

Pastor Dan Lewis from Troy Christian Chapel performed the Invocation. The Pledge of Allegiance to the Flag was given.

A. CALL TO ORDER:

A Regular Meeting of the Troy City Council was held on Monday, August 12, 2013, at City Hall, 500 W. Big Beaver Rd. Mayor Slater called the meeting to order at 7:32 PM.

B. ROLL CALL:

- Mayor Dane Slater
- Jim Campbell
- Wade Fleming
- Dave Henderson
- Maureen McGinnis
- Ed Pennington – Arrived at 7:34 PM
- Doug Tietz

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 On Behalf of the City of Troy Employees’ Casual for a Cause Program for the Months of March & April 2013, Community Affairs Director Cindy Stewart will Present a Check in the Amount of \$704 to Terry Kennedy, Administrative Coordinator for Gift of Life Foundation

C-2 Congratulations to Jeanette Menig, HR Specialist, on Achieving the Designation of International Public Management Association Certified Professional (IPMA-CP) (Introduced by: Peggy Sears, Human Resources Director)

C-3 Transit Center Status Update – August 2013 (Introduced by: Steve Vandette, City Engineer)

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 Proposed Amendments – TDDA Tax Increment Financing Plan (Introduced by: Terence M. Donnelly, Bond Counsel)

The Mayor OPENED the Public Hearing. The Mayor CLOSED the Public Hearing after receiving public comment from Jim Werpetinski.

RESOLUTION A

Resolution #2013-08-131

Moved by Fleming
Seconded by Henderson

**RESOLUTION APPROVING 2013 AMENDMENTS TO
DEVELOPMENT PLAN AND TAX INCREMENT FINANCING PLAN
AND AMENDMENTS TO ORDINANCE 78 AND ORDINANCE 80**

WHEREAS, Pursuant to Act 197 of the Public Acts of Michigan of 1975, as amended (MCL 125.1651 et. seq.) (“Act 197”), and Ordinance 78 adopted by the City Council of the City of Troy (the “City”) on July 12, 1993, the City Council created the Downtown Development Authority of the City of Troy (the “DDA”); and

WHEREAS, Pursuant to Act 197 and Ordinance 80 adopted by the City Council of the City of December 13, 1993, the City Council approved the Development Plan and Tax Increment Financing Plan (the “Plan”), which Plan was subsequently amended in 1998, 2000, 2002 (twice) and 2007; and

WHEREAS, There have been prepared and submitted to the City Council further amendments to the Plan designated “2013 Amendments to Development Plan and Tax Increment Financing Plan” (the “2013 Plan Amendments”) with the recommendation from the DDA that the 2013 Plan Amendments be approved by the City Council; and

WHEREAS, A public hearing has been held on the 2013 Plan Amendments on this date by the City Council pursuant to notice given as required by Act 197 and other applicable law.

NOW, THEREFORE, BE IT RESOLVED:

1. That the City Council hereby **APPROVES** extending the existence of the DDA to December 31, 2033 and amends Ordinance 78 in the form presented to this meeting.
2. That the City Council hereby **APPROVES** the 2013 Plan Amendments in the form attached hereto and amends Ordinance 80 in the form presented to this meeting.
3. That all resolutions or parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are **RESCINDED**.

Yes: All-7
No: None

MOTION CARRIED

RESOLUTION B

Resolution #2013-08-132
Moved by Fleming
Seconded by Campbell

**RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED
\$15,500,000 GENERAL OBLIGATION LIMITED TAX BONDS, SERIES 2013**

WHEREAS, Pursuant to Act 197 of the Public Acts of Michigan of 1975, as amended (MCL 125.1651 et. seq.) (“Act 197”), and Ordinance 78 adopted by the City Council of the City of Troy (the “City”) on July 12, 1993, the City Council created the Downtown Development Authority of the City of Troy (the “DDA”); and

WHEREAS, Pursuant to Act 197 and Ordinance 80 adopted by the City Council of the City of December 13, 1993, the City Council approved the Development Plan and Tax Increment Financing Plan (the “Plan”), which Plan was subsequently amended in 1998, 2000, 2002 (twice) and 2007; and

WHEREAS, The DDA has previously issued the following bonds pursuant to Act 197, secured solely by tax increment revenues, as defined in Act 197 (“Tax Increment Revenues”), received by the DDA to finance the implementation of a portion of the Plan: (i) Downtown Development Authority Development and Refunding Bonds, Series 2001 in the aggregate principal amount of \$24,000,000 to finance the cost of roadway and streetscape improvements to Big Beaver Road and to refinance a portion of the cost of the parking garage adjacent to Somerset North, (ii) Community Center Facility Bonds, Series 2002 in the aggregate principal amount of \$9,700,000 to finance a portion of the cost of constructing the Troy Community Center, and (iii) Community Facility Center Junior Lien Bonds, Series 2003 in the aggregate principal amount of \$4,025,000 to finance a portion of the cost of constructing the Troy Community Center (such bonds are collectively referred to as the “DDA Bonds”); and

WHEREAS, Although the schedules prepared as part of each issue of DDA Bonds predicted that there would be sufficient Tax Increment Revenues to cover all of the debt service on the DDA Bonds, there has been an unanticipated decline in property values in the Plan’s Development Area since 2008, and a corresponding decrease in the available Tax Increment Revenues to the extent that they are unable to pay the debt service on the DDA Bonds as of November 1, 2013; and

WHEREAS, In order to prevent a default on the DDA Bonds, the City Council has on this date approved (a) an extension of the existence of the DDA to December 31, 2033 and (b) amendments to the Plan that (i) extend the Plan to December, 2033 to allow for the capture of annual Tax Increment Revenues to ultimately pay off the indebtedness represented by the DDA Bonds, (ii) remove certain specified properties that have significantly decreased in value from the Plan’s Development Area to enable the DDA to realize a capture of Tax Increment Revenues from the revised Development Area in amounts sufficient to pay the annual debt service on the Bonds (as hereinafter defined) and (iii) contemplate that the City will issue general obligation bonds to refund the DDA Bonds, which although requiring the City to pledge its limited tax full faith and credit, will be secured primarily by the Tax Increment Revenues to be derived from the revised Development Area for the extended period of time; and

WHEREAS, The City is authorized under Act 197 to issue the Bonds to pay all or part of the cost of implementing the Plan and in connection therewith, refunding the DDA Bonds; and

WHEREAS, The DDA, by resolution adopted on July 24, 2013, has approved and submitted to the City Council an estimate of the Tax Increment Revenues and other revenue available under Section 11 of Act 197 to be available for payment of principal and interest on the Bonds, as set forth in attached Exhibit A; and

WHEREAS, The City Manager has recommended that this resolution be adopted in order to effect the refunding of all of the DDA Bonds in order to avoid a default on the DDA Bonds.

