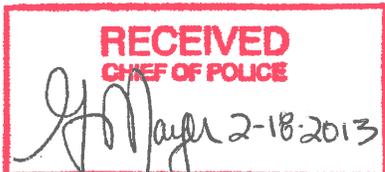
The Special Investigations Unit has proven to be a tremendous resource for our Departments and a great example of cooperation between law enforcement agencies. I am personally grateful for this unit's professionalism and dedication.

Sincerely,

Doreen E. Olko
Director of Emergency Services

SPECIAL INVESTIGATIONS UNIT:
SGT. DON OSTROWSKI, TROY PD
POLICE OFFICER DAN LANBEEBEN, TROY PD
POLICE OFFICER TIM DANIELS, TROY PD
POLICE OFFICER BRIAN KASCHYK, BLOOMFIELD TWP P.D.
POLICE OFFICER JEREMY PETERS, AUBURN HILLS PD

GREAT WORK GETTING THIS DANGEROUS
FELLOW OFF THE STREET. ANOTHER GOOD
EXAMPLE OF COOPERATIVE POLICE WORK
AT IT'S FINEST.



From: Patricia A Gladysz
Sent: Friday, March 08, 2013 8:48 AM
To: Gary G Mayer
Subject: Telephone Message - Compliment from Citizen

I received a telephone call from Mrs. Lin who lives at xxxx Witherbee. She wanted to compliment the Police Department and the Streets Division for their prompt and courteous service.

On 02/26/13 at approximately 11:15 pm, she phoned the non-emergency PD number to report that the weight of the snow had caused a large tree branch to fall and it was blocking the street. She stated that within minutes, Officer Joe Morgan responded and he indicated he would notify the Streets Division. A short time later, Tim Teifke, field supervisor in the Parks Division, responded and cleared the large branch from the street. A day or two later, he returned and finished the cleanup.

Mrs. Lin asked that I notify the Chief of Police and other supervisors that she and her husband were extremely pleased with the service they received.

The call for service is attached.

Pat Gladysz

CFS# 13-6253

P.O. JOE MORGAN -

THANK YOU FOR YOUR PROMPT SERVICE AND
YOUR PART IN MAKING THE LIN'S HAPPY
WITH THE CITY OF TROY.



cc: Tim RICHARD