NOW, THEREFORE, BE IT RESOLVED:

1. AUTHORIZATION OF BONDS – PURPOSE. Bonds of the City aggregating the principal sum of not to exceed Fifteen Million Five Hundred Thousand Dollars (\$15,500,000) (the “Bonds”), as determined by the City Manager at the time of sale, shall be issued and sold pursuant to the provisions of Act 197, and other applicable statutory provisions, for the purpose of paying part of the cost of implementing the Plan and in connection therewith, refunding all of the outstanding DDA Bonds.
2. BOND DETAILS. The Bonds shall be designated “General Obligation Limited Tax Bonds, Series 2013;” shall be dated as of the date of delivery thereof to the Underwriter (as hereinafter defined); shall be numbered from 1 upwards; shall be fully registered; shall be in the denomination of \$5,000 each or any integral multiple thereof not exceeding the aggregate principal amount for each maturity at the option of the purchaser thereof; shall bear interest at a rate or rates not exceeding 8.00% per annum as shall be determined by the City Manager at the time of sale, payable on each May 1 and November 1 as shall be determined by the City Manager at the time of sale; shall be mature on November 1 in such years and in such principal amounts as shall be determined by the City Manager at the time of sale; and shall be serial bonds and/or term bonds as shall be determined by the City Manager at the time of sale.
3. PAYMENT OF PRINCIPAL AND INTEREST. The principal of and interest on the Bonds shall be payable in lawful money of the United States. Principal shall be payable upon presentation and surrender of the Bonds to the bond registrar and paying agent as they severally mature. Interest shall be paid to the registered owner of each Bond as shown on the registration books at the close of business on the fifteenth day of the calendar month preceding the month in which the interest payment is due. Interest shall be paid when due by check or draft drawn upon and mailed by the bond registrar and paying agent to the registered owner at the registered address.
4. PRIOR REDEMPTION. The Bonds shall be subject to mandatory and/or optional redemption prior to maturity if so determined by the City Manager at the time of sale and if so determined, upon such terms and conditions as shall be approved by the City Manager; provided, however, that the redemption premium to be payable in connection with any optional redemption of the Bonds shall not exceed 2% of the principal amount of any Bond to be redeemed.
5. BOOK-ENTRY SYSTEM. Initially, one fully-registered Bond for each maturity, in the aggregate amount of such maturity, shall be issued in the name of Cede & Co., as nominee of The Depository Trust Company (“DTC”) for the benefit of other parties (the “Participants”) in the book-entry-only transfer system of DTC. In the event the City determines that it is in the best interest of the City not to continue the book-entry system of transfer or that the interests of the holders of the Bonds might be adversely affected if the book-entry system of transfer is continued, the City may notify DTC and the bond registrar and paying agent, whereupon DTC will notify the Participants of the availability through DTC of Bond certificates. In such event, the bond registrar and paying agent

shall deliver, transfer and exchange Bond certificates as requested by DTC and any Participant or "beneficial owner" in appropriate amounts in accordance with this resolution. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the City and the bond registrar and paying agent and discharging its responsibilities with respect thereto under applicable law or the City may determine that DTC is incapable of discharging its duties and may so advise DTC. In either such event, the City shall use reasonable efforts to locate another securities depository. Under such circumstances (if there is no successor securities depository), the City and the bond registrar and paying agent shall be obligated to deliver Bond certificates in accordance with the procedures established by this resolution. In the event Bond certificates are issued, the provisions of this resolution shall apply to, among other things, the transfer and exchange of such certificates and the method of payment of principal of and interest on such certificates. Whenever DTC requests the City and the bond registrar and paying agent to do so, the City and the bond registrar and paying agent shall cooperate with DTC in taking appropriate action after reasonable notice to make available one or more separate certificates evidencing the Bonds to any Participant having Bonds credited to its DTC account or to arrange for another securities depository to maintain custody of certificates evidencing the Bonds.

Notwithstanding any other provision of this resolution to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal of, interest on and redemption premium, if any, on such Bonds and all notices with respect to the Bonds shall be made and given, respectively, to DTC. The City Manager is authorized to sign the Blanket Issuer Letter of Representations on behalf of the City in such form as such official signing the Blanket Issuer Letter of Representations deems necessary or appropriate in order to accomplish the issuance of the Bonds in accordance with law and this resolution.

6. BOND REGISTRAR AND PAYING AGENT. The City Manager shall designate, and may enter into an agreement with, a bond registrar and paying agent for the Bonds which shall be a bank or trust company located in the State of Michigan that is qualified to act in such capacity under the laws of the United States of America or the State of Michigan. The City Manager from time to time as required may designate a similarly qualified successor bond registrar and paying agent.
7. EXECUTION, AUTHENTICATION AND DELIVERY OF BONDS. The Bonds shall be executed in the name of the City by the manual or facsimile signatures of the Mayor and the City Clerk and authenticated by the manual signature of an authorized representative of the bond registrar and paying agent, and the seal of the City (or a facsimile thereof) shall be impressed or imprinted on the Bonds. After the Bonds have been executed and authenticated for delivery to the original purchaser thereof, they shall be delivered by the City Treasurer or the City Manager to the purchaser of the Bonds upon receipt of the purchase price. Additional Bonds bearing the manual or facsimile signatures of the Mayor and the City Clerk may be delivered to the bond registrar and paying agent for authentication and delivery in connection with the exchange or transfer of the Bonds. The bond registrar and paying agent shall indicate on each Bond the date of its authentication.
8. EXCHANGE AND TRANSFER OF BONDS. Any Bond, upon surrender thereof to the bond registrar and paying agent with a written instrument of transfer satisfactory to the

bond registrar and paying agent duly executed by the registered owner or his duly authorized attorney, at the option of the registered owner thereof, may be exchanged for Bonds of any other authorized denominations of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered Bond.

Each Bond shall be transferable only upon the books of the City, which shall be kept for that purpose by the bond registrar and paying agent, upon surrender of such Bond together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his duly authorized attorney.

Upon the exchange or transfer of any Bond, the bond registrar and paying agent on behalf of the City shall cancel the surrendered Bond and shall authenticate and deliver to the transferee a new Bond or Bonds of any authorized denomination of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered Bond. If, at the time the bond registrar and paying agent authenticates and delivers a new Bond pursuant to this Section, payment of interest on the Bonds is in default, the bond registrar and paying agent shall endorse upon the new Bond the following: "Payment of interest on this bond is in default. The last date to which interest has been paid is _____, ____."

The City and the bond registrar and paying agent may deem and treat the person in whose name any Bond shall be registered upon the books of the City as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such Bond and for all other purposes, and all payments made to any such registered owner, or upon his order, in accordance with the provisions of Section 3 of this resolution shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the City nor the bond registrar and paying agent shall be affected by any notice to the contrary. The City agrees to indemnify and save the bond registrar and paying agent harmless from and against any and all loss, cost, charge, expense, judgment or liability incurred by it, acting in good faith and without negligence hereunder, in so treating such registered owner.

For every exchange or transfer of Bonds, the City or the bond registrar and paying agent may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer.

The bond registrar and paying agent shall not be required to transfer or exchange Bonds or portions of Bonds that have been selected for redemption.

9. FORM OF BONDS. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF OAKLAND

CITY OF TROY
GENERAL OBLIGATION LIMITED TAX BOND, SERIES 2013

INTEREST RATE MATURITY DATE DATE OF ORIGINAL ISSUE CUSIP

Registered Owner:

Principal Amount:

The City of Troy, County of Oakland, State of Michigan (the "City"), acknowledges itself indebted to, and for value received hereby promises to pay to, the Registered Owner identified above, or registered assigns, the Principal Amount set forth above on the Maturity Date specified above, unless redeemed prior thereto as hereinafter provided, upon presentation and surrender of this bond at the corporate trust office of _____, the bond registrar and paying agent, located in _____, Michigan, or at such successor bond registrar and paying agent as may be designated pursuant to the Resolution (as hereinafter defined), and to pay to the Registered Owner, as shown on the registration books at the close of business on the 15th day of the calendar month preceding the month in which an interest payment is due, by check or draft drawn upon and mailed by the bond registrar and paying agent by first class mail postage prepaid to the Registered Owner at the registered address, interest on such Principal Amount from the Date of Original Issue set forth above, or such later date through which interest has been paid, until the City's obligation with respect to the payment of such Principal Amount is discharged, at the rate per annum specified above. Interest is payable on the first days of May and November in each year, commencing on _____, 201_. Principal and interest are payable in lawful money of the United States of America.

This bond is one of a series of bonds aggregating the principal sum of _____ Dollars (\$_____) issued by the City under and pursuant to and in full conformity with the Constitution and Statutes of Michigan (especially Act No. 197, Public Acts of 1975, as amended ("Act 197")) and a resolution adopted by the City Council of the City on August 12, 2013 (the "Resolution"), for the purpose of paying part of the cost of implementing the Development Plan and Tax Increment Financing Plan (the "Plan") of the Downtown Development Authority of the City of Troy (the "DDA") and in connection therewith, refunding all of the outstanding bonds of the DDA originally issued to pay such cost. The tax increment revenues and other revenue to be received by the DDA pursuant to Section 11 of Act 197 and the full faith and credit of the City have been pledged to the prompt payment of the principal of and interest on this bond. In the event and to the extent that such tax increment revenues and other revenue are not sufficient to pay the principal of and interest on the bonds of this series, such principal and interest are payable as a first budget obligation of the City from its general funds. Taxes imposed by the City are subject to constitutional, statutory and charter tax limitations.

This bond is transferable, as provided in the Resolution, only upon the books of the City kept for that purpose by the bond registrar and paying agent, upon the surrender of this bond together with a written instrument of transfer satisfactory to the bond registrar and paying agent

duly executed by the Registered Owner or his attorney duly authorized in writing. Upon the exchange or transfer of this bond a new bond or bonds of any authorized denomination, in the same aggregate principal amount and of the same interest rate and maturity, shall be authenticated and delivered to the transferee in exchange therefor as provided in the Resolution, and upon payment of the charges, if any, therein provided. Bonds so authenticated and delivered shall be in the denomination of \$5,000 or any integral multiple thereof not exceeding the aggregate principal amount for each maturity.

The bond registrar and paying agent shall not be required to transfer or exchange bonds or portions of bonds that have been selected for redemption.

MANDATORY PRIOR REDEMPTION

Bonds maturing in the year ____ are subject to mandatory prior redemption at par and accrued interest as follows:

<u>Redemption Date</u>	<u>Principal Amount of Bonds to be Redeemed</u>
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Bonds or portions of bonds to be redeemed by mandatory redemption shall be selected by lot.

(REPEAT IF MORE THAN ONE TERM BOND)

OPTIONAL PRIOR REDEMPTION

Bonds maturing prior to _____, _____, are not subject to redemption prior to maturity. Bonds maturing on and after _____, _____, are subject to redemption prior to maturity at the option of the City, in such order as shall be determined by the City, on any one or more interest payment dates on and after _____, _____. Bonds of a denomination greater than \$5,000 may be partially redeemed in the amount of \$5,000 or any integral multiple thereof. If less than all of the bonds maturing in any year are to be redeemed, the bonds or portions of bonds to be redeemed shall be selected by lot. The redemption price shall be the par value of the bond or portion of the bond called to be redeemed plus interest to the date fixed for redemption and a premium as follows:

- % of the par value if called for redemption on or after _____, _____, but prior to _____, _____;
- % of the par value if called for redemption on or after _____, _____, but prior to _____, _____;

% of the par value if called for redemption on or after _____, _____, but prior to _____, _____.

Not less than thirty but not more than sixty days' notice of redemption shall be given to the Registered Owner of bonds called to be redeemed by mail to each Registered Owner at the registered address. Bonds or portions of bonds called for redemption shall not bear interest on and after the date fixed for redemption, provided funds are on hand with the bond registrar and paying agent to redeem the same.

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of the bonds of this series, existed, have happened and have been performed in due time, form and manner as required by law, and that the total indebtedness of the City, including the series of bonds of which this bond is one, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the City of Troy, State of Michigan, by its City Council, has caused this bond to be executed in its name by the manual or facsimile signatures of the Mayor and the City Clerk and its corporate seal (or a facsimile thereof) to be impressed or imprinted thereon. This bond shall not be valid unless the Certificate of Authentication has been manually executed by an authorized representative of the bond registrar and paying agent.

CITY OF TROY

(SEAL)

By: _____
City Clerk

By: _____
Mayor

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within mentioned Resolution.

Bond Registrar and Paying Agent

By: _____
Authorized Representative

AUTHENTICATION DATE:

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ (please print or type name, address and taxpayer identification number of transferee) the within bond and all rights thereunder and hereby irrevocably constitutes and appoints

attorney to transfer the within bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed: _____

Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guarantee program.

- 10. APPROVAL OF ESTIMATE OF TAX INCREMENT REVENUES. The estimate of the Tax Increment Revenues and other revenue available under Section 11 of Act 197 to be available for the payment of the principal of and interest on the Bonds, as approved by the DDA and as set forth in attached Exhibit A, is approved.
- 11. SECURITY. The Tax Increment Revenues and other revenue to be available to the DDA under Section 11 of Act 197 are pledged for the payment of the principal of and interest on the Bonds. The Bonds shall also be limited tax general obligations of the City. The full faith and credit of the City are also pledged for the prompt payment of the principal of and interest on the Bonds as the same shall become due. Each year the City shall be obligated, as a first budget obligation, to advance moneys from its general funds or to levy ad valorem property taxes on all taxable property within its corporate boundaries to pay such principal and interest as the same become due in the event and to the extent that the Tax Increment Revenues and other revenue to be available to the DDA under Section 11 of Act 197 are not sufficient to make such payment. The ability of the City to raise funds to pay such amounts is subject to applicable constitutional, statutory and charter limitations on the taxing power of the City.
- 12. DEFEASANCE. In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay, at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the Bonds, shall have been deposited in trust, this resolution shall be defeased and the owners of the Bonds shall have no further rights under this resolution except to receive payment of the principal of, premium, if any, and interest on the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein.
- 13. PRINCIPAL AND INTEREST FUND. There is hereby established for the Bonds a Principal and Interest Fund that shall be either a separate fund or part of a common fund as permitted by law. From the proceeds of the sale of the Bonds, there shall be set aside in the Principal and Interest Fund any accrued interest received from the purchaser at the time of delivery of the same. The Tax Increment Revenues and other revenue available to the DDA under Section 11 of Act 197 and other available moneys of the City, if any, to be used to pay the payment of the principal of and interest on the

Bonds shall be deposited in the Principal and Interest Fund and so long as the principal or interest on the Bonds remain unpaid, no moneys shall be withdrawn from such fund except to pay such principal and interest or to pay from any investment earnings on such fund the fees and expenses of the bond registrar and paying agent.

14. PAYMENT OF COSTS OF ISSUANCE -- ESCROW FUND. The remainder of the proceeds of the Bonds shall be used, together with available moneys of the DDA, if any, to pay the costs of issuance of the Bonds and to refund the DDA Bonds. After the costs of issuance have been paid or provided for the remaining proceeds and DDA moneys, in an amount determined by the City Manager at the time of sale of the Bonds, shall be used to establish an escrow fund (the "Escrow Fund") consisting of cash and investments in direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America or other obligations the principal of and interest on which are fully secured by the foregoing and used to pay the principal of, interest on and redemption premiums, if any, on the Prior Bonds. The Escrow Fund shall be held by an escrow agent (the "Escrow Agent") pursuant to an Escrow Agreement (the "Escrow Agreement"), which irrevocably shall direct the Escrow Agent to take all necessary steps to pay the principal of and interest on the Prior Bonds being refunded when due and to call such Prior Bonds for redemption at such time as shall be determined in the Escrow Agreement. The City Manager is authorized to select the Escrow Agent and enter into the Escrow Agreement on behalf of the City. The amounts held in the Escrow Fund shall be such that the cash and the investments and the income received on the investments will be sufficient without reinvestment to pay the principal of, interest on and redemption premiums, if any, on the DDA Bonds when due at maturity or call for redemption as required by the Escrow Agreement.
15. APPROVAL OF DEPARTMENT OF TREASURY. The issuance and sale of the Bonds shall be subject to permission being granted therefor by the Department of Treasury of the State of Michigan as provided in Act 34. If necessary, the City Manager is authorized to file an application with the Department of Treasury for approval of the Bonds.
16. SALE, ISSUANCE, DELIVERY, TRANSFER AND EXCHANGE OF BONDS. The Bonds shall be sold pursuant to a negotiated sale as hereinafter provided, and it is hereby determined that such negotiated sale is in the best interests of the City and is calculated to provide the maximum flexibility in pricing the Bonds and to result in the lowest interest cost to the City. The City Manager is authorized to enter into a Bond Purchase Agreement with Fifth Third Securities, Inc. (the "Underwriter"), which Bond Purchase Agreement shall set forth the principal amount of the Bonds, principal maturities and dates, interest rates and interest payment dates, redemption provisions, if any, purchase price to be paid by the Underwriter with respect to the Bonds and such other terms and provisions as the City Manager determines to be necessary or appropriate in connection with the sale of the Bonds. The Bond Purchase Agreement and the terms of the Bonds set forth therein shall be approved by an order adopted by the City Manager at the time of the sale of the Bonds. The Mayor, the City Clerk, the City Manager and the City Treasurer are each hereby authorized to do all things necessary to effectuate the sale, issuance, delivery, transfer and exchange of the Bonds in accordance with the provisions of this resolution. In making the determination in the order authorizing the sale of the Bonds and in the Bond Purchase Agreement with respect to principal

maturities and dates, interest rates, purchase price of the Bonds and compensation to be paid to the Underwriter, the City Manager shall be limited as follows:

- (a) The interest rate on any Bond shall not exceed 8.00% per annum.
- (b) The final maturity date of the Bonds shall not be later than November 1, 2033.
- (c) The purchase price of the Bonds shall not be less than 97% of the principal amount thereof.
- (d) The Underwriter's discount with respect to the Bonds or the compensation to be paid to the Underwriter shall not exceed 1.00% of the principal amount of the Bonds.

17. REPLACEMENT OF BONDS. Upon receipt by the City Clerk of proof of ownership of an unmatured Bond, of satisfactory evidence that the Bond has been lost, apparently destroyed or wrongfully taken and of security or indemnity that complies with applicable law and is satisfactory to the City Clerk, the City Clerk may authorize the bond registrar and paying agent to deliver a new executed Bond to replace the Bond lost, apparently destroyed or wrongfully taken in compliance with applicable law. In the event an outstanding matured Bond is lost, apparently destroyed or wrongfully taken, the City Clerk may authorize the bond registrar and paying agent to pay the Bond without presentation upon the receipt of the same documentation required for the delivery of a replacement Bond. The bond registrar and paying agent, for each new Bond delivered or paid without presentation as provided above, shall require the payment of expenses, including counsel fees, which may be incurred by the bond registrar and paying agent and the City in the premises. Any Bond delivered pursuant to the provisions of this Section 17 in lieu of any Bond lost, apparently destroyed or wrongfully taken shall be of the same form and tenor and be secured in the same manner as the Bond in substitution for which such Bond was delivered.
18. TAX COVENANT. The City covenants to comply with all applicable requirements of the Internal Revenue Code of 1986, as amended (the "Code"), necessary to assure that the interest on the Bonds will be and will remain excludable from gross income for federal income tax purposes. The Mayor, the City Clerk, the City Manager, the City Treasurer and other appropriate officials of the City are authorized to do all things necessary (including the making of such covenants of the City as shall be appropriate) to assure that the interest on the Bonds will be and will remain excludable from gross income for federal income tax purposes.
19. OFFICIAL STATEMENT. The City Manager is authorized to cause the preparation of an official statement for the Bonds for purposes of enabling compliance with Rule 15c2-12 issued under the Securities Exchange Act of 1934, as amended (the "Rule") and to do all other things necessary to enable compliance with the Rule. After the award of the Bonds, the City will provide copies of a "final official statement" (as defined in paragraph (e)(3) of the Rule) on a timely basis and in reasonable quantity as requested by the Underwriter to enable the Underwriter to comply with paragraph (b)(4) of the Rule and the rules of the Municipal Securities Rulemaking Board.
20. CONTINUING DISCLOSURE. The Mayor and the City Clerk are authorized to execute and deliver in the name and on behalf of the City a continuing disclosure certificate to comply with the requirements for a continuing disclosure undertaking of the City pursuant

to paragraph (b)(5) of the Rule, and amendments to such certificate from time to time in accordance with the terms of such certificate (the certificate and any amendments thereto are collectively referred to herein as the “Continuing Disclosure Certificate”). The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate.

21. PROFESSIONAL SERVICES. The following are appointed to act in the following capacities with respect to the Bonds:

As registered municipal advisor: Bendzinski & Co., Municipal Finance Advisors
Detroit, Michigan

As Underwriter: Fifth Third Securities, Inc.
Cincinnati, Ohio

As bond counsel: Dickinson Wright PLLC
Troy, Michigan

22. CONFLICTING RESOLUTIONS. All resolutions and parts of resolutions insofar as they may be in conflict herewith are rescinded.

EXHIBIT A

Estimate of Anticipated Tax Increment Revenues

<u>Fiscal Year</u> <u>Ending June 30</u>	<u>Amount</u>
2015	\$1,023,834
2016	978,617
2017	894,896
2018	895,059
2019	895,227
2020	954,541
2021	1,014,449
2022	1,074,956
2023	1,136,068
2024	1,197,791
2025	1,322,472
2026	1,449,646
2027	1,579,364
2028	1,711,677
2029	1,846,635
2030	1,984,293
2031	2,124,703
2032	2,267,922
2033	2,414,006
2034	2,563,011

Yes: All-7
No: None

MOTION CARRIED

E-2 Rezoning Application File Number Z 744 – Proposed Belleclaire Condominiums, East Side of Rochester, North of Wattles, South Side of Lamb (Part of 4210 Rochester), Section 14, From R-1C (One Family Residential) District to RT (One Family Attached Residential) District

[CLICK HERE](#) to view the Resolution Attachment: *Site Plan & Rezoning Plan*

The Mayor OPENED the Public Hearing. The Mayor CLOSED the Public Hearing after receiving public comment Richard Peters.

Resolution #2013-08-133
Moved by Fleming
Seconded by McGinnis

WHEREAS, The City is in receipt of a rezoning request, from R-1C to RT, File Number Z-744, as demonstrated by the Ordinance to amend Chapter 39 of the Code of the City of Troy and as illustrated in the attached Site Plan & Rezoning Plan.

THEREFORE BE IT RESOLVED, The proposed rezoning from R-1C to RT is hereby **APPROVED**.

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

Yes: All-7
No: None

MOTION CARRIED

F. PUBLIC COMMENT FOR ITEMS ON THE AGENDA:

James Savage	Spoke on Item C-3.
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G. CITY COUNCIL/CITY ADMINISTRATION RESPONSE/REPLY TO PUBLIC COMMENT:

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

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

a) **Mayoral Appointments:** None

b) **City Council Appointments:**

Resolution #2013-08-134
Moved by Fleming
Seconded by McGinnis

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

Term Expires: 01/31/2015

Paul McCown

(Alternate)

Term currently held by: Vacancy – David Eisenbacher
Appointed to Full Member Term

Yes: All-7
No: None

MOTION CARRIED

I-2 Board and Committee Nominations: a) Mayoral Nominations – None; b) City Council Nominations – Parks and Recreation Board

a) **Mayoral Nominations:** None

b) **City Council Nominations:**

Resolution #2013-08-135
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:

Parks and Recreation Board

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

Nominations to the Parks and Recreation Board:

Term Expires: 07/31/2014

Gary Hauff

Term currently held by: Gary Hauff

Yes: All-7
No: None

MOTION CARRIED

I-3 Request for Closed Session

Resolution #2013-08-136
Moved by Campbell
Seconded by Fleming

RESOLVED, That Troy City Council **SHALL MEET** in Closed Session pursuant to MCL 15.268 (a) - City Attorney evaluation and MCL15.268(h) (MCL15.243(g)).

Yes: All-7
No: None

MOTION CARRIED

**I-4 Contract Ratification – Michigan Association of Police (MAP) 2013-2015
(Introduced by: Peggy Sears, Human Resources Director)**

Resolution #2013-08-137
Moved by McGinnis
Seconded by Fleming

RESOLVED, That a collective bargaining agreement between the City of Troy and MAP for the period July 1, 2013 through June 30, 2015 is hereby **RATIFIED** by the City Council of the City of Troy, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the final agreement.

Yes: All-7
No: None

MOTION CARRIED

J. CONSENT AGENDA:

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

Resolution #2013-08-138
Moved by Fleming
Seconded by Henderson

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

Yes: All-7

No: None

MOTION CARRIED

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

J-2 Approval of City Council Minutes

Resolution #2013-08-138-J-2

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

- a) City Council Meeting Minutes-Draft – July 22, 2013

J-3 Proposed City of Troy Proclamations: None Submitted

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 2: Low Bidder Meeting Specifications – Portable Conveyor**

Resolution #2013-08-138-J-4a

RESOLVED, That Troy City Council hereby **AWARDS** a contract to furnish one (1) portable stainless steel conveyor unit to the low bidder meeting specifications, *Kimco USA Inc. of Marshall IL*, for an estimated total price \$82,956.20 as per the prices contained in the bid tabulation opened August 1, 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 company's submission of properly executed bid documents, including insurance certificates and all other specified requirements.

J-5 Request to Temporarily Waive Parking Restrictions

Resolution #2013-08-138-J-5

RESOLVED, That the City Council of the City of Troy hereby **WAIVES** the no parking restrictions on the East side of Northfield Parkway from the parking lot entrance to Congregation Shir Tikvah to the entrance to Boulan Park, on Wednesday, September 4, 2013, 7:00 p.m.-11:00 p.m.; Thursday, September 5, 2013, 9:00 a.m.-5:00 p.m.; Friday, September 13, 2013, 7:00 p.m.-11:00 p.m.; and, Saturday, September 14, 2013, 9:00 a.m.-9:00 p.m.

J-6 Private Agreement – Contract for Installation of Municipal Improvements – Hillmore Street Sanitary Sewer Extension – Project 13.401.13

Resolution #2013-08-138-J-6

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Kevin Baird, is hereby **APPROVED** for the installation of Sanitary Sewer and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-7 Authorization to Request Reimbursement – Oakland County West Nile Virus Fund

Resolution #2013-08-138-J-7

RESOLVED, That the City Council for the City of Troy, Oakland County, Michigan, hereby **AUTHORIZES** the City of Troy's Parks, Streets, and Drains Divisions, to seek reimbursement for an amount not to exceed \$11,956.08, from Oakland County's West Nile Virus Fund for the expenditures incurred while instituting proactive public health measures used to reduce the population of mosquitoes in the environment.

J-8 Termination of Planned Unit Development (PUD) Agreement – Troy Plaza PUD – West Side of Crooks, North Side of New King – Section 8

Resolution #2013-08-138-J-8

WHEREAS, On October 8, 2012, City Council conditionally rezoned the subject property from PUD (Planned Unit Development) to OM (Office Mixed Use) and CB (Community Business) districts; and

WHEREAS, The resolution which approved the rezoning also rescinded and abandoned the Planned Unit Development and related plans and documents; and

WHEREAS, The City is in receipt of a request from Tinelle Properties, LLC, owner of the subject property, to record a formal termination of the PUD Agreement that previously controlled the subject property with the Oakland County Register of Deeds.

THEREFORE, BE IT RESOLVED, That City Council hereby **AUTHORIZES** the Mayor and City Clerk to sign the attached document on behalf of the City of Troy, acknowledging the Termination of Troy Plaza Planned Unit Development Agreement.

BE IT FINALLY RESOLVED, That City Council hereby **DIRECTS** the City to record the executed Termination of Troy Plaza Planned Unit Development Agreement with the Oakland County Register of Deeds.

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:

Audre Zembrzusi	Spoke about not being able to view City Council meetings on AT&T cable service and also spoke encouraging people to properly dispose of prescription medicine.
Jerry White	Spoke regarding a letter received from a developer about a project on South Boulevard.
Richard Peters	Spoke about the national budget and healthcare.

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

Council Member Tietz requested City Management look into the complaint that AT&T cable service does not air local government channels. Cindy Stewart provided an update of the current situation with AT&T. Currently, Comcast and WOW offers public education and local government channels at no charge. AT&T wants to charge a monthly fee and require communities to purchase equipment. The ICCA, its counsel, and local communities continue communication with AT&T to resolve this issue.

Council Member McGinnis announced Park It Family Fun Night Out on Tuesday, August 20, 2013 at 6:00 PM. The event at Boulan Park will feature kids activities, live music and the movie Madagascar 3 under the stars. For more information, please contact (248) 524-3484.

Mayor Slater announced that the Troy Chamber of Commerce and local restaurants present Troy Restaurant Week starting Sunday, August 17, 2013 through Friday, August 23, 2013. Please see www.troyrestaurantweek.com for further information.

In response to a resident's comments, Chief Mayer explained how residents can properly dispose of prescription medication/drugs. Troy Police Department has containers located in their lobby for proper medication (no liquids) disposal - no questions asked - between 8:00 AM-10:00 PM, Monday through Friday, and 8:00 AM-5:00 PM on weekends. In addition, the Drug Enforcement Agency (DEA), along with the Troy Police Department offers a drive to take in all drugs, including liquids, several times a year.

O. REPORTS:

O-1 Minutes – Boards and Committees:

- a) Downtown Development Authority-Final – May 15, 2013
- b) Downtown Development Authority-Final – June 19, 2013
- c) Traffic Committee-Final – June 19, 2013
- d) Planning Commission-Draft – July 9, 2013
- e) Planning Commission-Final – July 9, 2013
- f) Traffic Commission-Draft – July 17, 2013

Noted and Filed

O-2 Department Reports:

- a) 2013 Mid-Year Calls for Police Service Report

Noted and Filed

O-3 Letters of Appreciation:

- a) To Chief Mayer for Outstanding Service by Police Officer John Julian
- b) To Brian Kischnick from Kathleen Donovan, Emerald Lakes Village Homeowners Association regarding Excellent Service Provided by the DPW
- c) To Brian Kischnick from Bharatiya Temple
- d) To the City of Troy and Public Works Department from Carol Price regarding Storm Cleanup
- e) To Tim Richnak from Kathleen Donovan, Emerald Lakes Village Homeowners Association regarding Excellent Service Provided by the DPW
- f) To Mayor and Council from Cathleen Russ, Library Director regarding Assistance from Community Affairs
- g) To Mayor and Council from Cathleen Russ, Library Director regarding Assistance from Brian Kischnick, City Manager
- h) To Chief William Nelson from Richard Dylewski of the Clawson Fire Department regarding the Troy Fire Department Participation in the Clawson 4th of July Parade

Noted and Filed

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

Noted and Filed

O-5 Notice of Hearing for the Natural Gas Customers of the DTE Gas Company Case No U-17216 on August 15, 2013

Noted and Filed

P. STUDY ITEMS:

P-1 No Study Items

The Meeting **RECESSED** at 8:26 PM.

The Meeting **RECONVENED** at 8:37 PM.

Q. CLOSED SESSION:

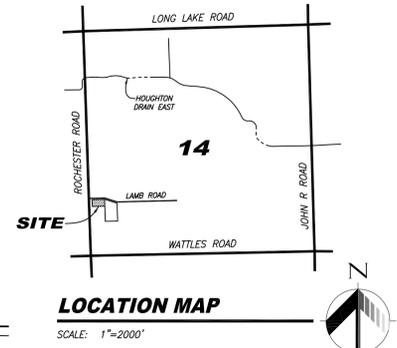
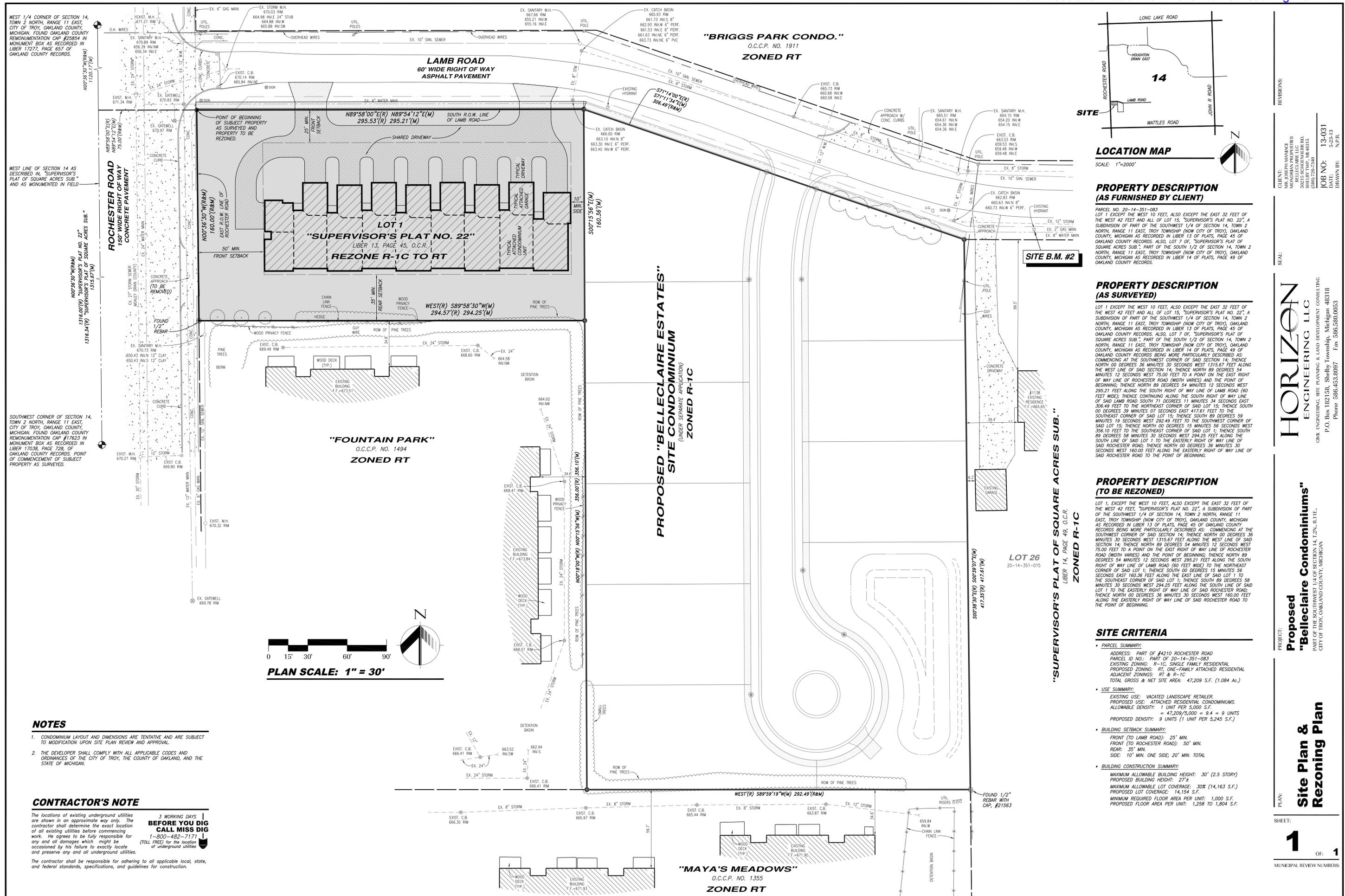
Q-1 Closed Session

R. ADJOURNMENT:

The Meeting **ADJOURNED** at 11:35 PM.

Mayor Dane Slater

M. Aileen Bittner, CMC
City Clerk



PROPERTY DESCRIPTION (AS FURNISHED BY CLIENT)

PARCEL NO. 20-14-351-083
 LOT 1 EXCEPT THE WEST 10 FEET, ALSO EXCEPT THE EAST 32 FEET OF THE WEST 42 FEET AND ALL OF LOT 15, "SUPERVISOR'S PLAT NO. 22", A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, TROY TOWNSHIP (NOW CITY OF TROY), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 13 OF PLATS, PAGE 45 OF OAKLAND COUNTY RECORDS. ALSO, LOT 7 OF "SUPERVISOR'S PLAT OF SQUARE ACRES SUB.", PART OF THE SOUTH 1/2 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, TROY TOWNSHIP (NOW CITY OF TROY), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 14 OF PLATS, PAGE 49 OF OAKLAND COUNTY RECORDS.

PROPERTY DESCRIPTION (AS SURVEYED)

LOT 1 EXCEPT THE WEST 10 FEET, ALSO EXCEPT THE EAST 32 FEET OF THE WEST 42 FEET AND ALL OF LOT 15, "SUPERVISOR'S PLAT NO. 22", A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, TROY TOWNSHIP (NOW CITY OF TROY), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 13 OF PLATS, PAGE 45 OF OAKLAND COUNTY RECORDS. ALSO, LOT 7 OF "SUPERVISOR'S PLAT OF SQUARE ACRES SUB.", PART OF THE SOUTH 1/2 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, TROY TOWNSHIP (NOW CITY OF TROY), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 14 OF PLATS, PAGE 49 OF OAKLAND COUNTY RECORDS. BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 14; THENCE NORTH 00 DEGREES 36 MINUTES 30 SECONDS WEST 1315.67 FEET ALONG THE WEST LINE OF SAID SECTION 14; THENCE NORTH 89 DEGREES 54 MINUTES 12 SECONDS WEST 78.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF SAID ROCHESTER ROAD (WIDTH VARIES) AND THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 54 MINUTES 12 SECONDS WEST 308.49 FEET TO THE NORTHEAST CORNER OF SAID LOT 15; THENCE SOUTH 00 DEGREES 07 SECONDS EAST 417.61 FEET TO THE SOUTHWEST CORNER OF SAID LOT 15; THENCE SOUTH 89 DEGREES 59 MINUTES 19 SECONDS WEST 292.49 FEET TO THE SOUTHWEST CORNER OF SAID LOT 15; THENCE NORTH 00 DEGREES 15 MINUTES 56 SECONDS WEST 356.10 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE SOUTH 89 DEGREES 58 MINUTES 30 SECONDS WEST 294.25 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF SAID LOT 1 TO THE EASTERLY RIGHT OF WAY LINE OF SAID ROCHESTER ROAD; THENCE NORTH 00 DEGREES 36 MINUTES 30 SECONDS WEST 160.00 FEET ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID ROCHESTER ROAD TO THE POINT OF BEGINNING.

PROPERTY DESCRIPTION (TO BE REZONED)

LOT 1, EXCEPT THE WEST 10 FEET, ALSO EXCEPT THE EAST 32 FEET OF THE WEST 42 FEET, "SUPERVISOR'S PLAT NO. 22", A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, TROY TOWNSHIP (NOW CITY OF TROY), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 13 OF PLATS, PAGE 45 OF OAKLAND COUNTY RECORDS BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 14; THENCE NORTH 00 DEGREES 36 MINUTES 30 SECONDS WEST 1315.67 FEET ALONG THE WEST LINE OF SAID SECTION 14; THENCE NORTH 89 DEGREES 54 MINUTES 12 SECONDS WEST 78.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF SAID ROCHESTER ROAD (WIDTH VARIES) AND THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 54 MINUTES 12 SECONDS WEST 308.49 FEET TO THE NORTHEAST CORNER OF SAID LOT 15; THENCE SOUTH 00 DEGREES 15 MINUTES 56 SECONDS WEST 356.10 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE SOUTH 89 DEGREES 58 MINUTES 30 SECONDS WEST 294.25 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF SAID LOT 1 TO THE EASTERLY RIGHT OF WAY LINE OF SAID ROCHESTER ROAD; THENCE NORTH 00 DEGREES 36 MINUTES 30 SECONDS WEST 160.00 FEET ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID ROCHESTER ROAD TO THE POINT OF BEGINNING.

SITE CRITERIA

- PARCEL SUMMARY:** ADDRESS: PART OF #4210 ROCHESTER ROAD PARCEL ID NO.: PART OF 20-14-351-083 EXISTING ZONING: R-1C, SINGLE FAMILY RESIDENTIAL PROPOSED ZONING: RT, ONE-FAMILY ATTACHED RESIDENTIAL ADJACENT ZONINGS: RT & R-1C TOTAL GROSS & NET SITE AREA: 47,209 S.F. (1.084 Ac.)
- USE SUMMARY:** EXISTING USE: VACATED LANDSCAPE RETAILER PROPOSED USE: ATTACHED RESIDENTIAL CONDOMINIUMS. ALLOWABLE DENSITY: 1 UNIT PER 5,000 S.F. = 47,209/5,000 = 9.4 = 9 UNITS PROPOSED DENSITY: 9 UNITS (1 UNIT PER 5,245 S.F.)
- BUILDING SETBACK SUMMARY:** FRONT (TO LAMB ROAD): 25' MIN. FRONT (TO ROCHESTER ROAD): 50' MIN. REAR: 35' MIN. SIDE: 10' MIN. ONE SIDE: 20' MIN. TOTAL
- BUILDING CONSTRUCTION SUMMARY:** MAXIMUM ALLOWABLE BUILDING HEIGHT: 30' (2.5 STORY) PROPOSED BUILDING HEIGHT: 27'± MAXIMUM ALLOWABLE LOT COVERAGE: 30% (14,163 S.F.) PROPOSED LOT COVERAGE: 14,154 S.F. MINIMUM REQUIRED FLOOR AREA PER UNIT: 1,000 S.F. PROPOSED FLOOR AREA PER UNIT: 1,258 TO 1,804 S.F.

NOTES

- CONDOMINIUM LAYOUT AND DIMENSIONS ARE TENTATIVE AND ARE SUBJECT TO MODIFICATION UPON SITE PLAN REVIEW AND APPROVAL.
- THE DEVELOPER SHALL COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES OF THE CITY OF TROY, THE COUNTY OF OAKLAND, AND THE STATE OF MICHIGAN.

CONTRACTOR'S NOTE

The locations of existing underground utilities are shown in approximate way only. The contractor shall determine the exact location of all existing utilities before commencing work. He agrees to be fully responsible for any and all damages which might be occasioned by his failure to exactly locate and preserve any and all underground utilities.

The contractor shall be responsible for adhering to all applicable local, state, and federal standards, specifications, and guidelines for construction.

3 WORKING DAYS BEFORE YOU DIG CALL MISS DIG 1-800-452-7171 (TOLL FREE) for the location of underground utilities

CLIENT: MR. JOSEPH MANWICH BELLECLAIRE LLC 5625 SCHOENBERG RD. TROY, MI 48063 (989) 252-2340

JOB NO: 13-031 DATE: 5-29-13 DRAWN BY: N.P.R.

SEAL: **HORIZON ENGINEERING LLC**

CIVIL ENGINEERING, SITE PLANNING & LAND DEVELOPMENT CONSULTING
 P.O. Box 182158, Shelby Township, Michigan 48318
 Phone: 586.453.8007 Fax: 586.580.0053

PROJECT: **Proposed "Belleclair Condominiums"**
 PART OF THE SOUTHWEST 1/4 OF SECTION 14, T.2N., R.11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN

SHEET: **1** OF: **1**

MUNICIPAL REVIEW NUMBERS: