

AGENDA

Meeting of the

CITY COUNCIL OF THE CITY OF TROY

NOVEMBER 10, 2008

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: Phillip L. Nelson, City Manager

SUBJECT: Background Information and Reports

Ladies and Gentlemen:

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

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

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

Outcome Statements

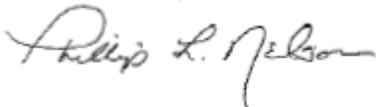
I. Troy enhances the health and safety of the community

II. Troy adds value to properties through maintenance or upgrades of infrastructure and quality of life venues

III. Troy is rebuilding for a healthy economy reflecting the values of a unique community in a changing and interconnected world

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

Respectfully submitted,



Phillip L. Nelson, City Manager



CITY COUNCIL

AGENDA

November 10, 2008 – 7:30 PM
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317

CALL TO ORDER: 1

INVOCATION & PLEDGE OF ALLEGIANCE: Kensington Community Church 1

ROLL CALL 1

CERTIFICATES OF RECOGNITION: 1

A-1 Presentations: 1

- a) On behalf of the City of Troy Employees' *Casual for a Cause* Program (September), Carol Anderson, Parks & Recreation Director will present a check in the amount of \$520.00 to Michael Silverstein for *Troy Foundation for Educational Excellence* 1
- b) America Recycles 2008 Proclamation Presented to Pam Brady 1
- c) MML Education Award Presented by Mayor Schilling to Council Member Mary Kerwin..... 1

CARRYOVER ITEMS: 1

B-1 No Carryover Items 1

PUBLIC HEARINGS: 1

C-1 Community Development Block Grant (CDBG) 2009 Application 1

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PUBLIC COMMENT: Limited to Items Not on the Agenda 2

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CALL TO ORDER:**INVOCATION & PLEDGE OF ALLEGIANCE:** Kensington Community Church**ROLL CALL**

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

CERTIFICATES OF RECOGNITION:

A-1 Presentations:

- a)** On behalf of the City of Troy Employees' *Casual for a Cause* Program (September), Carol Anderson, Parks & Recreation Director will present a check in the amount of \$520.00 to Michael Silverstein for *Troy Foundation for Educational Excellence*
- b)** America Recycles 2008 Proclamation Presented to Pam Brady
- c)** MML Education Award Presented by Mayor Schilling to Council Member Mary Kerwin

CARRYOVER ITEMS:

-
- B-1 No Carryover Items**

PUBLIC HEARINGS:

C-1 Community Development Block Grant (CDBG) 2009 ApplicationSuggested Resolution

Resolution #2008-11-

Moved by

Seconded by

WHEREAS, Oakland County is preparing an Annual Action Plan to meet application requirements for the Community Development Block Grant (CDBG) program, and other Community Planning and Development (CPD) programs;

WHEREAS, Oakland County has requested CDBG-eligible projects from participating communities for inclusion in the Action Plan;

WHEREAS, The City of Troy has duly advertised and conducted a public hearing on November 10, 2008 for the purpose of receiving public comments regarding the proposed use

of PY 2009 Community Development Block Grant funds (CDBG) in the approximate amount of \$158,321.00; and

WHEREAS, The City of Troy found that the following projects meet the federal objectives of the CDBG program and are prioritized by the community as high priority need:

Account Number	Project Name	Amount
172170-730744	Flood Drain Improvements	\$84,811.00
172160-732170	Public Services (Yard Services)	\$71,010.00
172140-730789	General Program Administration	\$ 2,500.00

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **AUTHORIZES** the City of Troy CDBG application be submitted to Oakland County for inclusion in Oakland County's Annual Action Plan to the U.S. Department of Housing and Urban Development, and hereby **AUTHORIZES** the Mayor and City Clerk to execute all documents, agreements, or contracts which result from this application to Oakland County.

Yes:

No:

POSTPONED ITEMS:

D-1 No Postponed Items

PUBLIC COMMENT: Limited to Items Not on the Agenda

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

REGULAR BUSINESS:

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

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

E-1 Appointments to Boards and Committees: a) Mayoral Appointments: Downtown Development Authority b) City Council Appointments: Advisory Committee for Persons with Disabilities; Cable Advisory Committee; Ethnic Issues Advisory Board; and Troy Daze Committee

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

The appointment of new members to all of the listed Board and Committee vacancies will require only one motion and vote by City Council. Council members submit nominations for appointment at the meeting prior to consideration. Whenever the number of submitted names exceeds the number of vacancies, a separate motion and roll call vote will be required to confirm the nominee receiving the greatest number of votes in the Council polling process (current process of appointing). Remaining vacancies will automatically be carried over to the next Regular City Council Meeting Agenda for consideration.

(a) Mayoral Appointments

Suggested Resolution

Resolution #2008-11-

Moved by

Seconded by

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

Downtown Development Authority

Appointed by Mayor (13-Regular) 4-Year Term

Laurence G. Keisling

Term Expires 09/30/2012

Yes:

No:

(b) City Council Appointments

Suggested Resolution

Resolution #2008-11-

Moved by

Seconded by

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

Advisory Committee for Persons with Disabilities

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

 Angela Done

Term Expires 11/01/2011

Cable Advisory Committee

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

 Lisa Martinico

Term Expires 11/30/2011

Ethnic Issues Advisory Board

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

 Aries Tao
Student

Term Expires 07/01/2009

Troy Daze Committee

Appointed by Council (9-Regular) 3-Year Term

 Jim Hattan

Term Expires 11/30/2011

 Alison Miller

Term Expires 11/30/2011

 Robert S. Preston

Term Expires 11/30/2011

Yes:

No:

E-2 Nominations for Appointments to Boards and Committees: (a) Mayoral Nominations: Planning Commission (b) City Council Nominations: Advisory Committee for Persons with Disabilities; Historic District Study Committee; and Parks & Recreation Board

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

The nomination of applicants to the following listed Board and Committee vacancies will be moved forward to the next Regular City Council Meeting for consideration of appointment.

(a) Mayoral Nominations**Suggested Resolution**

Resolution #2008-11-

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:

Planning Commission

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

Unexpired Term Expires 12/31/2010

Yes:

No:

(b) City Council Nominations

Suggested Resolution

Resolution #2008-11-

Moved by

Seconded by

RESOLVED, That the 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:

Advisory Committee for Persons with Disabilities

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

Term Expires 11/01/2011

Alternate Term Expires 11/01/2009

Historic District Study Committee

Appointed by Council (7-Regular) Ad Hoc; (2) Historic District Commission; (1) Local Historic Preservation Organization

Ad Hoc

Parks & Recreation Board

(7-Regular) 3-Year Term; (1-Troy School Board) 1-Year Term; (1-Troy Daze Committee) 1-Year Term; (1-Advisory Committee for Senior Citizens) 1-Year Term

***Troy Daze Rep.** Term Expires 11/30/2009

***Rec'd recommendation from Troy Daze Committee**

Yes:

No:

E-3 Acceptance of Kresge Foundation's Detroit Program: Arts and Culture General Support Grant of \$40,000.00

Suggested Resolution

Resolution #2008-11-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **AUTHORIZES** the Troy Historical Museum to receive the Kresge Foundation's Detroit Program: Arts and Culture General Support Grant, for \$40,000.00, to be distributed over a two-year period from July 1, 2008—June 30, 2010.

Yes:

No:

E-4 Voluntary Separation Retirement Incentive Programs

a) Voluntary Separation Defined Contribution (DC) to Defined Benefit (DB) Program for Retirement

Suggested Resolution

Resolution #2008-11-

Moved by

Seconded by

WHEREAS, Michigan's continuing rising unemployment and reductions in the taxable value of real estate are adversely affecting the City of Troy's operating revenues;

WHEREAS, Michigan's continuing economic distress has led City management to project significant budget short-falls for fiscal years 2010, 2011 and 2012;

WHEREAS, Economic uncertainty demands that the City of Troy government reduce operational expenses while improving efficiency and effectiveness;

WHEREAS, One recognized means of reducing operational expenses while simultaneously creating opportunities for reorganization and restructuring is to provide a voluntary separation incentive for City employees to retire;

WHEREAS, Approximately 13 Troy Command Officer Association (TCOA) employees will meet the eligibility criteria for retirement from City employment as of December 31, 2008; and

WHEREAS, The proposed Voluntary Separation Defined Contribution (DC) to Defined Benefit (DB) Program for Retirement has been reviewed and is recommended by City management as a mechanism to reduce workforce levels, create position vacancies, and provide City management with the opportunity to reduce costs, reorganize and restructure operations;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **AUTHORIZES** implementation of the following Voluntary Separation DC to DB Program for Retirement to be offered to TCOA DC bargaining unit retirement system members who will be eligible to retire on or before December 31, 2008; and

BE IT FURTHER RESOLVED, That the Voluntary Separation DC to DB Program for Retirement may be offered during a 45-day window of opportunity beginning November 15, 2008 and ending December 30, 2008; and

BE IT FURTHER RESOLVED, That funding for the Voluntary Separation DC to DB Program for Retirement shall be obtained from the funds contained in the members' DC accounts; and

BE IT FURTHER RESOLVED, That interested employees meeting eligibility requirements must accept the Voluntary Separation DC to DB Program for Retirement offer and written application to retire must be filed with the City on or before December 30, 2008. In no event will the retirement date be later than December 31, 2008; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **AUTHORIZES** City Management to collectively bargain participation in the Voluntary Separation DC to DB Program for Retirement with the TCOA union who represent members of the Defined Contribution Plan.

AND

b) Voluntary Separation Incentive Program for Retirement

Suggested Resolution

Resolution #2008-11-

Moved by

Seconded by

WHEREAS, Michigan's continuing rising unemployment and reductions in the taxable value of real estate are adversely affecting the City of Troy's operating revenues;

WHEREAS, Michigan's continuing economic distress has led City management to project significant budget short-falls for fiscal years 2009, 2010 and 2011;

WHEREAS, Economic uncertainty demands that the City of Troy government reduce operational expenses while improving efficiency and effectiveness;

WHEREAS, One recognized means of reducing operational expenses while simultaneously creating opportunities for reorganization and restructuring is to provide a voluntary separation incentive for City employees to retire;

WHEREAS, Approximately 70 City of Troy employees will meet the eligibility criteria for a direct retirement and approximately 24 City of Troy employees meet the early retirement eligibility criteria from City employment as of December 31, 2008; and

WHEREAS, The proposed Voluntary Separation Incentive Program for Retirement has been reviewed and is recommended by City management as a mechanism to reduce workforce levels, create position vacancies, and provide City management with the opportunity to reduce costs, reorganize and restructure operations;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **AUTHORIZES** implementation of the following Voluntary Separation Incentive Program for Retirement to be offered to non-represented retirement system members, represented retirement system members whose collective bargaining agreement provides for a "me, too" and to all other collective bargaining unit members who will be eligible to retire on or before December 31, 2008; and

BE IT FURTHER RESOLVED, That the Voluntary Separation Incentive Program for Retirement may be offered during a 60-day window of opportunity beginning November 1, 2008 and ending December 30, 2008, with said incentive being a lump sum payment of one week of base salary plus service increment, determined as of December 31, 2008 for each full year of retirement service as of December 31, 2008; and

BE IT FURTHER RESOLVED, That funding for the Voluntary Separation Incentive Program for Retirement shall be obtained from surplus funds available in the existing City of Troy Employees' Retirement System retirement account; and

BE IT FURTHER RESOLVED, That employees on the Defined Benefit and Defined Contribution retirement plans desiring to participate in the Voluntary Separation Incentive Program for Retirement must file written application to retire no less than 30 days in advance of their requested retirement date which shall be no later than December 31, 2008 with the Employees' Retirement System on the appropriate form, but in no event shall the application form be filed later than November 30, 2008; and

BE IT FURTHER RESOLVED, That the lump sum Voluntary Separation Retirement Incentive pay shall not be included in the final average compensation (FAC) for employees on the Defined Benefit Plan. Contributions will be made to an employee's Defined Contribution Plan by the City of Troy and the employee as a result of this lump sum payment; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **AUTHORIZES** City Management to negotiate participation in the Voluntary Separation Incentive Program for Retirement with represented Employees' Retirement System members in collective bargaining proceedings.

Yes:

No:

E-5 Proposed 2009 City Council Meetings

Suggested Resolution

Resolution #2008-11-

Moved by

Seconded by

RESOLVED, That Troy City Council **SHALL HOLD** Regular meetings in 2009 according to the following schedule at 7:30 PM:

Monday, January 5 & 26
Monday, February 2 & 16
Monday, March 2 & 16
Monday, April 6 & 20
Monday, May 11 & 18
Monday, June 1 & 15
Monday, July 6 & 20
Monday, August 3 & 17
Monday, September 14 & 28

Monday, October 5 & 19
Monday, November 9 & 23
Monday, December 7 & 21

Liquor Violation Hearing Dates:

Wednesday, February 11 7:30 PM
Wednesday, February 18 7:30 PM

BE IT FURTHER RESOLVED, That Troy City Council **MAY SCHEDULE** Special Meetings as needed.

Yes:

No:

E-6 Donation of the Old Stone School Property to the City of Troy – Section 6, Sidwell #88-20-06-101-001

Suggested Resolution

Resolution #2008-11-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to donate the Old Stone School property by Finn and Mary Louise Bergishagen to the City of Troy, having Sidwell #88-20-06-101-001; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to sign the Donation Agreement on behalf of the City of Troy; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the reimbursement of expenses to the donors as stated in the Agreement in an amount not to exceed \$9,950.00; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Real Estate and Development Department to expend the necessary closing costs to complete the transfer of ownership not to exceed \$500.00; and

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

Yes:

No:

CONSENT AGENDA:

The Consent Agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the Consent Agenda. Any Council Member may ask a question regarding an item as well as speak in opposition to the recommended action by removing an item from the Consent Agenda and have it considered as a separate item. Any item so removed from the Consent Agenda shall be considered after other items on the consent portion of the agenda have been heard. Public comment on Consent Agenda Items will be permitted under Agenda Item 12 "F".

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

Resolution #2008-11-

Moved by

Seconded by

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

Yes:

No:

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

F-2 Approval of City Council MinutesSuggested Resolution

Resolution #2008-11-

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the 7:30 PM Regular City Council Meeting of October 20, 2008 as submitted.

F-3 Proposed City of Troy Proclamation:Suggested Resolution

Resolution #2008-11-

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

- a)** America Recycles 2008

F-4 Standard Purchasing Resolutions**a) Standard Purchasing Resolution 8: Best Value Award – Troy Hall of Justice HVAC Upgrade of Major Mechanical Systems**Suggested Resolution

Resolution #2008-11-

RESOLVED, That Troy City Council hereby **AWARDS** contracts to provide HVAC System Upgrades for the Troy Hall of Justice including Alternate #1, the gun range, to the highest rated bidder, Heights Heating & Cooling, Inc. of Auburn Hills, MI, as a result of a best value process at prices contained on the tabulation opened October 1, 2008, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and to MCMI of Sterling Heights, MI for the temperature controls for a combined total project cost of \$1,385,689.00, as detailed in Appendix I; and

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

F-5 Request for Approval of Purchase Agreement – Rochester Road Improvements, Torpey to Barclay – Project No. 99.203.5 – Parcel #59 – Sidwell #88-20-22-401-044 – ALIF CorporationSuggested Resolution

Resolution #2008-11-

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for Public Purposes between ALIF Corporation, owner of property having Sidwell #88-20-22-401-044, and the City of Troy, for the acquisition of right-of-way for Rochester Road Improvements, Torpey to Barclay in the amount of \$1,400.00, plus closing costs; and

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

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

F-6 Request for Approval of Purchase Agreement and Acceptance of Permanent Public Utility Easement – Rochester Road Improvements, Torpey to Barclay – Project No. 99.203.5 – Parcel #28 – Sidwell #88-20-22-277-026 – Dennis E. Bushon and Mary Josephine BushonSuggested Resolution

Resolution #2008-11-

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for Public Purposes between Dennis E. Bushon and Mary Josephine Bushon, owners of property having Sidwell #88-20-22-277-026, and the City of Troy, for the acquisition of right-of-way for Rochester Road Improvements, Torpey to Barclay in the amount of \$38,100.00 plus closing costs; and

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

BE IT FURTHER RESOLVED, That Troy City Council hereby **ACCEPTS** the Permanent Public Utility Easement in the amount of \$2,700.00 from Dennis E. Bushon and Mary Josephine Bushon, owners of property having Sidwell #88-20-22-277-026; and

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

F-7 Request for Acceptance of Permanent Public Utility Easement – Rochester Road Improvements, Torpey to Barclay – Project No. 99.203.5 – Parcel #1 – Sidwell #88-20-23-303-001 – Rochester Development Group, LLC

Suggested Resolution
Resolution #2008-11-

RESOLVED, That Troy City Council hereby **ACCEPTS** the Permanent Public Utility Easement in the amount of \$15,000.00 from Rochester Development Group, LLC, owner of property having Sidwell #88-20-23-303-001; and

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

F-8 Request for Approval of Purchase Agreement and Acceptance of Permanent Public Utility Easement – Rochester Road Improvements, Torpey to Barclay – Project No. 99.203.5 – Parcel #45 – Sidwell #88-20-22-226-043 – Gordon P. Meldrum and Carol A. Meldrum

Suggested Resolution
Resolution #2008-11-

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for Public Purposes between Gordon P. Meldrum and Carol A. Meldrum, owners of property having Sidwell #88-20-22-226-043, and the City of Troy, for the acquisition of right-of-way for Rochester Road Improvements, Torpey to Barclay in the amount of \$15,100.00, plus closing costs; and

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

BE IT FURTHER RESOLVED, That Troy City Council hereby **ACCEPTS** the Permanent Public Utility Easement in the amount of \$4,000.00 from Gordon P. Meldrum and Carol A. Meldrum, owners of property having Sidwell #88-20-22-226-043; and

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

F-9 Request for Approval of Purchase Agreement and Acceptance of Permanent Public Utility Easement – Rochester Road Improvements, Torpey to Barclay – Project No. 99.203.5 – Parcel #27 – Sidwell #88-20-22-401-018 – Trombly Investment Company

Suggested Resolution
Resolution #2008-11-

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for Public Purposes between Trombly Investment Company, owners of property having Sidwell #88-20-22-401-018, and the City of Troy, for the acquisition of right-of-way for Rochester Road Improvements, Torpey to Barclay in the amount of \$57,700.00, plus closing costs; and

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

BE IT FURTHER RESOLVED, That Troy City Council hereby **ACCEPTS** the Permanent Public Utility Easement in the amount of \$3,700.00 from Trombly Investment Company, owners of property having Sidwell #88-20-22-401-018; and

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

F-10 Request from Smith Middle School to Temporarily Waive Parking Restrictions

Suggested Resolution
Resolution #2008-11-

RESOLVED, That Troy City Council hereby **WAIVES** the no parking restrictions on Donaldson from Square Lake to Cotswald on November 12 and 13, 2008, between the hours of 12:30 PM and 3:30 PM, and 6:30 PM and 9:30 PM, March 6, 2009, between the hours of 6:30 PM and 8:30 PM, March 12, 2009, between the hours of 12:30 PM and 3:30 PM, and 6:30 PM and 9:30 PM, and June 16, 2009, between the hours of 9:00 AM and 12:00 Noon.

F-11 Municipal Credit and Community Credit AgreementSuggested Resolution

Resolution #2008-11-

RESOLVED, That Troy City Council hereby **APPROVES** the request that the City transfer Municipal Credit funds in the amount of \$76,084.00 and Community Credit funds in the amount of \$110,732.00 to Troy Medi-Go Plus for the operation of transportation service for senior citizens and persons with disabilities, and hereby **AUTHORIZES** the Mayor and City Clerk to execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-12 2008 Request to Waive Recapture FormSuggested Resolution

Resolution #2008-11-

WHEREAS, The U.S. Department of Housing and Urban Development (HUD) mandates that Community Development Block Grant (CDBG) balances not exceed 1.5 times the current program year allocation sixty (60) days prior to the end of the program year (February 28th);

WHEREAS, The Oakland County Board of Commissioners adopted a policy allowing communities to protect funds from their two most recent program years to help comply with this regulation;

WHEREAS, All unobligated 2006 and older funds are at risk of recapture December 31, 2008;

WHEREAS, Troy may protect unobligated 2006 funds from recapture for one additional year by requesting a waiver; and

WHEREAS, A separate Waiver request form must be submitted for each 2006 line item to the Manager of the Oakland County Community & Home Improvement Division no later than Friday, December 15, 2008;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **REQUESTS** to waive recapture of 2006 CDBG funds as follows:

Account Number	Project Name	Amount
731815	Special Assessment	\$93,816.00
732170	Yard Services	\$35,023.05

F-13 Private Agreement for Tim Horton's – Project No. 08.915.3

Suggested Resolution
Resolution #2008-11-

RESOLVED, That Troy City Council hereby **APPROVES** the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Troy Rochester Properties, L.L.C., for the installation of water main, sanitary sewer manhole, concrete right turn lane, approach, and sidewalk on the site and in the adjacent right of way, and hereby **AUTHORIZES** the Mayor and City Clerk to execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-14 Contract Amendment: Extended Warranty In-Car Video System

Suggested Resolution
Resolution #2008-11-

WHEREAS, On October 16, 2006, a contract to purchase a digital in-car video system including hardware, software, installation and training from International Police Technologies was approved for an estimated total cost of \$291,000.00, (Resolution #2006-10-392-F2);

WHEREAS, On December 17, 2007, a contract to purchase an additional twelve (12) in-car digital video cameras including hardware and software from International Police Technologies was approved for an estimated total cost of \$67,068.00 (Resolution #2007-12-359-E2); and

WHEREAS, The units are either out of warranty or will be out of warranty in April 2009, and require an extended warranty to cover all costs for any repairs;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **AMENDS** the contract to purchase the extended warranty program for the in-car digital cameras directly from the manufacturer, International Police Technologies at an estimated total cost of \$68,900.00 to be paid over five years.

F-15 Request for Recognition as a Nonprofit Organization Status from Lawrence Feld, Secretary of the Benevolent Association of AFSCME – Local 574

Suggested Resolution
Resolution #2008-11-

RESOLVED, That Troy City Council hereby **APPROVES** the request from The Benevolent Association of AFSCME Local 574, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license.

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings: None Scheduled

G-2 Memorandums:

- a) Temporary Merchant Business Ordinance – November 24, 2008

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

H-1 No Council Referrals Advanced

COUNCIL COMMENTS:

I-1 No Council Comments Advanced

REPORTS:

J-1 Minutes – Boards and Committees:

- a) Cable Advisory Committee/Final – April 17, 2008
- b) Brownfield Redevelopment Authority/Final – July 15, 2008
- c) Troy Daze Advisory Committee/Final – August 26, 2008
- d) Ethnic Issues Advisory Board/Final – September 2, 2008
- e) Troy Daze Advisory Committee/Final – September 3, 2008
- f) Library Advisory Board/Final – September 11, 2008
- g) Special Joint Meeting Birmingham Planning Board and Troy Planning Commission – September 22, 2008
- h) Youth Council/Final – September 24, 2008
- i) Building Code Board of Appeals/Final – October 1, 2008
- j) Ethnic Issues Advisory Board/Draft – October 14, 2008
- k) Planning Commission/Draft – October 14, 2008
- l) Planning Commission/Final – October 14, 2008
- m) Cable Advisory Committee/Draft – October 16, 2008
- n) Youth Council/Draft – October 22, 2008

J-2 Department Reports:

- a) Troy Historical Museum Annual Report 2007-2008
- b) Troy Public Library Annual Report 2007-2008

J-3 Letters of Appreciation:

- a) Letter to Chief Craft from Michael Farrug Commending the Professionalism of Officer Christina Giovannoni
- b) Letter of Thanks to Troy Police Department from Dale Dawkins Regarding the Support of the 2008 Woodward Dream Cruise
- c) Letter to Jennifer Lawson from SEMCOG Regarding Participation with the Low Impact Development (LID) Manual

- d) Letter of Thanks to Chief Craft and Staff for Participation in the *CREST* Radiation Exercise
- e) Letter of Appreciation to Chief Gary Mayer from Terry Nerbonne Regarding the Assistance with the Ferris State University Criminal Justice Summer 2008 Internship Program
- f) Letter of Thanks to Chief Craft from the Royal Oak Police Department Regarding the Support of the 2008 Woodward Dream Cruise
- g) Letter of Thanks to Officers Rockafellow and Raymer from Denise Geromette

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

J-5 Communication from Planning Director Mark Miller Regarding the City of Troy Master Plan

J-6 Troy Youth Assistance Board Meeting Final Minutes – September 18, 2008

J-7 Communication from City Engineer Steve Vandette Regarding Inter-Modal Transit Facility Project Scope – Concept and Preliminary Engineering Design Services to Construction

J-8 Unofficial Results – November 4, 2008 Election

STUDY ITEMS:

K-1 Preliminary Discussion of the 2009/10 Budget

PUBLIC COMMENT: Address of “K” Items

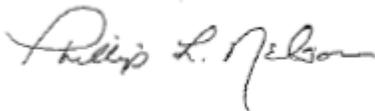
Persons interested in addressing the City Council on items, which appear on the printed Agenda, will be allowed to do so at the time the item is discussed upon recognition by the Chair in accordance with the Rules of Procedure of the City Council, Article 16, during the Public Comment section under item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

CLOSED SESSION:

L-1 No Closed Session Requested

ADJOURNMENT

Respectfully submitted,



Phillip L. Nelson, City Manager

SCHEDULED CITY COUNCIL MEETINGS:

Monday, November 24, 2008 Regular City Council
Monday, December 1, 2008 Regular City Council
Monday, December 15, 2008 Regular City Council

**PROCLAMATION
AMERICA RECYCLES 2008**

WHEREAS, The world has changed a lot in the past century. From individually packaged food servings to disposable diapers, more garbage is generated now than ever before. The average American discards 7.5 pounds of garbage every day. Our garbage, our solid waste stream, all goes to landfills, where it's compacted and buried; and

WHEREAS, To focus the nation's attention on the importance of recycling, businesses, industries, government agencies, nonprofit organizations, and individuals have joined together to celebrate **America Recycles 2008** and are encouraging their employees, staff, customers, membership, and all citizens to pledge to buy more recycled-content products starting today; and

WHEREAS, Participating in **America Recycles 2008** is one way our citizens can help raise awareness about the need to reduce waste by reusing, recycling and buying recycled products; and

WHEREAS, The more we recycle, the less garbage winds up in our landfills and incineration plants. By reusing aluminum, paper, glass, plastics and other materials, we can save production and energy costs, and reduce by up to 75% the negative impacts that the extraction and processing of virgin materials has on the environment. Plastics, made from precious and nonrenewable petroleum, and aluminum, which is mined from bauxite, are especially important to recycle; and

WHEREAS, Recycling helps protect our resources, our environment, and our quality of life. The entire loop: Reduce, Reuse, Recycle is completed when we buy products made from recycled material; and

WHEREAS, From July 2007 to June 2008, the City of Troy recycled 4,223 tons of glass, paperboard, cardboard, newspaper, metal, tin, and plastic and 10,753 tons of compost; and

WHEREAS, State and community leaders need to spread the word about the excellent programs they have established, the growth of markets for recyclable materials, and the importance of buying recycled products;

NOW, THEREFORE BE IT RESOLVED, that the City of Troy City Council hereby proclaims **America Recycles 2008** in Troy, Michigan, and urges all Troy residents to **Reduce, Reuse and Recycle**;

BE IT FURTHER RESOLVED, That **America Recycles 2008** is celebrated year-round to encourage people to recycle and buy products made from recycled materials. The theme for **America Recycles 2008** is ***"It All Comes Back To You."***

Presented this 10th day of November 2008.

Elected Officials Academy

The Michigan Municipal League hereby certifies that

Mary Kerwin

*has successfully completed all the requirements as set forth by
the Elected Officials Academy Advisory Board for the*

Level One: Education Award

of the Elected Officials Academy.



Daniel P. Gilmartin
DANIEL P. GILMARTIN
EXECUTIVE DIRECTOR

10/03/08
DATE



CITY COUNCIL ACTION REPORT

October 27, 2008

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Economic Development Services
Timothy L. Richnak, Public Works Director

SUBJECT: Community Development Block Grant (CDBG) 2009 Application

Background:

- Oakland County has advised the City of Troy to use \$158,321.00 as our planning estimate for the program year 2009.
- The following projects are being recommended for the 2009 CDBG program:
 - Flood Drain Improvements:

Lovington Storm Sewer – Minnesota to Dequindre	\$ 84,811.00
○ Home Chore Program:	71,010.00
○ Administration:	<u>2,500.00</u>
○ TOTAL:	\$158,321.00
- Federal regulations require Oakland County as an “urban county” grantee to execute an annual Subrecipient Agreement with each participating community. We must submit the signed Agreement with our application.

Financial Considerations:

- Oakland County will allow participating communities to spend a maximum of 45% of their annual allocation on public services. We are currently at 44.9%.
- Oakland County will allow participating communities to allocate a minimum of \$2,500 for each activity.

Legal Considerations:

- There are no legal considerations associated with this item.

Policy Considerations:

- CDBG improves the quality of life and property to qualified residents in the City of Troy.
(Outcome Statement II)

Options:

- It is recommended that Council approve the Community Development Block Grant (CDBG) 2009 application.



CITY COUNCIL ACTION REPORT

TO: Phillip L. Nelson, City Manager

FROM: John M. Lamerato, Assistant City Manager, Finance & Administration
Cathleen A. Russ, Library Director
Loraine M. Campbell, Museum Manager

SUBJECT: Acceptance of Kresge Foundation's Detroit Program: Arts and Culture
General Support Grant of \$40,000

Background:

- The Kresge Foundation instituted the "Detroit Program: Arts and Culture Grants" to provide general operations grants to not-for-profit and government funded organizations that strengthen Detroit and regional neighborhoods, reinvigorate the regional economy, and promote arts and culture. The Kresge Foundation maintains that arts and cultural organizations enrich the fabric of daily life, nurture individual development, and strengthen communities.
- The Troy Museum & Historic Village applied for and was awarded a General Support Grant of \$40,000 for general operating support of the Museum for the period of July 1, 2008 through June 30, 2010. The first payment of \$20,000 is scheduled for November 26, 2008. The second \$20,000 payment will be provided in July 2009, predicated on receipt and approval by the Kresge Foundation of the May 2008 annual report.

Financial Considerations:

- The general operating funds awarded will enhance the Museum's fiscal sustainability and the staff's ability to develop and implement strategic planning.

Legal Considerations:

- The City of Troy and the Troy Museum can meet the reporting requirements and grant conditions as provided by the Kresge Foundation.

Policy Considerations:

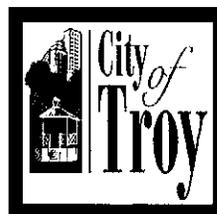
- This recommendation addresses the following Outcome Statements:
Troy adds value to properties through maintenance or upgrades of infrastructure and quality of life venues;
Troy is rebuilding for a healthy economy reflecting the values of a unique community in a changing and interconnected world.

Options:

- City management recommends acceptance of the Kresge Foundation's Detroit Program: Arts and Culture General Support Grant of \$40,000 awarded to the Troy Museum & Historic Village for the period of July 1, 2008 through June 30, 2010.

Troy Museum & Historic Village
60 W. Wattles
Troy, MI 48098
(248) 524-3570

The City of Tomorrow...



...Today

July 11, 2008

The Kresge Foundation
Attn: Mr. Rip Rapson, President
3215 W. Big Beaver Road
Troy, MI 48084

Dear Mr. Rapson:

History is so much more than dates and chronologies of events. It is art and architecture, melodies and the dreams of a singer, food and the lives of those who grew and ground the grain for bread. History is stories that give meaning and context to our lives. It is the mission of the Troy Museum & Historic Village to tell our community's stories in exciting ways that stimulate curiosity, understanding and appreciation for what we share in common with others and for what makes us unique.

With financial support from the Kresge Foundation through the new Detroit Program, the Troy Museum will continue to tell stories, and develop new programs and formats that will engage our visitors and help build a greater community of cultural understanding. Your grant of \$20,000 for each of the next two years will also support our institutional goal to develop a new interpretive master plan that will help us shape our storytelling for the future.

It is the steadfast goal of the Troy Museum staff, the Historical Commission, Troy Historical Society and other museum partners to develop the Troy Museum into an outstanding regional cultural destination and the finest museum of its kind. We deeply appreciate your consideration of this application.

Sincerely,

Loraine Campbell
Museum Manager

THE KRESGE FOUNDATION

MEMORIAL FOUNDATION TO THE TROY MUSEUM

Detroit Program Arts & Culture Grant Application Form

Date: 7/11/2008

Legal Name of Organization: Troy Museum & Historic Village
 Address: 60 W. Watties Rd.
 City: Troy State: MI Zip: 48098
 Phone Number: 248.524.3570 Fax Number: 248.524.3572
 Contact Name and Title: Loraine Campbell, Museum Manager
 Contact e-mail address: campbelm@troymi.gov
 President/Executive Director Name (if different): _____
 Year Established: 1972 Website: www.troymi.gov/museum
 Accrediting/licensure Agency: not accredited museum
 Last Review Date: MAP I by American Assn of Museums 2006
 County: City of Detroit _____ Wayne _____ Oakland X Macomb _____
 EIN Number: 36-6027333

DISCIPLINE INFORMATION Please choose only one category:

- | | | |
|--|--|---|
| <input type="checkbox"/> Producing/Presenting Performing Arts: | <input type="checkbox"/> Performance Venue/Facility | <input type="checkbox"/> Film/Video Broadcasting |
| <input type="checkbox"/> Music | <input type="checkbox"/> Visual Arts | <input type="checkbox"/> Arts Service Organization |
| <input type="checkbox"/> Dance | <input type="checkbox"/> Literary Arts | <input checked="" type="checkbox"/> History/Historic Preservation |
| <input type="checkbox"/> Theatre | <input type="checkbox"/> Arts Education Organization | <input type="checkbox"/> Science/Nature/Children's Museum: |

FINANCIAL INFORMATION

Provide actual operating budgets, excluding capital, for your organization's previous two fiscal years (e.g., FY 2006 and FY 2007), the current fiscal year (e.g., FY 2008), and a projection for your next fiscal year (e.g., FY 2009).

		REVENUES	EXPENSES	SURPLUS/DEFICIT
FY	2006/07	\$ 454,220.00	\$ 454,220.00	\$
FY	2007/08	\$ 473,000.00	\$ 473,000.00	\$
FY	2008/09	\$ 536,520.00	\$ 536,520.00	\$
FY	2009/10	\$ 536,520.00	\$ 536,520.00	\$
Market Value of Endowment:		\$ 0.00	Date of Valuation:	0

(projected revenue)

Fiscal Year Dates Beginning: 1-Jul Ending: Jun-31

SOURCES OF FUNDING (Last Audited Year)

Fiscal Year used for this calculation:	2006/07	
Earned Revenues	47,995	
Individual Donations	\$ _____	
Foundation Grants	\$ _____	
Corporate Funding	\$ _____	
Government Support or Grants	396,525	
Other	9,700	
TOTAL*	536,520	

*Total must match the revenue indicated on the chart above for the indicated fiscal year.

SERVICE INFORMATION

Please provide as realistic an assessment as possible. Include an attachment for explanation of figures if necessary.

Number of people served by your organization's last fiscal year 25,016
 Number of youth served 11,035 Actual count

DIVERSITY INFORMATION

	Racial / Ethnic Minority	Women	
Governing Board	<u>14</u> %	<u>43</u> %	Number of Board members <u>7</u>
Professional Staff / Faculty	<u>11</u> %	<u>82</u> %	Number of Staff / Faculty <u>11</u>
Persons Served / Attendance	<u>25,016</u> %	<u>65</u> %	

Please complete both sides of this Application Form

Application Form *Continued*Name of Organization: oy Museum & Historic Villa Date: 7/12/2008**STAFF / VOLUNTEER INFORMATION**

Number of paid staff 11 Number of full time staff 2 FTE count 7.2
Number of artists or creators of culture employed (includes part time / full time / contract - could be same as above) aries annual
Number of volunteers (including board) 80

PROPOSAL NARRATIVE

Proposals should be 5 - 8 pages double spaced and should respond to the following questions:

1. Provide a concise overview of your organization, including your mission and designated goals and objectives.
2. Provide information about your programs / services / activities and how they fulfill your organizational goals and objectives.
3. Describe your organization's contribution to the uniqueness of Metropolitan Detroit as a regional asset, or your service to a particular community or constituency, and how you help foster cultural growth
4. Describe your artistic merit and your support of local artists / creators of culture.
5. Describe the individuals you serve and your efforts to expand your audiences, encourage participation, and broaden access to arts and culture in your community.
6. Discuss how your organization is inclusive and strives to have a diverse board, staff and audience / client profile.
7. Describe any significant partnerships and why they are important to your organization and the community's future.
8. Describe your contributions to educating youth in the region.

Organizations that are subsidiaries of a larger organization must provide a narrative to explain your relationship with your parent organization (See guidelines).

GRANT APPLICATION CHECKLIST

- Cover letter
- Grant application form
- Proposal narrative
- Copies of your organization's operational budgets for four years, as specified above. Subsidiary organizations should submit a budget as if you were an independent entity, including overhead expenses. (see Guidelines)
- List of Board of Directors
- Most recent financial audit. Organizations with a budget of \$250,000 or less may submit a qualified review. Audits/reviews may not be more than two years old. If audit figures and the corresponding fiscal year budget statement do not match, provide a statement to explain the difference.
- Copy of most recent organizational strategic plan or executive summary

Please mail five (5) copies of completed form and all appropriate attachments to:

The Kresge Foundation
Attn: Mr. Rip Rapson, President
3215 W. Big Beaver Road
Troy, MI 48084

Applications must be received by 4pm on July 14, 2008

Proposal Narrative

1. Overview, mission, goals and objectives

Communities and cultures are interwoven through time by events, business, politics, art and culture. In Oakland County, this history is preserved and interpreted in a unique setting for life-long learning at the Troy Museum & Historic Village. The Museum strives to provide visitor experiences and programs focused on the cultural heritage of Troy, the Detroit area and the Great Lakes region and offers programs that illustrate relationships between communities and their diverse backgrounds. The Museum's vision is to be an outstanding cultural destination in southeast Michigan that emphasizes learning by interaction among staff, volunteers and visitors and that stimulates curiosity, awareness and appreciation of regional history and heritage.

The Troy Museum is a city-owned facility that receives supplemental operational support from the Troy Historical Society, a 501(c) (3) tax-exempt corporation. The Museum provides year-round service to the region. The hours of operation are Monday – Saturday from 9:00 am to 4:30 pm and on Sundays, from June – September, from 1:00 pm to 5:00 pm. The Museum is closed on Sundays from October – May and on major holidays.

The Troy Museum includes ten furnished historic buildings in a two-acre village, archives and collections, exhibit cases, a non-lending library, and staff areas. The buildings include:

- Township Hall, built 1927
- Log cabin, built ca. 1840
- Caswell House, Greek revival home built 1832 and appointed to 1865
- Poppleton School, one-room brick school built 1877
- Reproduction general store appointed to 1910
- Reproduction print shop appointed to 1910
- Wagon shop, built ca. 1859

Proposal Narrative

- Old Troy Church, built 1837
- Parsonage, built ca. 1880 and appointed to 1910
- Town Hall, built ca. 1860 and appointed as a children's activity area

Each historic structure in the village is considered an artifact and functions as a furnished exhibit and as a teaching site.

The archival collections include 1,400 documents and over 1,600 photographs, tintypes and daguerreotypes. These materials are available for academic and personal research. Staff works continually to expand online access to these materials.

There are over 5,300 three dimensional objects in the Museum collections. Many pieces are exhibited as art objects and furnishings in the historic buildings. These collections include:

- Over sixty paintings, prints, drawings, and tapestries
- Textiles including excellent examples of traditional needlework, quilts and clothing
- Furniture and household furnishings from 1830 – 1950s. These include many styles and examples of craftsmanship
- Glass, ceramic, and china dishes and decorative arts
- Metal and wooden tools and agricultural equipment

2. Programs and services

Museum programs are classified as either education programs for organized school groups or as public programs sponsored by the Troy Historical Society (THS.) Education programs used by over 11,000 elementary-aged children annually include:

Cheddar's History Trunk (K)

Poppleton School (1-5)

Children's Chores (1)

Field Day (2-5)

One Room School (2-5)

Proposal Narrative

Children learn in our authentic historic settings. Costumed interpreters and artisans lead classes through activities and make-and-take projects that expose children to art and cultural heritage. (See Education Brochure for more information.) All programs incorporate Michigan Social Studies Curriculum Standards. Program fees range from \$3.50 to \$6.50 per pupil.

In 2008/09, the Museum will work with Troy middle school teachers to implement a pilot program for seventh graders. One thousand students from four middle schools will participate in day-long, interactive events with a Civil War theme. Learning stations will include:

- Lincoln-Douglass debate (with actors from the Michigan Humanities Council Arts and Humanities Touring Program.)
- A conversation with Sojourner Truth, featuring African American actor J. Shanae
- Contra dancing led by Glen Morningstar of the Ruffwater String Band
- Camp Life including marching led by a local percussionist
- Letter writing using primary resources from the Museum
- Transportation featuring blacksmiths and woodworkers (students repair a wagon)
- Hygiene, medicine and foods

Upon successful implementation and evaluation, Museum staff will develop a plan to provide the program to a wider middle school audience throughout the region.

The THS sponsors weekend and evening public programs that include village tours that highlight the architecture, art, crafts and culture of the eras depicted in each of the village homes. Programs that enable children and families to experience traditional activities include:

- Merit badge programs for scouts
- Parent and tot preschool story hours
- Day trips to regional arts and cultural destinations for teens, adults and seniors

Proposal Narrative

- Evening lectures for adults
- Demonstrations and workshops by:
 - Blacksmiths, wood workers, and carvers
 - Textile artisans including spinners, weavers, quilters, and lace-makers
 - Artists skilled in china painting, basket-making, etc.
 - Appraisers and conservators of oil paintings and fine antiques

Since 2005 the THS has sponsored summer concerts. "*There's Music in the Air*" is financed in part by the Michigan Humanities Council Arts and Humanities Touring Program. The series provides five quality performances by regional instrumental and vocal musicians each year and features jazz, folk, calypso, blues, pop and other musical genre.

New public programs in 2008 include:

- *Lunch Munch and Learn*- patrons enjoy their sack lunches in the Village while staff members present interesting objects from the collections. This is an excellent opportunity to showcase the Museum's art collection and to foster cross-cultural understanding of our region's diverse traditions and lifestyles
- *Town Hall Discussions*- are based on the premise that many of today's issues were addressed in various ways in the past. The discussions provide a forum to explore hot topics, using history as a context for spirited, respectful discussion. Each session is led by an authority on the subject. Discussion leaders, library and museum staff research and provide on-line articles to help participants prepare for the monthly discussions. Some topics include:
 - Tough economic times
 - Censorship
 - How society protests
 - Image vs. issues in elections

Proposal Narrative

- *Teas at Two*- these late afternoon programs have tapped an enthusiastic audience of seniors. Participants bring their own cups and saucers and enjoy tea, cookies and a variety of arts and culture programs. Recent teas have featured:
 - The Petticoat Ladies- re-enactors who portray presidential wives
 - Sojourner Truth- One-woman show by Jacinta Shanae
 - Wedding traditions and gowns from the museum collection

Annual special events are also part of the Museum calendar and are sponsored by the Troy Historical Society with support from the Troy Garden Club and the Museum. They include a Fall Farm Festival, Trick or Treating on the Green (a successful outreach to families with young children) and an annual holiday celebration in early December. Each of these events features special themes, live music, costumed re-enactors, traditional crafts, food and activities.

3. Contributions as a regional asset

Troy's history is representative of the histories of many Metropolitan Detroit communities settled after the War of 1812. Pioneers immigrated overland or via the Erie Canal and steamships to Detroit before they walked to their new homesteads, cleared the land and planted crops. For a century, Troy thrived as a outlying agricultural community that sent its products to Detroit via wagon and later by the Detroit United Railway (or interurban).

The City of Troy, established in 1955, is also an excellent example of post World War II suburbanization. The migration of the automobile industry from old Detroit factories to modern facilities in the Oakland County precipitated the relocation of many automobile suppliers, smaller businesses and factory workers to new communities like Troy. These cities grew as centers for 21st century technology. Global corporations continue to bring employees to the metropolitan region from Europe and Asian countries including China, Japan, and India. These ethnic populations enhance Troy and southeast Michigan as a culturally diverse region.

Proposal Narrative

The Museum interprets local history in context with this regional history, by highlighting stories and traditions that unite us and celebrating the diversity of cultures and artistic expressions that make us unique. Daily attendance figures confirm our regional appeal:

- 33% Troy residents
- 21% Oakland county residents not residing in Troy
- 21% Michigan residents outside of Oakland County
- 22% out of state residents
- 3% foreign visitors (Thailand, Singapore, England, Germany and France)

As more people discover the Museum, its reputation as a most accessible and affordable regional cultural destination that offers excellent interpretive and visitor experiences is reinforced.

4. Artistic merit and support of creators of culture

The Troy Museum is committed to providing authentic, mission-focused experiences for all visitors. We utilize regional artists, artisans, and musicians in a variety of programs (Section 2). In turn, our high rate of return among exhibitors and performers affirms that the Museum is the perfect place to work and to exhibit.

5. Outreach and access to arts and culture

It is our goal to provide a wide variety of programs that attract and serve guests of different ages, interests and backgrounds. Every effort is made to provide the highest quality program and visitor experience for the lowest cost. Events are promoted through regional newspapers (including the Detroit News, Detroit Free Press, Oakland Press, Eccentric newspapers, The Troy Times, Royal Oak Tribune, Metro Parent and Suburban Lifestyles), and *Troy Today*, a quarterly community news magazine. Websites include www.troyhistory.org, www.troymi.gov/museum, and links from Travel Michigan www.michigan.org, and the Historical Society of Michigan, <http://www.hsmichigan.org/societies.php>. The Museum and its

Proposal Narrative

programs are also promoted through brochures, newsletters, and flyers distributed through the Troy Community Affairs Department and the Troy School District. Additionally, the Museum promotes events directly to major employers in Troy, through www.greatstufftodo.com and local cable (WTRY) PSAs. Lectures and concerts are rebroadcast on WTRY. Museum brochures are also available at the Michigan Welcome Centers.

This year the Museum will introduce three new outreach initiatives.

- THS will provide \$500 to offset program fees for students from low-income families, making the Museum more accessible to economically challenged communities.
- Through a new partnership with the Oakland County Genealogical Society, we will establish the museum as a regional genealogy center. A joint work group composed of Museum staff and OCGS volunteers will digitize the Museum's extensive obituary files, census, tax, and land-ownership records and improve electronic and physical access to these records. They will also offer workshops and purchase resources to assist those conducting genealogical research. The Troy Public Library Director has assigned a part-time library staff member and skilled genealogist to the work group. Through this arrangement the Museum will gain 20 hours/week of support for the project.
- Museum and Troy Library staffs speak twenty-three different languages. The staffs will work together to train multi-lingual personnel to conduct monthly tours of the Library and Museum in different languages. These will be advertised throughout the region.

6. Diversity

Over 11,000 students and chaperones attended education programs in 2007/08. The Museum serves fifty-seven school districts in seven counties, many additional private schools, and home-schooled students. (A table of districts served is included in Appendix A.) Troy students comprise forty percent of the school group attendance each year. Students visiting the

Proposal Narrative

Museum represent racially, ethnically, culturally and economically diverse backgrounds. Troy School District surveys verify that 83 languages are spoken in the homes of their students.

Racial, ethnic and gender diversity are also reflected in the composition of Museum staff, the Historical Commission, the THS board and our volunteers. In 2008 and 2009 these groups will develop a new Museum Interpretive Master Plan that addresses all aspects of the visitor experience. We wish to tell stories that are mission-focused and meaningful to diverse ages and cultures using creative and interactive interpretation.

7. Partnerships

The Troy Historical Society is the Museum's strongest partner as they sponsor all public programs (Section 2). The Museum also partners with the Troy and Evening Primrose Garden Clubs to maintain extensive gardens in the Village, the Troy Coalition Against Drug and Alcohol Abuse, Chamber of Commerce, and the Troy Public Library.

The Museum is a member of the Cultural Alliance of Southeast Michigan and actively participates in that organization's initiatives to promote art and culture regionally. This year the Museum will offer free use of its facilities to member organizations that seek meeting locations.

8. Educating Youth

The education, enrichment and family-focused programs for youth (Sec.2) reflect the core mission, vision and value of the Museum. Curiosity and excitement instilled in our youngest visitors are the foundation of their commitment to art, culture and heritage in the future. We take pride in our programs and that our student visitors bring their parents to the Troy Museum again and again.

The assistance of the Kresge Foundation in supporting the Troy Museum & Historic Village with \$20,000 of operational funding for each of the next two years is deeply appreciated.

Organizational Identity and Governance

The Troy Museum & Historic Village is owned by the City of Troy and administered through the Library Department. A seven-member Historical Commission, which is appointed by City Council, serves as the policy-making body for the Museum in accordance with Chapter 12 of the City Code (see attached copy of Chapter 12 listed as Appendix B.) The Museum Manager meets with the Commission five times each year. All meetings are held in accordance with the Open Meetings Act, (MCLA 15.261 et seq.) Minutes are submitted to City Council for approval and are made available to the public through the City Clerk and the city's website. In June 2007, the Historical Commission approved the following revised mission and vision statements for the Troy Museum:

Mission Statement

The Troy Museum & Historic Village preserves and interprets the history and heritage of Troy and the region for our diverse community and provides a unique setting for life-long learning.

Vision

The Troy Museum & Historic Village will be recognized as an outstanding cultural destination in southeast Michigan that emphasizes learning by interaction among staff, volunteers and visitors and that stimulates curiosity, awareness and appreciation of regional history and heritage.

Museum staff are city employees and include a full time Museum Manager (director), a full time Archivist (collections manager,) a part time Archive Technician and seven part time Historic Interpreters who conduct all education programs and are also assigned secondary tasks within the Museum including website maintenance, public program development, volunteer coordination, research and publications development. The Museum staff also includes one part-

Proposal Narrative

time office administrator. Additionally, more than forty volunteers provide over 4,000 hours of service annually. The Museum Manager reports to the Library Director. The Library Director reports to the Assistant City Manager for Administration and Finance. (See attached Organizational Flow Chart Appendix C.)

The Museum Manager oversees daily museum operations, supervises and evaluates all museum staff and program initiatives, identifies and develops specifications for capital repairs in compliance with the Department of Interior Standards for Historic Rehabilitation and oversees those repairs. The Manager also serves as the city's liaison to the Historical Commission, Historic District Commission, Historic District Study Committee, and the Troy Historical Society.

The Museum Manager submits annual budgets to the Library Director to be included with the Department's budget, and oversees Museum expenditures including requests for purchase orders and the payment of invoices through the Library Business Office. Quarterly financial statements that detail all expenditures are provided by the Finance Department to the Library Director and Museum Manager.

The Museum functions as an integrated component of the City of Troy with access to the services of other city departments including, but not limited to, Building Operations (basic building repairs,) Information Technology, Risk Management, Purchasing, and Community Affairs.

Attached please find the Museum's general brochure and brochures for Facilities Rentals and Education Programs in 2007/08 (Appendix D.)

Financial Relationship with Parent Organization

Fiscal budgets for the Troy Museum are included with the Library Department budget in the annual budget submitted to the Troy City Council. Council reviews and amends budget submissions during annual hearings and approves the new city budget in May. The city's fiscal year is July 1 through June 30.

The City's Finance Department maintains specific accounts for all line items in the Museum budgets. The costs for services provided by other city departments, including building maintenance/custodial services, grounds maintenance, computer services, utilities and insurance, are included in the line items. Museum operations and capital budgets are accounted separately. The city is audited every year. The Library/Museum Department is included in that audit.

Special accounts are provided for any grants awarded to the museum, and separate accounting of those funds is provided through the Finance Department. This account was used most recently in 2005 when the Museum received a Museum Assessment Program grant (MAP) from the American Association of Museums and the Institute for Museum and Library Services.

All Museum revenues generated by Education Programs, Facilities Rentals and general donations are recorded on city receipts and deposited to the General Fund through the City Treasurer. These museum revenues presently represent about ten percent of the annual museum budget.

The Troy Historical Society is the non-profit "Friends of..." support organization of the Museum. The Society sponsors all Museum Public Programs, collecting the fees and paying the expenses for these programs. In 2007/08 they provided over \$14,500 in Public Program support. Additionally, the Troy Historical Society has been responsible for the acquisition and relocation

Proposal Narrative

of eight of the ten buildings in the Village and provided financial support for the initial rehabilitations of all structures. Since 1968, the Society has invested more than \$800,000 in the Troy Museum.

Troy Museum and Historic Village
Budget 2006 - 2007

REVENUE

Earned Revenue	47,995
Other City Support	396,525
Historical Society Support:Public programs	9,700

Total Revenue **\$454,220**

EXPENSE

Salaries	208,445
Benefits	63,378
Taxes	16,820
Supplies	26,977
Professional services	814
Building maintenance/custodial	43,781
Grounds maintenance	14,889
Equipment maintenance	1,443
Public programs	9,700
Computer services	26,600
Travel & mileage	405
Miscellaneous	9,626
Printing	1,079
Subscriptions	582
Utilities	25,499
Vehicle rental - motor pool	0
Insurance	2,060
Membership & dues	1,033
Education & training	1,089

Total Expense **\$454,220**

Troy Museum and Historic Village
Budget 2007 - 2008

REVENUE

Earned Revenue, School Programs	44,375
Earned Revenue, Rentals	7,355
Other City Support	406,770
Historical Society Support: Public Programs	14,500

Total Revenue **\$473,000**

EXPENSE

Salaries	223,528
Benefits	64,130
Taxes	18,052
Supplies	39,813
Building maintenance/custodial	37,223
Grounds maintenance	23,643
Equipment maintenance	1,561
Public programs	14,500
Computer services	20,475
Travel & mileage	359
Miscellaneous	0
Printing	284
Subscriptions	656
Utilities	24,386
Vehicle rental - motor pool	0
Insurance	2,060
Membership & dues	895
Education & training	1,435

Total Expense **\$473,000**

Troy Museum Historic Village
Budget 2008 - 2009

REVENUE

Earned Revenue, School Programs	59,315
Earned Revenue, Rentals	7,500
Other City Support	454,705
Historical Society Support: Public Programs	15,000
Total Revenue	\$536,520

EXPENSE

Salaries	245,410
Benefits	66,420
Taxes	21,280
Supplies	46,650
Building maintenance/custodial	45,730
Grounds maintenance	19,950
Equipment maintenance	2,000
Public programs	15,000
Computer services	30,640
Travel & mileage	500
Miscellaneous	1,250
Printing	2,400
Subscriptions	600
Utilities	33,130
Insurance	2,060
Membership & dues	1,000
Education & training	2,500
Total Expense	\$536,520

Troy Museum and Historic Village
Budget 2009 - 2010

REVENUE

Earned Revenue, School Programs	59,315
Earned Revenue, Rentals	7,500
Other City Support	454,705
Historical Society Support: Public Programs	15,000
Total Revenue	\$536,520

EXPENSE

Salaries	245,410
Benefits	66,420
Taxes	21,280
Supplies	46,650
Building maintenance/custodial	45,730
Grounds maintenance	19,950
Equipment maintenance	2,000
Public programs	15,000
Computer services	30,640
Travel & mileage	500
Miscellaneous	1,250
Printing	2,400
Subscriptions	600
Utilities	33,130
Insurance	2,060
Membership & dues	1,000
Education & training	2,500
Total Expense	\$536,520

Troy Historical Commission

Rosemary Kornacki, Chair.

Vera Milz

Brian Wattles

Remedios Solarte

Roger Kaniarz

Terry Navratil

Kevin Lindsey

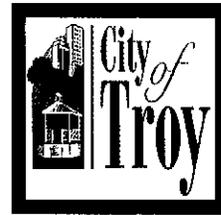
Non-voting City Members:

Loraine Campbell, Museum Manager and City Liaison

Cathy Russ, Library Director

Troy Museum & Historic Village
60 W. Wattles
Troy, MI 48098
(248) 524-3570

The City of Tomorrow...



...Today

July 7, 2008

The Kresge Foundation
Attn: Mr. Rip Rapson, President
3215 W. Big Beaver Road
Troy, MI 48084

Dear Mr. Rapson:

The City of Troy takes pride in offering outstanding services to its residents and visitors. The Troy Museum & Historic Village provides a wonderful setting for education and enrichment programs, a gathering place for residents and visitors, and a center for preserving the community's past for future generations.

The Museum is funded through the city's General Fund and is administered through the Library Department. In 2005, the Troy Historical Society and the City of Troy signed a Letter of Agreement to work in partnership to expand the Museum by relocating and restoring in the Village the historic Niles-Barnard House and a historic barn. This capital expansion and the opportunities it provides for new and expanded programs and services support the City Council's goal to enhance the livability and safety of the community by promoting the heritage of our city and the shared principles of our country. It also strengthens the Museum's position as a regional destination.

All grants received by the Troy Museum are administered separately and a full accounting is available to the granting organization. Operational support from the Kresge Foundation through the Detroit Program for Arts and Culture will greatly assist the Museum's efforts to meet its outreach program objectives and is greatly appreciated.

Sincerely,

Louise Shilling
Mayor

Phillip Nelson
City Manager



**Troy Historical Society
Troy Museum & Historic Village
60 W. Wattles Road
Troy Michigan, 48098**

248-524-3570

July 7, 2008

The Kresge Foundation
Attn: Mr. Rip Rapson, President
3215 W. Big Beaver Road
Troy, MI 48084

Dear Mr. Rapson:

The Troy Historical Society was established in 1966 to preserve the cultural heritage of our community. Throughout its forty-two year history, the Society has focused its time, volunteer support, and financial resources on building the Troy Museum & Historic Village and its programs. Before "partnership" became a buzz word, the Society forged a strong and trusting relationship with the City of Troy. Through that partnership, the Historical Society invested over \$800,000 to acquire land and buildings for the Museum. The City accepted these assets and operational responsibility for the Museum.

The partnership continues today. In 2005 the Society officially established the Troy Heritage Campaign to expand and enhance the Museum for future generations. We signed a letter of agreement with the city that articulates the five goals of the this capital campaign, including the development of an Endowment Fund to help support the Museum in perpetuity.

The Troy Historical Society believes that the Troy Museum & Historic Village serves as an outstanding cultural center for Troy and the region. In these challenging times for our state, it is vital that we invest time and resources to preserve heritage, culture, and art in a destination that provides accessible, affordable and authentic experiences for all visitors.

We appreciate the support of the Kresge Foundation.

Sincerely,

Cheryl Barnard
President

Preserving the light since 1966

Financial Audit

Included with this grant application, per my telephone conversation with Maud Lyon on July 10, 2008, are one copy of the City of Troy's *2007 Comprehensive Annual Financial Report* and five copies of pages 18, 43 and 121 of that audit. These pages contain financial data related directly to the Troy Museum & Historic Village.

Loraine Campbell
Museum Manager

City of Troy, Michigan
Statement of Revenues, Expenditures and Changes
in Fund Balance - Budget and Actual
General Fund
For the Year Ended June 30, 2007

	Budgeted Amounts		Actual	Variance with
	Original	Final		Final Budget Positive (Negative)
Revenues				
Property taxes	\$ 35,473,690	\$ 35,473,690	\$ 35,679,836	\$ 206,146
Licenses and permits	2,059,000	2,059,000	1,491,958	(567,042)
Intergovernmental:				
Federal sources	21,500	261,500	198,102	(63,398)
State sources	6,778,000	6,778,000	6,800,243	22,243
Local sources	576,590	576,590	483,133	(93,457)
Charges for services	6,645,300	6,645,300	7,874,456	1,229,156
Fines and forfeitures	1,012,000	1,012,000	1,243,286	231,286
Investment earnings	700,000	760,000	1,538,997	778,997
Other	1,245,200	1,245,200	1,381,018	135,818
Total revenues	<u>54,511,280</u>	<u>54,811,280</u>	<u>56,691,029</u>	<u>1,879,749</u>
Expenditures				
General government:				
Council and executive administration	2,041,140	2,041,140	1,839,179	201,961
Finance	4,869,370	4,869,370	4,726,704	142,666
Other	2,807,150	2,807,150	2,552,516	254,634
Total general government	<u>9,717,660</u>	<u>9,717,660</u>	<u>9,118,399</u>	<u>599,261</u>
Public safety:				
Police	23,174,400	23,174,400	23,147,963	26,437
Fire	4,212,260	4,512,260	4,376,866	135,394
Building Inspection	2,169,250	2,169,250	2,051,079	118,171
Total public safety	<u>29,555,910</u>	<u>29,855,910</u>	<u>29,575,908</u>	<u>280,002</u>
Public works:				
Roads and streets	5,359,530	5,359,530	4,754,166	605,364
Engineering	3,096,890	3,096,890	2,676,716	420,174
Total public works	<u>8,456,420</u>	<u>8,456,420</u>	<u>7,430,882</u>	<u>1,025,538</u>
Culture and recreation:				
Parks and recreation	8,941,930	8,941,930	8,607,457	334,473
Library and museum	5,002,000	5,002,000	4,805,282	196,718
Total culture and recreation	<u>13,943,930</u>	<u>13,943,930</u>	<u>13,412,739</u>	<u>531,191</u>
Total expenditures	<u>61,673,920</u>	<u>61,973,920</u>	<u>59,537,928</u>	<u>2,435,992</u>
Revenues over (under) expenditures	<u>(7,162,640)</u>	<u>(7,162,640)</u>	<u>(2,846,899)</u>	<u>4,315,741</u>
Other financing sources (uses)				
Transfers in	4,278,280	4,278,280	4,313,677	35,397
Transfers out	(3,500,000)	(3,500,000)	(3,500,000)	-
Total other financing sources	<u>778,280</u>	<u>778,280</u>	<u>813,677</u>	<u>35,397</u>
Net change in fund balances	<u>(6,384,360)</u>	<u>(6,384,360)</u>	<u>(2,033,222)</u>	<u>4,351,138</u>
Fund balance, beginning of year	26,898,809	26,898,809	26,898,809	-
Fund balance, end of year	<u>\$ 20,514,449</u>	<u>\$ 20,514,449</u>	<u>\$ 24,865,587</u>	<u>\$ 4,351,138</u>

The accompanying notes are an integral part of these financial statements.

CITY OF TROY, MICHIGAN

NOTES TO FINANCIAL STATEMENTS

JUNE 30, 2007

Note 5 - Capital Assets

The capital asset activity of the primary government's governmental and business-type activities is as follows:

	<u>Balance</u> <u>July 1, 2006</u>	<u>Additions</u>	<u>Deletions</u>	<u>Balance</u> <u>June 30, 2007</u>
Governmental activities:				
Capital assets, not being depreciated:				
Land	\$ 30,807,861	\$ 192,596	\$ 812,847	\$ 30,187,610
Museum artifacts	2,082,845	-	-	2,082,845
Construction-in-progress	5,452,061	1,214,752	461,620	6,205,193
Total capital assets, not being depreciated	\$ 38,342,767	\$ 1,407,348	\$ 1,274,467	\$ 38,475,648
Capital assets, being depreciated:				
Infrastructure-major/county/local roads	\$ 135,359,042	\$ 1,316,691	\$ -	\$ 136,675,733
Infrastructure-local donated roads	32,766,626	-	-	32,766,626
Infrastructure-sidewalks	28,635,529	89,962	-	28,725,491
Infrastructure-drains	926,972	-	-	926,972
Land improvements	5,715,046	789,537	151,137	6,353,446
Buildings and improvements	77,087,191	441,711	-	77,528,902
Miscellaneous equipment	3,445,887	550,266	28,763	3,967,390
Computer equipment	557,537	73,950	197,283	434,204
Office furniture	1,150,313	3,600	-	1,153,913
Office equipment	239,559	-	-	239,559
Computer software	396,396	-	-	396,396
Vehicles	17,443,102	1,731,965	1,154,505	18,020,562
Library books/audio visual	6,295,135	707,456	406,252	6,596,339
Total capital assets being depreciated	\$ 310,018,335	\$ 5,705,138	\$ 1,937,940	\$ 313,785,533
Less accumulated depreciation for:				
Infrastructure-major/county/local roads	\$ 52,542,331	\$ 5,252,278	\$ -	\$ 57,794,609
Infrastructure-local donated roads	18,389,700	1,306,886	-	19,696,586
Infrastructure-sidewalks	21,947,273	1,207,821	-	23,155,094
Infrastructure-drains	37,078	18,539	-	55,617
Land improvements	4,668,841	326,664	151,137	4,844,368
Buildings and improvements	30,252,726	2,960,178	-	33,212,904
Miscellaneous equipment	2,947,166	270,954	28,763	3,189,357
Computer equipment	316,101	61,574	104,145	273,530
Office furniture	1,022,741	58,139	-	1,080,880
Office equipment	203,868	8,441	-	212,309
Computer software	124,910	68,065	-	192,975
Vehicles	12,145,972	1,334,219	1,146,111	12,334,080
Library books/Audio Visual	4,855,792	696,102	406,252	5,145,642
Total accumulated depreciation	\$ 149,454,499	\$ 13,569,860	\$ 1,836,408	\$ 161,187,951
Total capital assets, being depreciated, net	\$ 160,563,836	\$ (7,864,722)	\$ 101,532	\$ 152,597,582
Governmental activities capital assets, net	\$ 198,906,603	\$ (6,457,374)	\$ 1,375,999	\$ 191,073,230

CITY OF TROY, MICHIGAN

FULL AND PART-TIME
CITY GOVERNMENT EMPLOYEES BY FUNCTION/PROGRAM
LAST TEN FISCAL YEARS

Function/Program	Full and Part Time Employees as of June 30																			
	1998		1999		2000		2001		2002		2003		2004		2005		2006		2007	
	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time
Building Inspection	20	2	20	2	21	1	21	1	22	0	22	0	22	0	22	0	21	2	21	2
Executive Administration	6	0	6	0	6	0	6	0	6	0	6	0	6	0	6	0	6	0	5	0
City Manager's Office	7	2	7	1	7	2	7	2	7	2	8	1	8	1	8	1	8	1	8	1
City Attorney's Office																				
Engineering	22	3	22	6	22	7	23	7	23	7	23	7	23	7	23	7	23	6	23	6
Engineering																				
Finance	14	0	9	0	11	0	11	0	11	0	11	0	11	0	10.5	0	10.5	0	10.5	0
Accounting/Risk Management	11	0	10	0	10	0	10	0	10	0	10	0	10	0	8	2	8	2	8	2
Assessing	6	0	5	1	6	1	6	1	6	1	6	2	7	2	6	2	6	2	6	2
City Clerk's Office	5.5	2	6	1	5	1	4	1	4	1	4	1	4	1	4	1	4	1	4	1
Human Resources	2	1	2	1	3	1	3	1	3	1	3	1	3	1	3	1	3	1	3	1
Purchasing	6	0	6	0	6	0	5	0	5	0	5	0	5	0	4.5	0	4.5	0	4.5	0
City Treasurer's Office	0	0	3	3	4	3	4	4	3	6	3	6	3	8	3	9	3	6	3	6
Community Affairs																				
Fire	11	2	11	2	12	2	12	2	14	2	14	2	14	2	14	2	14	2	14	2
Fire																				
Library/Museum	17	68	16	80	17	79	17	80	20	66	20	85	20	86	20	88	20	88	17	98
Library	2	5	0	0	0	0	0	0	3	4	3	5	2	5	2	9	2	9	2	9
Museum																				
Other General Government	6	3	6	0	6	0	5	1	5	1	5	1	5	1	5	1	5	1	4	1
Real Estate & Development	9	1	9	2	10	2	10	2	11	2	12	2	12	2	12	2	12	2	12	2
Building Operations	6	0	5	0	5	0	5	0	5	0	5	0	5	0	5	0	5	0	5	0
Planning																				
Police	195	8	194	9	193	11	194	11	194	11	194	13	194	13	194	13	194	13	193	14
Police																				

Strategic Plan

The Troy Museum & Historic Village is developing a new Strategic Plan. The first step in that process was the development of new mission and vision statements that are referenced in the proposal narrative. The Interpretive Master Plan (also referenced in the narrative), expanded and updated Collections Plan and Policies, Administrative Plan, including updated Staffing Plan for paid employees and volunteers are currently being drafted or are scheduled for development in 2008/09.

Loraine Campbell
Museum Manager

Appendix A
 School Districts Visiting the Troy Museum & Historic Village

District	County	Suburban	Rural	Urban
Almont	Lapeer		X	
Anchor Bay	Macomb	X		
Armada	Macomb		X	
Avondale	Oakland	X		
Berkley	Oakland	X		
Birmingham	Oakland	X		
Bloomfield Hills	Oakland	X		
Brandon	Oakland		X	
Capac	St Clair		X	
Center Line	Macomb	X		
Chippewa Valley	Macomb	X		
Clarkston	Oakland	X		
Clawson	Oakland	X		
Clintondale	Macomb	X		
Detroit	Wayne			X
Dryden	Lapeer		X	
East Detroit	Macomb	X		
Farmington Hills	Oakland	X		
Farmington	Oakland	X		
Ferndale	Oakland	X		
Fitzgerald	Macomb	X		
Flint	Genesee			X
Fraser	Macomb	X		
Grosse Pointe	Wayne	X		
Hazel Park	Oakland			X
Holly	Oakland		X	
Huron Valley	Oakland	X		
Lake Orion	Oakland	X		
Lakeview	Macomb	X		
Lamphere	Oakland	X		
L'anse Cruese	Macomb	X		
Madison Heights	Oakland	X		
Monroe	Monroe			X
Mt Clemens	Macomb	X		
New Haven	Macomb		X	
Northville	Wayne	X		
Novi	Oakland	X		
Oak Park	Oakland	X		
Oxford	Oakland	X		
Plymouth/Canton	Wayne	X		
Pontiac	Oakland			X

Richmond	Macomb		X	
Rochester	Oakland	X		
Romeo	Oakland		X	
Roseville	Macomb	X		
Royal Oak	Oakland	X		
South Lake	Macomb	X		
South Lyon	Oakland/Livingston/Washtenaw		X	
Southfield	Oakland	X		
Southgate	Wayne			X
Troy	Oakland	X		
Utica	Macomb	X		
Van Dyke	Macomb	X		
Walled Lake	Oakland	X		
Warren Consolidated	Macomb	X		
Waterford	Oakland	X		
West Bloomfield	Oakland	X		

Chapter 12 - Historical Commission

HISTORICAL COMMISSION

1. Establishment. There is hereby established the Historical Commission for the City which shall consist of seven members appointed by the City Council to serve without compensation.

(Rev. 10-12-81)

2. Terms of Members. Each member shall be appointed for a term of three (3) years ending on the last day of July of the third year after appointment, or upon the appointment of his successor, whichever is later. Members of the Commission can be removed at the pleasure of the City Council by a majority vote of the members elect. Vacancies occurring other than through the expiration of term shall be filled for the unexpired term by the City Council.

3. Organization. The Commission shall elect a Chairman, Vice-Chairman, Secretary and such other officers as may be necessary for the proper conduct of its affairs from its membership annually at its first meeting after the last day of July. The Commission shall conform to all the rules and regulations promulgated by the City Council that will be applicable to all other Boards and Commissions.

4. Meetings. The Commission shall hold at least one (1) regular public meeting in each quarter on such date and at such time and place as may be established by resolution of the Commission. Special meetings may be called by the Secretary on the written request of the Chairman or any two (2) members of the Commission on at least two (2) days notice. The Commission shall keep a written or printed record of its proceedings which shall be a public record and property of the City and shall adopt its own rules of procedure. Four (4) members shall constitute a quorum for the transaction of business.

(Rev. 4-23-90)

5. General Powers and Duties. The powers and duties of the Commission to be exercised and performed in conformity with the City Code and state statutes are as follows:

- (a) The Historical Commission shall be a policy making body and be responsible, with the approval of the City Manager, for the overall operation of the City owned buildings known as the Troy Museum & Historic Village. Such policies and responsibilities shall pertain to additional buildings moved to the Historic Village located at 60 W. Wattles Road.

In general, it shall be the duty of the Historical Commission to establish policy with regard to the collection, arrangement, cataloguing and preservation of historical material including books, pamphlets, maps, charts, manuscripts, papers, records and archives, paintings, statuary and other objects and materials relating to the history of the City of Troy and the surrounding area; procurement and preservation of narratives of the early residents of such area, the collection of materials of every description relative to the history, longevity, literature, progress or decay of Indian tribes; collection, preparation, and display of objects indicative of the life, customs, dress and resources of the early residents of this area, and to make available from time to time source materials and historical studies relative to and illustrative of the history of the area. The Commission shall have power, with the approval of the City Manager, to collect from the public offices in the City of Troy reproductions of any records, files, documents, books and papers which, in the opinion of the Commission, are of historical value.

(Rev. 4-23-90)

Chapter 12 - Historical Commission

- (b) The Commission shall have the power, with the consent of the City Council, to accept donations of money or historical materials (as described in Section (a) (above) for carrying out the historical purposes as provided in this Chapter. Such donations of money or historical materials vest in the City subject to Section 8.8 of the Charter of the City of Troy and in accordance with the deed, devise, bequest or grant of such property. Gifts of money shall be deposited in a special account to be established by the City Treasurer from which disbursements shall be made upon warrant of the Treasurer countersigned by the City Manager as provided in Section 8.9 of the Charter, in accordance with the terms of the instruments making such gifts.

(Rev. 4-22-74)

- (c) The Commission shall cooperate with and assist the Michigan Historical Commission in carrying out its powers and duties as established by Act 271 of the Public Acts of 1913 and Act 10 of the Public Acts of 1955.

(Rev. 4-22-74)

- (d) The Commission may recommend to the City Manager purchases of historical material including books, pamphlets, maps, charts, manuscripts, papers, copies of domestic and foreign records and archives, paintings, statuary, and other objects and material illustrative of and relating to the history of the City of Troy and the surrounding area; provided only, that all such purchases shall be accomplished in accordance with the Charter of the City of Troy and applicable Ordinances of the City of Troy.

(Rev. 4-22-74)

- (e) The Commission may receive any money appropriated to it by the State and shall deposit same with the City Treasurer as provided in Section 8.8 of the City Charter. Such funds shall be disbursed as provided in Section 5(b) of this Chapter. At the beginning of each quarterly period during a fiscal year and more often if required by the City Council, the Manager shall submit to the City Council a current statement of actual income and expenses.

(Rev. 4-22-74)

6. Staff. The City Manager shall appoint a Museum Director and necessary staff. All employees constituting the Museum staff shall conform and be subject to all rules and regulations governing other employees of the City. All supplies and materials used in the operation of the Historical Museum shall be obtained by the Director through the Purchasing Department in compliance with administrative rules applying to all other City Departments, or in accordance with a legal contract executed by the City for the purpose of providing such supplies and materials.

(Rev. 4-23-90)

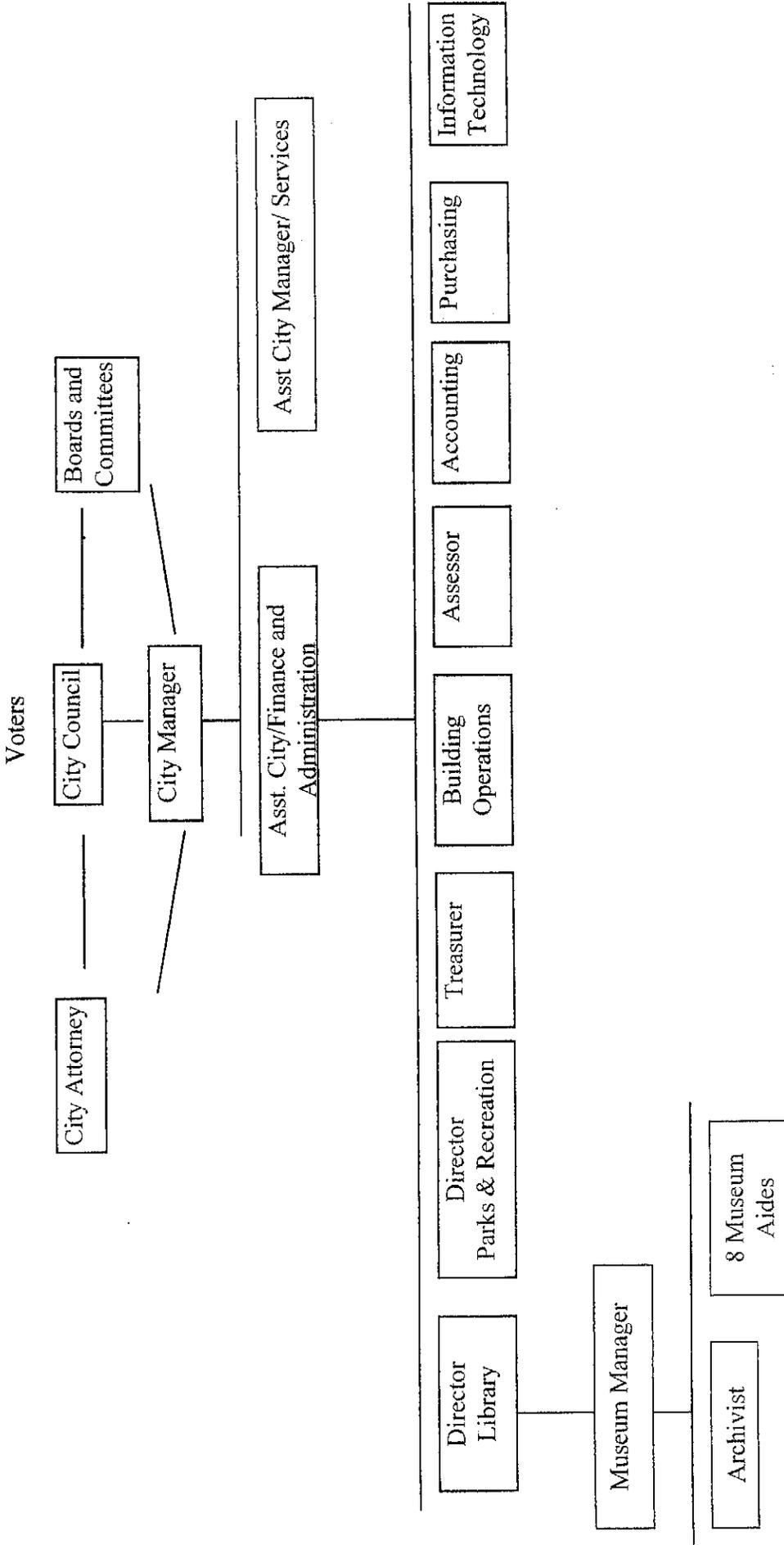
Chapter 12 - Historical Commission

7. Annual Report. The Commission shall make and submit to the City Council an annual report of the general activities, operation and condition of the Commission for the preceding year. The Commission shall, from time to time, as the occasion requires, either in the annual report, or at any time deemed necessary by the Committee, advise the City in writing on all matters necessary and proper for and pertaining to the proper operation of the Commission and any of its activities or properties.

8. Budget Estimates. Not later than February 15 of each year, the Commission and Director shall furnish the City Manager with recommendations regarding proposed historical programs for the ensuing fiscal year which the Manager shall review and consider in preparation of the Budget to be submitted to the City Council.

(Rev. 4-23-90)

Appendix C – City of Troy Organization Chart





CITY COUNCIL ACTION REPORT

November 4, 2008

TO: Phillip L. Nelson, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance & Administration

SUBJECT: Voluntary Separation Retirement Incentive Programs

The preliminary projections for the 2009/10 City budget show an approximate \$5 million short fall in revenues versus expenditures. As one means to address this situation City management recommends City Council approve two [Voluntary Separation Retirement Incentive Programs](#). The goal in offering this type of incentive is to realize permanent efficiencies in staffing through re-assignment of remaining employees; combining like services; and helping to fund highly rated services while at the same time addressing some of our budgetary concerns.

The cost benefit analysis attached to this report covers different scenarios based on the number of employees retiring under the incentive programs. The first year's savings takes into consideration actual savings of not replacing a given number of retiring employees, the time other positions will likely remain vacant and the cost to the retirement system. The 2nd – 5th yearly savings reflects the savings of not replacing a given number of employees vs. the cost to the retirement system. The 6th – 30th yearly savings reflects the savings of not replacing a given number of employees vs. the cost to the retirement system for health care.

City management recommends a five-year funding recovery for pension benefits and thirty-year funding recovery for retiree health care benefits in line with our Other Post Employment Benefits (OPEB) report. Even though we have an over-funded pension plan, we are following the Government Finance Officers Association's recommended practice of not allocating any actuarial surplus to finance the incremental costs of the retirement incentive.

Following is a description of the two [Voluntary Separation Retirement Incentive Programs](#).

[Voluntary Separation Defined Contribution \(DC\) to Defined Benefit \(DB\) Program for Retirement](#)

The City of Troy has seen a reduction of taxable value of real estate which is adversely affecting the operating revenues. City management predicts significant budget short-falls for fiscal years 2010, 2011, and 2012. Operational expenses need to be reduced while continuing the effectiveness of City services.

In order to reduce operational expenses and simultaneously restructure the City's operations, it is suggested to provide a voluntary separation DC to DB program for those who are eligible to retire.

City management has come up with a plan supported by the Troy Command Officers Association (TCOA) bargaining team on a retirement incentive program that would permit current TCOA DC members who are eligible to retire as of December 31, 2008 to revert back to the DB plan with their pension based solely on their accumulated DC account balance, as long as they retire by December 31, 2008. Approximately 13 TCOA employees are eligible to retire as of December 31, 2008.

During contract negotiations with the TCOA the topic of retirement incentives was discussed and the DC to DB conversion and the [Voluntary Separation Incentive Program](#) are two measures City management would like to offer to meet the goals of reducing expenditures and re-organizing the department.

The cost associated with the implementation of this program will be funded by employee DC funds (see the attached report from Gabriel Roeder Smith & Company).

[Voluntary Separation Incentive Program for Retirement](#)

In order to reduce operational expenses and simultaneously restructure the City's operations, it is suggested to provide a [Voluntary Separation Incentive Program for Retirement](#) for those who are eligible to retire. Approximately 69 City of Troy employees are eligible to retire and 24 are eligible for early retirement.

The cost associated with the implementation of this program will be absorbed by the Employee Retirement System. See attached report from Gabriel Roeder Smith & Company.

As always, if Council has any questions or requires further clarification, please contact us.

Cost Benefit Analysis - Retirement Incentives

Percentage of Eligible Members Assumed
to Retire Under the Program

	100%	50%	20%	10%
Number Assumed to Retire From ERS (DB) Plan	44	22	9	4
Number Assumed to Retire From (DC) Plan	49	25	10	5
	<u>93</u>	<u>47</u>	<u>19</u>	<u>9</u>
5-Year Amortization of Pension Cost	\$ 806,502	\$ 403,251	\$ 161,300	\$ 80,650
30-Year Amortization of Retiree Health Costs	138,033	69,017	27,607	13,803
	<u>\$ 944,535</u>	<u>\$ 472,268</u>	<u>\$ 188,907</u>	<u>\$ 94,453</u>
Non-Replacement of 14 Employees	\$ 1,300,000			
Four Month Vacancy of 79 Employees	3,400,000			
Incremental Cost due to Vacancies	(200,000)			
	<u>\$ 4,500,000</u>			
Net 1st Years Savings	\$ 3,555,465			
Net 2nd - 5th Yearly Savings	\$355,000 +			
Net 6th - 30th Yearly Savings	\$1,162,000 +			
Non-Replacement of 7 Employees	\$ 650,000			
Four Month Vacancy of 40 Employees	1,720,000			
	<u>\$ 2,370,000</u>			
Net 1st Years Savings	\$ 1,897,732			
Net 2nd - 5th Yearly Savings	\$178,000 +			
Net 6th - 30th Yearly Savings	\$581,000 +			
Non-Replacement of 3 Employees	\$ 279,000			
Four Month Vacancy of 16 Employees	689,000			
	<u>\$ 968,000</u>			
Net 1st Years Savings	\$ 779,093			
Net 2nd - 5th Yearly Savings	\$90,000 +			
Net 6th - 30th Yearly Savings	\$251,000 +			
Non-Replacement of 1 Employee	\$ 93,000			
Four Month Vacancy of 8 Employees	344,000			
	<u>\$ 437,000</u>			
Net 1st Years Savings	\$ 342,547			
Net 2nd - 5th Yearly Savings	\$1,500 +			
Net 6th - 30th Yearly Savings	\$79,000 +			



Gabriel Roeder Smith & Company
Consultants & Actuaries

One Towne Square
Suite 800
Southfield, MI 48076-3723

248.799.9000 phone
248.799.9020 fax
www.gabrielroeder.com

a)

October 29, 2008

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

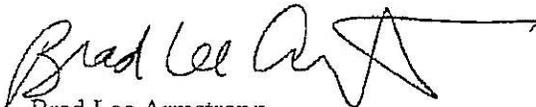
Re: Amendment to Allow Transfers from DC to DB

Dear John:

We understand the City of Troy is considering offering TCOA Police members who are currently in the Defined Contribution Plan and eligible to retire an opportunity to convert back to the Defined Benefit Plan. As a condition of the offer, these members will have to retire and their pensions will be based solely on their accumulated balance in the Defined Contribution Plan. We believe this offer will have no material effect on contributions to or obligations of the Defined Benefit Plan provided all amounts are in accordance with our October 15, and October 29, 2008 correspondence on this topic, and Defined Contribution Plan accumulated balances equal to those shown are transferred into the Defined Benefit Plan by December 31, 2008.

This document is provided to comply with MI PA 728 of 2002 Sec. 20h. (3) which requires that a System provide a supplemental actuarial analysis of any proposed pension benefit change to the Board and to the decision-making body (City Council) at least 7 days before adoption.

Respectfully submitted,


Brad Lee Armstrong

BLA:bd
Enclosure

b)

October 31, 2008

CONFIDENTIAL

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

**Re: A Supplemental Valuation of the Effect of a Proposed Voluntary Separation
Incentive Program (VSIP) for the City of Troy**

This report presents the results of a supplemental valuation of the potential impact of the proposed Voluntary Separation Incentive Program on the City of Troy Employees Retirement System (ERS). A summary of the Voluntary Separation Incentive Program provisions is shown on the following page.

Except where indicated, this valuation was based on the actuarial assumptions and methods used in the ERS annual actuarial valuation as of December 31, 2007 and the December 31, 2006 Other Postemployment Benefits valuation.

Both of the undersigned are Members of the American Academy of Actuaries (MAAA) and meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.

Sincerely,



Brad Armstrong, ASA, MAAA



Randall J. Dziubek, ASA, MAAA

RJD:BLA:mrh
Enclosures

**CITY OF TROY EMPLOYEES RETIREMENT SYSTEM (ERS)
VOLUNTARY SEPARATION INCENTIVE PROGRAM (VSIP)
PROPOSED PROVISIONS**

BACKGROUND: The proposed Program will be offered to eligible employees who retire on or before February 28, 2009. Eligibility for the Program and the associated benefits are shown below:

Eligibility for the Program: Member is eligible for regular or early retirement as of December 31, 2008. Members of both the ERS and the Defined Contribution Plan (DC) are eligible for the Program.

Benefits provided by the Program:

1. ERS and DC Members - Lump sum payment equal to one week's pay as of December 31, 2008 for each full year of pensionable service.
2. ERS and DC Members - Immediate retiree health benefits with additional service equal to one week for each full year of service.
3. ERS Members - Additional pensionable service equal to one week for each full year of service.

Lump sums for DC members are assumed to be paid from the ERS assets.

DATA PROVIDED TO THE ACTUARY: The City provided a listing of all of the active members that are believed to be eligible for the Program. The listing was reviewed for reasonableness, but was not audited by the actuary. The listing contained credited service projected to December 31, 2008.

A summary of individuals deemed eligible for the Program and included in this report is shown below:

Data as of December 31, 2008					
Group	Number Count	Total Annual Payroll	Average Age	Average Service	
				Benefit	Eligibility
ERS	44	\$ 3,343,594	57.2 yrs.	23.4 yrs.	25.5 yrs.
DC Plan	49	\$ 4,470,161	56.4 yrs.	28.3 yrs.	28.9 yrs.

RESULTS OF THE VALUATION

The estimated impact of the proposed Program as of December 31, 2008 is shown below, assuming 100% of eligible members retire. The "Pension" results include the value of the lump sum payments for both ERS and DC Plan members, the additional service credit for ERS members, and the impact of immediate retirement for ERS members. All of these benefits are assumed to be paid from ERS assets. The "Health" results represent the impact of immediate retirement for both ERS and DC Plan members plus the effect of additional service credit granted under the Program.

Annual employer contribution results shown below were determined by amortizing the increase in the present value of benefits over a five-year period as a level percentage of pay. These contribution results are not the expected increases in the Annual Required Contributions (ARC) that will be determined in the actuarial valuations following the Program, but are a good representation of the expected overall costs of the Program if paid off over a five-year period.

	<u>Increase in Present Value (PV) of Pension Benefits</u>	<u>Annual Employer Contribution to Amortize PV Increase Over 5 Years</u>
Pension	\$3,694,096	\$806,502
Health	\$1,807,929	\$394,710

The most recent actuarial valuation of the ERS, as of December 31, 2007, determined the ARC using the Aggregate actuarial cost method. This method calculates contributions necessary to pay off the total unfunded present value of future benefits as a level percentage of future pay. We estimate that under this method, the increase in the ARC as a result of the Pension portion of this Program (assuming 100% utilization) is **\$429,550**. This is a much lower result than the amount shown above, since the current actuarial cost method will pay for the cost of the Program over many more years than five.

The Annual Required Contribution for retiree health benefits provided by the City of Troy was most recently determined in our report dated December 28, 2007. Calculation of the ARC was based on 30-year amortization of the unfunded actuarial accrued liability. The estimated increase in the ARC that would result from this proposed Program (assuming 100% utilization) is estimated to be **\$138,033**. As with the Pension results, this result is also much lower than the amount shown above due to the longer amortization period.

RESULTS OF THE VALUATION

It is likely that less than 100% of eligible members will choose to retire under this Program. In the table below, we show the estimated increase in employer contributions based on various election percentages (please refer to Comment 4 on page 4).

	Percentage of Eligible Members Assumed to Retire Under the Program			
	100%	50%	20%	10%
Number Assumed to Retire from ERS	44	22	9	4
Number Assumed to Retire from DC Plan	49	25	10	5
Increase in PV Benefits				
Pension	\$3,694,096	\$1,847,048	\$738,819	\$369,410
Health	<u>1,807,929</u>	<u>903,965</u>	<u>361,586</u>	<u>180,793</u>
Total	\$5,502,025	\$2,751,013	\$1,100,405	\$550,203
5-Year Amortization of PV Benefits				
Pension	\$806,502	\$403,251	\$161,300	\$80,650
Health	<u>394,710</u>	<u>197,355</u>	<u>78,942</u>	<u>39,471</u>
Total	\$1,201,212	\$600,606	\$240,242	\$120,121
Estimated Increase to Annual Required Contribution (ARC)				
Pension	\$429,550	\$261,247	\$114,630	\$58,927
Health	<u>138,033</u>	<u>69,017</u>	<u>27,607</u>	<u>13,803</u>
Total	\$567,583	\$330,264	\$142,237	\$72,730
5-Year Amortization of Pension Costs and 30-Year Amortization of Retiree Health Costs				
Pension (5-year amortization of costs)	\$806,502	\$403,251	\$161,300	\$80,650
Health (30-year amortization of costs)	<u>138,033</u>	<u>69,017</u>	<u>27,607</u>	<u>13,803</u>
Total	\$944,535	\$472,268	\$188,907	\$94,453

Please see the Comments on the following page for important information essential to understanding this report.

COMMENTS

Comment 1: This report is based on an assumption that individuals reported by the City as eligible for the Program, elect the Program and then retire on February 28, 2009. Data used for this report was based on the data provided by the City regarding eligible members, service as of December 31, 2008, and the lump sum payment available under the Program. Pay data provided for the December 31, 2007 annual actuarial valuation of the ERS was used to estimate pensionable earnings at retirement. Pensionable earnings for 2008 for ERS members were assumed to be 3.5% higher than 2007 pensionable earnings.

Comment 2: This report is based on the data and assumptions noted above and the proposed Program provisions shown on page 1. If you have reason to believe that the assumptions that were used are unreasonable, that the plan provisions are incorrectly described, that important and relevant plan provisions are not described, or that conditions have changed since the calculations were made, you should contact the author of this report prior to relying on information in the report.

Comment 3: This report shows the potential impact of the proposed Program on ERS pension and retiree health care costs as of December 31, 2008. The non-retirement costs/savings in other areas (payroll savings, fringe benefit savings, employer contributions to new hire defined contribution accounts, etc.) are not included in this report.

Comment 4: The cost of the proposed Program has been developed assuming that all of the individuals shown in this report are eligible for the Program and will elect to retire on February 28, 2009. Please be aware that the cost of the Program will vary for each individual member. For example, if half of the eligible employees elect to retire, and these employees are the ones who would benefit most from the incentive, the cost would be more than 50% of the maximum (100% retire) cost shown in this report. In other words, in the examples of 50%, 20%, and 10% election percentages on page 3, the cost would be increased if the employees electing to retire are the employees who would benefit most from the proposal.

Comment 5: The Government Finance Officers Association (GFOA) recommended practice for evaluating the use of early retirement incentives has been included in the Appendix of this report. The GFOA recommends the use of a short amortization period (such as 3-5 years) to finance the incremental cost of an early retirement incentive program. Since savings are typically realized over a short period, the costs should also be recognized over a similar period. Regardless of the time period selected for funding, we recommend that policy makers carefully consider the 5 year results shown in this correspondence in the decision making process.

COMMENTS

Comment 6: The calculations are based upon assumptions regarding future events, which may or may not materialize. They are also based upon present and proposed plan provisions that are outlined in the report. If you have reason to believe that the assumptions that were used are unreasonable, that the plan provisions are incorrectly described, that important plan provisions relevant to this proposal are not described, or that conditions have changed since the calculations were made, you should contact the author of this report prior to relying on information in the report.

Comment 7: If you have reason to believe that the information provided in this report is inaccurate, or is in any way incomplete, or if you need further information in order to make an informed decision on the subject matter of this report, please contact the author of the report prior to making such decision.

Comment 8: No statement in this report is intended to be interpreted as a recommendation in favor of the changes, or in opposition to them.

Comment 9: This report is intended to describe the financial effect of the proposed plan changes on the retirement system. Except as otherwise noted, potential effects on other benefit plans were not considered.

Comment 10: The reader of this report should keep in mind that actuarial calculations are mathematical estimates based on current data and assumptions about future events (which may or may not materialize). Please note that actuarial calculations can and do vary from one valuation year to the next, sometimes significantly if the group valued is very small (less than 30 lives). As a result, the cost impact of a benefit change may fluctuate over time, as the demographics of the group changes.

APPENDIX



GFOA Recommended Practice

Evaluating Use of Early Retirement Incentives - 2004

Background. Governments occasionally offer early retirement incentives (ERIs)¹ to employees as a strategy to reduce payroll costs or stimulate short-term turnover among staff. ERIs are temporary, offered during a window that usually covers a period of months. They increase the economic value of the standard retirement benefit. Historically, ERIs rarely have succeeded, since costs are often greater than initially anticipated by the government offering the incentive, and savings are lower than projected.

Recommendation. GFOA recommends that governments exercise extreme caution if considering ERIs. Governments should take several actions prior to the decision to offer an ERI in terms of (1) goal-setting, (2) cost/benefit analysis, and (3) budgetary analysis. Governments should also develop an implementation plan.

1. Goal-Setting for ERIs

Governments should be explicit in setting documented goals for the ERI. Goals can be financial in nature, such as realizing permanent efficiencies in staffing or achieving budgetary objectives. ERIs can also be designed to achieve human resource goals, such as creating vacancies that allow for additional promotion opportunities and allowing management to bring in new staff. Any ERI goals should not conflict with other retirement plan goals (e.g., features to reduce turnover or increase retention).

An explicit statement of goals is needed to judge the ultimate success of the initiative and to develop performance measures. Further, having a statement of goals promotes transparency. Inappropriate goals such as rewarding a select group of staff should be explicitly rejected. Potential conflicts of interest among decision-makers who design an ERI should be monitored closely, since any self-dealing is costly and could harm the long-term credibility of the government entity.

2. Cost/benefit analysis

In judging whether an ERI should be offered, governments should assess the potential costs and benefits of ERI proposals, and the cost/benefit analysis should be linked to the goals of the ERI. For example, if a government sets a financial goal of obtaining long-term staffing efficiencies, then an independent cost/benefit analysis should determine whether the ERI will actually bring about such

¹ The scope of this recommended practice does not cover deferred retirement option plans (DROP) or partial lump-sum option plans (PLOP), which often promote employee retention. The CORBA Committee may address this issue separately.

staffing efficiencies. A cost/benefit analysis should be comprehensive. It should take into account direct and indirect impacts, such as the impact on the government for providing retiree health care and additional contractor costs. In addition, it should take into account the effect upon both the plan sponsor and the pension fund (if the pension fund is a separate organization). Governments should retain an actuary to assist in conducting a cost/benefit analysis.

Material changes to the ERI proposal during the legislative process should trigger adjustments to the cost/benefit and budgetary analyses.

Regarding financially-driven ERIs, a cost/benefit analysis should compare long-term benefits and costs against the "default" scenario of a hiring freeze. Most financially-driven ERIs project financial benefits based on payroll savings related to staff departures. However, any such savings should be discounted, because a hiring freeze also creates payroll savings (owing to the normal rate of staff departures). Thus, the ERI benefit is limited to the marginal increase in staff departures attributable to the ERI. Governments that attribute all staff departures to an ERI would over-state the ERI benefit, thus distorting the cost/benefit analysis.

Financially-driven ERIs may also obtain savings by replacing highly compensated staff with lower-paid staff. Analysis of such ERIs must take into account the fact that newly hired staff tend to experience faster salary increases than other employees.

If early retirement incentives are offered, they should be offered very infrequently and without a predictable schedule to avoid the expectation that another ERI will be offered. Such an expectation would distort normal employee retirement patterns.

The incremental costs of an ERI should be amortized over a short-term payback period, such as three to five years. This payback period should match the period in which the savings are realized. To calculate the incremental costs of an ERI, governments should conduct an actuarial analysis that discloses the present value of the liabilities associated with an ERI. Governments that have over-funded pension plans should avoid allocating any actuarial surplus to finance the incremental costs of the ERI.

3. Budgetary considerations

In order to develop accurate budgetary estimates for the ERI, it is necessary to estimate the incremental cost of the ERI, which will vary according to the level of employee participation. Any budgetary analysis should project multiple scenarios for employee participation levels.

A budgetary analysis should be comprehensive. It should take into account direct and indirect impacts, such as the impact on the government for providing retiree health care and additional contractor costs.

Because a collective bargaining agreement may affect potential ERI costs and benefits, it should be reviewed prior to developing budgetary estimates.

4. Implementation considerations

If implementing an ERI, at a minimum, governments should take into account the following points:

- A communication plan is desirable to help employees understand the ERI in the context of overall retirement planning;
- It may be necessary to gain input from collective bargaining units;
- Governments should consider the impact upon service delivery after employees retire, with identification of critical personnel whose services must be maintained;
- The duration of the window should take into account the ability of retirement staff to manage retirement application workloads, among other factors; and
- Performance measures should be used to ensure ERI goals are met. For financially-driven ERIs, governments should track and report direct and indirect costs and benefits to determine if goals are met, such as for vacancies and contract costs.

References:

A Primer on Early Retirement Incentives, GFOA, 2004.

Approved by the GFOA Executive Board, October 15, 2004.

TO: Phillip L. Nelson, City Manager
FROM: Cindy Stewart, Community Affairs Director
SUBJECT: Agenda Item: Proposed 2009 City Council Meetings
DATE: November 6, 2008

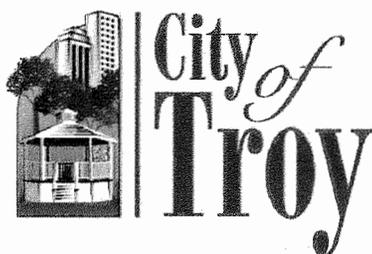
The Community Affairs Department is working on a number of projects for 2009. We need your assistance regarding dates for the 2009 City Council meetings for inclusion on the City website calendar and in future Troy Today issues. The following dates take into account all holidays and election days, and are submitted for your approval:

Monday, January 5 & 26
Monday, February 2 & 16
Monday, March 2 & 16
Monday, April 6 & 20
Monday, May 11 & 18
Monday, June 1 & 15
Monday, July 6 & 20
Monday, August 3 & 17
Monday, September 14 & 28
Monday, October 5 & 19
Monday, November 9 & 23
Monday, December 7 & 21

Dates submitted for Liquor Violation Hearings:

Wednesday, February 11 7:30 pm
Wednesday, February 18 7:30 pm

CS



CITY COUNCIL ACTION REPORT

RECEIVED

OCT 30 2008

CITY OF TROY
CITY MANAGER'S OFFICE

October 1, 2008

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Economic Development Services
Loraine Campbell, Museum Director *LC*
Larysa Figol, Sr. Right of Way Representative *LF*

SUBJECT: Donation of the Old Stone School Property to the City of Troy
Section 6, Sidwell #88-20-06-101-001

Background:

- Earlier this year, the owners of the Old Stone School approached staff with an offer to donate this property to the City of Troy. Their interest is to conserve the historic nature of the building with the assurance that it be used for public use, perhaps as an educational center.
- The property, prior to being conveyed to Mr. Finn Bergishagen, was owned by Charles Digioia, who passed away some years ago, and his wife Greta, who regrettably passed away this past February. Mr. Bergishagen is the brother of Greta Digioia.
- Both Charles and Greta Digioia, in addition to their prominent careers as an engineer and premier designer respectively, were accomplished and acclaimed artists in their own right. Mr. Bergishagen also intends to donate some of Charles and Greta's art work to the Museum in the near future, under separate agreement.
- The property, located at the southeast corner of Adams Road and South Boulevard presents itself as a serene and elegant gateway to the City. The property consists of five main structures; the old stone school house built in 1857 (with additions), a stone well, stone outhouse, two car garage and a connected carriage house. The school and satellite buildings all sit on almost an acre of land. The south portion of the property shares a pond and wetland with the adjoining property owners.
- By nature of the physical properties and building materials used to construct the Old Stone School, it is not feasible to physically move the property to the Museum site.
- The property has special historic, architectural, social and cultural significance to the City. As such, it has been designated as a Historic District by Troy City Code – Chapter 13. Attached to this memo is an Exterior Assessment Conditions Report prepared by Linda Rivetto. The report succinctly summarizes the historical evolution and development of the property as well as providing physical details of the property's architecture.

- The current owners, Finn and Mary Louise Bergishagen have procured an appraisal from a State Certified General Appraiser to determine a market value of the property for donation purposes. Mr. and Mrs. Bergishagen, in return for their donation, would ask that the City compensate them for any expenses incurred for reasonable costs associated with this donation, including but not limited to the reimbursement of appraisal and professional fees, an amount not to exceed \$9,950.
- City Management asks that City Council also approved any title work and closing costs not to exceed \$500.00.
- Funds are available from account # 401.770.7974.130.

Legal Considerations:

- The City Attorney's office has drafted an Agreement that meets with the donors' approval. Finn and Mary Louise Bergishagen have agreed to the content of the agreement that requires City Council's approval for City staff to move forward with the donation and transfer of ownership of the property.

Policy Considerations:

- I. Troy has enhanced the health and safety of the community
- II. Troy adds value to properties through maintenance or upgrades of infrastructure and quality of life venues
- III. Troy is rebuilding for a healthy economy reflecting the values of a unique community in a changing and interconnected world.

Options:

- City Management recommends that City Council accept the generous donation of property from Finn and Mary Louise Bergishagen and authorize the Mayor and Clerk to sign the donation agreement on behalf of the City of Troy.

**AGREEMENT BY AND BETWEEN FINN AND MARY LOUISE
BERGISHAGEN AND THE CITY OF TROY FOR THE DONATION
OF AN HISTORICAL STRUCTURE AND REAL PROPERTY**

This agreement made this 10th day of November, 2008 by and between Finn Bergishagen and Mary Louise Bergishagen, his wife, hereafter referred to as "BERGISHAGEN", whose address is 2345 Lochaven, West Bloomfield, Michigan, 48324, and the City of Troy, hereafter referred to as "TROY", a Michigan municipal corporation, the address of which is 500 W. Big Beaver, Troy, Michigan, 48084.

RECITALS

1. BERGISHAGEN has expressed a willingness to donate to TROY an historical structure, known as the "Old Stone School" and other structures located at 3995 W. South Boulevard, along with the underlying real estate, (collectively referred to hereafter as "Subject Property") which real estate is situated in the City of Troy, Oakland County, Michigan, and legally described as:

West 165 feet of north 264 feet of northwest fractional $\frac{1}{4}$ section 6, town 2 north, range 11 east; except part taken for highway described as: Beginning at northwest section corner; thence easterly 91 ft along section line; thence southwesterly to point in west section line distant of 91 feet southerly from beginning; thence northerly 91 ft along section line to beginning. .90 acres.

Commonly known as 3995 W. South Boulevard.
Tax I.D. No. (88)-20-06-101-001.

2. BERGISHAGEN is willing to convey title to the Subject Property to TROY by a warranty deed, subject to the terms as set forth in this Agreement.
3. TROY is willing to hold and use the subject property for public purposes.

IN CONSIDERATION OF THE MUTUAL COVENANTS SET FORTH HEREIN, IT IS MUTUALLY AGREED BY THE PARTIES AS FOLLOWS:

1. BERGISHAGEN agrees to give, convey and transfer to TROY all right, title, and interest in the Subject Property. Title shall be conveyed by warranty deed within 30 days after the last required signature is affixed to the Agreement, after being approved by both of the parties.
2. TROY agrees to hold and use the Subject Property for public purposes.
3. BERGISHAGEN and TROY stipulate the value of the Subject Property is \$140,000, based on an independent appraisal.
4. As of the effective date of this Agreement, TROY agrees to assume responsibility for payment of all real estate taxes, future water and/or sewer charges, and other assessments for the Subject Property. Since the parties were negotiating as of the due date, TROY also agrees to assume responsibility for the payment of the 2008 summer taxes that are due and owing as well as any unpaid water and/or sewer bill and/or special assessment for the Subject Property.
5. TROY agrees to reimburse BERGISHAGEN for costs and reasonable expenses associated with obtaining the Subject Property not to exceed \$9,950.00. The costs and expenses shall be paid by TROY within 90 days of closing.

6. TROY shall be responsible for all closing costs, including the costs for title work and all recording fees.

7. TROY acknowledges it has had an opportunity to inspect the Subject Property and agrees to accept it as is.

8. Immediately upon the execution of the warranty deed conveying title, BERGISHAGEN agrees to surrender possession of the Subject Property to TROY.

9. This Agreement shall be binding on the executors, personal representatives, administrators, heirs, successors and assigns of the parties.

10. A copy of the warranty deed conveying title of the subject property to Troy shall be recorded with the Oakland County Register of Deeds. BERGISHAGEN or TROY may also record this Agreement with the Oakland County Register of Deeds.

The parties acknowledge that they have the authority to enter into this Agreement, and agree to be bound by its terms, as evidenced by their signatures below.

WITNESSES:

Brian P. Murphy
Brian P. Murphy

Finn Bergishagen
Finn Bergishagen

Cheryl A. Stewart
Cheryl A. Stewart

Mary Louise Bergishagen
Mary Louise Bergishagen

Finn Bergishagen and Mary Louise Bergishagen, his wife, acknowledged the foregoing instrument before me on this 16 day of October, 2008.

Cheryl A. Stewart
Notary Public
Oakland County, Michigan

My Commission Expires May 3, 2012

CHERYL A. STEWART
Notary Public, Oakland County, MI
My Commission Expires May 3, 2012
Acting in Oakland County

WITNESSES:

CITY OF TROY, a Michigan
municipal corporation

By: _____
Louise E. Schilling, Mayor

By: _____
Tonni Bartholomew, City Clerk

Louise E. Schilling, Mayor of the City of Troy, and Tonni L. Bartholomew, Troy
City Clerk, acknowledged the foregoing instrument before me on this ___ day of
_____, 2008.

Notary Public
_____ County, Michigan

My Commission Expires _____



City of Troy - Michigan - Copyright (C) - 2008

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.



**Old Stone School
Fractional School District
No. 10
Troy, Michigan**

Linda Rivetto
Principles of Preservation Technology
GHPR591
Exterior Assessment Conditions Report
8 March 2004

OLD STONE SCHOOL

Troy, Michigan

EXECUTIVE SUMMARY

The Old Stone School is an historic schoolhouse located in the northwest corner of Troy, at the intersection of Adams Road and South Boulevard. The site contains 4 structures, 3 of which are original to the schoolhouse construction. The buildings occupy $\frac{3}{4}$ of an acre, which was purchased from John R. and Nancy A. Martin, in 1856, for the sum of \$15.00 (Scott 3). The stone structures were then built, and the school was used for the next 75 years as an educational building. Wood additions were put on the schoolhouse in mid-twentieth century, to convert it into a residence, which it remains to this day.

The structures on the site are all in satisfactory condition. The most damaged at the moment are the additions to the schoolhouse, though repairs are necessary for every building. However, the choice of repairs to be done is directly related to the eventual use of the location.

The site is historically listed in the state, with its primary use listed as Education (Michigan). As it will eventually be a property of the Troy Historical Society, its handling will be based upon its historical use. As such, though it is a large undertaking, the property will be taken back, or restored, to its original use as a one-room schoolhouse, with outbuildings.

I. DEVELOPMENTAL HISTORY

A. Historical Background and Context

1. Statement of Significance

The Old Stone School was built in 1857 for Fractional School District No. 10, in Troy, Michigan. It was built in the front-gabled Greek Revival style, popular in the United States from 1825-1860 (McAlester 179). The characteristics of that style which are incorporated into this structure are: gabled roof of low pitch, cornice line of roof emphasized with wide band of trim, rectangular line of transom lights above door, and pilasters around door frame (McAlester 179)(cover photo, photo 1). There is a large interior fieldstone fireplace built between the 2nd and 3rd bays of the stone structure.

Two wood frame additions were built onto the schoolhouse during its early life as a residence, adding two bedrooms and a bathroom. The schoolhouse room itself has been divided into a living room, dining room and kitchen.

There are 3 other structures on the site: a well (photo 2), whose top is currently covered with a wood panel; a stone outhouse with two doors which are original (photo 3); and a part stone/part wood garage – the stone part built in the 1950s with the same stone as the schoolhouse, which was found on the site, and the wood part added on about 1980. The stone section of the garage has been turned into a small apartment, with a kitchen and bathroom.

The stone part of the main building was used as a school for the first 75 years of its existence. It has local significance as an example of the early masonry techniques, as an architectural example of the Greek Revival style, and as an example of early educational structures.

2. Comparable Structures or Sites

The building structure is a common one for one-room schoolhouses of the time, having a 2-bay by 3-bay floor plan, with large windows and high ceilings (Maddex 150). Stone schoolhouses were less common, however – usually, these smaller schoolhouses would be of log, wood, or, occasionally, brick construction.

B. Chronology of Development

1. Episode Description

The Old Stone School was used as the local school for Fractional School District No. 10, which included parts of Avon, Troy, Bloomfield, and Pontiac at the time, from 1858 until 1933, when schools in the area were consolidated. The building and land were purchased by Max Hodgdon in 1933, then by Mr. and Mrs. I. D. Stewart in 1949. At that time the building was converted to a residence, and a small frame wing was added to the rear of the structure in 1950. The Lee Keating Co. purchased the structure in 1962, using it as a rental property. In 1977, when Charles and Greta DeGioia purchased the building, it was in bad condition. They repaired the building, and Mrs. DeGioia continues to live in it.

2. Period of Significance for Approach to Treatment

The Stone School has significance as a schoolhouse, not as a residence. It has real value as an example of the construction techniques of the time, and as an example of the school environment used by the children in the past in Troy. Therefore, its period of significance is for the years of 1858 to 1933, when it was actively used as a schoolhouse.

II. EXISTING CONDITIONS ANALYSIS

A. Materials and Construction

Roof: The roof of the Old Stone School is currently made of asphalt shingles. Mr. DeGioia replaced it about 1978, while he and his wife were repairing all the structures on the site. This roof is, therefore, about 26 years old, a long life for this type of roofing. The cornice line is made of wood. There are gutters along the entire addition on the east side of the building, and on part of the addition on the west side. There is only one downspout on the entire structure, at the southeast corner of the addition.

Walls: The walls of the stone school portion of the building, as well as of the outhouse and well, are made of mortared local fieldstone, in coursed rubble construction (McAlester 38-9). These walls are 20 inches thick (photo 4). The addition to the schoolhouse is wood-clad, using both horizontal and vertical boards.

Foundation: The foundation of the schoolhouse itself appears to be of the same material as the walls, local fieldstone. However, the addition was built on a foundation of concrete blocks.

Windows: All of the windows in the structure are double-hung wood, except for a small window at the south end of the addition, which is a 4-paned stationary wood window. The schoolhouse has 3 windows evenly spaced along each side, and one on each side of the front entry door. They are all 9-over-9 paned windows and are the original windows of the building, with original glass. The addition, however, has 8-over-8 panes on the two windows on the west side of the addition, and 6-over-9 panes on the 2 south and 3 east windows. They all have storm windows, which attach with hinges at the top of the window frame. The schoolhouse windows have wood lintels and sills. There are currently no shutters on the structure, though in one photograph of the building from 1977, there were two-color shutters on the front (north) end of the structure (Kirst). Again in 1 July 1980, it was described as having "three board solid shutters" (Scott 2). And in the picture in the state registry online, the front also has shutters (Michigan).

Doors: There are three doors on the main building, the main entry door to the schoolhouse, which is no longer actively used, and one door on the east and on the west side of the addition. The east door is not at ground level and has no steps outside of it, so it presumably is no longer used. The schoolhouse door is the original paneled oak door, with a pedimented gable, pilasters, recessed transom lights, and dentil molding (photo 5). There is a

small front porch in front of the door and a step up to enter the door, onto a stone doorsill (photo 6). The east door is wood panel with 6 windowpanes (photo 7). The west door appears to be an interior luan door (photo 8). There is a small step up to enter this door. All doors have storm doors, wood on the original front door, metal on the two of the addition.

B. Existing Conditions

Roof: The DeGioias replaced the roofs on all the structures in 1979, after they moved in. The exterior of the roof of the schoolhouse building appears to be basically sound, although the roof is about 26 years old. However, a brief interior inspection of the stone building revealed peeling paint on the ceiling of the dining room section of the house, an indication of potential leakages in that area of the roof (photo 9). The cornice line shows weathering with peeling and absent paint (photo 10). In the winter, after a big snowstorm, there are ice dams and icicles at each roofline (photos 11, 12). The gutter on the east side of the house is pulling away from the roofline. And with only one downspout in evidence, despite the existence of a gutter on the west side of the building, water drainage from the roof is definitely questionable.

Walls: The stone walls of the schoolhouse are in basically very sound condition. There are mortar cracks on all walls (photos 13, 14). However, there is no indication of a problem caused by these cracks on the interior of the structure. The addition has painted wood siding, which is showing much evidence of weathering and peeling (photo 15).

Foundation: The stone foundation of the schoolhouse appears dark along both sides of the building (photos 16, 17). It is probable that this is a sign of rising damp. There was no immediate evidence of a problem in this area on the interior of the building. The concrete block foundation of the addition seemed to be in good condition, showing no specific problems (photos 18, 19).

Windows: All of the windows and storm windows show signs of weathering. The paint is peeling on every window and frame, as well as on the lintels and sills on the stone structure. Also, there has been some warping of the storm windows, especially on the stone building (photos 20-22). There is broken window on the south side of the building (photo 23).

Doors: The original front door is, remarkably, in fairly good condition. The wood is showing weathering, but there is less

damage here than on the windows. The east side door itself is in fair condition, though unusable due to the lack of a set of stairs to get to it. The west door, however, shows major signs of water damage, and is in very bad condition.

C. Causes of Deterioration

The major cause of deterioration on all parts of this building is water. All wood components show signs of weathering due to rain and snow. The rising damp of the foundation is a result of the roofline draining water very close to the foundation and of the foundation touching the ground. The lack of downspouts and poor condition of the existing gutters adds to the ground drainage problem. The interior ceiling damage is a result of some leakage problem in the roof. The cracked mortar is a result of aging and weathering. The ice dams and icicles, though, are a result of poor or no insulation in the attic areas (photos 24, 25).

D. Treatment Options

Two treatments are possible for this building, and its outbuildings. One is to preserve the building as it currently is, doing only those repairs that are necessary to maintain the integrity of the current configuration. The second, and more valid, approach, for a number of reasons, would be to restore the stone building to its original condition as a schoolhouse.

E. Approach to Treatment

This one-room schoolhouse is on the Michigan State Register of Historic Places, listed as of 19 December 1984. And as the period of significance for this site is the time period between 1858 and 1933, when the stone building was used as a schoolhouse, the recommended approach to treatment would be to restore the stone schoolhouse and, eventually, the outhouse and well, to their original conditions.

III. RECOMMENDATIONS FOR TREATMENT

A. Proposed Use and Program

As this site will most probably be donated to the Troy Historical Society in the future, the recommended use for the location, in accordance with the recommended treatment, is as an historical museum and learning place. As such, it should be returned back to its original structure as a schoolhouse, with requisite outbuildings. The current two-part garage could be used as interpretive/office space.

B. Recommendations for Treatment

Roof: The first thing to be concerned with in the restoration of this site is the soundness of the structure. Thus, the roof, which is relatively old for its material, should be replaced, but only on the brick structure. Research should be done as to the material of the original roof before replacement to make it as authentic as possible. It is more likely to have been constructed of wood shingles, since asphalt shingles were not used in America until the 1890s (Sweetser 4), and, also, due to prevalence of wood in Michigan.

The insulation of the roof of the stone structure should also be considered. There is still an opening to the attic, and an original ladder, by the front door, attached to wall leading to the attic, in the living room section of the residence – an examination of this upper area should be done to determine what is required to secure it internally.

Walls: The masonry needs some repointing, which would require a thorough research into the type of mortar used originally on the structure. It is important to match the new mortar to the old so that each individual part of the structure responds to stresses in the same way, and so that the new mortar is “sympathetic, supportive, and, if necessary, sacrificial” to the old mortar (Mack 4). An expert should be called in to do the analysis and to determine the correct mortar.

One big issue, which will have to be resolved eventually, is the historic structure of the south side of the building, prior to the construction of the addition. Again, research will have to be done to determine the appearance of the back of a one-room schoolhouse of this period.

Foundation: Because of the possibility of rising damp on the foundation of the stone structure, there is a need to look closely at the water drainage from the building and on the site in general. This location is at Troy’s highest elevation, at 860 feet (Lance 20), so a high water table should not be an issue. However, drainage from the roofline could be a problem, due to the lack of gutters and downspouts.

There could be a need to grade the ground line around the building to facilitate water drainage away from the building (Park 14). Consideration should also be given to historic ways to handle water runoff from the roofline: if gutters and downspouts were not commonly used, and there is not indication of their use on this structure, there may be historic methods used to divert water from building foundations. This would require more research, and perhaps the enlisting of the aid of an expert in the field of moisture control.

Windows: As all the windows, with their glass, on the schoolhouse are original, it is desirable to repair them, rather than replace them. The varying conditions of the windows would suggest that all of the repair classes in Preservation Brief No. 9 would probably be used (Myers). Some might only need minor work, others need more stabilizing, and there are a few that have missing woodwork. It would be necessary to use the assistance of a professional who is knowledgeable about historic windows.

Doors: The only door that is involved in this project is the front door on the stone structure. The condition of this doorway and frame is fair, showing not much weathering – perhaps the shrubs blocking it have saved it from the worst of the storms. As with the windows, since everything on this entrance is also original, repairs would need to be done, with the help of an expert.

C. Strategy for Implementation

The first aim of this program should be to stabilize the structure as it is, eliminating water problems at the roof level and ground level. The windows and doors could be worked on, also, if funds were available.

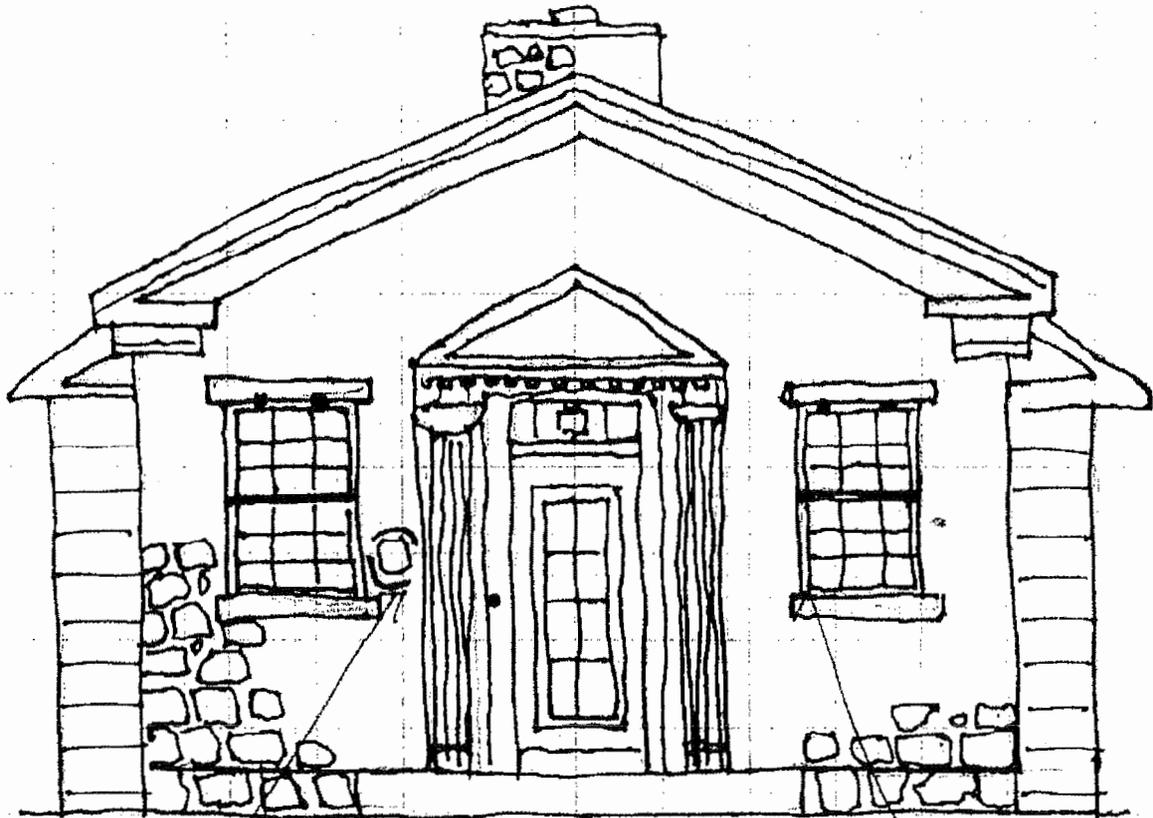
However, in order to accomplish the goal, of making this site the embodiment of a real schoolhouse from the 19th century, the main building would need to have the addition, as well as the interior changes, removed. Any modernizations would have to be included for removal in this restoration, except those required for the safety of people in the building. Also, at the same time, there would be the need to configure the back, or south, end of the building. There is little currently available information about this side of the structure, so more research would need to be done, in order to make it as historically accurate as possible.

The removal of this addition is a large project, involving a lot of physical labor. It might be considered as an undertaking for an historical preservation program at a local university, as it would allow these students to study restoration and structure first-hand. Local volunteers could also be called in, to keep down the costs of the project.

Eventually, as more funds, and volunteers, became available, the entire site, including the outhouse and the well, should be restored to original condition, and the site will be valuable as an example of an early American one-room schoolhouse.

Bibliography

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mortar crack

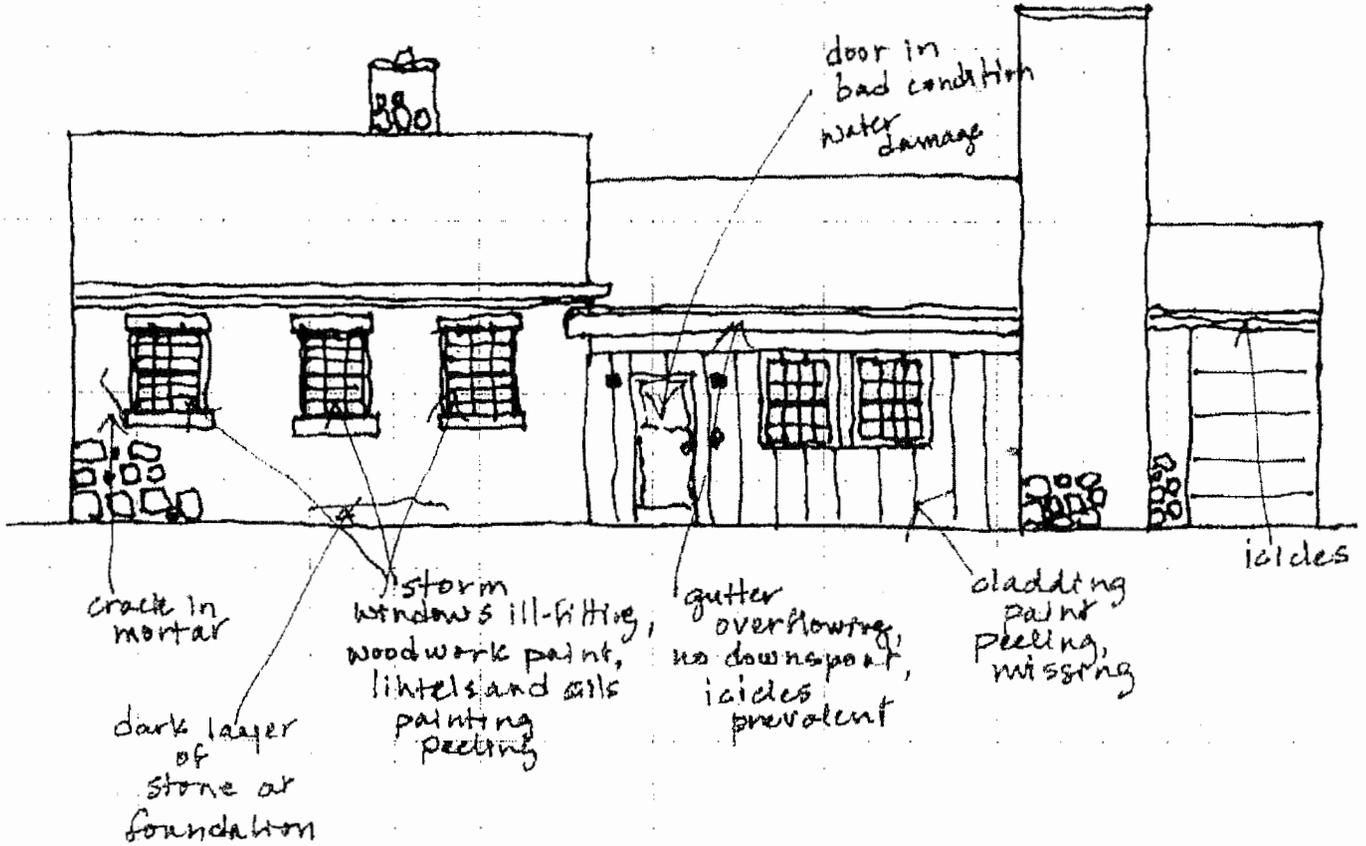
storm window Warped

shrubbs obstructing doorway

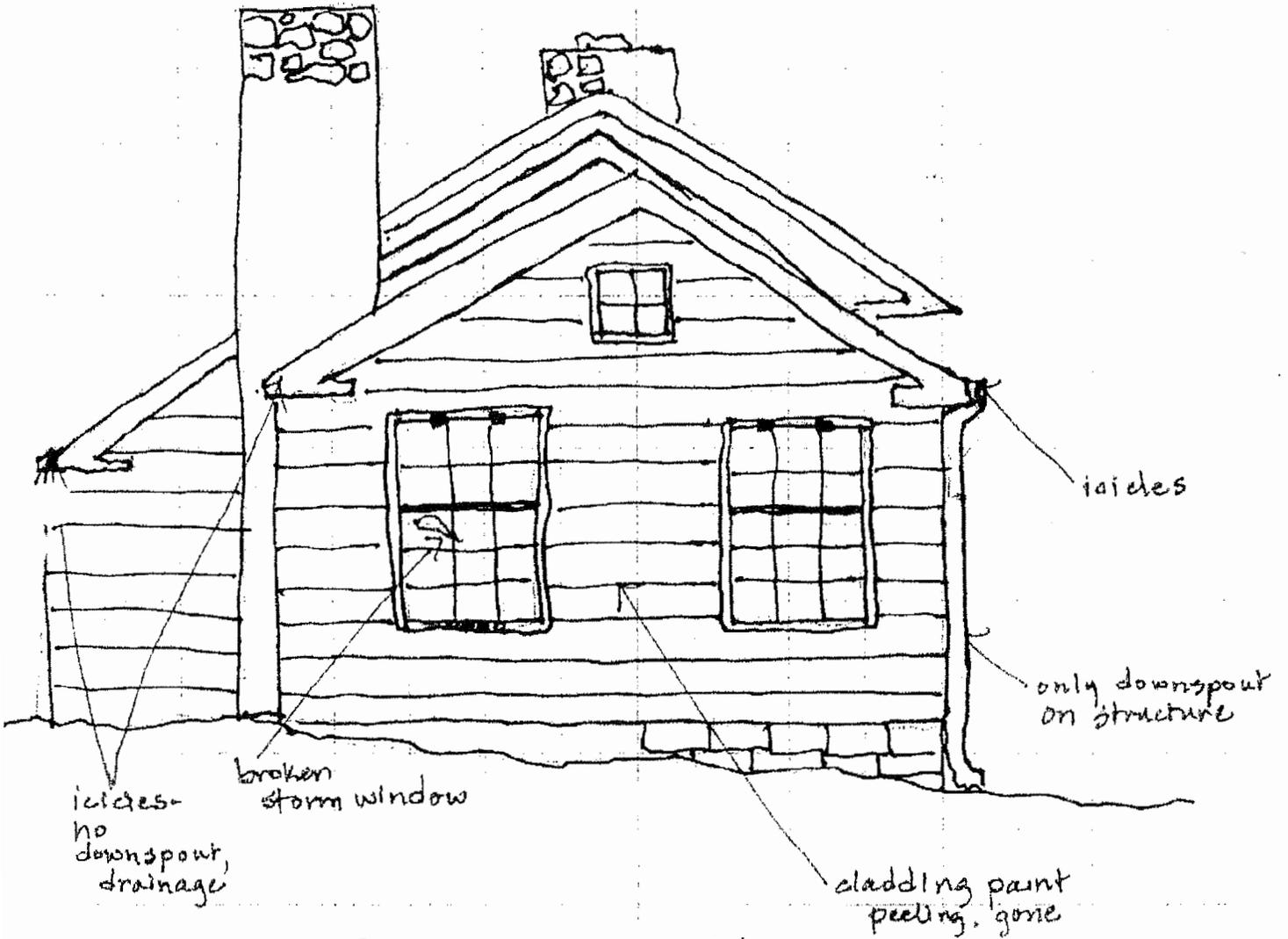
North Elevation

Old Stone School

Drawing No. 2



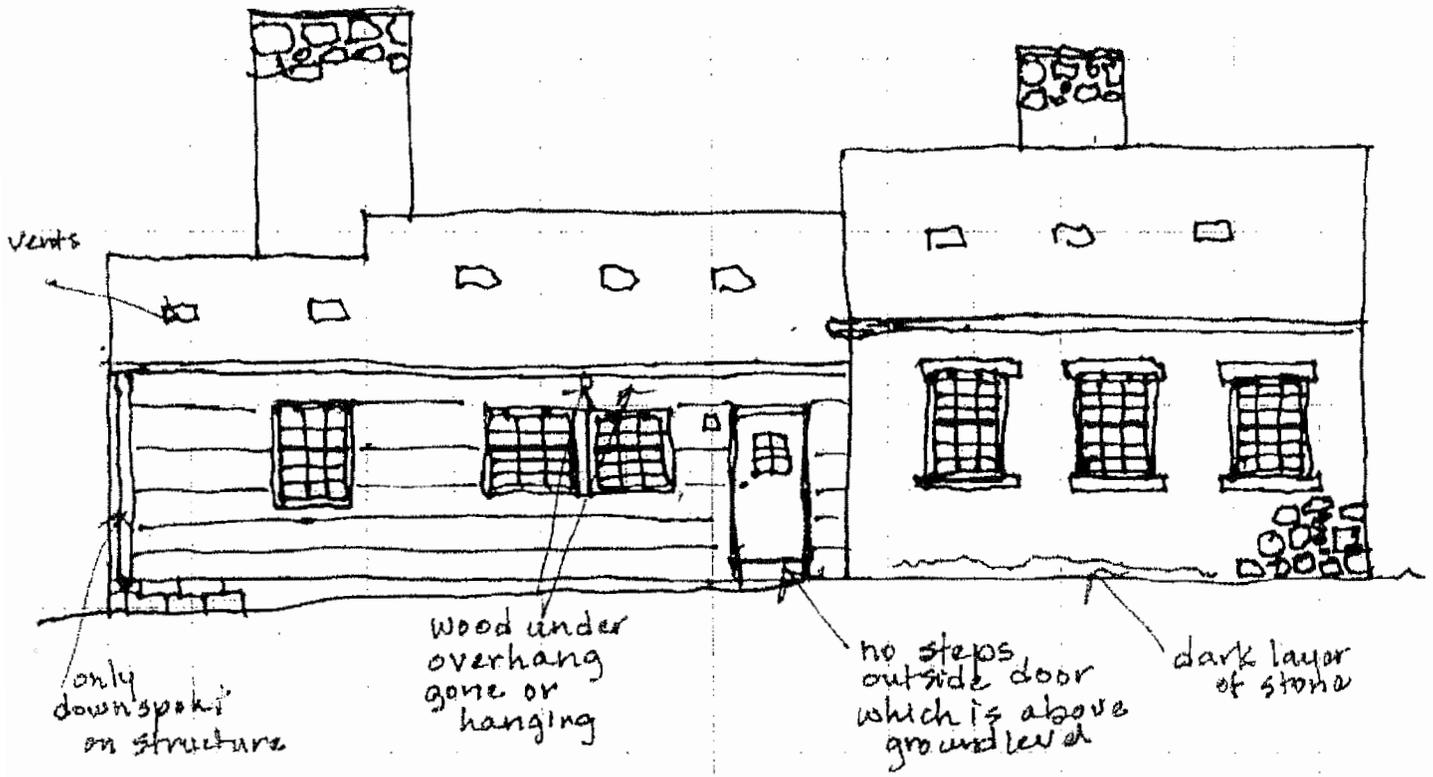
West Elevation



South Elevation

Old Stone School

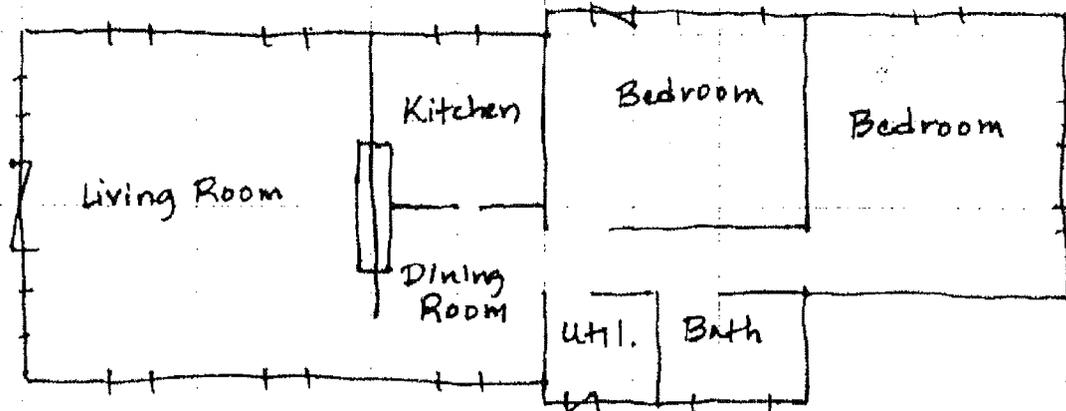
Drawing No. 4



East Elevation

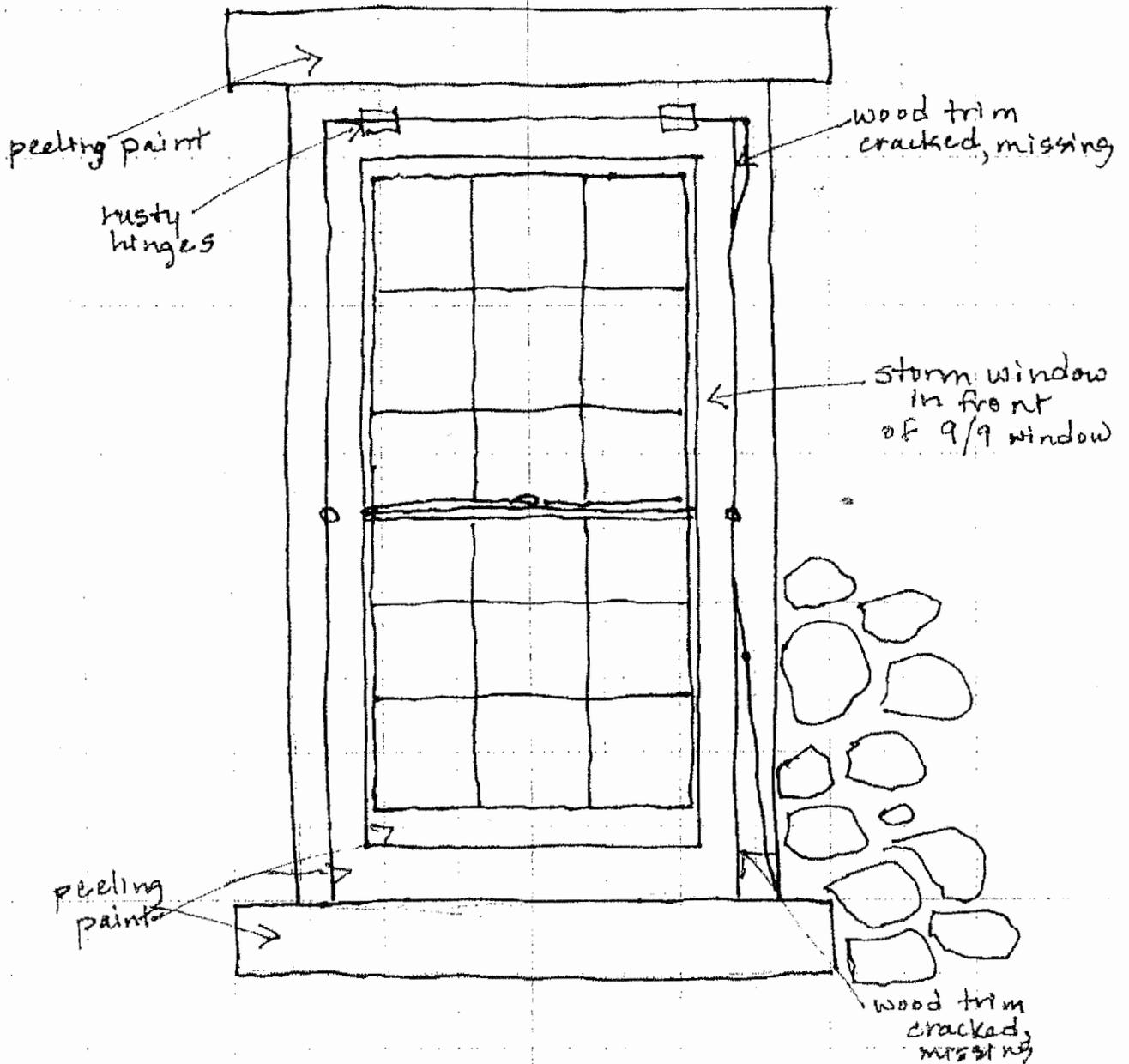
Old Stone School

Drawing No. 5



←
North

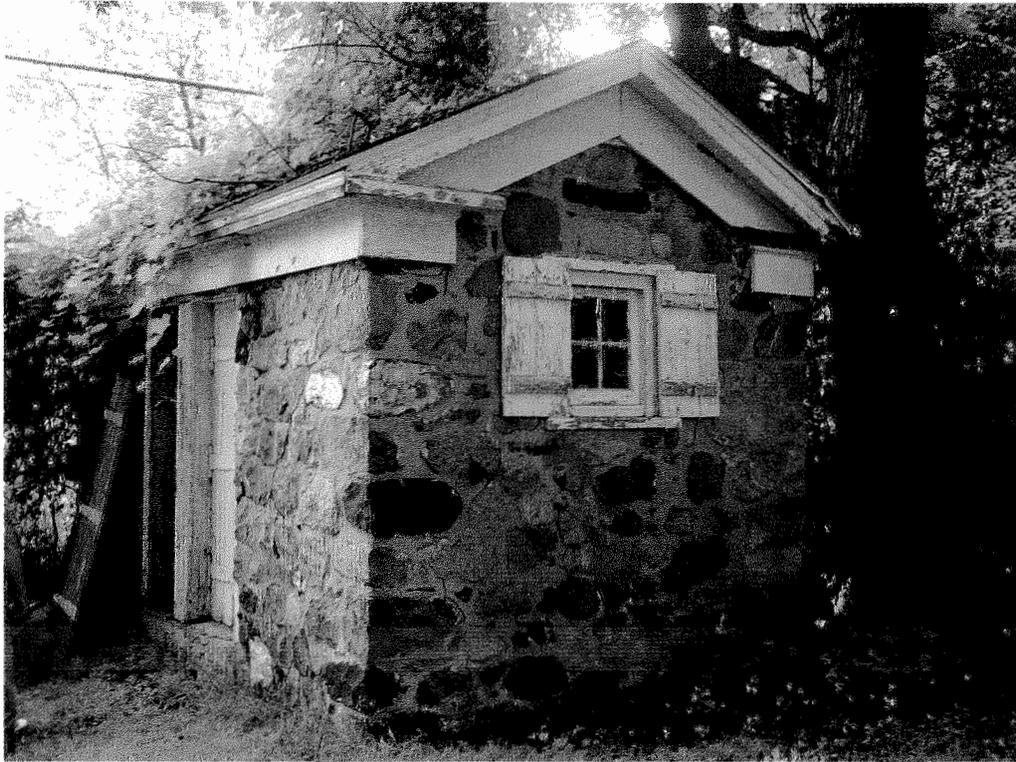
Floor Plan



Typical window in stone structure



View of the Property from Adams Road



Stone Outhouse



View of Garage and Carriage House from Adams Road



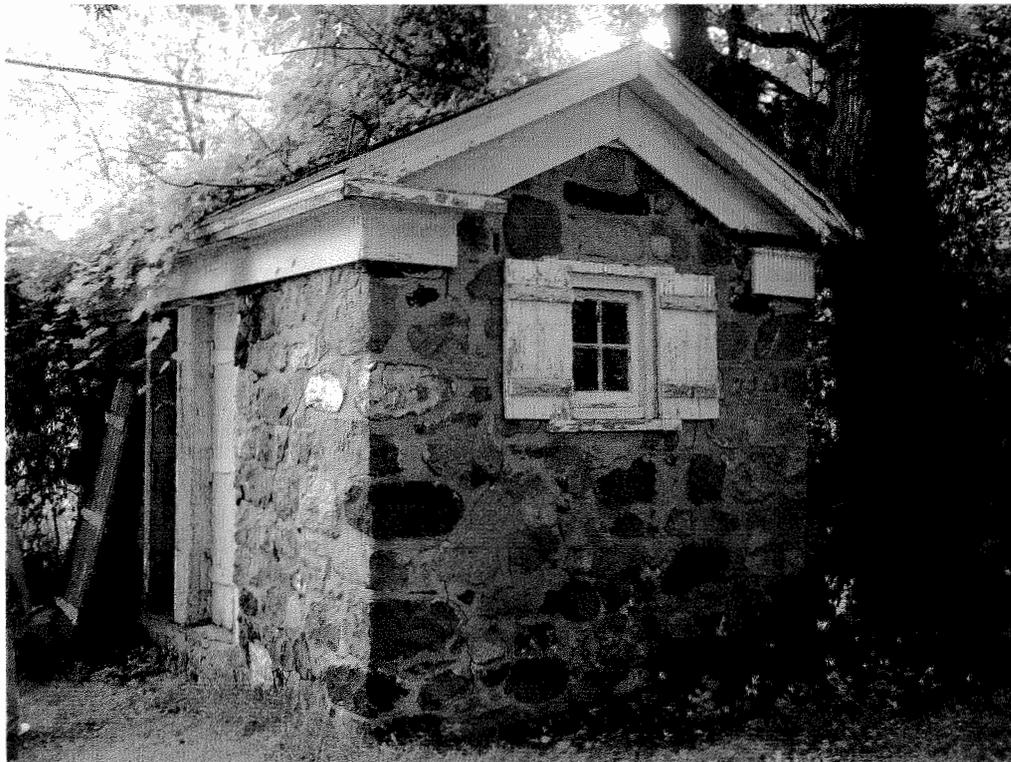
View of Stone Outhouse and Pond



Stone Well



Stone Well



Stone Outhouse



View of Garage and Carriage House from Adams Road



View of the Property from Adams Road



View of Stone Outhouse and Pond

Regular Meeting of the Troy City Council was held Monday, October 20, 2008, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:30 PM.

Pastor Pennington of Community of Christ Church gave the Invocation and the Pledge of Allegiance to the Flag was given.

CALL TO ORDER:

CERTIFICATES OF RECOGNITION:

A-1 Presentations:

- a. On behalf of Oakland County, Oakland County Clerk Ruth Johnson recognized Tonni L. Bartholomew, City Clerk by presenting her with a proclamation for her contribution to the countywide *Voting Opportunities Through Education* (V.O.T.E.) Program.
- b. On behalf of the City of Troy, Mayor Schilling presented a proclamation to Rhonda Hendrikson, Maria Hunicag and Tom Krent, representatives of the Friends of the Troy Public Library, in recognition of their *50th Anniversary Celebration*.
- c. Jay Wiencko, Executive Director of *Your PEG Funds at Work for the Public* provided a Community Media Network Update.

CARRYOVER ITEMS:

B-1 No Carryover Items

PUBLIC HEARINGS:

C-1 Rezoning Application – Rescinding of Concept Development Plan Approval – The Oasis at Centennial Park Planned Unit Development, South Side of Long Lake and West Side of John R, Section 14 – From Current Zoning of PUD-006 Back to Previous R-1C (File Number PUD-006)

The Mayor opened the Public Hearing for public comment.

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

Resolution #2008-10-317

Moved by Howrylak

Seconded by Fleming

WHEREAS, The City is in receipt of a rezoning request, from PUD-006 to R-1C, File Number PUD-006, as demonstrated by the Ordinance to amend Chapter 39 of the Code of the City of Troy and as illustrated in the attached Certified Survey;

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

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

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the proposed rezoning from PUD-006 to R-1C; and

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

Yes: All-7

MOTION CARRIED

POSTPONED ITEMS:

D-1 No Postponed Items

PUBLIC COMMENT: Limited to Items Not on the Agenda

Scott Walker
Marvin Reinhardt
Tom Krent

REGULAR BUSINESS:

E-1 Appointments to Boards and Committees: a) Mayoral Appointments: None Scheduled b) City Council Appointments: Advisory Committee for Persons with Disabilities

(a) Mayoral Appointments – None Scheduled

(b) City Council Appointments

Resolution #2008-10-318
Moved by Howrylak
Seconded by Broomfield

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

Advisory Committee for Persons with Disabilities:

Appointed by Council (9-Regular) 3-Year Term

Kelly Clark

Term Expires 11/01/2011

Yes: All-7

MOTION CARRIED

E-2 Nominations for Appointments to Boards and Committees: (a) Mayoral Nominations: Downtown Development Authority (b) City Council Nominations: Advisory Committee for Persons with Disabilities; Cable Advisory Committee; Ethnic Issues Advisory Board; and Troy Daze Committee

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

The nomination of applicants to the following listed Board and Committee vacancies will be moved forward to the next Regular City Council Meeting for consideration of appointment.

(a) Mayoral Nominations

Resolution #2008-10-319

Moved by Schilling

Seconded by Beltramini

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) 4-Year Term

Laurence G. Keisling

Term Expires 09/30/2012

Yes: All-7

MOTION CARRIED

(b) City Council Nominations

Resolution #2008-10-320

Moved by Howrylak

Seconded by Kerwin

RESOLVED, That the 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:

Advisory Committee for Persons with Disabilities

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

Angela Done

Term Expires 11/01/2011*

Cable Advisory Committee

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

Lisa Martinico

Term Expires 11/30/2011

Ethnic Issues Advisory Board

Appointed by (#of Members) – # years

Aries Tao - Student

Term Expires 07/01/2009

Troy Daze Committee

(9-Regular) 3-Year Term

Jim Hattan

Term Expires 11/30/2011

Alison Miller

Term Expires 11/30/2011

Robert S. Preston

Term Expires 11/30/2011

Yes: All-7

MOTION CARRIED

E-3 Frank Lawrence v. City of Troy

Resolution #2008-10-321

Moved by Beltramini

Seconded by Howrylak

RESOLVED, That Troy City Council hereby **AUTHORIZES** and **DIRECTS** the City Attorney to represent the City of Troy in any and all claims and damages in the matter of *Frank Lawrence v. City of Troy*, and to retain any necessary expert witnesses or pay any necessary costs to adequately represent the City.

Yes: All-7

MOTION CARRIED

CONSENT AGENDA:

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

Resolution #2008-09-322

Moved by Eisenbacher

Seconded by Beltramini

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Item F-12, which **SHALL BE CONSIDERED** after Consent Agenda (F) items, as printed.

Yes: All-7

MOTION CARRIED

F-2 Approval of City Council Minutes

Resolution #2008-10-322-F-2

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the 7:30 PM Regular City Council Meeting of October 6, 2008 as amended.

F-3 City of Troy Proclamation:

Resolution #2008-10-322-F-3

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

- a. Friends of the Troy Public Library 50th Anniversary Celebration

F-4 Standard Purchasing Resolutions

a) **Standard Purchasing Resolution 3: Exercise Renewal Option – Home Chore Lawn and Yard Services**

Resolution #2008-10-322-F-4a

WHEREAS, On December 3, 2007, a contract for seasonal requirements of Lawn and Yard Services for Troy residents using the Home Chore Program with an option to renew for one (1) additional year was awarded to the low bidder, Zimmerman Lawn and Snow of Roseville, Michigan at unit prices contained in the bid tabulation opened October 18, 2007, a copy of which shall be **ATTACHED** to the original Minutes of this meeting (Resolution #2007-12-345-F4a); and

WHEREAS, Zimmerman Lawn and Snow has agreed to exercise the one-year option to renew their contract under the same pricing, terms and conditions;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES** the option to renew the contract with Zimmerman Lawn and Snow to provide seasonal requirements of Lawn and Yard Services for Troy residents using the Home Chore Program under the same prices, terms and conditions expiring December 31, 2009.

b) **Standard Purchasing Resolution 1: Award to Low Bidders – Snow Removal Services – Home Chore Program**

Resolution #2008-10-322-F-4b

RESOLVED, That Troy City Council hereby **AWARDS** contracts to provide seasonal requirements of snow removal services for the Home Chore Program with an option to renew

for one (1) additional year to the low total bidders, Meticulous Maintenance of Hazel Park, as primary contractor and O'Neal Father & Sons of Clinton Township, as secondary contractor, at unit prices contained in the bid tabulation opened August 29, 2008, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with a contract expiration of May 1, 2009; and

BE IT FURTHER RESOLVED, That the awards are **CONTINGENT** upon contractors' submission of properly executed bid and contract documents, including insurance certificates and all other specified requirements.

c) Standard Purchasing Resolution 1: Award to Low Bidder – Bare Root Street Trees

Resolution #2008-10-322-F-4c

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide and install bare root residential ROW trees for the 2008/2009 planting season to the low bidder, Marine City Nursery of Marine City, MI, at \$71.70 per tree installation for an estimated total cost of \$358,500.00, in accordance with the bid tabulation opened October 9, 2008, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

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

d) Standard Purchasing Resolution 2: Award to Low Bidders Meeting Specifications – Ice Melt Compounds

Resolution #2008-10-322-F-4d

RESOLVED, That Troy City Council hereby **AWARDS** contracts to provide one (1) year requirements of ice melt compounds with an option to renew for one (1) additional year for the City of Troy and participating MITN (Michigan Intergovernmental Trade Network) Purchasing Cooperative Members by proposal to the lowest acceptable bidders: John Deere Landscapes, of Madison Heights, MI, Proposal A and Colman Wolf Supply, of Roseville, MI, Proposal B, at unit prices contained in the bid tabulation opened October 8, 2008, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with contracts expiring October 31, 2009.

F-5 Approval to Purchase Property from the Oakland County Drain Commission – McCullough Drain District, Part of Sidwell #88-20-22-101-012

Resolution #2008-10-322-F-5

RESOLVED, That Troy City Council **APPROVES** the purchase of a portion of land measuring 175.5' front x 288' deep with the 60' right-of-way located in the City of Troy and owned by the Oakland County Drain Commission – McCulloch Drain District, being part of Sidwell #88-20-22-101-012 in the amount of \$8,064.00; and

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

F-6 Acceptance of a Warranty Deed for Right-of-Way and Four Permanent Easements – Sidwell #88-20-15-380-026 and -024 – RWT Building, LLC

Resolution #2008-10-322-F-6

RESOLVED, That Troy City Council hereby **ACCEPTS** the Warranty Deed for right-of-way and four Permanent Easements for drainage, public utilities, sidewalk and a public walkway from property owner RWT Building, LLC, owners of the property having Sidwell # 88-20-15-380-026 and -024; and

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

F-7 Approval of Purchase Agreement and Acceptance of Permanent Public Utility Easement – Rochester, Torpey to Barclay – Project No. 99.203.5 – Parcel #11 – Sidwell #88-20-23-100-065 – 3800 Place, LLC

Resolution #2008-10-322-F-7

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for Public Purposes between 3800 Place, LLC, owners of property having Sidwell #88-20-23-100-065, and the City of Troy, for the acquisition of right-of-way for Rochester Road Improvements, Torpey to Barclay in the amount of \$75,300.00, plus closing costs; and

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

BE IT FURTHER RESOLVED, That Troy City Council hereby **ACCEPTS** the Permanent Public Utility Easement in the amount of \$1,900.00 from 3800 Place, LLC, owners of property having Sidwell #88-20-23-100-065; and

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

F-8 Approval of Purchase Agreement and Acceptance of Permanent Public Utility Easement – Rochester, Torpey to Barclay – Project No. 99.203.5 – Parcel #48 – Sidwell #88-20-22-226-040 – Terri L. Carter

Resolution #2008-10-322-F-8

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for Public Purposes between Terri L. Carter, owner of property having Sidwell #88-20-22-226-040, and the City of Troy, for the acquisition of right-of-way for Rochester Road Improvements, Torpey to Barclay in the amount of \$15,600.00, plus closing costs; and

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

BE IT FURTHER RESOLVED, That Troy City Council hereby **ACCEPTS** the Permanent Public Utility Easement in the amount of \$2,200.00 from Terri L. Carter, owner of property having Sidwell #88-20-22-226-040; and

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

F-9 Acceptance of Permanent Public Utility Easement – Wattles Road Improvements, Bristol to Worthington – Project No. 01.106.5 – Parcel #11 – Sidwell #88-20-14-351-062 – James C. Bracewell

Resolution #2008-10-322-F-9

RESOLVED, That Troy City Council hereby **ACCEPTS** the Permanent Public Utility Easement in the amount of \$2,900.00 from James C. Bracewell, owner of property having Sidwell #88-20-14-351-062; and

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

F-10 Contract Renewal – Snow Removal Rental Equipment Including Operators

Resolution #2008-10-322-F-10

WHEREAS, On November 19, 2007, contracts to provide seasonal requirements of snow removal rental equipment including operators with an option to renew for one (1) additional season was awarded to Florence Cement Company, Deano Mac's Services, DiPonio Contracting, Sterling Topsoil and Grading, and Agra Landscaping, as a result of an informal quote process at the hourly rates contained in Appendix A, a copy of which shall be **ATTACHED** to the original Minutes of this meeting (Resolution #2007-11-332-F6); and

WHEREAS, The following three (3) companies have agreed to exercise the one-year option to renew their contracts under the same pricing, terms, and conditions:

<u>COMPANY NAME</u>	<u>LOCATION</u>
Florence Cement Company	Shelby Township, MI
DiPonio Contracting	Shelby Township, MI
Sterling Topsoil and Grading	Fraser, MI

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES** the option to renew the contracts with Florence Cement Company, DiPonio Contracting, and Sterling Topsoil and Grading under the same prices, terms and conditions expiring April 15, 2009, **CONTINGENT** upon contractors' submission of properly executed contract documents, including insurance certificates and all other specified requirements; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** City staff to extend the hourly contract prices to other contractors, after the awarded vendors have been employed, to speed the snow removal process during times of snow emergencies.

F-11 Announcement of Public Hearing – Community Development Block Grant (CDBG) 2009 Application

Resolution #2008-10-322-F-11

RESOLVED, That Troy City Council hereby **SCHEDULES** a Public Hearing on November 10, 2008 at 7:30 PM or as soon thereafter as the agenda will permit for the purpose of hearing public comments on the adoption of the Community Development Block Grant 2009 application.

F-13 Approval of MDOT Construction Contract No. 08-5406 – Congestion Mitigation and Air Quality (CMAQ) and Safety Projects
Project No. 07.103.5 – Coolidge at Golfview Traffic Signal Upgrade
Project No. 07.108.6 – Livernois Southbound At Big Beaver Right Turn Lane
Project No. 07.109.6 – Livernois Northbound at Wattles Right Turn Lane

Resolution #2008-10-322-F-13

RESOLVED, That Troy City Council hereby **APPROVES** MDOT Contract No. 08-5406 between the City of Troy and the Michigan Department of Transportation for the Safety Project at Coolidge and Golfview and CMAQ Projects at Livernois and Big Beaver and Livernois at Wattles; Project No. 07.103.5, 07.108.6, 07.109.6, and **AUTHORIZES** the Mayor and City Clerk to execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-14 Application for New SDM License for Embassy Suites

a. **New License**

Resolution #2008-10-322-F-14a

RESOLVED, That Troy City Council hereby **CONSIDERS** for **APPROVAL** the request from Hospitality Ventures, LLC and RBHV Troy, LLC, co-licensees for a new SDM License to be held in conjunction with 2008 licensed business with Dance Permit, Official Permit (Food), Outdoor Service (1 Area) Direct Connection-1, 3 bars and 251 rooms located at 850 Tower, Troy MI 48098; and

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

b. Agreement

Resolution #2008-10-322-F-14b

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

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** an agreement with Hospitality Ventures, LLC and RBHV Troy, LLC, co-licensees for a new SDM License to be held in conjunction with 2008 licensed business with Dance Permit, Official Permit (Food), Outdoor Service (1 Area) Direct Connection-1, 3 bars and 251 rooms located at 850 Tower, Troy MI 48098; and hereby **AUTHORIZES** the Mayor and City Clerk to execute the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

F-12 William Beaumont Hospital Parking Agreement

Resolution #2008-10-323

Moved by Beltramini

Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **APPROVES** the Addendum to the agreement between the City of Troy and William Beaumont Hospital for the use of Flynn Park Roadway for a period of three years and **AUTHORIZES** the Mayor and City Clerk to execute the documents, a copy of which shall be **ATTACHED** to the original minutes of this meeting.

Yes: All-7

MOTION CARRIED

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings: None Submitted

G-2 Memorandums: None Submitted

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

H-1 No Council Referrals Advanced

COUNCIL COMMENTS:

I-1 Council Comments

Mayor Schilling reported that Pastor Pennington requested that she announce that the Detroit Concert Choir will be presenting *America Sings*, at Community of Christ Church located at 3830 Crooks Road in Troy on Saturday, October 25 at 7:00 P.M. She added that a second concert will take place at First English Lutheran Church at 800 Vernier Road in Grosse Pointe Woods on Sunday, October 26, 2008 at 3:00 P.M.

Council Member Kerwin reported that a Community Coalition's chief fund raiser, Celebrity Night Dinner, will be held this Thursday and noted that tickets are still available.

Council Member Beltramini reported that the Michigan Municipal League's ethics publication is now available on their website. She continued by stating that another publication was made available to her when she attended the MML's convention of the top twenty-five cases since the development of the Legal Defense Fund. She noted that Troy is represented in the listing and stated that it is interesting the kinds of cases that have impacted municipal law over the last twenty-five years. She commended City Attorney Lori Bluhm's involvement as an active member of the Legal Defense Fund and the Michigan Association of Municipal Attorney's board.

REPORTS:

J-1 Minutes – Boards and Committees:

- a. Historic Commission/Final – June 24, 2008
- b. Retiree Health Care Benefits Plan & Trust/Final – July 9, 2008
- c. Downtown Development Authority/Final – July 23, 2008
- d. Advisory Committee for Persons with Disabilities/Draft – September 3, 2008
- e. Advisory Committee for Persons with Disabilities/Final – September 3, 2008
- f. Building Code Board of Appeals/Final – September 3, 2008
- g. Liquor Advisory Committee/Final – September 8, 2008
- h. Employees' Retirement System Board of Trustees/Final – September 10, 2008
- i. Historic District Commission/Final – September 16, 2008
- j. Planning Commission Special/Study/Draft – September 23, 2008
- k. Planning Commission Special/Study/Final – September 23, 2008
- l. Building Code Board of Appeals/Draft – October 1, 2008
- m. Planning Commission Special/Study/Draft – October 7, 2008
- n. Planning Commission Special/Study/Final – October 7, 2008
- o. Liquor Advisory Committee/Draft – October 13, 2008

Noted and Filed

J-2 Department Reports:

- a. Council Member Mary Kerwin's Travel Expense Report – MML 110th Annual Conference on October 1-4, 2008
 - b. Building Department – Permits Issued During the Month of September 2008
 - c. City Attorney's Office – 2008 Third Quarter Litigation Report
Noted and Filed
-

J-3 Letters of Appreciation:

- a. Letter of Thanks to Chief Nelson and Staff for Participation in the *CREST* Radiation Exercise
Noted and Filed
-

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

J-5 Troy Youth Assistance Board Meeting Final Minutes from August 24, 2008

Noted and Filed

J-6 Communication from City Engineer Steve Vandette Regarding Completion of Section 4 Weir Flood Control Structure Project and Status of Sylvan Glen Golf Course Wetlands

Noted and Filed

J-7 Communication from City Engineer Steve Vandette Regarding Communications Plan for Updated Flood Insurance Rate Maps to be Effective January 16, 2009 – Five (5) Restudied Locations

Council Member Eisenbacher appreciated staff's work on providing this information in GIS but expressed concern because the extent is different than what he anticipated. Council Member Eisenbacher indicated that there are new properties included and a lot of the properties that he believed would be removed were not.

Council Member Eisenbacher asked how is a buyer made aware of a flood plain status. Steven Vandette, City Engineer understands that the buyer is notified at the time of purchase by the real estate agent and the lender providing the mortgage for the purchase.

Council Member Beltramini asked if this information is required to be disclosed when a property is listed. Lori Bluhm, City Attorney replied that maps would indicate whether a property is located in a flood plain and that insurance is required prior to closing.

Council Member Beltramini worries about this, but does not know if this is an issue that they can resolve.

Mayor Schilling suggested that staff inquire with real estate agents to determine when the flood plain status has to be disclosed.

Council Member Beltramini asked whether any of the increases in flood plain could be attributed to new development. Mr. Vandette understands that these types of increases are

generally not related to new development although there may be some isolated and rare instances.

Ms. Bluhm added that the *Sellers Disclosure Act* indicates that the seller is required to identify whether or not they have flood insurance on their property at the time of listing.

J-8 Designation of City Attorney Lori Grigg Bluhm as a Michigan Super Lawyer for 2008

Noted and Filed

The meeting **RECESSED** at 8:42 PM.

The meeting **RECONVENED** at 8:54 PM.

STUDY ITEMS:

K-1 Budgeting for Outcomes – Output Weighting

PUBLIC COMMENT: Address of “K” Items

CLOSED SESSION:

L-1 No Closed Session Requested

ADJOURNMENT

The meeting **ADJOURNED** at 9:16 PM.

Louise E. Schilling, Mayor

Tonni L. Bartholomew, MMC
City Clerk

**PROCLAMATION
AMERICA RECYCLES 2008**

WHEREAS, The world has changed a lot in the past century. From individually packaged food servings to disposable diapers, more garbage is generated now than ever before. The average American discards 7.5 pounds of garbage every day. Our garbage, our solid waste stream, all goes to landfills, where it's compacted and buried; and

WHEREAS, To focus the nation's attention on the importance of recycling, businesses, industries, government agencies, nonprofit organizations, and individuals have joined together to celebrate **America Recycles 2008** and are encouraging their employees, staff, customers, membership, and all citizens to pledge to buy more recycled-content products starting today; and

WHEREAS, Participating in **America Recycles 2008** is one way our citizens can help raise awareness about the need to reduce waste by reusing, recycling and buying recycled products; and

WHEREAS, The more we recycle, the less garbage winds up in our landfills and incineration plants. By reusing aluminum, paper, glass, plastics and other materials, we can save production and energy costs, and reduce by up to 75% the negative impacts that the extraction and processing of virgin materials has on the environment. Plastics, made from precious and nonrenewable petroleum, and aluminum, which is mined from bauxite, are especially important to recycle; and

WHEREAS, Recycling helps protect our resources, our environment, and our quality of life. The entire loop: Reduce, Reuse, Recycle is completed when we buy products made from recycled material; and

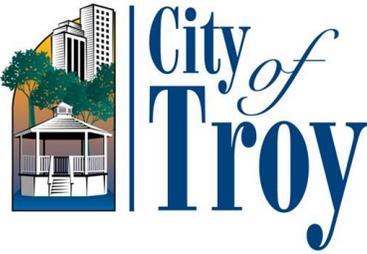
WHEREAS, From July 2007 to June 2008, the City of Troy recycled 4,223 tons of glass, paperboard, cardboard, newspaper, metal, tin, and plastic and 10,753 tons of compost; and

WHEREAS, State and community leaders need to spread the word about the excellent programs they have established, the growth of markets for recyclable materials, and the importance of buying recycled products;

NOW, THEREFORE BE IT RESOLVED, that the City of Troy City Council hereby proclaims **America Recycles 2008** in Troy, Michigan, and urges all Troy residents to **Reduce, Reuse and Recycle**;

BE IT FURTHER RESOLVED, That **America Recycles 2008** is celebrated year-round to encourage people to recycle and buy products made from recycled materials. The theme for **America Recycles 2008** is ***"It All Comes Back To You."***

Presented this 10th day of November 2008.



CITY COUNCIL ACTION REPORT

November 3, 2008

TO: Phillip L. Nelson, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance & Administration
Susan A. Leirstein, Purchasing Director
Steven A. Pallotta, Building Operations Director

SUBJECT: Standard Purchasing Resolution 8: Best Value Award-Troy Hall of Justice HVAC Upgrade of Major Mechanical Systems

Background

- The Building Operations Department has been servicing and maintaining the original 1976 Trane heating and air conditioning equipment units in the basement of the Troy Hall of Justice. These units have well out performed the equipment life cycle of 25 years and due to the age of all the units and high cost of operation, these units need to be replaced.
- On April 21, 2008, Troy City Council approved a contract for Architectural Services for HVAC Design to the highest rated bidder, DiClemente Siegel Design Inc. of Southfield, Michigan as a result of a best value process. (Resolution 2008-04-142F-4a)
- DiClemente Siegel Design Inc. along with the City of Troy worked on preliminary design, schematic design, specification and design development review, and final City review. Drawings and specifications were developed to be used in bidding the upgrade/replacement portion of the project.
- The project requires all HVAC System Upgrades to be added to the already in place building automation system that was installed by MCMI. MCMI is the Andover Controls Corporation representative for the State of Michigan and was the contractor that installed the original systems currently used at the Community Center, Police/ Fire addition, and Public Library.
- All new equipment was designed and engineered with L.E.E.D. building standards for optimum energy savings. This will reduce the current utility usage for these units by 27%.
- On August 20, 2008, requests for proposals (RFP) were published on the Michigan Inter-Governmental Trade Network (MITN) website for upgrading the HVAC system in the Troy Hall of Justice building.
- On September 10, 2008, a mandatory pre-proposal meeting with a complete walk through was conducted. A follow-up walk through was held on September 17, 2008, to allow the contractors the opportunity to have their subcontractors visit the site.
- On October 1, 2008, Request for Qualifications/Proposals were received and opened for the HVAC System Upgrade Project.
- One-hundred Eighty (180) vendors were notified via the MITN system, with six (6) bidders responding, one (1) of which did not meet minimum pass/fail requirements.

November 3, 2008

To: Phillip L. Nelson, City Manager

Re: Best Value Award – Troy Hall of Justice HVAC Upgrade of Major Mechanical Systems

Background - continued

- Three (3) committee members consisting of Steven Pallotta, Building Operations Director, Mark Stimac, Director of Building and Zoning and Mark Riley, Inspector Supervisor independently evaluated and rated all five (5) proposals.
- All five (5) firms were interviewed by the full committee on Monday, October 27, 2008.
- Based on the final scoring and selection criteria of 30% Proposal Score, 40% Price Score, and 30% Interview Score, the committee recommends awarding the contract as a result of a best value process to Heights Heating and Cooling, Inc of Auburn Hills, Michigan.

Financial Considerations

- The entire HVAC project, including the architectural design and replacement/upgrade portions fall within the budget of \$1,500,000 that has been allocated for this project.
- Funds for the Troy Hall of Justice HVAC replacement project were allocated over two years to the Capital Budget Reserve.
- Funds are available in the Building Operations Capital Budget for Buildings & Improvements - City Hall HVAC #401.264.265.7975.040.
- Projected utility cost savings over existing units is estimated at \$35,000.00 per year.

Legal Considerations

- RFQ/RFP-COT 08-26 HVAC System Upgrade was competitively bid and opened with six (6) bidders responding, as required by Chapter 7 of the City Code.
- All bidders were given the opportunity to respond with their level of interest to provide HVAC System Upgrades for the Troy Hall of Justice.
- The contract award is contingent on the recommended bidder's submission of proper contract and supplemental documents, including insurance certificates, bonds, and all other specified requirements.

Policy Considerations

- Moving this work forward will improve the overall air quality, and reduce liability for the City. (Outcome Statement I)
- Provides the public with up-to-date energy savings equipment and a healthier environment, in accordance with the City's high standards. (Outcome Statement II).

Options

- City management recommends awarding contracts to perform the HVAC System Upgrade for the Troy Hall of Justice including Alternate #1, the gun range, to the highest rated bidder, Heights Heating & Cooling, Inc, of Auburn Hills, Michigan, as a result of a best value process at prices contained on the tabulation dated 10/1/2008; and to MCMI of Sterling Heights, Michigan for the temperature controls at a total cost of \$191,700.00 for a combined total project cost of \$1,385,689.00.

Appendix I

Troy Hall of Justice HVAC System Upgrade – Project Total

Heights Heating & Cooling, Inc.:	
HVAC Upgrade - Base Bid	\$1,078,843.00
HVAC Upgrade - Alternate # 1 – Gun Range Unite Replacement	\$115,146.00
Subtotal: HVAC Upgrade	\$1,193,989.00
MCMI – Building Automation System:	
Temperature Controls - Base bid	\$189,800.00
Temperature Controls - Alternate #1 - Gun Range Unit Replacement	\$1,900.00
Subtotal: Temperature Controls	\$191,700.00
PROJECT TOTAL:	\$1,385,689.00



EXECUTIVE SUMMARY

HVAC SYSTEM UPGRADE

STATISTICS:

- ◆ **One-hundred eighty (180) companies were notified via the MITN e-procurement website**
- ◆ **Six (6) proposals were received**
- ◆ **Five (5) companies met the pass/fail criteria**
- ◆ **Interviews were conducted with all five (5) companies**
- ◆ **Heights Heating & Cooling, Inc. received the highest score as a result of a best value process**

The following Five (5) companies received the indicated final scores as a result of the criteria for selection: proposal, pricing and interview scores. All five (5) rated firms were invited to participate in an interview.

Company	SCORE
Heights Heating & Cooling, Inc.	93
Engineered Comfort Systems, Inc	90
Mechanical Services, LLC	79
R.W. Mead & Sons, Inc.	78
Arctic Air, Inc.	76

REQUEST FOR PROPOSALS – COMPANY ELIMINATED FROM FURTHER CONSIDERATION (BASED ON PASS/FAIL INSURANCE REQUIREMENTS)

- Delta Temp

Attachments:

- ✓ Weighted Final Scoring Including Proposal, Price and Interview
- ✓ Evaluation Process
- ✓ Original Tabulation



WEIGHTED FINAL SCORING
HVAC SYSTEM UPGRADE

Final Score Calculation:

$$\begin{array}{r}
 40\% \times \text{Price Score} \\
 30\% \times \text{Interview Score} \\
 \underline{30\% \times \text{Proposal Score}} \\
 100\% \qquad \qquad \qquad = \text{Final Weighted Score}
 \end{array}$$

In order to equate the price to the weighted evaluation process scoring, the prices had to be converted into a score with the base of 100. **NOTE:** Vendors are listed in the order of their summary score for both the price and proposal, from highest to lowest. For the interview, vendors are listed in the order of their score, from highest to lowest. For the final score the vendors are listed in the order of rating from highest to lowest.

Weighted Average Score for Price: 40%

	Weighted Criteria - [1-(Proposal Price - Lowest Proposal) / lowest proposal] x available points	Final Weighted Score (x .40)
Vendors:		
Heights Heating & Cooling, Inc.	[1 - (1,078,843.00 -1,062,934.20)/ 1,062,934.20] x 100 = 99	39
Engineered Comfort Systems, Inc	[1 - (1,062,934.20 -1,062,934.20)/ 1,062,934.20] x 100 =100	40
R.W. Mead & Sons, Inc.	[1 - (1,299,200.00 -1,062,934.20)/ 1,062,934.20] x 100 = 78	31
Mechanical Services, LLC	[1 - (1,191,892.00 -1,062,934.20)/ 1,062,934.20] x 100 = 88	35
Arctic Air, Inc.	[1 - (1,345,120.00 -1,062,934.20)/ 1,062,934.20] x 100 = 73	29

Weighted Average Score for Proposals: 30%

Raters:	1	2	3	Average	Final Weighted Score (x .30)
Vendors:					
Heights Heating & Cooling, Inc.	98	74	85	86	26
Engineered Comfort Systems, Inc	86	59	83	76	23
R.W. Mead & Sons, Inc.	100	83	77	87	26
Mechanical Services, LLC	73	76	53	67	20
Arctic Air, Inc.	100	59	76	78	23

Summary: Proposal and Price Scores

	Price Score	Proposal Score	Score
Vendors:			
Heights Heating & Cooling, Inc.	39	26	65
Engineered Comfort Systems, Inc	40	23	63
R.W. Mead & Sons, Inc.	31	26	57
Mechanical Services, LLC	35	20	55
Arctic Air, Inc.	29	23	52

All five (5) companies were invited to participate in an interview.
(Maximum # of points - 30)



Weighted Average Score for Interview: 30%

RATERS	1	2	3	Average	Final Weighted Score (x .30)
Vendors:					
Heights Heating & Cooling, Inc.	99	88	92	93	28
Engineered Comfort Systems, Inc	92	90	86	89	27
R.W. Mead & Sons, Inc.	78	73	62	71	21
Mechanical Services, LLC	96	78	70	81	24
Arctic Air, Inc.	92	81	72	82	24

FINAL SCORE:

VENDORS:	Heights Heating & Cooling, Inc.	Engineered Comfort Systems, Inc	Mechanical Services, LLC	R.W. Mead & Sons, Inc.	Arctic Air, Inc.
Proposal Score	26	23	20	26	23
Price Score	39	40	35	31	29
Interview Score	28	27	24	21	24
FINAL SCORE	93	90	79	78	76

**HIGHEST RATED VENDOR – RECOMMENDED AWARD



SELECTION PROCESS

CRITERIA FOR SELECTION

The identified Committee will review the proposals. The City of Troy reserves the right to award this proposal to the company considered the most qualified based upon a combination of factors including but not limited to the following:

- A. Compliance with qualifications criteria
- B. Completeness of the proposal
- C. Financial strength and capacity of the firm
- D. Correlation of the proposals submitted to the needs of the City of Troy
- E. Any other factors which may be deemed to be in the City's best interest
- F. Evaluation Process

Phase 1: Minimum Qualifications Evaluation

Companies will be required to meet minimum established criteria in order to go to the second phase of the process.

Phase 2: Evaluation of Proposals

Each Committee member will independently use a weighted score sheet to evaluate the proposals; each Committee Member will calculate a weighted score. The scores of the Committee Members will be averaged into one score for each firm for this phase of the process.

Phase 3: Interview Score

The City will invite at least the top three (3) rated companies to participate in an interview. If less than three (3) candidates remain in the process, all will be interviewed. Each Committee Member will independently use a weighted score sheet to evaluate the Interview; each Committee Member will calculate a weighted score. The scores of the Committee Members will be averaged into one score for each company for this phase of the process. Those being interviewed may be supplied with further instructions and requests prior to the interview. Persons representing the company at the interview must be the personnel who will be assigned to this project.

Phase 4: Price

Points for price will be calculated as follows:

$$\text{FORMULA: } \{1 - (\text{Proposal Price} - \text{Lowest Proposal}) / \text{lowest proposal}\} \times \text{available points}$$

Phase 5: Final Scoring and Selection

The company with the highest final weighted score will be recommended to the Troy City Council for Award.

30% Proposal Score (100 point base)
40% Price Score (100 point base)
30% Interview Score (100 point base)
100%

Note: The City of Troy reserves the right to change the order or eliminate an evaluation phase if deemed in the City's best interest to do so.

Opening Date -- 10/1/08

Date Prepared -- 10/21/2008

jh/sl

CITY OF TROY
TABULATION
HVAC SYSTEM UPGRADE

FIRM NAME:

Engineered Comfort Systems, Inc. (ECS)	Heights Heating & Cooling Inc.	Mechanical Services LLC
Check # 696942673	9171000391	731135413
Amount \$ 50,000.00	\$ 50,000.00	\$ 50,000.00

PROPOSAL: TO PROVIDE HEATING, VENTILATION, AND AIR CONDITIONING UPGRADE OF THE MAJOR MECHANICAL SYSTEMS FOR THE TROY HALL OF JUSTICE BUILDING

FOUR (4) COPIES	(Yes or No)	Yes	Yes	Yes
VENDOR QUESTIONNAIRE:	(Yes or No)	Yes	Yes	Yes

PROPOSAL: Schedule of Values	NOT TO EXCEED	NOT TO EXCEED	NOT TO EXCEED
Cost for Scope of Work as Specified:			
Architectural/Civil	\$ 41,115.80	\$ 43,260.00	\$ 66,376.00
HVAC Demolition	\$ 24,043.00	\$ 18,540.00	\$ 42,726.00
HVAC New Equipment	\$ 682,701.80	\$ 590,108.00	\$ 704,175.00
HVAC New Installation	\$ 53,030.50	\$ 98,675.00	\$ 66,876.00
Electrical	\$ 41,532.70	\$ 63,500.00	\$ 69,406.00
Sheet Metal & Piping	\$ 221,110.40	\$ 265,760.00	\$ 250,733.00
LESS: Salvage	\$ (600.00)	\$ (1,000.00)	\$ (8,400.00)
PROJECT TOTAL:	\$ 1,062,934.20	\$ 1,078,843.00	\$ 1,191,892.00

ALTERNATE 1 (Option) GUN RANGE			
Cost for Scope of Work as Specified:			
Mechanical Demolition	\$ 2,304.00	\$ 6,180.00	\$ 5,700.00
Air Handling Unit - New Equipment	\$ 85,675.00	\$ 76,735.00	\$ 80,994.00
Air Handling - Installation	\$ 50,620.71	\$ 32,731.00	\$ 71,735.00
LESS: Salvage	\$ (90.00)	\$ (500.00)	\$ (1,500.00)
ALTERNATE 1 TOTAL:	\$ 138,509.71	\$ 115,146.00	\$ 156,929.00

		SEPTEMBER 10, 2008		
MANDATORY MEETING	Did attend	XX	XX	XX
PROGRESS PAYMENTS:		10% Mobilization; 40% Subs Completion; 40% Upon Completion, 10% Approval	Monthly - 25th	50% Equipmt Delivery 30%Installation; 20%Completion
COMPLETION DATE:		APRIL 15, 2009		
	Can Meet	XX	XX	XX
	Cannot Meet			
LICENSES:	Marked as:	EX-A	"X"	"L"
INSURANCE:	Can Meet	XX	XX	XX
	Cannot Meet			
	Signed Y or N	Yes	Yes	Yes
TERMS:		Blank	Blank	Net 30
EXCEPTIONS:		N/A	Blank	Blank
ACKNOWLEDGEMENT:	Y or N	Yes	Yes	Yes
ADDENDA #1, #2, & #3	Y or N	No	Yes	Yes

DMS

Delta Temp, Inc: Project Cost \$1,565,100 - failed to provide required insurance documents with proposal

ATTEST:

Mary Ann Hays

Diane Fisher

Linda Bockstanz

Susan Leirstein CPPB

Purchasing Director

Opening Date -- 10/1/08
 Date Prepared -- 10/21/2008

jh/sl

CITY OF TROY
 TABULATION
 HVAC SYSTEM UPGRADE

FIRM NAME:

R.W. Mead & Sons, Inc

Arctic Air, Inc.

Check #
 Amount

731150498

609393671

\$ 50,000.00

\$ 50,000.00

PROPOSAL: TO PROVIDE HEATING, VENTILATION, AND AIR CONDITIONING UPGRADE OF THE MAJOR MECHANICAL SYSTEMS FOR THE TROY HALL OF JUSTICE BUILDING

FOUR (4) COPIES (Yes or No)

Yes

Yes

VENDOR QUESTIONNAIRE: (Yes or No)

Yes

Yes

PROPOSAL: Schedule of Values

NOT TO EXCEED

NOT TO EXCEED

Cost for Scope of Work as Specified:

Architectural/Civil

\$ 63,500.00

\$ 65,720.00

HVAC Demolition

\$ 37,800.00

\$ 30,000.00

HVAC New Equipment

\$ 652,500.00

\$ 728,960.00

HVAC New Installation

\$ 166,800.00

\$ 120,840.00

Electrical

\$ 51,900.00

\$ 57,600.00

Sheet Metal & Piping

\$ 330,000.00

\$ 347,000.00

LESS: Salvage

\$ (3,300.00)

\$ (5,000.00)

PROJECT TOTAL:

\$ 1,299,200.00

\$ 1,345,120.00

ALTERNATE 1 (Option) GUN RANGE

Cost for Scope of Work as Specified:

Mechanical Demolition

\$ 4,500.00

\$ 5,730.00

Air Handling Unit - New Equipment

\$ 89,400.00

\$ 96,230.00

Air Handling - Installation

\$ 26,400.00

\$ 21,140.00

LESS: Salvage

\$ (500.00)

\$ (1,200.00)

ALTERNATE 1 TOTAL:

\$ 119,800.00

\$ 121,900.00

SEPTEMBER 10, 2008

MANDATORY MEETING

Did attend

XX

XX

PROGRESS PAYMENTS:

Monthly for work completed
 10% Retention

By the 10th of the Month
 for Work Completed

APRIL 15, 2009

COMPLETION DATE:

Can Meet

XX

XX

LICENSES:

Cannot Meet
 Marked as:

Ex "A"

"Licenses"

INSURANCE:

Can Meet
 Cannot Meet
 Signed Y or N

XX

XX

Yes

Yes

TERMS:

Monthly Progress Paymts.

Blank

EXCEPTIONS:

Blank

Blank

ACKNOWLEDGEMENT:

Y or N

Yes

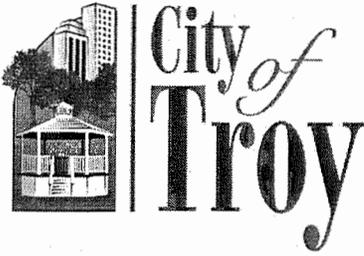
Yes

ADDENDA #1, #2, & #3

Y or N

Yes

Yes



CITY COUNCIL ACTION REPORT

October 24, 2008

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Request for Approval of Purchase Agreement
 Rochester Road Improvements, Torpey to Barclay
 Project No. 99.203.5 – Parcel #59 – Sidwell #88-20-22-401-044
 ALIF Corporation

Background:

- In connection with the proposed improvements to Rochester Road, from Torpey to Barclay, the Real Estate & Development Department received a Purchase Agreement from ALIF Corporation. This parcel is located on the west side of Rochester Road, between Vanderpool and Trombly in the southeast ¼ of Section 22.

Financial Considerations:

- An appraisal was prepared by Raymond V. Bologna, CRE, MAI, State Certified Appraiser and reviewed by Kimberly Harper, Deputy Assessor and State Licensed Appraiser. Staff believes that \$1,400, plus closing costs for the acquisition of the property described in the purchase agreement is a justifiable amount for this acquisition.
- Eighty percent of these costs will be reimbursed from Federal funds. Funds for the City of Troy's share are included in the 2008-09 Major Road fund, account number 401479.7989.992035.

Legal Considerations:

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

Policy Considerations:

- The purpose of this project is to relieve congestion, improve safety and improve the flow of traffic. (Outcome Statements I, II and III)

Options:

- City Management recommends that City Council approve the attached purchase agreement from ALIF Corporation, so that the City can proceed with the acquisition of this right-of-way.

PAPG MEMOS TO MAYOR & CC\ALIF Corporation Purchase Agreement

CITY OF TROY
AGREEMENT TO PURCHASE REALTY
FOR PUBLIC PURPOSES

The CITY OF TROY (the "Buyer"), agrees to purchase from ALIF Corporation, a Michigan Corporation (the "Sellers"), the following described premises (the "Property"):

SEE ATTACHED EXHIBIT "A"

for a public project within the City of Troy and to pay the sum of One Thousand, Four Hundred and no/100 Dollars (\$1,400) under the following terms and conditions:

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

10. Additional conditions, if any:

SELLER HEREBY ACKNOWLEDGES THAT NO PROMISES WERE MADE EXCEPT AS CONTAINED IN THIS AGREEMENT.

IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures this 24TH day of OCTOBER, 2008.

In presence of:

Scott Finley
SCOTT FINLEY

Laurel Nottage
LAUREL NOTTAGE

CITY OF TROY (BUYER)

Patricia A. Petitto
PATRICIA A. PETITTO

SELLERS:

ALIF Corporation, a Michigan Corporation

Belal H. Ghazi
Belal H. Ghazi, President

05-15-08
19990476
20-22-401-044
rev. 07-14-08

EXHIBIT 'A'

DESCRIPTION OF RIGHT OF WAY ACQUISITION

Part of Lot 3 "Supervisor's Plat No. 17" of part of the Southeast 1/4 of Section 22, T2N, R11E, Troy Township (now City of Troy), Oakland County, Michigan, as recorded in Liber 28 of Plats, Page 36, Oakland County Records, described as follows: Commencing at the East ¼ corner of said section 22; thence S01°50'55"E 529.06 feet along the existing and proposed centerline of Rochester Road; thence S88°24'32"W 75.00 feet to the existing right of way line of said Rochester Road; thence along said right of way line S01°50'55"E 96.10 feet to the Point Of Beginning; thence continuing along said right of way line S01°50'55"E 15.00 feet to the South lot line of said Lot 3; thence along said lot line S88°24'32"W 15.00 feet; thence N43°16'48"E 21.17 feet to the Point Of Beginning.

Said acquisition contains 113 square feet, or 0.003 acres, more or less.

RIGHT OF WAY ACQUISITION

TIME • 14-JUL-2008 11:27

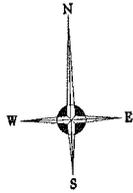
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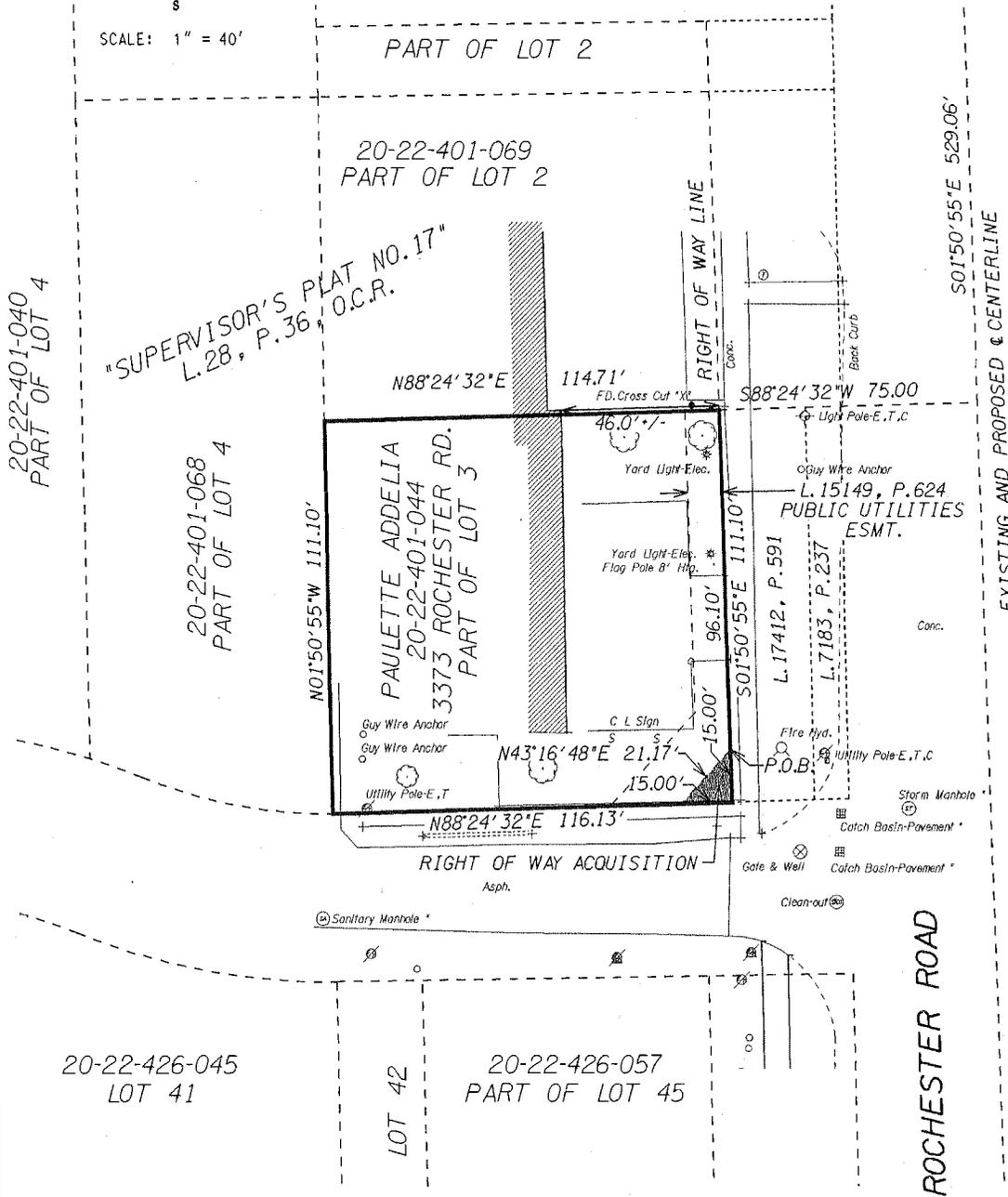
USER NAME • drebart



SCALE: 1" = 40'

EXHIBIT 'B'
PARCEL 59
PART OF LOT 1

EAST 1/4 CORNER SECTION 22,
T2N, R11E, CITY OF TROY,
OAKLAND COUNTY, MICHIGAN.



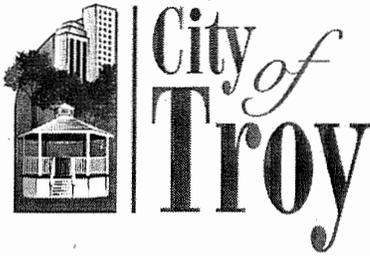
20-22-401-044
PAULETTE ADELIA
TOTAL AREA • 12,823 S.F.
R.O.W. ACQUISITION • 113 S.F.
REMAINDER - 12,710 S.F.

R.O.W. ACQUISITION • [shaded area]

NOTE: DESCRIPTION TAKEN FROM RECORD.

REV. 07-04-08

JOB NO. 19990476	HUBBELL, ROTH & CLARK, INC. CONSULTING ENGINEERS 555 HULET DRIVE BLOOMFIELD HILLS, MICH.	SHEET NO.
DATE 05-15-08		2 OF 2



CITY COUNCIL ACTION REPORT

October 28, 2008

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Request for Approval of Purchase Agreement and
 Acceptance of Permanent Public Utility Easement
 Rochester, Torpey to Barclay
 Project No. 99.203.5 – Parcel #28 – Sidwell #88-20-22-277-026
 Dennis E. Bushon and Mary Josephine Bushon

Background:

- In connection with the proposed improvements to Rochester Road, from Torpey to Barclay, the Real Estate & Development Department received a Purchase Agreement and Permanent Public Utility Easement from Dennis E. Bushon and Mary Josephine Bushon. This parcel is located at the northwest corner of Rochester and Trombly in the northeast ¼ of Section 22.

Financial Considerations:

- An appraisal was prepared by Raymond V. Bologna, CRE, MAI, State Certified Appraiser and reviewed by Kimberly Harper, Deputy Assessor and State Licensed Appraiser. Staff believes that \$38,100, plus closing costs for the acquisition of the property described in the purchase agreement and \$2,700 for the Permanent Public Utility Easement are justifiable amounts for this acquisition.
- Eighty percent of these costs will be reimbursed from Federal funds. Funds for the City of Troy's share are included in the 2008-09 Major Road fund, account number 401479.7989.992035.

Legal Considerations:

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

Policy Considerations:

- The purpose of this project is to relieve congestion, improve safety and improve the flow of traffic. (Outcome Statements I, II and III)

Options:

- City Management recommends that City Council approve the attached purchase agreement and accept the attached Permanent Public Utility Easement from Dennis E. Bushon and Mary Josephine Bushon so that the City can proceed with the acquisition of this right-of-way.

PAP\G\MEMOS TO MAYOR & CC\Bushon Purchase Agreement & PUE

CITY OF TROY
AGREEMENT TO PURCHASE REALTY
FOR PUBLIC PURPOSES

The CITY OF TROY (the "Buyer"), agrees to purchase from Dennis E. Bushon and Mary Josephine Bushon, his wife (the "Sellers"), the following described premises (the "Property"):

SEE ATTACHED EXHIBIT "A"

for a public project within the City of Troy and to pay the sum of Thirty-Eight Thousand, One Hundred and no/100 Dollars (\$38,100) under the following terms and conditions:

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

SELLER HEREBY ACKNOWLEDGES THAT NO PROMISES WERE MADE EXCEPT AS CONTAINED IN THIS AGREEMENT.

IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures this 28TH day of October, 2008.

In presence of:

CITY OF TROY (BUYER)

Laurel Nottage
LAUREL NOTTAGE

Patricia A. Petitto
PATRICIA A. PETITTO

Kathy L. Czarnecki
KATHY L. CZARNECKI

SELLER:

Dennis E. Bushon
Dennis E. Bushon

Mary Josephine Bushon
Mary Josephine Bushon

11-20-07
19990476
20-22-277-026

EXHIBIT 'A'

DESCRIPTION OF RIGHT OF WAY ACQUISITION

The West 32.00 feet of the East 42.00 feet of the following described property: Part of Lot 23 of "Supervisor's Plat No. 6" of part of the South ½ of the North ½ and of the Southeast ¼ of Section 22, T2N, R11E, Troy Township (now City of Troy), Oakland County, Michigan, as recorded in Liber 45 of Plats, Page 23, Oakland County Records, described as : Beginning at a point distant S°09'00"W 93.74 feet from the Northwest corner of Lot 22 of said " Supervisor's Plat No. 6"; thence S88°02'30"E 70.04 feet; thence N02°20'11"E 4.06 feet; thence S87°39'49"E 60.00 feet; thence S02°20'11"W 3.67 feet; thence S88°02'30"E to a point on the East line of said Lot 23 located Southerly 4.00 feet from the Northeast corner of said Lot 23; thence Southerly to the Southeast lot corner; thence Westerly to the Southwest lot corner; thence Northerly along the West line to a point located Southerly 5.20 feet from the Northwest corner of said Lot 23 and to the Point Of Beginning, Except the South 33 feet adjacent to South lot line taken for Trombley Street, Also Except the East 10.00 feet thereof taken for Rochester Road.

Said acquisition contains 2,751 square feet, or 0.063 acres, more or less.

PERMANENT UTILITY EASEMENT

Sidwell #88-20-22-277-026
Parcel #28

Dennis E. Bushon and Mary Josephine Bushon, husband and wife, Grantors, whose address is: 3515-3517 Rochester, Troy, MI 48083 for and in consideration of the sum of: Two Thousand, Seven Hundred and no/100 Dollars (\$2,700) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan 48084 grants to the Grantee a utility easement, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE ATTACHED EXHIBIT "A"

and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

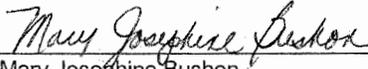
The premises so disturbed by the exercise of any of the foregoing powers shall be reasonably restored to its original condition by the Grantee.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed THEIR signature(s) this 28TH day of OCTOBER, 2008.



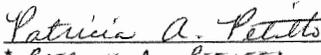
*Dennis E. Bushon (L.S.)



*Mary Josephine Bushon (L.S.)

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 28TH day of OCTOBER, 2008, by Dennis E. Bushon and Mary Josephine Bushon, husband and wife.



* PATRICIA A. PETITTO
Notary Public, OAKLAND County, Michigan

Acting in OAKLAND County, Michigan

My Commission Expires 12-31-11

Prepared by: Patricia A. Petitto
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

Return to: City Clerk
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

PLEASE SIGN IN BLUE INK AND PRINT OR TYPE NAMES IN BLACK INK UNDER SIGNATURES

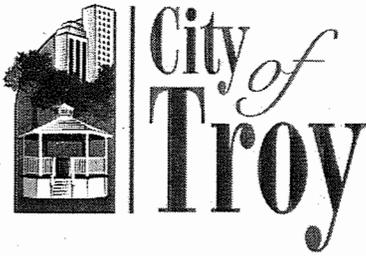
11-20-07
19990476
20-22-277-026

EXHIBIT 'A'

DESCRIPTION OF PUBLIC UTILITY EASEMENT

The West 12.00 feet of the East 54.00 feet of the following described property: Part of Lot 23 of "Supervisor's Plat No. 6" of part of the South ½ of the North ½ and of the Southeast ¼ of Section 22, T2N, R11E, Troy Township (now City of Troy), Oakland County, Michigan, as recorded in Liber 45 of Plats, Page 23, Oakland County Records, described as : Beginning at a point distant S°09'00"W 93.74 feet from the Northwest corner of Lot 22 of said " Supervisor's Plat No. 6"; thence S88°02'30"E 70.04 feet; thence N02°20'11"E 4.06 feet; thence S87°39'49"E 60.00 feet; thence S02°20'11"W 3.67 feet; thence S88°02'30"E to a point on the East line of said Lot 23 located Southerly 4.00 feet from the Northeast corner of said Lot 23; thence Southerly to the Southeast lot corner; thence Westerly to the Southwest lot corner; thence Northerly along the West line to a point located Southerly 5.20 feet from the Northwest corner of said Lot 23 and to the Point Of Beginning, Except the South 33 feet adjacent to South lot line taken for Trombley Street, Also Except the East 10.00 feet thereof taken for Rochester Road.

Said easement contains 1,031 square feet, or 0.024 acres, more or less.



CITY COUNCIL ACTION REPORT

October 20, 2008

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Request for Acceptance of Permanent Public Utility Easement
Rochester Road Improvements, Torpey to Barclay
Project No. 99.203.5 – Parcel #1 – Sidwell #88-20-23-303-001
Rochester Development Group, LLC

Background:

In connection with the proposed improvements to Rochester Road, from Torpey to Barclay, the Real Estate & Development Department received a Permanent Public Utility Easement from Rochester Development Group, LLC. This parcel is located on the east side of Rochester Road, between Torpey and Charrington in the southwest ¼ of Section 23.

Financial Considerations:

- An appraisal was prepared by Raymond V. Bologna, CRE, MAI, State Certified Appraiser and reviewed by Kimberly Harper, Deputy Assessor and State Licensed Appraiser. Staff believes that \$15,000 for the Permanent Public Utility Easement is a justifiable amount for this acquisition.
- Eighty percent of these costs will be reimbursed from Federal funds. Funds for the City of Troy's share are included in the 2008-09 Major Road fund, account number 401479.7989992035.

Legal Considerations:

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

Policy Considerations:

- The purpose of this project is to relieve congestion, improve safety and improve the flow of traffic. (Outcome Statements I, II and III)

Options:

- City Management recommends that City Council accept the attached Permanent Public Utility Easement from Rochester Development Group, LLC so that the City can proceed with this project.

PERMANENT UTILITY EASEMENT

Sidwell #88-20-23-303-001
Parcel #1

Rochester Development Group, LLC, a Michigan Limited Liability Company, Grantors, whose address is: 3364 Rochester, Troy, MI 48083 for and in consideration of the sum of: Fifteen Thousand and no/100 Dollars (\$15,000) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan 48084 grants to the Grantee a utility easement, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE ATTACHED EXHIBIT "A"

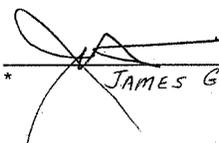
and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

The premises so disturbed by the exercise of any of the foregoing powers shall be reasonably restored to its original condition by the Grantee. The Grantee agrees to reimburse the Grantors all costs related to the relocation of the current sign from the proposed easement area, based on the lowest of three bids from an approved sign company.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed HIS signature(s) this 13TH day of OCTOBER, 2008.

ROCHESTER DEVELOPMENT GROUP, LLC,
A MICHIGAN LIMITED LIABILITY COMPANY


_____(L.S.)
* JAMES GIFTOS
_____(L.S.)
*

STATE OF MICHIGAN)
COUNTY OF MACOMB)

The foregoing instrument was acknowledged before me this 13th day of OCTOBER, 2008, by JAMES GIFTOS, of Rochester Development Group, LLC, a Michigan Limited Liability Company.


* _____
Notary Public, Macomb County, Michigan
Acting in Macomb County, Michigan
My Commission Expires 6-6-2013

Prepared by: Patricia A. Petitto
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

Return to: City Clerk
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

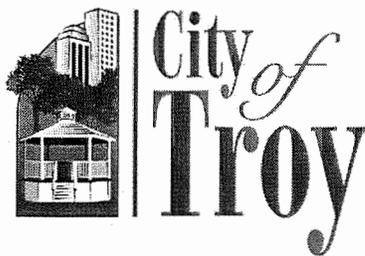
PLEASE SIGN IN BLUE INK AND PRINT OR TYPE NAMES IN BLACK INK UNDER SIGNATURES

11-20-07
19990476
20-23-303-001

EXHIBIT 'A'

DESCRIPTION OF PUBLIC UTILITY EASEMENT

The West 10.00 feet of the North 72.80 feet and the West 10.00 feet of the South 74.35 feet of Outlot B "Dean Estates Subdivision" part of the Southwest $\frac{1}{4}$ of Section 23, T2N, R11E, City of Troy, Oakland County, Michigan, as recorded in Liber 119 of Plats, Page 17 and 18, Oakland County Records.
Said easement contains 1,472 square feet, or 0.034 acres, more or less.



CITY COUNCIL ACTION REPORT

October 18, 2008

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Request for Approval of Purchase Agreement and
 Acceptance of Permanent Public Utility Easement
 Rochester Road Improvements, Torpey to Barclay
 Project No. 99.203.5 – Parcel #45 – Sidwell #88-20-22-226-043
 Gordon P. Meldrum and Carol A. Meldrum

Background:

- In connection with the proposed improvements to Rochester Road, from Torpey to Barclay, the Real Estate & Development Department received a Purchase Agreement and Permanent Public Utility Easement from Gordon P. Meldrum and Carol A. Meldrum. This parcel is located on the west side of Rochester Road, between Troywood and Wattles in the northeast ¼ of Section 22.

Financial Considerations:

- An appraisal was prepared by Raymond V. Bologna, CRE, MAI, State Certified Appraiser and reviewed by Kimberly Harper, Deputy Assessor and State Licensed Appraiser. Staff believes that \$15,100, plus closing costs for the acquisition of the property described in the purchase agreement and \$4,000 for the Permanent Public Utility Easement are justifiable amounts for this acquisition.
- Eighty percent of these costs will be reimbursed from Federal funds. Funds for the City of Troy's share are included in the 2008-09 Major Road fund, account number 401479.7989.992035.

Legal Considerations:

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

Policy Considerations:

- The purpose of this project is to relieve congestion, improve safety and improve the flow of traffic. (Outcome Statements I, II and III)

Options:

- City Management recommends that City Council approve the attached purchase agreement and accept the attached Permanent Public Utility Easement from Gordon P. Meldrum and Carol A. Meldrum so that the City can proceed with the acquisition of this right-of-way.

PAPV\MEMOS TO MAYOR & CC\Meldrum Purchase Agreement & PUE

CITY OF TROY
AGREEMENT TO PURCHASE REALTY
FOR PUBLIC PURPOSES

The CITY OF TROY (the "Buyer"), agrees to purchase from Gordon P. Meldrum and Carol A. Meldrum as joint tenants with rights of survivorship (the "Sellers"), the following described premises (the "Property"):

SEE ATTACHED EXHIBIT "A"

for a public project within the City of Troy and to pay the sum of Fifteen Thousand, One Hundred and no/100 Dollars (\$15,100) under the following terms and conditions:

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

SELLER HEREBY ACKNOWLEDGES THAT NO PROMISES WERE MADE EXCEPT AS CONTAINED IN THIS AGREEMENT.

IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures this 15TH day of OCTOBER, 2008.

In presence of:

Laurel Nottage
LAUREL NOTTAGE
John Loncharich
JOHN LONCHARICH

CITY OF TROY (BUYER)

Patricia A. Petitto
PATRICIA A. PETITTO

SELLERS:

GORDON P. MELDRUM AND CAROL A. MELDRUM, AS JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP

Gordon P. Meldrum
Gordon P. Meldrum

Carol A. Meldrum
Carol A. Meldrum

11-20-07
19990476
20-22-226-043
rev. 01-03-08

EXHIBIT 'A'

DESCRIPTION OF RIGHT OF WAY ACQUISITION

The East 15.00 feet of Lot 63 of "Northgate Subdivision" a subdivision of part of the Northeast $\frac{1}{4}$ of Section 22, T2N, R11E, Troy Township (now City of Troy), Oakland County, Michigan as recorded in Liber 44 of plats, Page 55, Oakland County Records.

Said acquisition contains 1,200 square feet, or 0.028 acres, more or less.

PERMANENT UTILITY EASEMENT

Sidwell #88-20-22-226-043
Parcel #45

Gordon P. Meldrum and Carol A. Meldrum, as joint tenants with rights of survivorship, Grantors, whose address is: 3911 Rochester, Troy, MI 48083 for and in consideration of the sum of: Four Thousand and no/100 Dollars (\$4,000) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan 48084 grants to the Grantee a utility easement, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE ATTACHED EXHIBIT "A"

and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof. The Grantee agrees to reimburse the Grantors all costs related to the relocation of the current sign to an approved location outside of the easement area, based on the lowest of three bids from an approved sign company.

The premises so disturbed by the exercise of any of the foregoing powers shall be reasonably restored to its original condition by the Grantee.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed THEIR signature(s) this 15TH day of OCTOBER, 2008.

GORDON P. MELDRUM AND CAROL A. MELDRUM,
AS JOINT TENANTS WITH RIGHTS OF
SURVIVORSHIP

Gordon P. Meldrum (L.S.)
*Gordon P. Meldrum

Carol A. Meldrum (L.S.)
*Carol A. Meldrum

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 15TH day of OCTOBER, 2008, by Gordon P. Meldrum and Carol A. Meldrum, as joint tenants with rights of survivorship.

Patricia A. Petitto
*PATRICIA A. PETITTO
Notary Public, OAKLAND County, Michigan

Acting in OAKLAND County, Michigan

My Commission Expires 12-31-11

Prepared by: Patricia A. Petitto
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

Return to: City Clerk
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

PLEASE SIGN IN BLUE INK AND PRINT OR TYPE NAMES IN BLACK INK UNDER SIGNATURES

11-20-07
19990476
20-22-226-043
rev. 01-03-08

EXHIBIT 'A'

DESCRIPTION OF PUBLIC UTILITY EASEMENT

The West 12.00 feet of the East 27.00 feet of Lot 63 of "Northgate Subdivision" a subdivision of part of the Northeast ¼ of Section 22, T2N, R11E, Troy Township (now City of Troy), Oakland County, Michigan as recorded in Liber 44 of plats, Page 55, Oakland County Records.
Said easement contains 960 square feet, or 0.022 acres, more or less.



CITY COUNCIL ACTION REPORT

October 21, 2008

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Request for Approval of Purchase Agreement and
 Acceptance of Permanent Public Utility Easement
 Rochester Road Improvements, Torpey to Barclay
 Project No. 99.203.5 – Parcel #27 – Sidwell #88-20-22-401-018
 Trombly Investment Company

Background:

- In connection with the proposed improvements to Rochester Road, from Torpey to Barclay, the Real Estate & Development Department received a Purchase Agreement and Permanent Public Utility Easement from Trombly Investment Company. This parcel is located on the west side of Rochester Road, between Vanderpool and Trombly in the southeast ¼ of Section 22.

Financial Considerations:

- An appraisal was prepared by Raymond V. Bologna, CRE, MAI, State Certified Appraiser and reviewed by Kimberly Harper, Deputy Assessor and State Licensed Appraiser. Staff believes that \$57,700, plus closing costs for the acquisition of the property described in the purchase agreement and \$3,700 for the Permanent Public Utility Easement are justifiable amounts for this acquisition.
- Eighty percent of these costs will be reimbursed from Federal funds. Funds for the City of Troy's share are included in the 2008-09 Major Road fund, account number 401479.7989.992035.

Legal Considerations:

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

Policy Considerations:

- The purpose of this project is to relieve congestion, improve safety and improve the flow of traffic. (Outcome Statements I, II and III)

Options:

- City Management recommends that City Council approve the attached purchase agreement and accept the attached Permanent Public Utility Easement from Trombly Investment Company, so that the City can proceed with the acquisition of this right-of-way.

PAP\G\MEMOS TO MAYOR & CC\Trombly Investment Company Purchase Agreement & PUE

CITY OF TROY
AGREEMENT TO PURCHASE REALTY
FOR PUBLIC PURPOSES

The CITY OF TROY (the "Buyer"), agrees to purchase from Trombly Investment Company, a Registered Michigan Co-Partnership (the "Sellers"), the following described premises (the "Property"):

SEE ATTACHED EXHIBIT "A"

for a public project within the City of Troy and to pay the sum of Fifty-Seven Thousand, Seven Hundred and no/100 Dollars (\$57,700) under the following terms and conditions:

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

This agreement is contingent upon Seller receiving Building Code Board of Appeals approval to relocate a sign that is more than 30" tall from the proposed right-of-way to a location at the northeast corner of the parking lot, within the corner clearance area. If the Building Code Board of Appeals does not grant approval, this agreement becomes null and void.

SELLER HEREBY ACKNOWLEDGES THAT NO PROMISES WERE MADE EXCEPT AS CONTAINED IN THIS AGREEMENT.

IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures this 29TH day of OCTOBER, 2008.

In presence of:

Stanley Brownstein
STANLEY BROWNSTEIN
Sam Sibinowski
SAM SIBINOVSKI

CITY OF TROY (BUYER)

Patricia A. Pettit
PATRICIA A. PETITT

SELLERS:

James J. Jablonski
JAMES J. JABLONSKI
Catherine J. Jablonski
CATHERINE J. JABLONSKI

11-26-07
19990476
20-22-401-018
rev. 01-03-08
rev. 07-29-08

EXHIBIT 'A'

DESCRIPTION OF RIGHT OF WAY ACQUISITION

The East 32.00 feet of the following described property: The South 90.00 feet of Lot 24, Except the East 10.00 feet and the North 50.00 feet of Lot 25, Except the East 10.00 feet of "Supervisor's Plat No. 6" of part of the South ½ of the North ½ and of the Southeast ¼ of Section 22, T2N, R11E, Troy Township (now City of Troy), Oakland County, Michigan, as recorded in Liber 45 of Plats, Page 23, Oakland County Records. Said easement contains 4,480 square feet, or 0.103 acres, more or less.

PERMANENT UTILITY EASEMENT

Sidwell #88-20-22-401-018
Parcel #27

Trombly Investment Company, a Registered Michigan Co-Partnership, Grantors, whose address is: 3503
Rochester, Troy, MI 48083 for and in consideration of the sum of: Three Thousand, Seven Hundred and
no/100 Dollars (\$3,700) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose
address is 500 West Big Beaver Road, Troy, Michigan 48084 grants to the Grantee a utility easement,
said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE ATTACHED EXHIBIT "A"

and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction,
operation, maintenance, repair and/or replacement thereof.

The premises so disturbed by the exercise of any of the foregoing powers shall be reasonably restored to
its original condition by the Grantee. The sign that is currently located within the proposed right-of-way can
be moved to the northeast corner or any other approved location within this easement area. The Grantee
agrees to reimburse the Grantors all costs related to the relocation of the current sign, based on the lowest
of three bids from approved contractors.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs,
representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed THEIR signature(s) this 21ST day of
OCTOBER, 2008.

TROMBLY INVESTMENT COMPANY,
A REGISTERED MICHIGAN CO-PARTNERSHIP

James J. Jablonski (L.S.)
* JAMES J. JABLONSKI

Catherine J. Jablonski (L.S.)
* CATHERINE J. JABLONSKI

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 21ST day of OCTOBER, 2008,
by JAMES J. JABLONSKI AND CATHERINE J. JABLONSKI of Trombly Investment Company, a
Registered Michigan Co-Partnership.

Patricia A. Petitto
* PATRICIA A. PETITTO
Notary Public, OAKLAND County, Michigan

Acting in OAKLAND County, Michigan

My Commission Expires 12-31-11

Prepared by: Patricia A. Petitto
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

Return to: City Clerk
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

11-26-07
19990476
20-22-401-018
rev. 01-03-08
rev. 07-29-08

EXHIBIT 'A'

DESCRIPTION OF UTILITY EASEMENT

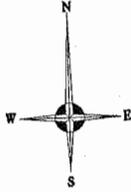
The West 12.00 feet of the East 44.00 feet of the following described property: The South 90.00 feet of Lot 24, Except the East 10.00 feet and the North 50.00 feet of Lot 25, Except the East 10.00 feet of "Supervisor's Plat No. 6" of part of the South ½ of the North ½ and of the Southeast ¼ of Section 22, T2N, R11E, Troy Township (now City of Troy), Oakland County, Michigan, as recorded in Liber 45 of Plats, Page 23, Oakland County Records.

Said easement contains 1,680 square feet, or 0.039 acres, more or less.

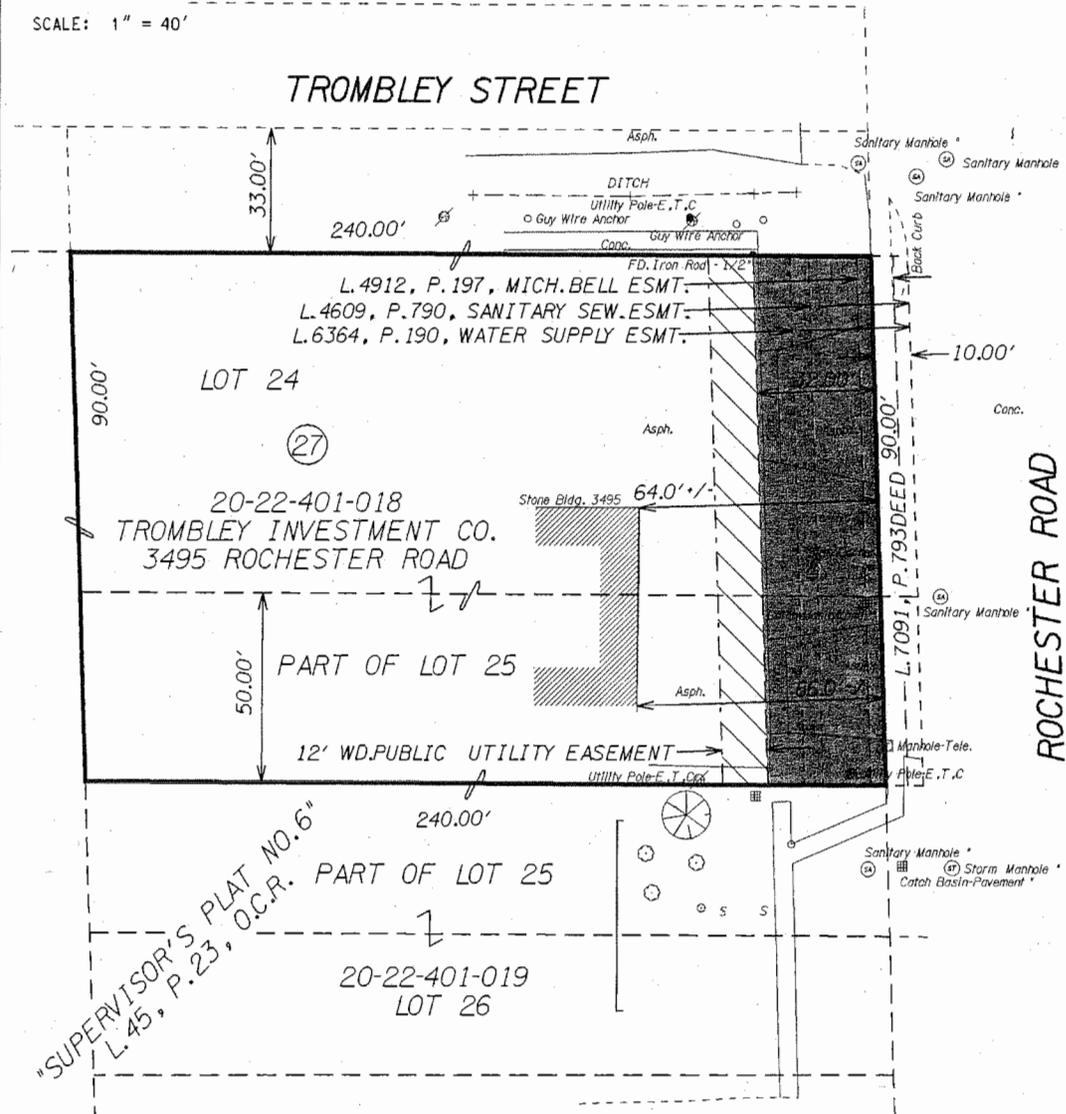
RIGHT OF WAY ACQUISITION

EXHIBIT 'B'
PARCEL 27

NOTE: DESCRIPTION TAKEN FROM RECORD.



SCALE: 1" = 40'



"SUPERVISOR'S PLAT NO. 6"
L. 45, P. 23, O.C.R.

20-22-401-018
TROMBLEY INVESTMENT COMPANY
TOTAL AREA • 33,600 S.F.
R.O.W. ACQUISITION • 4,480 S.F.
REMAINDER • 29,120 S.F.
PUBLIC UTILTY EASEMENT • 1,680 S.F.

R.O.W. ACQUISITION • 
UTILITY EASEMENT • 

TIME • 31-JUL-2008 13:21
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 USER NAME • dherbert

JOB NO. 19990476	HUBBELL, ROTH & CLARK, INC. CONSULTING ENGINEERS 555 HULET DRIVE BLOOMFIELD HILLS, MICH.	SHEET NO.
DATE 11-20-07		2 OF 2



CITY COUNCIL ACTION REPORT

October 20, 2008

TO: Phillip L. Nelson, City Manager

FROM: Charles T. Craft, Chief of Police
William Nelson, Fire Chief

SUBJECT: Request to Temporarily Waive Parking Restrictions

Background:

- Smith Middle School is requesting that the parking restrictions on Donaldson street from Square Lake Road to Cotswald street, so that they may host school activities on the following dates:
 - November 12 and 13, 2008, between the hours of 12:30 pm and 3:30 pm, and 6:30 pm and 9:30 pm (Parent Teacher Conferences)
 - March 6, 2009, between the hours of 6:30 pm and 8:30 pm (Family Fun Friday)
 - March 12, 2009, between the hours of 12:30 pm and 3:30 pm, and 6:30 pm and 9:30 pm (Parent Teacher Conferences)
 - June 16, 2009, between the hours of 9:00 am and 12:00 noon (8th Grade Promotion)
- Both sides of Donaldson are posted no parking areas and parking at Smith Middle School is limited.
- The waiving of the restrictions would allow attendees to park on Donaldson but would not significantly impact emergency vehicle traffic.
- Smith Middle School makes such requests and is granted a variance regularly; no problems have ever been reported.

Financial Considerations:

- N/A

Legal Considerations:

- City Ordinance prohibits parking on Donaldson; therefore, City Council action is required to grant a variance.

Policy Considerations:

- Troy has enhanced the safety and health of the community.

Options:

- Approve or deny the request.



CITY COUNCIL ACTION REPORT

October 22, 2008

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Municipal Credit and Community Credit Agreement

Background:

- Municipal credits are state-authorized funds that are given directly to the Suburban Mobility Authority for Regional Transportation (SMART) to be divided among every city, township and village in Oakland, Wayne and Macomb Counties on a per capita basis. Community credits are a direct result of the SMART millage that provides opt-in communities with additional funds.
- Troy's municipal and community credit dollars have been used to support the community based Troy Medi-Go Plus service. Medi-Go Plus provided over 11,000 rides to 322 unique senior and disabled riders in 2007.

Financial Considerations:

- There is neither expense nor financial implications to the City for this program.

Legal Considerations:

- There is no change to format and content of previous agreements with Medi-Go.

Policy Considerations:

- These funds must be used for local public transportation. Medi-Go provides door-to-door service and wheelchair accessible vehicles. For these reasons, Medi-Go is well suited for our frail elderly and disabled population. (Outcome Statement 1 and 2)

Options:

- The City can transfer Municipal Credit funds in the amount of \$76,084 and Community Credit funds in the amount of \$110,732 to Troy Medi-Go Plus for the operation of transportation service for senior citizens and persons with disabilities.

Where legal review is necessary:

Approved as to Form and Legality:

Lori Grigg Bluhm, City Attorney

MUNICIPAL CREDIT and COMMUNITY CREDIT CONTRACT FOR FY - 2009

I, _____, on behalf of the City of Troy apply to SMART for our Municipal and Community Credits for the period July 1, 2008 to June 30, 2009, and agree that the Municipal and Community Credits Master Agreement, which is incorporated herein by reference, will form part of this agreement. Specific terms, conditions, and budgetary projections are set forth in Exhibits A and B as necessary.

Our community agrees to use the \$76,084 in **Municipal Credit** funds available to us as follows:

- (1) Transfer of \$ _____ to _____
TRANSFeree COMMUNITY
At the cost of \$ _____
- (2) Transportation program operated/administered by the community
(Includes Charters, Van/Bus Program, Taxi Reimbursement)
At the cost of \$ _____
- (3) Transportation service purchased from SMART
(Includes SMART Tickets/Passes, Shuttle Service, Dial-A-Ride)
At the cost of \$ _____
- Total \$ 76,084**

Our community agrees to use the \$110,732 in **Community Credit** funds available to us as follows:

- (1) Transfer of \$ _____ To _____
TRANSFeree COMMUNITY
At the cost of \$ _____
- (2) Transportation program operated/administered by the community
(Includes Charters, Van/Bus Program, Taxi Reimbursement)
At the cost of \$ _____

- (3) Transportation service purchased from SMART
(Includes SMART Tickets/Passes, Shuttle Service, Dial-A-Ride)

At the cost of \$ _____

- (4) Capital Purchases

At the cost of \$ _____

Total \$ 110,732 _____

Capital purchases permitted with Community Credits are subject to applicable state and federal regulations, and SMART procurement guidelines. When advantageous, SMART may make procurements directly. Reimbursement for purchases made by a community requires presentation of proper documentation to support the purchase.

City of Troy

By: _____

Dated _____

Its: _____

**Suburban Mobility Authority for
Regional Transportation**

Dated _____

By: _____

Hayes Jones
General Manager



CITY COUNCIL ACTION REPORT

October 24, 2008

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Economic Development Services
Timothy L. Richnak, Public Works Director

SUBJECT: 2008 Request to Waive Recapture Form

Background:

- The Community and Home Improvement Division of Oakland County has advised us, as a standard practice, to submit a waiver request to protect year 2006 Community Development Block Grant (CDBG) funds from recapture for one additional year.

Financial Considerations:

- Absent a waiver all unobligated 2006 funds would be recaptured December 31, 2008.

Legal Considerations:

- There are no legal considerations associated with this item.

Policy Considerations:

- There are no policy considerations associated with this item.

Options:

- City management recommends submitting the 2008 request to waive recapture form.

COMMUNITY DEVELOPMENT BLOCK GRANT 2008 REQUEST TO WAIVE RECAPTURE FORM

**WAIVER REQUESTS ARE DUE TO KARRY L. RIETH, DIVISION MANAGER
NO LATER THAN MONDAY DECEMBER 15, 2008**

The U.S. Department of Housing and Urban Development (HUD) mandates that Community Development Block Grant (CDBG) balances not exceed 1.5 times the current program year allocation sixty (60) days prior to the end of the program year (February 28th). To help comply with the regulation, the Oakland County Board of Commissioners adopted a policy allowing communities to protect funds from their two most recent program years. Therefore, all unobligated 2006 and older funds are at risk of recapture December 31, 2008.

A community may protect unobligated 2006 funds from recapture for one additional year by requesting a waiver. **Submittal of the following information and a governing body resolution** from the community requesting a one year deferral of recapture constitutes the Request to Waive Recapture. **A separate form must be submitted for each 2006 line item.**

Community Name: City of Troy

Date request submitted: November 14, 2008

2006 CDBG Project Title: Special Assessment (Sanitary Sewer Benefit Use Fee)

Amount of funds to be retained: \$93,816.00

Description and Location of activity: Pay special assessment (Sanitary Sewer Benefit Use Fee) for Sanitary Sewer Construction in Charnwood Subdivision Area, Phase #1, Section 6.

Reason for NOT completing project as specified on original 2006 application:
Fewer residents than anticipated qualified per income limits for funds.

Provide a corrective action plan and specific project implementation plans scheduled for the next calendar year. Projects must be completed by December 31, 2009

Date: November 10, 2008

Corrective Action:

Funds will be reprogrammed early in 2009 to Section 36 Park Project. Funds will be exhausted Prior to December 31, 2009.

COMMUNITY DEVELOPMENT BLOCK GRANT 2008 REQUEST TO WAIVE RECAPTURE FORM

**WAIVER REQUESTS ARE DUE TO KARRY L. RIETH, DIVISION MANAGER
NO LATER THAN MONDAY DECEMBER 15, 2008**

The U.S. Department of Housing and Urban Development (HUD) mandates that Community Development Block Grant (CDBG) balances not exceed 1.5 times the current program year allocation sixty (60) days prior to the end of the program year (February 28th). To help comply with the regulation, the Oakland County Board of Commissioners adopted a policy allowing communities to protect funds from their two most recent program years. Therefore, all unobligated 2006 and older funds are at risk of recapture December 31, 2008.

A community may protect unobligated 2006 funds from recapture for one additional year by requesting a waiver. **Submission of the following information and a governing body resolution** from the community requesting a one year deferral of recapture constitutes the Request to Waive Recapture. **A separate form must be submitted for each 2006 line item.**

Community Name: City of Troy

Date request submitted: November 14, 2008

2006 CDBG Project Title: Public Services

Amount of funds to be retained: \$35,023.05

Description and Location of activity:

Fund home chore program for approximately 80 income qualified seniors and persons with disabilities per Oakland County Guidelines. City Wide.

Reason for NOT completing project as specified on original 2006 application:

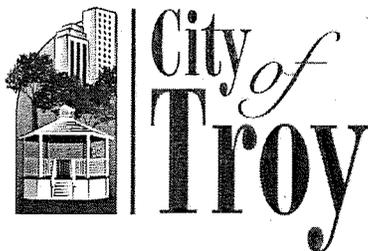
Less snowfall than anticipated in 2006, therefore contractor for snow removal was not called out as many times as past years. Snow removal and lawn maintenance bid price submitted by contractors were lower than previous years.

Provide a corrective action plan and specific project implementation plans scheduled for the next calendar year. Projects must be completed by December 31, 2009

Date: November 10, 2008

Corrective Action:

Funds will be applied to Fall 2008 yard cleanup and snow removal for Winter 2008 and early 2009.



CITY COUNCIL ACTION REPORT

November 5, 2008

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Asst. City Manager/Economic Development Services
Steven J. Vandette, City Engineer

SUBJECT: Private Agreement for Tim Horton's
Project No. 08.915.3

Background:

- The Planning Commission granted preliminary site plan approval for the above referenced project on June 10, 2008. The Engineering Department has reviewed the plans for this project and recommends approval. The plans include Water Main, Sanitary Sewer Manhole, Concrete Right Turn Lane, Approach, and Sidewalk.

Financial Considerations:

- The owner has provided the necessary escrow deposit and paid the cash fees in accordance with the attached Private Agreement.

Legal Considerations:

- There are no legal considerations associated with this item.

Policy Considerations:

- Troy is rebuilding for a healthy economy reflecting the values of a unique community in a changing and interconnected world.

Options:

- Council can approve or deny the recommendation.

cc: Tonni Bartholomew, City Clerk (Original Agreement)
James Nash, Financial Services Director

City Of Troy

Contract for Installation of Municipal Improvements (Private Agreement)

Project No.: **08.915.3**

Project Location: **SE 1/4 SECTION 22**

Resolution No: _____

Date of Council Approval: _____

This Contract, made and entered into this ___ day of _____, 20__ by and between the City of Troy, a Michigan Municipal Corporation of the County of Oakland, Michigan, hereinafter referred to as "City" and **Troy Rochester Properties, L.L.C.**, whose address is **7125 Orchard Lake Road, Suite 301, West Bloomfield, MI 48322** and whose telephone number is **(248) 538-2200** hereinafter referred to as "Owners", provides as follows:

FIRST: That the City agrees to permit the installation of **Water Main, Sanitary Sewer Manhole, Concrete Right Turn Lane, Approach, and Sidewalk** in accordance with plans prepared by **Mickalich & Associates, Inc.** whose address is **2359 Avon Industrial Drive, Rochester Hills, MI 48309** and whose telephone number is **(248) 852-1900** and approved prior to construction by the City in accordance with City of Troy specifications.

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

Refundable escrow deposit equal to the estimated construction cost of **\$38,642.00**. This amount will be deposited with the City in the form of (check one):

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

Refundable cash deposit in the amount of **\$5,000.00**. This amount will be deposited with the City in the form of (check one):

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

Non-refundable cash fees in the amount of **\$5,598.00**. This amount will be paid to the City in the form of (check one):

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

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

City Of Troy

Contract for Installation of Municipal Improvements (Private Agreement)

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

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

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

City Of Troy

**Contract for Installation of Municipal Improvements
(Private Agreement)**

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

OWNERS

*Troy-Rochester Properties,
By: Burt Passab LLC
Member*

CITY OF TROY

By:

Please Print or Type

Louise E. Schilling, Mayor

Please Print or Type

Tonni Bartholomew, City Clerk

STATE OF MICHIGAN, COUNTY OF OAKLAND

On this 23d day of October, A.D. 2008, before me personally appeared Burt Passab known by me to be the same person(s) who executed this instrument and who acknowledged this to be his/her/their free act and deed.

Laurel Nottage

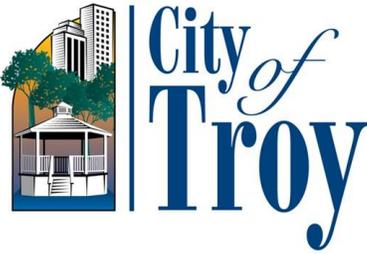
NOTARY PUBLIC, Oakland County, Michigan

Acting in Oakland County

My commission expires: 10-12-11

Detailed Summary of Required Deposits & Fees
Tim Horton's
08.915.3

<u>TOTAL ESCROW DEPOSITS (Refundable):</u>	<u>\$38,642</u>
<u>CASH FEES (Non-Refundable):</u>	
Water Main Testing and Chlorination	<u>\$650</u>
Engineering Review Fee (Private Improvements)	<u>\$1,818</u>
Plan Review and Construction Inspection Fee (Public Improvements)	<u>\$3,130</u>
Total Non-Refundable Cash Fees:	<u>\$5,598</u>
<u>CASH DEPOSITS (Refundable):</u>	
Street Cleaning/Road Maintenance	<u>\$5,000</u>



CITY COUNCIL ACTION REPORT

October 28, 2008

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Contract Amendment: Extended Warranty In-Car Video System

Background

- In October, 2006 and December 2007, City Council authorized the purchase of an In-car Digital Video System including cameras. The system chosen is named VisionHawk and manufactured by International Police Technologies (IPT). Resolution # (2006-10-392-F2 / 2007-12-359-E2 respectively)
- The department initially purchased 40 units and the backbone of the system in FY 2006/07 and finished the project by purchasing (12) additional units the following FY 2007/08.
- All units were fully warranted for one year from the date of installation. The initial 40 units are now out of warranty.
- IPT offers a schedule to purchase an extended warranty. The warranty covers everything—parts, labor, and shipping. The department incurs no additional cost for repairs.
- The cost per unit for the first year out of warranty is \$250.00, the second \$300.00, the third \$350.00, and the fourth \$400.00. By fiscal year, the warranty costs for the department would be \$10,000 in FY 2008/09, \$15,250 in FY 2009/10, \$17,900 in FY 2010/11, \$20,550 in FY 2011/12, and \$5,200 in 2012/13. The grand total over the lifetime of the warranty period is \$68,900.00.

Financial Considerations

- Funding for the extended warranty is available in the Police Department operating account for Contractual Services General, #334.7802.070.

Legal Considerations

- The warranty gives the City specific legal rights and responsibilities of both parties.

Policy Considerations

- The health and safety of the community will be enhanced. (Outcome Statement I)

Options

- City management recommends City Council amend the contract with IPT and purchase the extended warranty program for the in-car digital cameras at an estimated total cost of \$68,900.00 spread over five years.

Troy Police Department Extended Warranty Pricing

NO.	OVH	USB	Current Warranty	Installed	Expiration	2nd year	3rd year	4th year	5th year	
1	60711	50716	1 Yr Standard	3/14/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
2	60712	50715	1 Yr Standard	2/15/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
3	60714	50717	1 Yr Standard	3/20/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
4	60715	50742	1 Yr Standard	3/14/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
5	60739	50714	1 Yr Standard	2/15/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
6	60740	50713	1 Yr Standard	1/29/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
7	60713	50741	1 Yr Standard	3/14/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
8	60751	50755	1 Yr Standard	1/31/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
9	60756	50758	1 Yr Standard	3/14/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
10	60754	50756	1 Yr Standard	3/14/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
11	60752	50754	1 Yr Standard	1/31/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
12	60753	50753	1 Yr Standard	3/14/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
13	60750	50752	1 Yr Standard	3/14/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
14	60757	50762	1 Yr Standard	3/14/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
15	60759	50765	1 Yr Standard	1/31/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
16	60758	50764	1 Yr Standard	1/31/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
17	60762	50760	1 Yr Standard	3/14/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
18	60763	50761	1 Yr Standard	3/14/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
19	60761	50759	1 Yr Standard	3/14/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
20	60766	50767	1 Yr Standard	3/14/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
21	60764	50768	1 Yr Standard	3/14/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
22	60760	50766	1 Yr Standard	3/14/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
23	60765	50763	1 Yr Standard	3/14/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
24	60767	50769	1 Yr Standard	3/14/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
25	60768	50771	1 Yr Standard	3/14/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
26	60772	50774	1 Yr Standard	3/7/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
27	60771	50773	1 Yr Standard	3/14/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
28	60769	50772	1 Yr Standard	3/14/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
29	60774	50776	1 Yr Standard	3/7/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
30	60776	50770	1 Yr Standard	3/14/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
31	60773	50775	1 Yr Standard	3/14/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
32	60775	50777	1 Yr Standard	3/14/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
33	60770	50778	1 Yr Standard	3/14/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
34	60779	50783	1 Yr Standard	3/14/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
35	60780	50780	1 Yr Standard	3/15/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
36	60777	50784	1 Yr Standard	3/14/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
37	60782	50779	1 Yr Standard	3/14/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
38	60778	50782	1 Yr Standard	3/20/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
39	60783	50785	1 Yr Standard	3/14/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
40	60781	50781	1 Yr Standard	3/14/2007	4/1/2008	\$250.00	\$300.00	\$350.00	\$400.00	
41	61061	51064	1 Yr Standard Spare	8/17/2007	8/17/2008		\$250.00	\$300.00	\$350.00	\$400.00

42	61427	51424	1 Yr Standard	4/24/2008	4/24/2009	\$250.00	\$300.00	\$350.00	\$400.00		
43	61461	51451	1 Yr Standard	4/24/2008	4/24/2009	\$250.00	\$300.00	\$350.00	\$400.00		
44	61458	51453	1 Yr Standard	4/24/2008	4/24/2009	\$250.00	\$300.00	\$350.00	\$400.00		
45	61459	51454	1 Yr Standard	4/24/2008	4/24/2009	\$250.00	\$300.00	\$350.00	\$400.00		
46	61456	51455	1 Yr Standard	4/24/2008	4/24/2009	\$250.00	\$300.00	\$350.00	\$400.00		
47	61460	51458	1 Yr Standard	4/24/2008	4/24/2009	\$250.00	\$300.00	\$350.00	\$400.00		
48	61462	51456	1 Yr Standard	4/24/2008	4/24/2009	\$250.00	\$300.00	\$350.00	\$400.00		
49	61464	51459	1 Yr Standard	4/24/2008	4/24/2009	\$250.00	\$300.00	\$350.00	\$400.00		
50	61457	51452	1 Yr Standard	4/24/2008	4/24/2009	\$250.00	\$300.00	\$350.00	\$400.00		
51	61454	51460	1 Yr Standard	4/24/2008	4/24/2009	\$250.00	\$300.00	\$350.00	\$400.00		
52	61455	51461	1 Yr Standard	4/24/2008	4/24/2009	\$250.00	\$300.00	\$350.00	\$400.00		
53	61463	51457	1 Yr Standard	4/24/2008	4/24/2009	\$250.00	\$300.00	\$350.00	\$400.00		
GRAND TOTALS FOR YEAR END						\$68,900.00	\$10,000.00	\$15,250.00	\$17,900.00	\$20,550.00	\$5,200.00
							FY 2008/09	FY 2009/10	FY 2010/11	FY 2011/12	FY 2012/13

Grand Total to extend all VisionHawk System warranties for a five year period from expiration date \$68,900.00

***Upon purchase of the extended warranties, the repairs that have been invoiced during the period of lapse will be credited to the department.

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

Yes: All-7

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

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

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

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

Resolution #2007-12-359

Moved by Eisenbacher

Seconded by Fleming

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

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

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

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

Yes: All-7

E-3 Traffic Committee Recommendations – November 28, 2007

Resolution #2007-12-360

Moved by Beltramini

Seconded by Eisenbacher

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



CITY COUNCIL ACTION REPORT

December 4, 2007

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Bid Waiver – Purchase of Additional In-Car Video Systems

Background

- On October 16, 2006, City Council authorized the purchase and installation of in-car digital cameras and associated hardware and software. (CC Resolution #2006-10-392 – Item F2). The background behind the project has essentially remained the same, but in way of review the following is offered:
 - The new digital cameras have replaced outdated technology and captures evidence in all types of cases thereby reducing civil liability.
 - Police departments, City management and risk organizations highly recommend the use of in-car recording systems.
 - The new systems are more reliable and have reduced staff time in management of the system in all aspects.
 - Prior to purchase, an evaluation was conducted on many different systems. It was determined that the VisionHawk system, manufactured by International Police Technologies, best fit the department's needs.

Financial Considerations

- Funding for the final phase of the project is available in the Police Communications capital account #401325.7980.050.
- International Police Technologies (IPT) holds a Federal GSA contract (GS-07F-9906H) for the equipment.
- Approval to utilize the GSA Schedule for this purchase authorized by the State of Michigan Department of Management and Budget through the 1122 Counterdrug Program.

December 4, 2007

To: Phillip L. Nelson, City Manager
Re: Bid Waiver – In-Car Video System

Legal Considerations

- IPT is a GSA contract holder and is extending federal pricing. Therefore, City management requests a bid waiver.

Policy Considerations

- The purchase of the VisionHawk in-car recording system will increase the Police Departments' efficiency through digital technology (Goals #2 – “Minimize cost and increase efficiency of City government” and #4 – “Effectively and professionally communicate internally and externally”).
- In addition, the system provides excellent evidence on a variety of criminal cases most notably, drunk driving and enables the department to reduce civil liability (Goal #1 – “Enhance the livability and safety of the community”).

Options

- City management recommends that formal bidding procedures be waived and City Council authorizes the purchase of twelve (12) in-car video systems from International Police Technologies at an estimated cost of \$67,068.00 using GSA-FSS Contract GS-07F-9906H pricing.



1122 PROGRAM



PROCUREMENT REQUEST FORM

*Please type information

LOCAL LAW ENFORCEMENT AGENCY

Date November 28, 2007

LEA City of Troy Police Department	Purchasing Contact Susan Leirstein
Address 500 W. Big Beaver Road	City/State/Zip Code Troy, MI 48084
Phone Number (248) 524-3454	Fax Number (248) 524-9023
E-Mail Address craftct@troyml.gov	

VENDOR NAME International Police Technologies	VENDOR ADDRESS 4150 S. 87th East Ave Tulsa OK 74145
--	---

Item Description	Quantity	Unit	Unit Price	Dollar Amount	Comparable retail price	Savings
Visionhawk digital camera	12	1	\$5,589.00	\$67,068	\$68,988.	\$1,920
Total Dollar Amount of Purchases				\$67,068	\$68,988	\$1,920

Purchase Authorized by: Title Signature	Date
SPOC Approval <i>Vernon J. Shuler</i>	Date 11-29-07

DODAAC # ALEABT AA973 Fax back to (517) 335-0046

Will be used for the City of Troy's drug enforcement program

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

E-5 Approval of Request for Recognition as a Nonprofit Organization Status from Richard K. Gauthier, President – Christmas in Action of Oakland County, Inc.

Resolution #2006-10-390
Moved by Stine
Seconded by Fleming

RESOLVED, That Troy City Council hereby **APPROVES** the request from Christmas in Action of Oakland County, Inc., asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license.

Yes: All-7

PUBLIC COMMENT: Limited to Items Not on the Agenda

REGULAR BUSINESS:

F-1 Appointments to Boards and Committees: a) Mayoral Appointments: No appointments b) City Council Appointments: Advisory Committee for Persons with Disabilities

(b) City Council Appointments

Resolution #2006-10-391
Moved by Broomfield
Seconded by Lambert

RESOLVED, That the following persons are hereby **APPOINTED BY THE CITY COUNCIL** to serve on the Boards and Committees as indicated:

Advisory Committee for Persons with Disabilities

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

O. Carlene Geier

Term Expires 11/01/09

Yes: All-7

F-2 Bid Waiver – Purchase of In-Car Video System

Resolution #2006-10-392
Moved by Lambert
Seconded by Beltramini



WHEREAS, Digital in-car video systems are a proven method of evidence gathering and liability protection;

WHEREAS, Digital in-car video systems will reduce the amount of time needed to manage, review and duplicate recordings; and

WHEREAS, International Police Technologies has offered GSA contract pricing contained in GSA-FSS Contract GS-07F-9906H for the equipment;

THEREFORE, BE IT RESOLVED, That formal bidding procedures are hereby **WAIVED** and a contract to purchase digital in-car video systems including hardware, software, installation and training from International Police Technologies is hereby **APPROVED** for an estimated total cost of \$291,000.00.

Yes: All-7

F-3 Papadelis v. City of Troy

(a) Authorization to File an Application for Leave to Appeal to Michigan Supreme Court

Resolution #2006-10-393a
Moved by Stine
Seconded by Beltramini

RESOLVED, That the City Attorney is hereby **AUTHORIZED AND DIRECTED** to file an application for leave to appeal the decision of the Michigan Court of Appeals In *Papadelis, et al. v Troy, et al.*, Court of Appeals docket number 268920, to the Michigan Supreme Court.

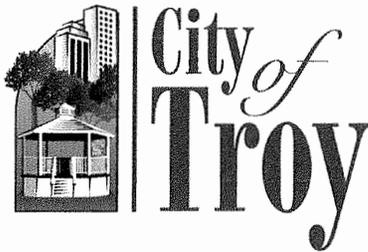
Yes: All-7

(b) Authorization to Request Assistance from the Michigan Municipal League Legal Defense Fund

Resolution #2006-10-393b
Moved by Stine
Seconded by Beltramini

WHEREAS, The City of Troy was involved in litigation with Gust Papadelis, Niki Papadelis, Telly's Greenhouse and Garden Center, Inc., and Telly's Nursery (plaintiffs) involving the use of their residentially zoned property in connection with a nursery and greenhouse business;

WHEREAS, The Oakland County Circuit Court granted a declaratory judgment in the case, holding that the aforesaid use of the residential property was protected under the Michigan Right to Farm Act and precluding the City of Troy from enforcement of its zoning ordinance provisions against plaintiffs, which include the provisions prohibiting expansion of a nonconforming use, and the provisions establishing a minimum size requirement for residential parcels to be used for agricultural purposes;



CITY COUNCIL ACTION REPORT

October 9, 2006

TO: Phillip L. Nelson, City Manager

FROM: Jeanette Bennett, Purchasing Director
Gert Paraskevin, Information Technology Director
Charles T. Craft, Chief of Police

SUBJECT: Bid Waiver – Purchase of In-Car Video System

Background:

- Approximately seven years ago the police department purchased an analog, 8mm format, in-car audio-video system. All patrol, animal control, and road patrol Police Service Aide units are equipped with recording units. The system has proven effective. It provides excellent evidence on a variety of criminal cases (most notably, drunk driving cases) and enables the department to reduce civil liability.
- The MML, MMRMA, International Association of Chiefs of Police (IACP), Police Executive Research Forum (PERF) all highly recommend the use of in-car recording systems.
- Due to age and constant use, the current system is failing. Recording units work sporadically and audio quality is poor. Cars are often out of service due to camera failure and we have lost valuable evidence due to camera/recorder malfunctions. A considerable amount of staff time is spent repairing the system as well as processing and copying tapes.
- Department research determined that the system should be replaced with a digital system. The upgrade to digital technology allows for easier and quicker access to recordings, recording review via the City network, and wireless transfer of the recorded data to a server. The digital system not only provides a much higher quality recording, but also reduces the staff time required to process and copy tapes.
- Over 10 different digital in-car systems were reviewed. It was determined that the VisionHawk system, manufactured by International Police Technologies, best fits the department's needs and had the highest quality and reliability. Research included demonstrations by the various manufacturers of both the in-car equipment and the management software, interview of users of the various systems, and site visits. The VisionHawk system was found to be more user friendly, easier to learn and manage, and had the highest level of customer satisfaction. VisionHawk offers technology and features not available on other systems: such as, the capability to simultaneously record audio transmissions from multiple transmitters, and the ability for officers to monitor the audio transmissions of other officers.

October 9, 2006

To: Phillip Nelson, City Manager
Re: Bid Waiver – Purchase of In-Car Video System

Financial Considerations:

- Funding for this project will be available from Police Communications A/C#401325.7980.050, Uniform Patrol #401315.7978.010, and Police Administration Drug Enforcement #401305.7978.065. Upon purchase of the system, the MMRMA will reimburse the City of Troy \$25,000.00.
- International Police Technologies (IPT) holds a Federal GSA contract (GS-07F-9906H) for the equipment.
- Approval to utilize the GSA Schedule for this purchase authorized by the State of Michigan Department of Management and Budget through the 1122 Counterdrug Program.

Legal Considerations:

- Since Federal bidding regulations are different than the City's, each time GSA pricing is offered, City management requests a bid waiver if federal pricing is being extended by the contract holder. In this case, IPT is the GSA contract holder.

Policy Considerations:

- The purchase of the VisionHawk in-car recording system will increase the Police Department's efficiency through digital technology (Goals #1 – "Minimize cost and increase efficiency of City government and #3 – Effectively and professionally communicate internally and externally"), and provides excellent evidence on a variety of criminal cases (most notably, drunk driving cases) and enables the department to reduce civil liability (Goal #6 - "Protect life and property").

Options:

- City management recommends that a formal bid procedure is waived, and that the City Council authorize the purchase of a digital in-car video system from International Police Technologies (IPT) at an estimated total cost of approximately \$291,000.00 using GSA-FSS Contract GS-07F-9906H pricing. This cost includes the in-car units, server, associated software, wireless transfer equipment, installation, and training.



CITY COUNCIL ACTION REPORT

TO: Phillip L. Nelson, City Manager

FROM: Tonni L. Bartholomew, City Clerk

SUBJECT: Request for Recognition as a Nonprofit Organization Status from Lawrence Feld, Secretary of the Benevolent Association of AFSCME – Local 574

Background:

- Attached is a request from Lawrence Feld, Secretary – The Benevolent Association of AFSCME Local 574, seeking recognition as a nonprofit organization status for the purpose of obtaining a charitable gaming license for fundraising purposes. It has been City Management's practice to support the approval of such requests.

Financial Considerations:

- There are no financial considerations associated with this item.

Legal Considerations:

- There are no legal considerations associated with this item.

Policy Considerations:

- Recognizing established local associations as nonprofit organizations provide financial support and opportunities through their fundraising efforts to worthy causes and individuals throughout the community. (Outcome Statements I and II)

Options:

- It is recommended that Troy City Council approve the proposed resolution to approve the request from Lawrence Feld, Secretary – The Benevolent Association of AFSCME Local 574 asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license.



The Benevolent Association of AFSCME Local 574

**12 Sheffield
Troy, MI 48083
(248)543-3438**

September 5, 2008

Mayor Louise E. Shilling and
City Council Members
Troy City Hall
500 W. Big Beaver
Troy, MI 48084

Dear Mayor Shilling and Council Members,

Enclosed, please find a completed application packet requesting a resolution recognizing The Benevolent Association of AFSCME Local 574 (BAAL 574) as a Local Civic Organization that is eligible to obtain charitable gaming licenses in the community for fundraising purposes. Our organization is a non-profit 501(c)3 corporation created by members of The American Federation of State, County, and Municipal Employees Local 574 Executive Board which serves public works employees from the cities of Troy, Clawson, Rochester, and Huntington Woods.

It is our intention to award scholarships annually to a graduating high school senior from each of the four cities that employ Local 574 members. We also plan to position the organization to assist residents in need in those communities as well as Local 574 members and their families.

Some of the fundraising activities that we may organize include raffles, golf events, bowling events and Vegas nights.

We respectfully request that you review our application and consider approval of the BAAL 574 as a Local Civic Organization.

Regards,

Lawrence Feld, Secretary
The Benevolent Association of AFSCME Local 574

**Application for Recognition of Exemption
 Under Section 501(c)(3) of the Internal Revenue Code**

Note: If exempt status is approved, this application will be open for public inspection.

Use the instructions to complete this application and for a definition of all **bold** items. For additional help, call IRS Exempt Organizations Customer Account Services toll-free at 1-877-829-5500. Visit our website at www.irs.gov for forms and publications. If the required information and documents are not submitted with payment of the appropriate user fee, the application may be returned to you.

Attach additional sheets to this application if you need more space to answer fully. Put your name and EIN on each sheet and identify each answer by Part and line number. Complete Parts I - XI of Form 1023 and submit only those Schedules (A through H) that apply to you.

Part I Identification of Applicant

1 Full name of organization (exactly as it appears in your organizing document)		2 c/o Name (if applicable)	
The Benevolent Association of AFSCME Local 574		Lawrence Feld	
3 Mailing address (Number and street) (see instructions)	Room/Suite	4 Employer Identification Number (EIN)	
536 Bellaire		20-8721385	
City or town, state or country, and ZIP + 4		5 Month the annual accounting period ends (01 - 12)	
Madison Heights		12	
6 Primary contact (officer, director, trustee, or authorized representative)		b Phone: 248-543-3438	
a Name: Lawrence Feld		c Fax: (optional)	
7 Are you represented by an authorized representative, such as an attorney or accountant? If "Yes," provide the authorized representative's name, and the name and address of the authorized representative's firm. Include a completed Form 2848, <i>Power of Attorney and Declaration of Representative</i> , with your application if you would like us to communicate with your representative.		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
8 Was a person who is not one of your officers, directors, trustees, employees, or an authorized representative listed in line 7, paid, or promised payment, to help plan, manage, or advise you about the structure or activities of your organization, or about your financial or tax matters? If "Yes," provide the person's name, the name and address of the person's firm, the amounts paid or promised to be paid, and describe that person's role.		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
9a Organization's website:			
b Organization's email: (optional)			
10 Certain organizations are not required to file an information return (Form 990 or Form 990-EZ). If you are granted tax-exemption, are you claiming to be excused from filing Form 990 or Form 990-EZ? If "Yes," explain. See the instructions for a description of organizations not required to file Form 990 or Form 990-EZ.		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
11 Date incorporated if a corporation, or formed, if other than a corporation. (MM/DD/YYYY)		01 / 17 / 2007	
12 Were you formed under the laws of a foreign country? If "Yes," state the country.		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Part II Organizational Structure

You must be a corporation (including a limited liability company), an unincorporated association, or a trust to be tax exempt. (See instructions.) **DO NOT file this form unless you can check "Yes" on lines 1, 2, 3, or 4.**

- 1 Are you a **corporation**? If "Yes," attach a copy of your articles of incorporation showing **certification of filing** with the appropriate state agency. Include copies of any amendments to your articles and be sure they also show state filing certification. Yes No
- 2 Are you a **limited liability company (LLC)**? If "Yes," attach a copy of your articles of organization showing certification of filing with the appropriate state agency. Also, if you adopted an operating agreement, attach a copy. Include copies of any amendments to your articles and be sure they show state filing certification. Refer to the instructions for circumstances when an LLC should not file its own exemption application. Yes No
- 3 Are you an **unincorporated association**? If "Yes," attach a copy of your articles of association, constitution, or other similar organizing document that is dated and includes at least two signatures. Include signed and dated copies of any amendments. Yes No
- 4a Are you a **trust**? If "Yes," attach a signed and dated copy of your trust agreement. Include signed and dated copies of any amendments. Yes No
- b Have you been funded? If "No," explain how you are formed without anything of value placed in trust. Yes No
- 5 Have you adopted **bylaws**? If "Yes," attach a current copy showing date of adoption. If "No," explain how your officers, directors, or trustees are selected. Yes No

Part III Required Provisions in Your Organizing Document

The following questions are designed to ensure that when you file this application, your organizing document contains the required provisions to meet the organizational test under section 501(c)(3). Unless you can check the boxes in both lines 1 and 2, your organizing document does not meet the organizational test. **DO NOT file this application until you have amended your organizing document.** Submit your original and amended organizing documents (showing state filing certification if you are a corporation or an LLC) with your application.

- 1 Section 501(c)(3) requires that your organizing document state your exempt purpose(s), such as charitable, religious, educational, and/or scientific purposes. Check the box to confirm that your organizing document meets this requirement. Describe specifically where your organizing document meets this requirement, such as a reference to a particular article or section in your organizing document. Refer to the instructions for exempt purpose language. Location of Purpose Clause (Page, Article, and Paragraph): Page 1, Article II
- 2a Section 501(c)(3) requires that upon dissolution of your organization, your remaining assets must be used exclusively for exempt purposes, such as charitable, religious, educational, and/or scientific purposes. Check the box on line 2a to confirm that your organizing document meets this requirement by express provision for the distribution of assets upon dissolution. If you rely on state law for your dissolution provision, do not check the box on line 2a and go to line 2c.
- 2b If you checked the box on line 2a, specify the location of your dissolution clause (Page, Article, and Paragraph). Do not complete line 2c if you checked box 2a. Page 2, Article VI
- 2c See the instructions for information about the operation of state law in your particular state. Check this box if you rely on operation of state law for your dissolution provision and indicate the state: _____

Part IV Narrative Description of Your Activities

Using an attachment, describe your *past*, *present*, and *planned* activities in a narrative. If you believe that you have already provided some of this information in response to other parts of this application, you may summarize that information here and refer to the specific parts of the application for supporting details. You may also attach representative copies of newsletters, brochures, or similar documents for supporting details to this narrative. Remember that if this application is approved, it will be open for public inspection. Therefore, your narrative description of activities should be thorough and accurate. Refer to the instructions for information that must be included in your description.

Part V Compensation and Other Financial Arrangements With Your Officers, Directors, Trustees, Employees, and Independent Contractors

- 1a List the names, titles, and mailing addresses of all of your officers, directors, and trustees. For each person listed, state their total annual **compensation**, or proposed compensation, for all services to the organization, whether as an officer, employee, or other position. Use actual figures, if available. Enter "none" if no compensation is or will be paid. If additional space is needed, attach a separate sheet. Refer to the instructions for information on what to include as compensation.

Name	Title	Mailing address	Compensation amount (annual actual or estimated)
Chairperson	Joe Mowery	12 Sheffield Troy, MI 48083	NONE
Vice Chairperson	Troy Farnum	974 Cobblers Road Waterford, MI 48327	NONE
Secretary	Lawrence Feld	536 Bellaire Madison Heights, MI 48071	NONE
Treasurer	Mike Pihaylic	63 W. Tacoma Clawson, MI 48017	NONE
Board Member	Larry Holmes	1225 Hartwig Troy, MI 48085	NONE

Part V Compensation and Other Financial Arrangements With Your Officers, Directors, Trustees, Employees, and Independent Contractors (Continued)

b List the names, titles, and mailing addresses of each of your five highest compensated employees who receive or will receive compensation of more than \$50,000 per year. Use the actual figure, if available. Refer to the instructions for information on what to include as compensation. Do not include officers, directors, or trustees listed in line 1a.

Name	Title	Mailing address	Compensation amount (annual actual or estimated)
NONE			NONE

c List the names, names of businesses, and mailing addresses of your five highest compensated independent contractors that receive or will receive compensation of more than \$50,000 per year. Use the actual figure, if available. Refer to the instructions for information on what to include as compensation.

Name	Title	Mailing address	Compensation amount (annual actual or estimated)
NONE			NONE

The following "Yes" or "No" questions relate to *past, present, or planned* relationships, transactions, or agreements with your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed in lines 1a, 1b, and 1c.

2a Are any of your officers, directors, or trustees **related** to each other through **family or business relationships**? If "Yes," identify the individuals and explain the relationship. Yes No

b Do you have a business relationship with any of your officers, directors, or trustees other than through their position as an officer, director, or trustee? If "Yes," identify the individuals and describe the business relationship with each of your officers, directors, or trustees. Yes No

c Are any of your officers, directors, or trustees related to your highest compensated employees or highest compensated independent contractors listed on lines 1b or 1c through family or business relationships? If "Yes," identify the individuals and explain the relationship. Yes No

3a For each of your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed on lines 1a, 1b, or 1c, attach a list showing their name, qualifications, average hours worked, and duties.

b Do any of your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed on lines 1a, 1b, or 1c receive compensation from any other organizations, whether tax exempt or taxable, that are related to you through **common control**? If "Yes," identify the individuals, explain the relationship between you and the other organization, and describe the compensation arrangement. Yes No

4 In establishing the compensation for your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed on lines 1a, 1b, and 1c, the following practices are recommended, although they are not required to obtain exemption. Answer "Yes" to all the practices you use.

a Do you or will the individuals that approve compensation arrangements follow a conflict of interest policy? Yes No

b Do you or will you approve compensation arrangements in advance of paying compensation? Yes No

c Do you or will you document in writing the date and terms of approved compensation arrangements? Yes No

Part V Compensation and Other Financial Arrangements With Your Officers, Directors, Trustees, Employees, and Independent Contractors (Continued)

- d** Do you or will you record in writing the decision made by each individual who decided or voted on compensation arrangements? **Yes** **No**
- e** Do you or will you approve compensation arrangements based on information about compensation paid by **similarly situated** taxable or tax-exempt organizations for similar services, current compensation surveys compiled by independent firms, or actual written offers from similarly situated organizations? Refer to the instructions for Part V, lines 1a, 1b, and 1c, for information on what to include as compensation. **Yes** **No**
- f** Do you or will you record in writing both the information on which you relied to base your decision and its source? **Yes** **No**
- g** If you answered "No" to any item on lines 4a through 4f, describe how you set compensation that is **reasonable** for your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed in Part V, lines 1a, 1b, and 1c.
-
- 5a** Have you adopted a **conflict of interest policy** consistent with the sample conflict of interest policy in Appendix A to the instructions? If "Yes," provide a copy of the policy and explain how the policy has been adopted, such as by resolution of your governing board. If "No," answer lines 5b and 5c. **Yes** **No**
- b** What procedures will you follow to assure that persons who have a conflict of interest will not have influence over you for setting their own compensation?
- c** What procedures will you follow to assure that persons who have a conflict of interest will not have influence over you regarding business deals with themselves?
- Note:** A conflict of interest policy is recommended though it is not required to obtain exemption. Hospitals, see Schedule C, Section I, line 14.
-
- 6a** Do you or will you compensate any of your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed in lines 1a, 1b, or 1c through **non-fixed payments**, such as discretionary bonuses or revenue-based payments? If "Yes," describe all non-fixed compensation arrangements, including how the amounts are determined, who is eligible for such arrangements, whether you place a limitation on total compensation, and how you determine or will determine that you pay no more than reasonable compensation for services. Refer to the instructions for Part V, lines 1a, 1b, and 1c, for information on what to include as compensation. **Yes** **No**
- b** Do you or will you compensate any of your employees, other than your officers, directors, trustees, or your five highest compensated employees who receive or will receive compensation of more than \$50,000 per year, through non-fixed payments, such as discretionary bonuses or revenue-based payments? If "Yes," describe all non-fixed compensation arrangements, including how the amounts are or will be determined, who is or will be eligible for such arrangements, whether you place or will place a limitation on total compensation, and how you determine or will determine that you pay no more than reasonable compensation for services. Refer to the instructions for Part V, lines 1a, 1b, and 1c, for information on what to include as compensation. **Yes** **No**
-
- 7a** Do you or will you purchase any goods, services, or assets from any of your officers, directors, trustees, highest compensated employees, or highest compensated independent contractors listed in lines 1a, 1b, or 1c? If "Yes," describe any such purchase that you made or intend to make, from whom you make or will make such purchases, how the terms are or will be negotiated at **arm's length**, and explain how you determine or will determine that you pay no more than **fair market value**. Attach copies of any written contracts or other agreements relating to such purchases. **Yes** **No**
- b** Do you or will you sell any goods, services, or assets to any of your officers, directors, trustees, highest compensated employees, or highest compensated independent contractors listed in lines 1a, 1b, or 1c? If "Yes," describe any such sales that you made or intend to make, to whom you make or will make such sales, how the terms are or will be negotiated at arm's length, and explain how you determine or will determine you are or will be paid at least fair market value. Attach copies of any written contracts or other agreements relating to such sales. **Yes** **No**
-
- 8a** Do you or will you have any leases, contracts, loans, or other agreements with your officers, directors, trustees, highest compensated employees, or highest compensated independent contractors listed in lines 1a, 1b, or 1c? If "Yes," provide the information requested in lines 8b through 8f. **Yes** **No**
- b** Describe any written or oral arrangements that you made or intend to make.
- c** Identify with whom you have or will have such arrangements.
- d** Explain how the terms are or will be negotiated at arm's length.
- e** Explain how you determine you pay no more than fair market value or you are paid at least fair market value.
- f** Attach copies of any signed leases, contracts, loans, or other agreements relating to such arrangements.
-
- 9a** Do you or will you have any leases, contracts, loans, or other agreements with any organization in which any of your officers, directors, or trustees are also officers, directors, or trustees, or in which any individual officer, director, or trustee owns more than a 35% interest? If "Yes," provide the information requested in lines 9b through 9f. **Yes** **No**

Part V Compensation and Other Financial Arrangements With Your Officers, Directors, Trustees, Employees, and Independent Contractors (Continued)

- b** Describe any written or oral arrangements you made or intend to make.
- c** Identify with whom you have or will have such arrangements.
- d** Explain how the terms are or will be negotiated at arm's length.
- e** Explain how you determine or will determine you pay no more than fair market value or that you are paid at least fair market value.
- f** Attach a copy of any signed leases, contracts, loans, or other agreements relating to such arrangements.

Part VI Your Members and Other Individuals and Organizations That Receive Benefits From You

The following "Yes" or "No" questions relate to goods, services, and funds you provide to individuals and organizations as part of your activities. Your answers should pertain to *past, present, and planned* activities. (See instructions.)

- 1a** In carrying out your exempt purposes, do you provide goods, services, or funds to individuals? If "Yes," describe each program that provides goods, services, or funds to individuals. Yes No
- b** In carrying out your exempt purposes, do you provide goods, services, or funds to organizations? If "Yes," describe each program that provides goods, services, or funds to organizations. Yes No
- 2** Do any of your programs limit the provision of goods, services, or funds to a specific individual or group of specific individuals? For example, answer "Yes," if goods, services, or funds are provided only for a particular individual, your members, individuals who work for a particular employer, or graduates of a particular school. If "Yes," explain the limitation and how recipients are selected for each program. Yes No
- 3** Do any individuals who receive goods, services, or funds through your programs have a family or business relationship with any officer, director, trustee, or with any of your highest compensated employees or highest compensated independent contractors listed in Part V, lines 1a, 1b, and 1c? If "Yes," explain how these related individuals are eligible for goods, services, or funds. Yes No

Part VII Your History

The following "Yes" or "No" questions relate to your history. (See instructions.)

- 1** Are you a **successor** to another organization? Answer "Yes," if you have taken or will take over the activities of another organization; you took over 25% or more of the fair market value of the net assets of another organization; or you were established upon the conversion of an organization from for-profit to non-profit status. If "Yes," complete Schedule G. Yes No
- 2** Are you submitting this application more than 27 months after the end of the month in which you were legally formed? If "Yes," complete Schedule E. Yes No

Part VIII Your Specific Activities

The following "Yes" or "No" questions relate to specific activities that you may conduct. Check the appropriate box. Your answers should pertain to *past, present, and planned* activities. (See instructions.)

- 1** Do you support or oppose candidates in **political campaigns** in any way? If "Yes," explain. Yes No
- 2a** Do you attempt to **influence legislation**? If "Yes," explain how you attempt to influence legislation and complete line 2b. If "No," go to line 3a. Yes No
- b** Have you made or are you making an **election** to have your legislative activities measured by expenditures by filing Form 5768? If "Yes," attach a copy of the Form 5768 that was already filed or attach a completed Form 5768 that you are filing with this application. If "No," describe whether your attempts to influence legislation are a substantial part of your activities. Include the time and money spent on your attempts to influence legislation as compared to your total activities. Yes No
- 3a** Do you or will you operate bingo or **gaming** activities? If "Yes," describe who conducts them, and list all revenue received or expected to be received and expenses paid or expected to be paid in operating these activities. **Revenue and expenses** should be provided for the time periods specified in Part IX, Financial Data. Yes No
- b** Do you or will you enter into contracts or other agreements with individuals or organizations to conduct bingo or gaming for you? If "Yes," describe any written or oral arrangements that you made or intend to make, identify with whom you have or will have such arrangements, explain how the terms are or will be negotiated at arm's length, and explain how you determine or will determine you pay no more than fair market value or you will be paid at least fair market value. Attach copies or any written contracts or other agreements relating to such arrangements. Yes No
- c** List the states and local jurisdictions, including Indian Reservations, in which you conduct or will conduct gaming or bingo.

Part VIII Your Specific Activities (Continued)

4a Do you or will you undertake **fundraising**? If "Yes," check all the fundraising programs you do or will conduct. (See instructions.) **Yes** **No**

- | | |
|--|---|
| <input checked="" type="checkbox"/> mail solicitations | <input type="checkbox"/> phone solicitations |
| <input checked="" type="checkbox"/> email solicitations | <input checked="" type="checkbox"/> accept donations on your website |
| <input checked="" type="checkbox"/> personal solicitations | <input checked="" type="checkbox"/> receive donations from another organization's website |
| <input checked="" type="checkbox"/> vehicle, boat, plane, or similar donations | <input checked="" type="checkbox"/> government grant solicitations |
| <input checked="" type="checkbox"/> foundation grant solicitations | <input checked="" type="checkbox"/> Other |

Attach a description of each fundraising program.

b Do you or will you have written or oral contracts with any individuals or organizations to raise funds for you? If "Yes," describe these activities. Include all revenue and expenses from these activities and state who conducts them. Revenue and expenses should be provided for the time periods specified in Part IX, Financial Data. Also, attach a copy of any contracts or agreements. **Yes** **No**

c Do you or will you engage in fundraising activities for other organizations? If "Yes," describe these arrangements. Include a description of the organizations for which you raise funds and attach copies of all contracts or agreements. **Yes** **No**

d List all states and local jurisdictions in which you conduct fundraising. For each state or local jurisdiction listed, specify whether you fundraise for your own organization, you fundraise for another organization, or another organization fundraises for you.

e Do you or will you maintain separate accounts for any contributor under which the contributor has the right to advise on the use or distribution of funds? Answer "Yes" if the donor may provide advice on the types of investments, distributions from the types of investments, or the distribution from the donor's contribution account. If "Yes," describe this program, including the type of advice that may be provided and submit copies of any written materials provided to donors. **Yes** **No**

5 Are you **affiliated** with a governmental unit? If "Yes," explain. **Yes** **No**

6a Do you or will you engage in **economic development**? If "Yes," describe your program. **Yes** **No**

b Describe in full who benefits from your economic development activities and how the activities promote exempt purposes.

7a Do or will persons other than your employees or volunteers **develop** your facilities? If "Yes," describe each facility, the role of the developer, and any business or family relationship(s) between the developer and your officers, directors, or trustees. **Yes** **No**

b Do or will persons other than your employees or volunteers **manage** your activities or facilities? If "Yes," describe each activity and facility, the role of the manager, and any business or family relationship(s) between the manager and your officers, directors, or trustees. **Yes** **No**

c If there is a business or family relationship between any manager or developer and your officers, directors, or trustees, identify the individuals, explain the relationship, describe how contracts are negotiated at arm's length so that you pay no more than fair market value, and submit a copy of any contracts or other agreements.

8 Do you or will you enter into **joint ventures**, including partnerships or **limited liability companies** treated as partnerships, in which you share profits and losses with partners other than section 501(c)(3) organizations? If "Yes," describe the activities of these joint ventures in which you participate. **Yes** **No**

9a Are you applying for exemption as a childcare organization under section 501(k)? If "Yes," answer lines 9b through 9d. If "No," go to line 10. **Yes** **No**

b Do you provide child care so that parents or caretakers of children you care for can be **gainfully employed** (see instructions)? If "No," explain how you qualify as a childcare organization described in section 501(k). **Yes** **No**

c Of the children for whom you provide child care, are 85% or more of them cared for by you to enable their parents or caretakers to be gainfully employed (see instructions)? If "No," explain how you qualify as a childcare organization described in section 501(k). **Yes** **No**

d Are your services available to the general public? If "No," describe the specific group of people for whom your activities are available. Also, see the instructions and explain how you qualify as a childcare organization described in section 501(k). **Yes** **No**

10 Do you or will you publish, own, or have rights in music, literature, tapes, artworks, choreography, scientific discoveries, or other **intellectual property**? If "Yes," explain. Describe who owns or will own any copyrights, patents, or trademarks, whether fees are or will be charged, how the fees are determined, and how any items are or will be produced, distributed, and marketed. **Yes** **No**

Part VIII Your Specific Activities (Continued)

- 11** Do you or will you accept contributions of: real property; conservation easements; closely held securities; intellectual property such as patents, trademarks, and copyrights; works of music or art; licenses; royalties; automobiles, boats, planes, or other vehicles; or collectibles of any type? If "Yes," describe each type of contribution, any conditions imposed by the donor on the contribution, and any agreements with the donor regarding the contribution. **Yes** **No**
-
- 12a** Do you or will you operate in a **foreign country or countries?** If "Yes," answer lines 12b through 12d. If "No," go to line 13a. **Yes** **No**
- b** Name the foreign countries and regions within the countries in which you operate.
- c** Describe your operations in each country and region in which you operate.
- d** Describe how your operations in each country and region further your exempt purposes.
-
- 13a** Do you or will you make grants, loans, or other distributions to organization(s)? If "Yes," answer lines 13b through 13g. If "No," go to line 14a. **Yes** **No**
- b** Describe how your grants, loans, or other distributions to organizations further your exempt purposes.
- c** Do you have written contracts with each of these organizations? If "Yes," attach a copy of each contract. **Yes** **No**
- d** Identify each recipient organization and any **relationship** between you and the recipient organization.
- e** Describe the records you keep with respect to the grants, loans, or other distributions you make.
- f** Describe your selection process, including whether you do any of the following:
- (i)** Do you require an application form? If "Yes," attach a copy of the form. **Yes** **No**
- (ii)** Do you require a grant proposal? If "Yes," describe whether the grant proposal specifies your responsibilities and those of the grantee, obligates the grantee to use the grant funds only for the purposes for which the grant was made, provides for periodic written reports concerning the use of grant funds, requires a final written report and an accounting of how grant funds were used, and acknowledges your authority to withhold and/or recover grant funds in case such funds are, or appear to be, misused. **Yes** **No**
- g** Describe your procedures for oversight of distributions that assure you the resources are used to further your exempt purposes, including whether you require periodic and final reports on the use of resources.
-
- 14a** Do you or will you make grants, loans, or other distributions to foreign organizations? If "Yes," answer lines 14b through 14f. If "No," go to line 15. **Yes** **No**
- b** Provide the name of each foreign organization, the country and regions within a country in which each foreign organization operates, and describe any relationship you have with each foreign organization.
- c** Does any foreign organization listed in line 14b accept contributions earmarked for a specific country or specific organization? If "Yes," list all earmarked organizations or countries. **Yes** **No**
- d** Do your contributors know that you have ultimate authority to use contributions made to you at your discretion for purposes consistent with your exempt purposes? If "Yes," describe how you relay this information to contributors. **Yes** **No**
- e** Do you or will you make pre-grant inquiries about the recipient organization? If "Yes," describe these inquiries, including whether you inquire about the recipient's financial status, its tax-exempt status under the Internal Revenue Code, its ability to accomplish the purpose for which the resources are provided, and other relevant information. **Yes** **No**
- f** Do you or will you use any additional procedures to ensure that your distributions to foreign organizations are used in furtherance of your exempt purposes? If "Yes," describe these procedures, including site visits by your employees or compliance checks by impartial experts, to verify that grant funds are being used appropriately. **Yes** **No**

Part VIII Your Specific Activities (Continued)

- | | | | |
|-----------|--|--|---|
| 15 | Do you have a close connection with any organizations? If "Yes," explain. | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 16 | Are you applying for exemption as a cooperative hospital service organization under section 501(e)? If "Yes," explain. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 17 | Are you applying for exemption as a cooperative service organization of operating educational organizations under section 501(f)? If "Yes," explain. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 18 | Are you applying for exemption as a charitable risk pool under section 501(n)? If "Yes," explain. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 19 | Do you or will you operate a school ? If "Yes," complete Schedule B. Answer "Yes," whether you operate a school as your main function or as a secondary activity. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 20 | Is your main function to provide hospital or medical care ? If "Yes," complete Schedule C. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 21 | Do you or will you provide low-income housing or housing for the elderly or handicapped ? If "Yes," complete Schedule F. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 22 | Do you or will you provide scholarships, fellowships, educational loans, or other educational grants to individuals, including grants for travel, study, or other similar purposes? If "Yes," complete Schedule H. | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

Note: Private foundations may use Schedule H to request advance approval of individual grant procedures.

Part IX Financial Data

For purposes of this schedule, years in existence refer to completed tax years. If in existence 4 or more years, complete the schedule for the most recent 4 tax years. If in existence more than 1 year but less than 4 years, complete the statements for each year in existence and provide projections of your likely revenues and expenses based on a reasonable and good faith estimate of your future finances for a total of 3 years of financial information. If in existence less than 1 year, provide projections of your likely revenues and expenses for the current year and the 2 following years, based on a reasonable and good faith estimate of your future finances for a total of 3 years of financial information. (See instructions.)

A. Statement of Revenues and Expenses

	Type of revenue or expense	Current tax year	3 prior tax years or 2 succeeding tax years			(e) Provide Total for (a) through (d)
		(a) From 01/07 To 12/07	(b) From 01/08 To 12/08	(c) From 01/09 To 12/09	(d) From To	
Revenues	1 Gifts, grants, and contributions received (do not include unusual grants)	\$4000.00	\$5000.00	\$6000.00		\$15,000.00
	2 Membership fees received	0	0	0		0
	3 Gross investment income	0	0	0		
	4 Net unrelated business income	0	0	0		
	5 Taxes levied for your benefit	0	0	0		0
	6 Value of services or facilities furnished by a governmental unit without charge (not including the value of services generally furnished to the public without charge)	0	0	0		0
	7 Any revenue not otherwise listed above or in lines 9-12 below (attach an itemized list)	0	0	0		0
	8 Total of lines 1 through 7	\$4000.00	\$5000.00	\$6000.00		\$15,000.00
	9 Gross receipts from admissions, merchandise sold or services performed, or furnishing of facilities in any activity that is related to your exempt purposes (attach itemized list)					
	10 Total of lines 8 and 9	\$4000.00	\$5000.00	\$6000.00		\$15,000.00
11 Net gain or loss on sale of capital assets (attach schedule and see instructions)						
12 Unusual grants						
13 Total Revenue Add lines 10 through 12	\$4000.00	\$5000.00	\$6000.00		\$15,000.00	
Expenses	14 Fundraising expenses	\$800.00	\$1000.00	\$1200.00		
	15 Contributions, gifts, grants, and similar amounts paid out (attach an itemized list)	\$3200.00	\$4000.00	\$4800.00		
	16 Disbursements to or for the benefit of members (attach an itemized list)	0	0	0		
	17 Compensation of officers, directors, and trustees	0	0	0		
	18 Other salaries and wages	0	0	0		
	19 Interest expense	0	0	0		
	20 Occupancy (rent, utilities, etc.)	0	0	0		
	21 Depreciation and depletion	0	0	0		
	22 Professional fees	0	0	0		
	23 Any expense not otherwise classified, such as program services (attach itemized list)	0	0	0		
	24 Total Expenses Add lines 14 through 23	\$4000.00	\$5000.00	\$6000.00		

Part IX Financial Data (Continued)

B. Balance Sheet (for your most recently completed tax year)

Year End: **2007**

Assets		(Whole dollars)
1	Cash	N/A
2	Accounts receivable, net	N/A
3	Inventories	N/A
4	Bonds and notes receivable (attach an itemized list)	N/A
5	Corporate stocks (attach an itemized list)	N/A
6	Loans receivable (attach an itemized list)	N/A
7	Other investments (attach an itemized list)	N/A
8	Depreciable and depletable assets (attach an itemized list)	N/A
9	Land	N/A
10	Other assets (attach an itemized list)	N/A
11	Total Assets (add lines 1 through 10)	
Liabilities		
12	Accounts payable	N/A
13	Contributions, gifts, grants, etc. payable	N/A
14	Mortgages and notes payable (attach an itemized list)	N/A
15	Other liabilities (attach an itemized list)	N/A
16	Total Liabilities (add lines 12 through 15)	N/A
Fund Balances or Net Assets		
17	Total fund balances or net assets	N/A
18	Total Liabilities and Fund Balances or Net Assets (add lines 16 and 17)	See Attached
19	Have there been any substantial changes in your assets or liabilities since the end of the period shown above? If "Yes," explain.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Part X Public Charity Status

Part X is designed to classify you as an organization that is either a **private foundation** or a **public charity**. Public charity status is a more favorable tax status than private foundation status. If you are a private foundation, Part X is designed to further determine whether you are a **private operating foundation**. (See instructions.)

- 1a Are you a private foundation? If "Yes," go to line 1b. If "No," go to line 5 and proceed as instructed. If you are unsure, see the instructions. Yes No
- b As a private foundation, section 508(e) requires special provisions in your organizing document in addition to those that apply to all organizations described in section 501(c)(3). Check the box to confirm that your organizing document meets this requirement, whether by express provision or by reliance on operation of state law. Attach a statement that describes specifically where your organizing document meets this requirement, such as a reference to a particular article or section in your organizing document or by operation of state law. See the instructions, including Appendix B, for information about the special provisions that need to be contained in your organizing document. Go to line 2.
- 2 Are you a private operating foundation? To be a private operating foundation you must engage directly in the active conduct of charitable, religious, educational, and similar activities, as opposed to indirectly carrying out these activities by providing grants to individuals or other organizations. If "Yes," go to line 3. If "No," go to the signature section of Part XI. Yes No
- 3 Have you existed for one or more years? If "Yes," attach financial information showing that you are a private operating foundation; go to the signature section of Part XI. If "No," continue to line 4. Yes No
- 4 Have you attached either (1) an affidavit or opinion of counsel, (including a written affidavit or opinion from a certified public accountant or accounting firm with expertise regarding this tax law matter), that sets forth facts concerning your operations and support to demonstrate that you are likely to satisfy the requirements to be classified as a private operating foundation; or (2) a statement describing your proposed operations as a private operating foundation? Yes No
- 5 If you answered "No" to line 1a, indicate the type of public charity status you are requesting by checking one of the choices below. You may check only one box.
 The organization is not a private foundation because it is:
 - a 509(a)(1) and 170(b)(1)(A)(i)—a church or a convention or association of churches. Complete and attach Schedule A.
 - b 509(a)(1) and 170(b)(1)(A)(ii)—a **school**. Complete and attach Schedule B.
 - c 509(a)(1) and 170(b)(1)(A)(iii)—a **hospital**, a cooperative hospital service organization, or a medical research organization operated in conjunction with a hospital. Complete and attach Schedule C.
 - d 509(a)(3)—an organization supporting either one or more organizations described in line 5a through c, f, g, or h or a publicly supported section 501(c)(4), (5), or (6) organization. Complete and attach Schedule D.

Part X Public Charity Status (Continued)

- e 509(a)(4)—an organization organized and operated exclusively for testing for public safety.
- f 509(a)(1) and 170(b)(1)(A)(iv)—an organization operated for the benefit of a college or university that is owned or operated by a governmental unit.
- g 509(a)(1) and 170(b)(1)(A)(vi)—an organization that receives a substantial part of its financial support in the form of contributions from publicly supported organizations, from a governmental unit, or from the general public.
- h 509(a)(2)—an organization that normally receives not more than one-third of its financial support from gross investment income and receives more than one-third of its financial support from contributions, membership fees, and gross receipts from activities related to its exempt functions (subject to certain exceptions).
- i A publicly supported organization, but unsure if it is described in 5g or 5h. The organization would like the IRS to decide the correct status.

6 If you checked box g, h, or i in question 5 above, you must request either an **advance** or a **definitive ruling** by selecting one of the boxes below. Refer to the instructions to determine which type of ruling you are eligible to receive.

- a **Request for Advance Ruling:** By checking this box and signing the consent, pursuant to section 6501(c)(4) of the Code you request an advance ruling and agree to extend the statute of limitations on the assessment of excise tax under section 4940 of the Code. The tax will apply only if you do not establish public support status at the end of the 5-year advance ruling period. The assessment period will be extended for the 5 advance ruling years to 8 years, 4 months, and 15 days beyond the end of the first year. You have the right to refuse or limit the extension to a mutually agreed-upon period of time or issue(s). Publication 1035, *Extending the Tax Assessment Period*, provides a more detailed explanation of your rights and the consequences of the choices you make. You may obtain Publication 1035 free of charge from the IRS web site at www.irs.gov or by calling toll-free 1-800-829-3676. Signing this consent will not deprive you of any appeal rights to which you would otherwise be entitled. If you decide not to extend the statute of limitations, you are not eligible for an advance ruling.

Consent Fixing Period of Limitations Upon Assessment of Tax Under Section 4940 of the Internal Revenue Code

For Organization

_____ (Signature of Officer, Director, Trustee, or other authorized official)	Lawrence Feld (Type or print name of signer)	01/18/07 (Date)
	Secretary (Type or print title or authority of signer)	

For IRS Use Only

 IRS Director, Exempt Organizations (Date)

- b **Request for Definitive Ruling:** Check this box if you have completed one tax year of at least 8 full months and you are requesting a definitive ruling. To confirm your public support status, answer line 6b(i) if you checked box g in line 5 above. Answer line 6b(ii) if you checked box h in line 5 above. If you checked box i in line 5 above, answer both lines 6b(i) and (ii).
- (i) (a) Enter 2% of line 8, column (e) on Part IX-A. Statement of Revenues and Expenses. _____
- (b) Attach a list showing the name and amount contributed by each person, company, or organization whose gifts totaled more than the 2% amount. If the answer is "None," check this box.
- (ii) (a) For each year amounts are included on lines 1, 2, and 9 of Part IX-A. Statement of Revenues and Expenses, attach a list showing the name of and amount received from each **disqualified person**. If the answer is "None," check this box.
- (b) For each year amounts are included on line 9 of Part IX-A. Statement of Revenues and Expenses, attach a list showing the name of and amount received from each payer, other than a disqualified person, whose payments were more than the larger of (1) 1% of line 10, Part IX-A. Statement of Revenues and Expenses, or (2) \$5,000. If the answer is "None," check this box.

7 Did you receive any unusual grants during any of the years shown on Part IX-A. Statement of Revenues and Expenses? If "Yes," attach a list including the name of the contributor, the date and amount of the grant, a brief description of the grant, and explain why it is unusual. Yes No

Part XI User Fee Information

You must include a user fee payment with this application. It will not be processed without your paid user fee. If your average annual gross receipts have exceeded or will exceed \$10,000 annually over a 4-year period, you must submit payment of \$750. If your gross receipts have not exceeded or will not exceed \$10,000 annually over a 4-year period, the required user fee payment is \$300. See instructions for Part XI, for a definition of **gross receipts** over a 4-year period. Your check or money order must be made payable to the United States Treasury. *User fees are subject to change. Check our website at www.irs.gov and type "User Fee" in the keyword box, or call Customer Account Services at 1-877-829-5500 for current information.*

- 1 Have your annual gross receipts averaged or are they expected to average not more than \$10,000? **Yes** **No**
 If "Yes," check the box on line 2 and enclose a user fee payment of \$300 (Subject to change—see above).
 If "No," check the box on line 3 and enclose a user fee payment of \$750 (Subject to change—see above).
- 2 Check the box if you have enclosed the reduced user fee payment of \$300 (Subject to change).
- 3 Check the box if you have enclosed the user fee payment of \$750 (Subject to change).

I declare under the penalties of perjury that I am authorized to sign this application on behalf of the above organization and that I have examined this application, including the accompanying schedules and attachments, and to the best of my knowledge it is true, correct, and complete.

Please Sign Here



.....
 (Signature of Officer, Director, Trustee, or other authorized official)

Lawrence Feld
 (Type or print name of signer)

04/18/07
 (Date)

Secretary
 (Type or print title or authority of signer)

Reminder: Send the completed Form 1023 Checklist with your filled-in-application.

Schedule H. Organizations Providing Scholarships, Fellowships, Educational Loans, or Other Educational Grants to Individuals and Private Foundations Requesting Advance Approval of Individual Grant Procedures

Section I *Names of individual recipients are not required to be listed in Schedule H. Public charities and private foundations complete lines 1a through 7 of this section. See the instructions to Part X if you are not sure whether you are a public charity or a private foundation.*

- 1a Describe the types of educational grants you provide to individuals, such as scholarships, fellowships, loans, etc.
- b Describe the purpose and amount of your scholarships, fellowships, and other educational grants and loans that you award.
- c If you award educational loans, explain the terms of the loans (interest rate, length, forgiveness, etc.).
- d Specify how your program is publicized.
- e Provide copies of any solicitation or announcement materials.
- f Provide a sample copy of the application used.

2 Do you maintain case histories showing recipients of your scholarships, fellowships, educational loans, or other educational grants, including names, addresses, purposes of awards, amount of each grant, manner of selection, and relationship (if any) to officers, trustees, or donors of funds to you? If "No," refer to the instructions. **Yes** **No**

3 Describe the specific criteria you use to determine who is eligible for your program. (For example, eligibility selection criteria could consist of graduating high school students from a particular high school who will attend college, writers of scholarly works about American history, etc.)

- 4a Describe the specific criteria you use to select recipients. (For example, specific selection criteria could consist of prior academic performance, financial need, etc.)
- b Describe how you determine the number of grants that will be made annually.
- c Describe how you determine the amount of each of your grants.
- d Describe any requirement or condition that you impose on recipients to obtain, maintain, or qualify for renewal of a grant. (For example, specific requirements or conditions could consist of attendance at a four-year college, maintaining a certain grade point average, teaching in public school after graduation from college, etc.)

5 Describe your procedures for supervising the scholarships, fellowships, educational loans, or other educational grants. Describe whether you obtain reports and grade transcripts from recipients, or you pay grants directly to a school under an arrangement whereby the school will apply the grant funds only for enrolled students who are in good standing. Also, describe your procedures for taking action if the terms of the award are violated.

6 Who is on the selection committee for the awards made under your program, including names of current committee members, criteria for committee membership, and the method of replacing committee members?

7 Are relatives of members of the selection committee, or of your officers, directors, or **substantial contributors** eligible for awards made under your program? If "Yes," what measures are taken to ensure unbiased selections? **Yes** **No**

Note. If you are a private foundation, you are not permitted to provide educational grants to **disqualified persons**. Disqualified persons include your substantial contributors and foundation managers and certain family members of disqualified persons.

Section II *Private foundations complete lines 1a through 4f of this section. Public charities do not complete this section.*

1a If we determine that you are a private foundation, do you want this application to be considered as a request for advance approval of grant making procedures? **Yes** **No** **N/A**

- b For which section(s) do you wish to be considered?
 - 4945(g)(1)—Scholarship or fellowship grant to an individual for study at an educational institution
 - 4945(g)(3)—Other grants, including loans, to an individual for travel, study, or other similar purposes, to enhance a particular skill of the grantee or to produce a specific product

2 Do you represent that you will (1) arrange to receive and review grantee reports annually and upon completion of the purpose for which the grant was awarded, (2) investigate diversions of funds from their intended purposes, and (3) take all reasonable and appropriate steps to recover diverted funds, ensure other grant funds held by a grantee are used for their intended purposes, and withhold further payments to grantees until you obtain grantees' assurances that future diversions will not occur and that grantees will take extraordinary precautions to prevent future diversions from occurring? **Yes** **No**

3 Do you represent that you will maintain all records relating to individual grants, including information obtained to evaluate grantees, identify whether a grantee is a disqualified person, establish the amount and purpose of each grant, and establish that you undertook the supervision and investigation of grants described in line 2? **Yes** **No**

Schedule H. Organizations Providing Scholarships, Fellowships, Educational Loans, or Other Educational Grants to Individuals and Private Foundations Requesting Advance Approval of Individual Grant Procedures
(Continued)

Section II Private foundations complete lines 1a through 4f of this section. Public charities do not complete this section. (Continued)

- 4a** Do you or will you award scholarships, fellowships, and educational loans to attend an educational institution based on the status of an individual being an *employee of a particular employer*? If "Yes," complete lines 4b through 4f. Yes No
- b** Will you comply with the seven conditions and either the percentage tests or facts and circumstances test for scholarships, fellowships, and educational loans to attend an educational institution as set forth in Revenue Procedures 76-47, 1976-2 C.B. 670, and 80-39, 1980-2 C.B. 772, which apply to inducement, selection committee, eligibility requirements, objective basis of selection, employment, course of study, and other objectives? (See lines 4c, 4d, and 4e, regarding the percentage tests.) Yes No
- c** Do you or will you provide scholarships, fellowships, or educational loans to attend an educational institution to employees of a particular employer? Yes No N/A
 If "Yes," will you award grants to 10% or fewer of the eligible applicants who were actually considered by the selection committee in selecting recipients of grants in that year as provided by Revenue Procedures 76-47 and 80-39? Yes No
- d** Do you provide scholarships, fellowships, or educational loans to attend an educational institution to children of employees of a particular employer? Yes No N/A
 If "Yes," will you award grants to 25% or fewer of the eligible applicants who were actually considered by the selection committee in selecting recipients of grants in that year as provided by Revenue Procedures 76-47 and 80-39? If "No," go to line 4e. Yes No
- e** If you provide scholarships, fellowships, or educational loans to attend an educational institution to children of employees of a particular employer, will you award grants to 10% or fewer of the number of employees' children who can be shown to be eligible for grants (whether or not they submitted an application) in that year, as provided by Revenue Procedures 76-47 and 80-39? Yes No N/A
 If "Yes," describe how you will determine who can be shown to be eligible for grants without submitting an application, such as by obtaining written statements or other information about the expectations of employees' children to attend an educational institution. If "No," go to line 4f.
- Note.** Statistical or sampling techniques are not acceptable. See Revenue Procedure 85-51, 1985-2 C.B. 717, for additional information.
- f** If you provide scholarships, fellowships, or educational loans to attend an educational institution to *children of employees of a particular employer* without regard to either the 25% limitation described in line 4d, or the 10% limitation described in line 4e, will you award grants based on facts and circumstances that demonstrate that the grants will not be considered compensation for past, present, or future services or otherwise provide a significant benefit to the particular employer? If "Yes," describe the facts and circumstances that you believe will demonstrate that the grants are neither compensatory nor a significant benefit to the particular employer. In your explanation, describe why you cannot satisfy either the 25% test described in line 4d or the 10% test described in line 4e. Yes No

MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH BUREAU OF COMMERCIAL SERVICES	
Date Received	(FOR BUREAU USE ONLY)
This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.	
Name Lawrence Feld	
Address 536 Bellaire	
City Madison Heights	State MI
	Zip Code 48071
EFFECTIVE DATE:	

FILED

JUL 15 2008

Administrator
BUREAU OF COMMERCIAL SERVICES

Document will be returned to the name and address you enter above.
If left blank document will be mailed to the registered office.

70350E

ARTICLES OF INCORPORATION
For use by Domestic Nonprofit Corporations
(Please read information and instructions on the last page)

Pursuant to the provisions of Act 162, Public Acts of 1982, the undersigned corporation executes the following Articles:

ARTICLE I

The name of the corporation is: **The Benevolent Association of AFSCME Local 574**

ARTICLE II

The purpose or purposes for which the corporation is organized are:
Charitable-See attached Article II, Page 1

ARTICLE III

1. The corporation is organized upon a Nonstock basis.
(Stock or Nonstock)

2. If organized on a stock basis, the total number of shares which the corporation has authority to issue is _____ . If the shares are, or are to be, divided into classes, the designation of each class, the number of shares in each class, and the relative rights, preferences and limitations of the shares of each class are as follows:

ARTICLE III (cont.)

3. a. If organized on a nonstock basis, the description and value of its real property assets are: (if none, insert "none")
None
- b. The description and value of its personal property assets are: (if none, insert "none")
None
- c. The corporation is to be financed under the following general plan:
Initially, by the Community Service Fund of AFSCME Local 574. Then by charitable contributions.
- d. The corporation is organized on a Directorship basis.
(Membership or Directorship)

ARTICLE IV

1. The address of the registered office is:
12 Sheffield Troy, Michigan 48083
(StreetAddress) (City) (ZIP Code)
2. The mailing address of the registered office, if different than above:
536 Bellaire Madison Heights, Michigan 48071
(Street Address or P.O. Box) (City) (ZIP Code)
3. The name of the resident agent at the registered office is:
Lawrence Feld

ARTICLE V

The name(s) and address(es) of the incorporator(s) is (are) as follows:

Name	Residence or Business Address
Joe Mowery-Chairman	12 Sheffield, Troy, MI 48083
Troy Farnum-Vice Chair	974 Cobblers Rd., Waterford, MI 48327
Lawrence Feld-Secretary	536 Bellaire, Madison Heights, MI 48071
Mike Pihaylic-Treasurer	63 W. Tacoma, Clawson, MI 48017
Larry Holmes-Board Member	1225 Hartwig, Troy, MI 48085

Use space below for additional Articles or for continuation of previous Articles. Please identify any Article being continued or added. Attach additional pages if needed.
Please see attached for complete stated articles.

I, (We), the incorporator(s) sign my (our) name(s) this 21st day of May, 2008.

Joe May

[Signature]

Lawrence Feld

Mike P. Kuyper

Larry Holt

The undersigned organizers certify both that they execute these Articles for the purposes herein stated, and that by such execution, they affirm the understanding that should any of the information in these Articles be intentionally or knowingly misstated, they are subject to the criminal penalties for perjury set forth by the State of Michigan.

Lawrence Feld May 21, 2008
Lawrence Feld Date

Mike Pihaylic May 21, 2008
Mike Pihaylic Date

Larry Holmes May 21, 2008
Larry Holmes Date

Joe Mowery May 21, 2008
Joe Mowery Date

Troy Farnum 5/21/08
Troy Farnum Date

**ARTICLE VII
MANAGEMENT/DIRECTORS**

The corporation may (but need not) have voting members, and such membership, if any, and classes thereof, shall be as defined in the corporation's bylaws. The management and affairs of the corporation shall be at all times under the direction of a Board of Directors whose operations in governing the corporation shall be defined by statute and by the corporation's by-laws. No member or director shall have any right, title, or interest in or to any property of the corporation.

**ARTICLE VIII
DEBT OBLIGATIONS AND PERSONAL LIABILITY**

No member, officer, or director of this corporation shall be personally liable for the debts or obligations of this corporation of any nature whatsoever, nor shall any of the property of members, officers or directors be subject to the payments of the debts or obligations of this corporation.

**ARTICLE IX
DISSOLUTION**

Upon the time of dissolution of the corporation, assets shall be distributed by the Board of Directors, after paying or making provisions for the payment of all debts, obligations, liabilities, costs and expenses of the corporation, for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

**ARTICLE V
INCORPORATORS**

The names and addresses of the incorporators are as follows:

Joe Mowery-Chairman	12 Sheffield, Troy, MI 48083
Troy Farnum-Vice Chair	974 Cobblers Rd., Waterford, MI 48327
Lawrence Feld-Secretary	536 Bellaire, Madison Heights, MI 48071
Mike Pihaylic-Treasurer	63 W. Tacoma, Clawson, MI 48017
Larry Holmes-Board Member	1225 Hartwig, Troy, MI 48085

**ARTICLE VI
LIMITATIONS**

At all times the following shall operate as conditions restricting the operations and activities of the corporation:

1. No part of the net earnings of the corporation shall inure to any member of the corporation not qualifying as exempt under Section 501(c)(3) of the Internal Revenue Code of 1986 as now enacted or hereafter amended, nor to any director or officer of the corporation, nor to any other private persons, excepting solely such reasonable compensation that the corporation shall pay for services actually rendered to the corporation, or allowed by the corporation as a reasonable allowance for authorized expenditures incurred on behalf of the corporation.
2. No substantial part of the activities of the corporation shall constitute the carrying on of propaganda or otherwise influence legislation, or any initiative or referendum before the public, and the corporation shall not participate in, or intervene in (including by publication or distribution of statements), any political campaign on behalf of, or in opposition to, any candidate for public office; and
3. Notwithstanding any other provisions of these articles, the corporation shall not carry on any other activities not permitted to be carried on by a corporation exempt from federal income tax under Section(c)(3) of the Internal Revenue Code of 1986, as now enacted or hereafter amended.
4. The corporation shall not lend any of its assets to any officer or director of this corporation (unless such loan program is regularly conducted as part of the activities of the corporation and the qualification of the individual to participate in same is determined by a panel comprised solely of non-board members), or guarantee to any person the payment of a loan by an officer or director of this organization.

ARTICLES OF INCORPORATION

ARTICLE I NAME OF THE CORPORATION

The name of this corporation shall be "The Benevolent Association of AFSCME Local 574."

ARTICLE II PURPOSE

This corporation is organized exclusively for the charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as now enacted or hereafter amended, including, for such purposes, as the making of distributions to individuals or organizations. To this end, the corporation shall raise funds through raffles, golf outings, bowling events, or other appropriate means. All funds, whether income or principal, and whether acquired by gift or contribution or otherwise, shall be devoted to said purposes.

The corporation will select deserving nominees for charitable acts by a majority vote of its Board of Directors. The governing bodies of the four cities that employ members of AFSCME Local 574 will be asked to appoint selection committees to award scholarships. Any person involved in a selection process will be asked to recuse himself/herself if a prospective recipient is a relative.

ARTICLE III STOCK OR NONSTOCK

The corporation is organized upon a nonstock basis.

The corporation is organized on a directorship basis.

The corporation is to be financed initially by the Community Service Fund of AFSCME Local 574. Then by charitable contributions.

ARTICLE IV REGISTERED ADDRESS

The address of the registered office is 12 Sheffield, Troy, MI, 48083.

The mailing address of the registered office is 536 Bellaire, Madison Heights, MI, 48071.



Charitable Gaming Division
 Box 30023, Lansing, MI 48909
 OVERNIGHT DELIVERY:
 101 E. Hillsdale, Lansing MI 48933
 (517) 335-5780
 www.michigan.gov/cg

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES
 (Required by MCL.432.103(9))

At a _____ meeting of the _____
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by _____ on _____
DATE

at _____ a.m./p.m. the following resolution was offered:
TIME

Moved by _____ and supported by _____

that the request from _____ of _____,
NAME OF ORGANIZATION CITY

county of _____, asking that they be recognized as a
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining charitable

gaming licenses, be considered for _____.
APPROVAL/DISAPPROVAL

APPROVAL

DISAPPROVAL

Yeas: _____

Yeas: _____

Nays: _____

Nays: _____

Absent: _____

Absent: _____

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the _____ at a _____
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL

meeting held on _____,
DATE

SIGNED: _____
TOWNSHIP, CITY, OR VILLAGE CLERK

PRINTED NAME AND TITLE

ADDRESS

COMPLETION: Required.
 PENALTY: Possible denial of application.

BSL-CG-1153(R10/06)



JPMorgan Chase Bank, N.A.
 P O Box 260180
 Baton Rouge, LA 70826 - 0180

September 26, 2008 through September 30, 2008

00013147 DRE 021 151 27508 - NNNYN T 1 000000000 60 0000
 THE BENEVOLENT ASSOCIATION OF AFSCME
 LOCAL 574
 63 W TACOMA ST
 CLAWSON MI 48017-1912

CUSTOMER SERVICE INFORMATION

Web site: **Chase.com**
 Service Center: **1-800-242-7338**
 Hearing Impaired: **1-800-242-7383**
 Para Espanol: **1-888-622-4273**
 International Calls: **1-713-262-1679**



00131470201020000022

CHECKING SUMMARY Chase Nonprofit BusinessClassic

	INSTANCES	AMOUNT
Beginning Balance		\$0.00
Deposits and Additions	1	50.00
Ending Balance	1	\$50.00

This message confirms that you have overdraft protection on your checking account.

DEPOSITS AND ADDITIONS

DATE	DESCRIPTION	AMOUNT
09/26	Deposit	\$50.00
Total Deposits and Additions		\$50.00

DAILY ENDING BALANCE

DATE	AMOUNT
09/26	\$50.00

SERVICE CHARGE SUMMARY

TRANSACTIONS FOR SERVICE FEE CALCULATION	NUMBER OF TRANSACTIONS
Checks Paid / Debits	0
Deposits / Credits	1
Deposited Items	0
Transaction Total	1

SERVICE FEE CALCULATION	AMOUNT
Service Fee	\$0.00
Service Fee Credit	\$0.00
Net Service Fee	\$0.00
Excessive Transaction Fees (Above 200)	\$0.00
Total Service Fees	\$0.00



JPMorgan Chase Bank, N.A.
 P O Box 260180
 Baton Rouge, LA 70826 - 0180

September 26, 2008 through September 30, 2008

00015462 DRE 021 151 27508 - NNNYN T 1 000000000 60 0000
 THE BENEVOLENT ASSOCIATION OF AFSCME
 LOCAL 574
 63 W TACOMA ST
 CLAWSON MI 48017-1912

CUSTOMER SERVICE INFORMATION

Web site: **Chase.com**
 Service Center: **1-800-242-7338**
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 Para Espanol: **1-888-622-4273**
 International Calls: **1-713-262-1679**



00154620201020000022

SAVINGS SUMMARY

Chase Business Select High Yield Savings

	INSTANCES	AMOUNT
Beginning Balance		\$0.00
Deposits and Additions	1	50.00
Ending Balance	1	\$50.00
Annual Percentage Yield Earned This Period		0.00%

You could earn an even higher interest rate on your Chase Business Select High Yield Savings account if you link it to a qualifying checking account. Visit any of our branches for details or call us at the telephone number on your statement.

TRANSACTION DETAIL

DATE	DESCRIPTION	AMOUNT	BALANCE
	Beginning Balance		\$0.00
09/26	Deposit	50.00	50.00
	Ending Balance		\$50.00

30 deposited items are provided with your account each month. There is a \$0.20 fee for each additional deposited item.

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date:

JUN 14 2007

THE BENEVOLENT ASSOCIATION OF
AFSCME LOCAL 574
C/O LAWRENCE FELD
536 BELLAIRE
MADISON HEIGHTS, MI 48071

Employer Identification Number:
20-8721385

DLN:
17053134034007

Contact Person:
GARY MUTHERT

ID# 31518

Contact Telephone Number:
(877) 829-5500

Accounting Period Ending:
December 31

Public Charity Status:
170(b)(1)(A)(vi)

Form 990 Required:
Yes

Effective Date of Exemption:
March 15, 2007

Contribution Deductibility:
Yes

Advance Ruling Ending Date:
December 31, 2011

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. During your advance ruling period, you will be treated as a public charity. Your advance ruling period begins with the effective date of your exemption and ends with advance ruling ending date shown in the heading of the letter.

Shortly before the end of your advance ruling period, we will send you Form 8734, Support Schedule for Advance Ruling Period. You will have 90 days after the end of your advance ruling period to return the completed form. We will then notify you, in writing, about your public charity status.

Please see enclosed Information for Exempt Organizations Under Section 501(c)(3) for some helpful information about your responsibilities as an exempt organization.

Letter 1045 (DO/CG)

THE BENEVOLENT ASSOCIATION OF

Sincerely,

A handwritten signature in black ink that reads "Robert Choi". The signature is written in a cursive style with a large, prominent initial "R".

Robert Choi
Director, Exempt Organizations
Rulings and Agreements

Enclosures: Information for Organizations Exempt Under Section 501(c)(3)
Statute Extension

**BY-LAWS OF
THE BENEVOLENT ASSOCIATION OF
AFSCME LOCAL 574**

ARTICLE I - NAME, PURPOSE

Section 1: The name of the organization shall be The Benevolent Association of AFSCME Local 574.

Section 2: The association is organized exclusively for charitable purposes. More specifically to raise monetary funds by means including but not limited to raffles, golf events, bowling events, and other appropriate functions and to distribute those funds in the form of scholarships and gifts of services or goods to individuals or organizations that can show and are deemed by a thorough and fair process to have a reasonable need of said goods and/or services and scholarships.

Following the nomination of a deserving person believed to have a need, the Board of Directors must approve the charitable deed by a majority vote.

The governing bodies of the four cities employing members of AFSCME Local 574 will be ask to appoint selection committees to award scholarships to the most deserving applicants.

Any person involved in the selection process will be asked to recuse himself/herself if a prospective recipient is a relative.

ARTICLE II - MEMBERSHIP

Section 1: Membership shall consist only of the members of the board of directors.

ARTICLE III - MEETINGS

Section 1: Meetings shall be held monthly from September through May. The date of the regular monthly meetings shall be set by the Board of Directors who shall also set the time and place.

Section 2: Special meetings may be called by the Chair or the Board of Directors.

Section 3: Notice of each meeting shall be given to each voting member, by mail, not less than ten days before the meeting.

ARTICLE IV - BOARD OF DIRECTORS

Section 1: The Board is responsible for overall policy and direction of the organization. The Board shall have up to seven (7) and not fewer than three (3) members. The board receives no compensation other than reasonable expenses.

Section 2: Election of new board members or election of current board members to a second term will occur as the first item of business at the first meeting of the calendar year of the association. Board candidates will be elected by a majority vote of the current board members.

Section 3: Terms. All Board members shall serve two (2) year terms, but are eligible for re-election.

Section 4: A quorum must be attended by at least 42 percent of the Board members before business can be transacted or motions made or passed.

Section 5: An official Board meeting requires that each Board member have written notice ten days in advance.

Section 6: There shall be five officers of the Board consisting of a Chair, Vice Chair, Secretary and Treasurer. Their duties are as follows:

The Chair shall convene regularly scheduled Board meetings, shall preside or arrange for other members of the executive committee to preside at each meeting in the following order: Vice-Chair, Secretary and Treasurer.

The Vice-Chair will chair committees on special subjects as designated by the board.

The Secretary shall be responsible for keeping records of Board actions, including overseeing the taking of minutes at all board meetings, sending out meeting announcements, distributing copies of minutes and the agenda to each Board member, and assuring that association records are maintained.

The Treasurer shall make a report at each Board meeting. Treasurer shall chair the finance committee, assist in the preparation of the budget, help develop fundraising plans, and make financial information available to Board members and the public.

Section 7: Vacancies. When a vacancy on the Board exists, nominations for new members may be received from present Board members by the Secretary two weeks in advance of a Board meeting. These nominations shall be sent out to Board members with the regular Board meeting announcement, to be voted upon at the next Board meeting. These vacancies will be filled only to the end of the particular Board member's term.

Section 8: Resignation, Termination and Absences. Resignation from the Board must be in writing and received by the Secretary. A Board member shall be dropped for excess absences from the Board if she/he has three unexcused absences from Board meetings in a year. A Board member may be removed for other reasons by a three-fourths vote of the remaining directors.

Section 9: Special Meetings. Special meetings of the Board shall be called upon the request of the Chair or one-third of the Board. The Secretary shall send out notices of special meetings to each Board member postmarked two weeks in advance.

ARTICLE V - COMMITTEES

Section 1: The Board may create committees as needed, such as fundraising, gaming, etc. The Board Chair appoints all committee chairs.

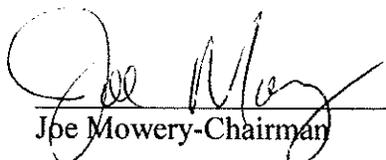
Section 2: Finance Committee. The Treasurer is chair of the Finance Committee, which includes three other Board members. The Finance Committee is responsible for developing and reviewing fiscal procedures, a fundraising plan, and annual budget with staff and other Board members. The Board must approve the budget, and all expenditures must be within the budget. Any major change in the budget must be approved by the Board. The fiscal year shall be the calendar year. Annual reports are required to be submitted to the Board showing income, expenditures and pending income. The financial records of the organization are public information and shall be made available to the membership, Board members and the public.

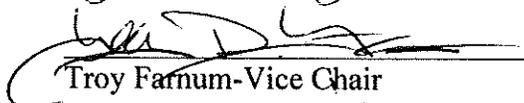
ARTICLE VI - AMENDMENTS

Section 1: These Bylaws may be amended when necessary by a two-thirds majority of the Board of Directors. Proposed amendments must be submitted to the Secretary to be sent out with regular Board announcements.

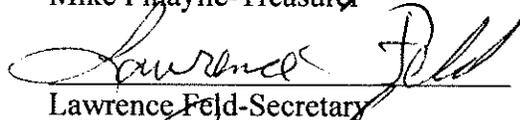
These Bylaws were approved at a meeting of the Board of Directors of The Benevolent Association of AFSCME Local 574 on

March 15, 2007.

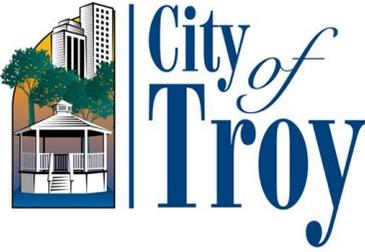

Joe Mowery-Chairman


Troy Farnum-Vice Chair


Mike Pihaylic-Treasurer


Lawrence Feld-Secretary


Larry Holmes-Board Member



CITY COUNCIL REPORT

DATE: October 21, 2008

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Economic Development Services
Mark F. Miller, Planning Director
Mark S. Stimac, Director of Building and Zoning

SUBJECT: Temporary Merchant Business Ordinance

Background:

- This item will be considered at the November 24, 2008 City Council Regular meeting.
- At the June 16, 2008 Regular meeting, City Council directed City Management to “investigate the possibility of expanding Chapter 61 – Transient Merchant(s) or a similar means to include a mobile service vehicle”.
- City Management proposes to amend Chapter 61 – Transient Merchants to expand the uses regulated by this ordinance, including sidewalk sales and Christmas tree sales, which are presently regulated under Chapter 69. The application procedure for applicants seeking a Temporary Merchant Business license is described. Chapter 61 will be renamed Temporary Merchant Businesses.
- Chapter 3 – Administrative Service will be amended to add Chapter 61 to the list of City Codes that are enforced by the Building Department (see page 10 of Chapter 3).
- Chapter 60 Fees and Bonds Required will be amended to add fees for Temporary Indoor Uses and Temporary Outdoor Uses, and to delete reference to Transient Merchants (see pages 5-6).
- Chapter 69 – Miscellaneous Licensed Businesses will be amended to remove sidewalk sales and Christmas tree sales, since these uses will be regulated by Chapter 61.
- Chapter 39 – Zoning Ordinance will need to be amended in the future, since it presently states that sidewalk sales are regulated by Chapter 69.
- City Administration recommends approval of the proposed amendments.

Financial Considerations:

- There are no financial considerations for this item.

Legal Considerations:

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

Policy Considerations:

- The application is consistent with the following “Outcome Statements” as established at the July 1 Special Council meeting:
 - II. Troy adds value to properties through maintenance or upgrades of infrastructure and quality of life venues.
 - III. Troy is rebuilding for a healthy economy reflecting the values of a unique community in a changing and interconnected world.

Options:

- City Council can approve or deny the proposed amendments.
- No City Council action until the November 24, 2008 City Council Regular meeting.

Approved as to form and legality:

Lori Grigg Bluhm, City Attorney

Attachments:

1. Chapter 61 – Temporary Merchant Businesses (formerly Transient Merchants) proposed amendments.
2. Chapter 3 – Administrative Service proposed amendments (excerpt).
3. Chapter 60 – Fees and Bonds Required proposed amendments (excerpt).
4. Chapter 69 – Miscellaneous Licensed Businesses proposed amendments.
5. Resolution from the June 16, 2008 City Council Regular meeting.

Prepared by RBS/MFM

cc: Applicant
File

CITY OF TROY
AN ORDINANCE TO AMEND
CHAPTER 61 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 an amendment to Chapter 61 of the Code of the City of Troy.

Section 2. Amendment

**CHAPTER 61 – TRANSIENT MERCHANTS TEMPORARY MERCHANT
BUSINESSES**

~~1. License Required.~~

~~No person shall engage in a temporary business of selling goods, wares or merchandising at retail within the City from any lot, premises, building room or structure, including railroad cars, without first obtaining a license therefor. No such license shall be granted except upon certification of the Police Chief and City Treasurer. License fees shall be in accordance with Chapter 60, Fees and Bonds of the City of Troy Code of Ordinances.~~

~~(Rev. 03-17-03)~~

~~2. Temporary Business Defined.~~

~~Every person engaged in the retail sale and delivery of goods, wares or merchandise, shall be deemed to be engaged in carrying on a temporary business unless his business establishment shall have been assessed for taxation in the City during the current year.~~

~~7.63 Indebtedness to the City.~~

~~No license shall be granted to any person owing any personal property taxes or other indebtedness to the City, or who contemplates using any personal property on which personal property taxes are owing, in the operation of such business.~~

~~7.65 Exemption.~~

~~Persons conducting a business licensed under another provision of this Code shall be exempt from the requirements of this Chapter.~~

1. Definitions

The following definitions shall apply to this Chapter:

- Applicant means a person that submits an application for a Temporary Merchant Business License.

- Christmas Tree Sales means the retail sale of real Christmas trees.
- Lot means a parcel of land occupied, or intended to be occupied, by a main building or a group of such buildings and accessory buildings, or utilized for the principal use and uses accessory thereto, together with such open spaces as are required under the provisions of Chapter 39. A lot may or may not be specifically designated as such on public records.
- Person means any individual, firm, partnership, limited liability company, or corporation.
- Sidewalk Sales means a promotional sales event conducted on the sidewalk or other hard surface along the front or side of the particular establishment in which such business is normally conducted.
- Temporary means a business that operates for ninety (90) days or less.
- Temporary Indoor Use means a person that engages in selling goods and wares or providing a service from any lot or premises indoors on a temporary basis.
- Temporary Outdoor Use means a person that engages in selling goods and wares or providing a service from any lot or premises outdoors on a temporary basis, not including sidewalk sales or Christmas tree sales.

2. License Required

No person shall operate a Temporary Merchant Business in the City of Troy without first obtaining a license pursuant to the provisions of this Chapter. The following shall be considered Temporary Merchant Businesses:

- a. Temporary Indoor Uses;
- b. Temporary Outdoor Uses;
- c. Sidewalk Sales;
- d. Christmas Tree Sales.

3. Application for Temporary Merchant Business License

- a. An applicant shall submit to the Clerk's Office a fully completed application, on a form furnished by the City Clerk.

- b. The application, at a minimum, shall include the following information:
- i. The full and complete name and current address of the applicant(s).
 1. If the applicant is a partnership, the name and address of each partner shall be listed, and a copy of any partnership agreement shall be attached to the application.
 2. If the applicant is a privately held corporation, the name and address of each corporate officer, member of the board of directors, and stockholder shall be listed, and a copy of the articles of incorporation shall be attached to the application.
 3. If the applicant is a publicly held corporation, the name and address of each corporate officer, member of the board of directors and stockholder who owns ten (10) percent or more of the corporate stock shall be listed on the application.
 4. If the applicant is a limited liability company, the name and address of each member, manager, or person with a membership interest shall be listed, and the articles of organization shall be attached to the application.
 - ii. The complete name, permanent address, and telephone number of the proposed licensed business.
 - iii. A written statement as to the applicant's experience in operating similar businesses in Troy or other communities.
 - iv. A concise statement as to the individual applicant's past employment or business practice including identification of other communities where the proposed licensed was operated.
 - v. Information related to the business's operation, which includes the following:
 1. Requested length of license;
 2. Proposed use;
 3. The days and hours of operation.
 - vi. Any other information pertinent to the applicant and the proposed business operation.

- c. The applicant shall also attach a sketch plan, drawn to scale, which shows the following information:
- i. The parcel boundaries of the property where the proposed business will be located.
 - ii. The footprint and dimensions of all existing and proposed buildings and structures on the subject property.
 - iii. All curb cuts, drive aisles, and parking spaces on the property.
 - iv. All sidewalks on the property.
 - v. The exact location of the proposed Temporary Merchant Business, including the exact location of any and all of the following: signage, sales, display or service areas, staff and customer parking areas, required restroom facility, and other activities associated with the proposed Temporary Merchant Business.

4. Licensing

Temporary Merchant Business Licenses shall also comply with the provisions of Chapter 59 of this Code.

5. License Fees

The fee for a Temporary Merchant Business License application is listed in Chapter 60 of this Code.

6. Application Review and Investigation

- a. After the City Clerk has received a completed Temporary Merchant Business application, said application shall be forwarded to the following City Departments for review and investigation:
- i. Police;
 - ii. Fire;
 - iii. Building Inspection;
 - iv. Planning Department;
 - v. Risk Management;

- vi. Any additional City Department that the City Manager or his/her designee deems necessary.
- b. During regular business hours or at another mutually agreeable time, City representatives shall be granted access onto the property to complete the necessary application investigation.
- c. The City Clerk shall be responsible for determining whether the application meets the standards for approval of this ordinance.

7. Standards for Approval

Each Temporary Merchant Business shall meet all of the following Standards for Approval:

- a. The proposed use is permitted as a principal use within the underlying zoning district, as set forth in the City of Troy Zoning Ordinance, Chapter 39 of this Code. The only exception is for licenses for Christmas tree sales within the B-1, B-2 and B-3 Zoning Districts as well as locations licensed before 1993.
- b. The applicant has provided written evidence that he or she owns or leases the premises at which the applicant will operate, or the applicant has permission from the property owner to operate temporarily on the property. Any restrictions imposed by the property owner shall be clearly identified.
- c. The location of the proposed Temporary Merchant Business does not negatively impact public health, safety and welfare, including but not limited to traffic flow, pedestrian circulation, and off-street parking.
- d. Proposed signage complies with the provisions of Chapter 85 Signs.
- e. The applicant shall maintain insurance (demonstrated with a certificate of insurance), and shall name the City as an additional insured, for general liability insurance coverage in the amount of at least \$1,000,000.00. No cancellation or reduction in coverage may occur during the operation of the Temporary Merchant Business.
- f. The Temporary Merchant Business shall be located within 500 feet of a restroom that is accessible to employees and customers.

8. Restrictions

- a. No license shall be issued to:
 - i. An applicant whose previous Temporary Merchant Business License was revoked by the City of Troy for cause.

- ii. An applicant who does not satisfy the current ordinance requirements, even if previously granted a license.
 - iii. A co-partnership, unless all of the members of such co-partnership qualify to obtain a license.
 - iv. A corporation if any officer, manager or director or a stock owner or stockholders owning more than five (5) percent of the stock of such corporation would not be eligible to receive a license.
 - v. An applicant whose business is operated by a manager or agent, unless such manager or agent possesses qualifications similar to those required of the licensee.
 - vi. An applicant who has been convicted or found responsible for a violation of any federal, state, or local law involving moral turpitude, fraud, theft, violence, or controlled substances.
 - vii. An applicant who does not own the premises for which a license is sought or does not have a lease therefore for the full period for which the license is issued, or does not have permission to operate at the location.
 - viii. An applicant who is in default to the City.
- b. The license shall expire after ninety (90) consecutive days in one calendar year. Licenses shall be renewable once per calendar year. The total operational period per license shall not exceed one-hundred eighty (180) days per calendar year.
 - c. The hours of operation shall be limited to the hours between 9 a.m. and 9 p.m.
 - d. If the applicant operates a temporary outdoor use, the operation shall be broken down and removed entirely from the site every day. No overnight storage of any kind shall be allowed. This requirement shall not apply to approved Christmas Tree Sales or Sidewalk Sales.
 - e. Sidewalk Sales are permitted only within B-1, B-2 and B-3 Zoning Districts. Licenses for sidewalk sales shall not be issued more than once during any consecutive thirty (30) day period on any individual parcel or within any shopping center. Each permit shall be valid for not more than seventy-two (72) hours. The applicant shall certify to the City Clerk that he/she has notified all other commercial establishments within said shopping center at the time the application is submitted. Outdoor sales areas shall be designed in accordance with accessibility requirements of the Michigan Building Code. Outdoor sales areas shall occur and shall occupy that portion of the sidewalk that is immediately adjacent to the front of the business establishment. Displays shall not extend beyond said sidewalk either

into a drive or parking lot or laterally beyond the limits of the establishment to which a license has been issued.

9. Display of License

A Temporary Merchant Business License issued pursuant to this Chapter's provisions shall be displayed in a prominent location visible to customers or clients at all times.

10. Bond Required

No license shall be issued until the applicant deposits a five hundred dollar (\$500.00) bond for each lot where the business will be operated. Each bond shall be retained by the Clerk's Office for a period of not less than ten (10) days after the date of expiration of the license. Said bond shall then be returned to the applicant upon its release being approved by the Building Inspector certifying in writing that the licensed premises to which said bond was applicable is cleared of all left-over equipment, vehicles and debris. This clean up shall occur within ten (10) days or City shall cause such clean up to be completed, and shall charge costs back to the applicant. The bond shall be used first to recoup these costs and additional amounts required shall be collected in any manner allowed by law. In the event that any licensee fails to clear the premises, the Building Inspector may cause the premises to be cleared and the cost thereof shall be deducted from the bond and the balance, if any, shall be returned to the licensee.

11. Revocation and Suspension of License

The City Manager, or his or her designee, may immediately revoke or suspend a Temporary Merchant Business License if the applicant violates any of this Ordinance's provisions, or for other good cause. The procedure for the suspension and revocation of the license shall be governed by the provisions of Chapter 59 of this Code.

12. Violations and Penalties

- a. A violation of any section of this Chapter is a Municipal Civil Infraction subject to the provisions of Chapter 100 of the Code of the City of Troy.
- b. 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.

Section 3. Savings

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

Section 4. Severability Clause

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

Section 5. Effective Date

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

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

_____.

Louise E. Schilling, Mayor

Tonni Bartholomew, City Clerk

Chapter 3 - Administrative Service

CHAPTER 3 - ADMINISTRATIVE SERVICE

1. Division of Administrative Service. The administrative service of the City shall be under the supervision and direction of the City Manager, except as otherwise provided by the City Charter, and shall be divided into the following offices and departments, each of which shall be the responsibility of and under the control of a head as listed opposite such office or department:

ADMINISTRATIVE OFFICERS

<u>Office or Department</u>	<u>Official Head</u>
Office of Clerk	City Clerk
Office of Assessor	City Assessor
Office of Treasurer	City Treasurer
Department of Police	Police Chief
Department of Fire	Fire Chief
Department of Law	City Attorney

(Rev. 05-01-78)

- 1.1. The following City employees shall be responsible for certain functions as provided in this Chapter but shall not be deemed administrative officers as the term is defined in section 3.9 of the Charter.

<u>Office or Department</u>	<u>Official Head</u>
Department of Finance	Finance Director
Department of Public Works	Director of Public Works
Department of Engineering	City Engineer
Department of Building	Director of Buildings and Inspections

(Rev. 02-17-03)

CLERK

- 1.2. Office of Clerk. This office shall be headed by the City Clerk, who shall serve as Clerk of the Council and perform such other duties for the Council as may be required by it. He/she shall be responsible for the publication, filing, indexing and safe keeping of all proceedings of the Council. (Rev. 05-01-78)
- 1.36. Election Records. He/she shall keep and maintain all election records and have custody of all property used in connection with elections.
- 1.37. Other Duties. He/she shall publish all legal notices unless otherwise provided; collect all license fees required by ordinance or statute except as otherwise provided; be the custodian of the official seal; and notify the appointing authority of any board or commission thirty (30) days prior to the expiration of the term of office of any member thereof.

DEPARTMENT OF ACCOUNTING

- 1.40. Department of Finance. The Department of Finance shall be headed by the Finance Director as accountant for the City. He/she shall examine and audit all accounts against the City and promptly report to the City Council through the City Manager in writing any default or delinquency he/she may discover in the books, records or accounts of any City department. It shall be his duty to examine, verify and approve all accounts against the City. He/she shall not verify or approve for payment any voucher until he/she has verified the correctness of the account for which the same is issued, neither shall he/she approve for payment any account unless the money has been appropriated therefor, nor shall he/she verify or sign any warrant except in accordance with the provisions of the Charter.

(Rev. 05-01-78)

- 1.41. Examination of Books. The Finance Director shall have access to all books, records and documents kept by any officer, employee or department of the City. Daily reports of all moneys collected and of the disposition thereof shall be made to the Finance Director by the department or person receiving the same. The books in all departments of the City shall be balanced each calendar month and a report thereon made by the Finance Director to the City Manager.

(Rev. 05-01-78)

- 1.42. Reports. The Finance Director shall present to the City Manager at the beginning of each quarter during the fiscal year and whenever required by the City Manager or the City Council at any other time, a detailed statement of the financial condition of the City.

(Rev. 05-01-78)

ASSESSOR

- 1.45. Office of Assessor. This office shall be headed by the City Assessor whose duty it shall be to perform all work in connection with the assessing of property and the preparation of all assessment and tax rolls and tax notices.

TREASURER

- 1.51. Office of Treasurer. This office shall be headed by the City Treasurer whose duty it shall be to:
- (a) Have the custody of all moneys of the City, any bond pertaining to the Clerk, and all evidences of indebtedness belonging to the City or held in trust by the City.
 - (b) Collect all moneys of the City, the collection of which is not provided for elsewhere by Charter or ordinance. He/she shall receive from other officers and employees of the City all money belonging to and receivable by the City that may be collected by such officers and employees, including fines, license fees, taxes, assessments and all other charges. All money shall be turned over to the Treasurer after collection or receipt, and he/she shall in all cases give a receipt therefor and shall daily present an accounting of receipts to the Finance Director.

Chapter 3 - Administrative Service

- (c) Keep and deposit all moneys or funds in such manner and only in such places as the Council may determine and shall report the same in detail to the Finance Director.
- (d) Disburse all City funds in accordance with the provisions of the City Charter and this Code.
- (e) Perform such other duties as may be prescribed for him by the Council or by the Finance Director.

(Rev. 05-01-78)

POLICE DEPARTMENT

1.70. Department of Police. The Department of Police shall be headed by the Police Chief, who shall be the commanding officer of the police force. He/she shall direct the police work of the City and be responsible for the enforcement of law and order.

1.71. Functions of Police Department. The police work of the City shall consist of the following functions:

- (1) The operation of motor and foot patrol units for routine investigations and the general maintenance of law and order.
- (2) The maintenance of the central complaint desk at Central Police Headquarters, the maintaining and supervising of police records, criminal and non-criminal identification, property identification, custody of property and the operation of detention quarters.
- (3) The investigation of crimes, elimination of illegal liquor traffic and vice, and the preparation of evidence for the prosecution of criminal cases and offenses in violation of this Code. The Police Department shall enforce all provisions of this Code for which any penalty is provided, as well as all other laws applicable to and in force within the City.
- (4) The prevention and control of juvenile delinquency, the removal of crime hazards and the co-ordination of community agencies interested in crime prevention.

(Rev. 02-05-01)

- (5) The control of traffic, traffic educational programs, school patrols, and co-ordination of traffic violation prosecutions.

(Rev. 02-05-01)

1.72. Department Rules. The Police Chief may prescribe rules for the government of police officers of the City, subject to approval by the City Manager, which shall be entered in a book of Police Department rules and orders and may be amended or revoked by the Police Chief upon written notice to the City Manager. Such rules may establish one or more divisions within the Police Department, each of which divisions may be charged with performing one or more of the functions of the Police Department enumerated in Section.

Chapter 3 - Administrative Service

- 1.71. Any such divisions shall be supervised by an officer of the Police Department, who shall be responsible for the particular functions of the Police Department assigned to the particular division supervised by him. It shall be the duty of all members of the Police Force to comply with such rules and orders while effective.

(Rev. 05-01-78)

- 1.73. Acting Chief: In case of the absence from the City of the Police Chief, or his disability, or inability from any cause, to act as Police Chief, The City Manager shall designate and appoint some other member of the Police Department to act as Chief during such absence or disability.

- 1.74. Delivery to Police Chief. When any person within the City of Troy finds any lost money or any lost personal property of any other nature having apparent value of ten dollars (\$10.00) or more and the owner of said money or personal property is unknown to such finder, the finder shall, within seven (7) days, deliver the said money or personal property to the Police Chief. The said finder shall further, within thirty (30) days from the date of finding such money or personal property, cause notice to be published in a newspaper circulating within the City that such money or personal property has been found, which notice shall briefly describe the property found, and notify the owner that he/she may recover the same upon application to the Police Department making satisfactory identification of himself and the lost property and paying for the cost of the advertisement. If any finder shall fail to give notice of such finding, as herein required, within the time limited, he/she shall forfeit all claims to any property right in said found property which he/she might otherwise have upon termination of the custody of the Police Department under the provisions of this Chapter.

(Rev. 05-01-78)

- 1.75. Property Record. Whenever any such money or other property shall be received by the Police Chief, he/she shall cause a record of the same to be entered in a book kept for that purpose. Such book shall be a part of the public records of the City of Troy and shall be kept on file in the Police Department.

(Rev. 05-01-78)

- 1.76. Notice to Owner. If the identity of the owner shall be learned while such property is in the custody of the Police Department, the Department shall cause to be served upon such owner a written notice informing him that his property has been found and is in possession of the Police Department. Said notice shall advise the owner that unless he/she shall reclaim the property within twenty (20) days from the date of the service of such notice that he/she shall have forfeited any claim to the return of such money or property. Any person making a claim for the return of lost money or property shall establish his ownership to the satisfaction of the Police Chief and such money or property shall be returned to him upon payment of the cost of advertising by the finder or expenses of storage incurred by the Department.

(Rev. 05-01-78)

Chapter 3 - Administrative Service

- 1.77. Return to Finder. After any lost money or lost personal property shall have been in the custody of the Police Department for sixty (60) days and the owner shall not have been found or has abandoned his claim to the property, and there being no claim of ownership pending against such property, the same may be returned by the Police Chief to the finder thereof, if said finder shall have complied with the provisions of this Chapter regarding lost property, in all respects. No employee of the City of Troy shall be eligible to acquire any property right in any lost money or lost personal property by reason of having found any such money or personal property.

(Rev. 05-01-78)

- 1.78. Unclaimed Property. As to any property remaining in the custody of the Police Department as to which there are no claims pending and no finder having any rights therein, the Police Chief shall cause said property, except money, to be sold at public auction, reserving the right to reject any or all bids, or to be sold by a system recommended by the City Manager and approved by resolution of City Council. If the unclaimed property is a bicycle, the Police Chief or his/ her designee may donate it to a state licensed charitable organization, or to the Oakland County Sheriff, in connection with any Sheriff operated recognized charitable program as provided in 1959 PA 54, MCL 434.171 et. seq. as amended. By written authorization of the City Manager, unclaimed property may be retained by the City for City use. Notice of the time and place of such sale shall be given by publishing notice thereof in a newspaper of general circulation with the City and posted for ten (10) days in three (3) of the most public places in the City. Such notice shall set forth a full description of said property. The Police Chief is hereby authorized to deliver and convey such property to the successful purchaser upon payment of the full purchase price without any warranty or representation as to title and with the understanding that in the event the rightful owner recovers such property in an action at law against such purchaser, that the liability of the City of Troy shall be limited to the amount paid by said purchaser for such property. The proceeds of all such sales and any money which shall have been held for sixty (60) days against which there is no claim pending either by any purported owner or by the finder thereof, shall be paid by the Police Chief to the City Treasurer to the credit of the General Fund. The City of Troy may purchase property at any such sale in the same manner as any other bidder.

(Rev. 04-21-08)

- 1.79. Property to Which Inapplicable. The provisions of this Chapter as to lost property shall not apply to perishable articles which may be sold or destroyed within twelve (12) hours, if unclaimed. This Chapter shall not apply to abandoned vehicles, nor to firearms carried in violation of State Law, nor alcoholic beverages seized by the Department, all of which shall be disposed of in accord with the applicable Statutes. Other dangerous weapons shall be destroyed.

FIRE DEPARTMENT

- 1.91. Department of Fire. The Department of Fire shall be headed by the Fire Chief, who shall be charged with the prevention and extinguishment of fires, the protection of life and property against fire, the removal of fire hazards, the performance of other public services of an emergency nature assigned to it, and the conducting of an educational fire prevention program.
- 1.92. Department Rules. The Fire Chief shall adopt rules and regulations for the government of the Department, subject to the approval of the City Manager, which shall be entered in a book of Fire Department Rules and which may be changed and repealed by the Fire Chief upon notice to and approval by the City Manager. Such rules and regulations shall designate the chain of command for the Department so that in the absence or disability of the Chief, the responsibility for the operation of the Department shall immediately and automatically be vested in the next ranking officer or member of the Department present.
- 1.93. Department Equipment. The Fire Chief shall be responsible for the maintenance and care of all property and equipment used by the Fire Department.
- 1.94. Enforce Fire Laws. It shall be the duty of the Fire Chief to enforce all State laws and provisions of this Code governing the following:
- (1) The prevention of fires.
 - (2) The storage and use of explosives and flammables.
 - (3) The maintenance of fire alarm systems, both automatic and private, and all fire extinguishing equipment.
 - (4) The maintenance and use of fire escapes.
 - (5) The maintenance of fire protection and the elimination of fire hazards in all buildings and structures.
 - (6) The maintenance and adequacy of fire exits from factories, schools, hotels, asylums, hospitals, churches, halls, theatres and all other places in which numbers of persons work or congregate for any purpose.
 - (7) Structures erected and uses conducted on premises located within the fire limits.
- 1.95. Other Duties. The Fire Chief shall perform the following duties:
- (1) Investigate the origin, cause and circumstances of all fires.
 - (2) Issue all orders necessary for the enforcement of State laws and provisions of this Code.
 - (3) Require and supervise from time to time fire drills from all schools and educational institutions as required by law.

DEPARTMENT OF HEALTH

- 1.101. Department of Health. The Oakland County Health Department Shall be responsible for all health related matters.

(Rev. 02-17-03)

DEPARTMENT OF PUBLIC WORKS

- 1.111. Department of Public Works. The Department of Public Works shall be headed by the Director of Public Works who shall be experienced in municipal engineering works and responsible to the Assistant City Manager for Services. The Department of Public Works shall include the Division of Streets, and the Division of Water Supply and Sewer Facilities. The Director of Public Works shall have charge of all such divisions.

(Rev. 02-17-03)

- A. Division of Streets. The Division of Streets shall be under the direction of the Director of Public Works and shall be headed by the Superintendent of Streets. He/she shall be in charge of the maintenance of all improved and unimproved streets and surfaces, the cleaning of improved streets, the removal of snow and the construction and maintenance of sidewalks.

(Rev. 02-17-03)

- B. Division of Water Supply and Sewer Facilities. The Division of Water Supply and Sewer Facilities shall be under the direction of the Director of Public Works and shall be headed by the Superintendent of Water Supply and Sewer Facilities. He/she shall have charge of the construction, operation and maintenance of the City sewage system and shall be responsible for the construction, operation and maintenance of City water mains and connections and other facilities pertaining to the water distribution system. He/she shall have charge of the pumping of the water into and through the City water distribution system.

(Rev. 02-17-03)

- 1.112. Department of Engineering. The Department of Engineering shall be headed by the City Engineer who, shall be headed by a competent civil engineer and responsible to the Assistant City Manager for Services. The Engineering Department shall include the Traffic Division. The City Engineer shall be responsible for all matters relating to construction of all the physical properties of the City except as provided elsewhere in this Code. The City Engineer shall also be responsible for planning in connection with such changing or improvements to the physical properties of the City as are consistent with and necessary to the future growth and development of the City. This department shall perform such engineering services for the City and for such other departments of the City as may be required.

(Rev. 02-17-03)

DEPARTMENT OF LAW

1.131. Department of Law. This Department shall be headed by the City Attorney who shall be the legal advisor to the Council, the City Manager and to other departments and officers of the City through the City Manager. He/she shall represent the City in all legal proceedings or matters in which the City is interested. He/she shall attend the meetings of the City Council.

(Rev. 04-08-85)

1.141(1) A City of Troy Police Service Aide assigned to Road Patrol Duty shall have authority to issue and serve upon a person an appearance ticket, a Municipal Civil Infraction notice of violation, and/or a Municipal Civil Infraction citation, if he/she has reasonable cause to believe that the person has committed a violation of any of the following provisions of the Troy City Code:

Chapter 16: Garbage and Rubbish

Chapter 26: Parks - General Regulations

Chapter 29: Cemetery

Chapter 39: Zoning (provisions related to the parking of vehicles)

Chapter 47: House Trailers and Trailer Courts

Chapter 48: Litter

Chapter 75: Pet Shops

Chapter 88: Nuisances

Chapter 90: Animals

Chapter 98.07.01: Hunting

Chapter 98-07.02 Trapping

Chapter 106: Traffic (Provisions related to the parking of vehicles)

(Rev. 03-01-06)

1.141(2) City of Troy Police Service Aide assigned to Lock-up shall have authority to issue and serve upon a person an appearance ticket if he/she has reasonable cause to believe that the person has committed a violation of any of the following provisions of the Troy City Code:

Chapter 98.06.01: Hinder, Obstruct or Resist Police

Chapter 98.06.02: Hinder Police by False Identification

Chapter 3 - Administrative Service

Chapter 98.06.03: False Statement or Report to Police

(Rev. 02-05-01)

- 1.141(3) A City of Troy Animal Control Officer shall have authority to issue and serve upon a person an appearance ticket, a Municipal Civil Infraction notice of violation, and/or a Municipal Civil Infraction citation, if he/she has reasonable cause to believe that the person has committed a violation of any of the following provisions of the Troy City Code:

Chapter 26: Parks - General Regulations

Chapter 75: Pet Shops

Chapter 88: Nuisances

Chapter 90: Animals

Chapter 98.07.01: Hunting

Chapter 98.07.02: Trapping

Chapter 98.06.05: Willfully and knowingly torture, etc., any dog used by the City of Troy Police Department.

Chapter 106 § 8 Stopping, Standing and Parking Violations

(Rev. 03-01-06)

- 1.141(5) A City of Troy Water Division Inspector shall have the authority to issue and serve upon a person an appearance ticket, a Municipal Civil Infraction notice of violation, and/or a Municipal Civil Infraction citation, if he/she has reasonable cause to believe that the person has committed a violation of any of the following provisions of the Troy City Code:

Chapter 18: City Water Utility

Chapter 19: City Sewer Service

Chapter 20: Water and Sewer Rates

Chapter 33: Streets

(Rev. 03-01-06)

- 1.141(6) A City of Troy Building Department Inspector shall have authority to issue and serve upon a person an appearance ticket, a Municipal Civil Infraction notice of violation, and/or a Municipal Civil Infraction citation, if he/she has reasonable cause to believe that the person has committed a violation of any of the following provisions of the Troy City Code.

Chapter 3 - Administrative Service

Chapter 2: House Numbering and Street Naming

Chapter 13: Historic Preservation

Chapter 16: Garbage and Rubbish

Chapter 18: City Water Utility

Chapter 19: City Sewer Service

Chapter 20: Water and Sewer Rates

Chapter 39: Zoning

Chapter 47: House Trailers and Trailer Courts

Chapter 48: Litter

Chapter 64: Gasoline Stations

Chapter 67: Dances and Dance Halls

Chapter 68: Amusements and Recreation Places

Chapter 69: Miscellaneous Licensed Businesses

Chapter 70: Self Service Laundries and Dry Cleaners

Chapter 71: Auto Wash

Chapter 73: Drive-In Restaurant

Chapter 76: Adult Use Businesses Licenses (07-09-07)

Chapter 77: Smoking Lounges (08-06-07)

Chapter 79: General Building Regulations

Chapter 82: Property Maintenance Regulations

Chapter 82-A: Rental and Dwelling Inspection and Enforcement

Chapter 82-B: Dangerous Buildings

Chapter 83: Fences

Chapter 85: Signs

Chapter 88: Nuisances

Chapter 93: Fire Prevention (provisions related to building codes)

Chapter 3 - Administrative Service

Chapter 97: Coin-Operated Amusement Devices and Arcades

(Rev. 03-01-06)

1.141(7)

A City of Troy Fire Department Staff Lieutenant, Division Assistant Chief or Chief shall have authority to issue and serve upon a person an appearance ticket, a Municipal Civil Infraction notice of violation, and/or a Municipal Civil Infraction citation, if he/she has reasonable cause to believe that the person has committed a violation of any of the following provisions of the Troy City Code:

Chapter 2: House Numbering and Street Naming

Chapter 67: Dances and Dance Halls (provisions related to fire safety)

Chapter 68: Amusements and Recreation Places (provisions related to fire safety)

Chapter 69: Miscellaneous Licensed Businesses (provisions related to fire safety)

Chapter 70: Self Service Laundries and Dry Cleaners (provisions related to fire safety)

Chapter 79: General Building Regulations (provisions related to fire safety)

Chapter 82: Property Maintenance Regulations (provisions related to fire safety)

Chapter 82-A. Rental and Dwelling Inspection and Enforcement (provisions related to fire safety)

Chapter 82-B. Dangerous Buildings (provisions related to fire safety)

Chapter 84: Garbage, Rubbish, and Refuse Transfer Station (provisions related to fire safety)

Chapter 88: Nuisances (provisions related to fire safety)

Chapter 93: Fire Prevention

Chapter 97: Coin-Operated Amusement Devices and Arcades (provisions related to fire safety)

Chapter 106: Traffic (provisions related to fire safety)

(Rev. 03-01-06)

1.141(8)

A City of Troy Engineering Inspector, Inspection Supervisor, Engineering Technician or Environmental Specialist shall have authority to issue and serve upon a person an

Appearance ticket, a Municipal Civil Infraction notice of violation, and/or a Municipal Civil Infraction citation, if he/she has reasonable cause to believe that the person has committed a violation of any of the following provisions of the Troy City Code:

Chapter 3 - Administrative Service

Chapter 17: Rubbish Fill Operation

Chapter 34: Sidewalks

Chapter 42: Flood Plain Management

Chapter 79: General Building Regulations

Chapter 80: Soil Removal and Fill

Chapter 86: Soil Erosion and Sedimentation Control

(Rev. 03-01-06)

1.141(9) A City of Troy Foreman of Parks Maintenance Division, Superintendent of Public Grounds, or Director of Parks and Recreation shall have authority to issue and service upon a person an appearance ticket, a Municipal Civil Infraction notice of violation, and/or a Municipal Civil Infraction citation, if he/she has reasonable cause to believe that the person has committed a violation of any of the following provisions of the Troy City Code:

Chapter 28: Tree Regulations

Chapter 29: Cemetery

Chapter 39: Zoning (provisions related to landscaping)

Chapter 41: Subdivision Control (provisions related to landscaping)

(Rev. 03-01-06)

CITY OF TROY
AN ORDINANCE TO AMEND
CHAPTER 60 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 an amendment to Chapter 60 of the Code of the City of Troy.

Section 2. Amendment

60.03 Fee Schedule.

Temporary Indoor Uses (Chapter 61)	
Per application	\$ 100.00
Per extension	\$ 100.00
Temporary Outdoor Use (Chapter 61)	
Per application	\$ 100.00
Per extension	\$ 100.00
Transient Merchant (Chapter 61) – Per week	
\$ 50.00	

Section 3. Savings

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

Section 4. Severability Clause

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

Section 5. Effective Date

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

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

Louise E. Schilling, Mayor

Tonni Bartholomew, City Clerk

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

This Ordinance shall be known and may be cited as an amendment to Chapter 69 of the Code of the City of Troy.

Section 2. Amendment

1. ~~Sidewalk Sales.~~

~~No person or business shall engage in the outdoor display of goods for sale without first obtaining a license therefore. Such license shall issued by the City Clerk upon approval by the Fire and Building Departments.~~

~~———— (Rev. 06-16-97)~~

2. ~~Restrictions.~~

~~Sidewalk Sales may be permitted only within B-1, B-2 and B-3 Zoning Districts. No license for sidewalk sales shall be granted except upon certification of the Building Inspector and Fire Chief. No licenses for sidewalk sales shall be issued more than once during any consecutive 30 day period within any shopping center or within 700 feet of any other commercial establishment during said 30 days, and each permit shall be valid for not more than 72 hours. The applicant shall certify to the City Clerk that he has notified all other commercial establishments within said shopping center of said 700 foot distance at the time application for the sidewalk sale is submitted. Outdoor sales shall not block or obstruct more than one-half (1/2) the width of the sidewalk on which such sales shall occur and shall occupy that portion of the sidewalk (1/2 width) which is immediately adjacent to the front of the business establishment. Displays shall not extend beyond said sidewalk either into a drive or parking lot or laterally beyond the limits of the establishment to which a license has been issued. License fees shall be in accordance with Chapter 60, Fees and Bonds of the City of Troy Code of Ordinances.~~

~~———— (Rev. 03-17-03)~~

4. ~~Christmas Tree Sales.~~

~~No person shall engage in the business of selling Christmas trees at retail or operate or maintain a building or yard where Christmas trees are sold at retail without first obtaining a license. No license shall be granted except upon certification of the Building Inspector and Fire Chief. Applications for license shall be made in accordance with Chapter 59 of this Code and the fee shall be as prescribed in Chapter 60 of this Code. Christmas tree sales may be permitted within B-1, B-2 and B-3 Zoning Districts, as well as at locations licensed for 1993.~~

(Rev. 08-08-94)

5. ~~Cash Deposits.~~

~~No license for the retail sale of Christmas trees shall be granted until the applicant shall make a clean-up deposit for each retail sales lot to be operated, said deposit to be retained by the City for a period of not less than ten (10) days after Christmas of the year in which the license was granted. Said deposit shall then be returned to the applicant upon its release being approved by the Building Inspector certifying in writing that the licensed premises to which said deposit was applicable have, within ten (10) days after Christmas of the year for which the license was granted, been cleared of all left over trees, branches, paper, waste and debris. In the event that any licensee shall fail to so clear the premises, the Building Inspector may cause the premises to be cleared and the cost thereof shall be deducted from the deposit and the balance, if any, shall be returned to the licensee.~~

(Rev. 08-26-91)

81. Registration of Dealers in Precious Metal, Gems and Items.

81.1 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) "Jewelry" means an ornamental item made of a material that includes a precious gem.
- (e) "Local police agency" means the police agency of the City of Troy.
- (f) "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.
- (g) "Precious gem" means a diamond, alexandrite, ruby, sapphire, opal, amethyst, emerald, aquamarine, morganite, garnet, jadeite, topaz, tourmaline, or pearl.
- (h) "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.
- (i) "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.

(Rev. 08-24-81)

§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 shall submit the following information on the form provided:
 - (i) His or her name, home address, phone number, driver's license 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 Act No. 95 of the Public Acts of 1981, as provided to him or her by the Police Department, 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 said Public Act 95 of 1981.
 - (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 Act No. 95 of the Public Acts of 1981, or under section 535 of Act No. 328 of the Public Acts of 1931, 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 establishment in the City of Troy. License fees shall be in accordance with Chapter 60, Fees and Bonds of the City of Troy Code of Ordinances.

(Rev. 8-24-81)

Section 3. Savings

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

Section 4. Severability Clause

Should any word, phrase, sentence, paragraph or section of this Ordinance be held

invalid or unconstitutional, the remaining provision of this ordinance shall remain in full force and effect.

Section 5. Effective Date

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

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

_____.

Louise E. Schilling, Mayor

Tonni Bartholomew, City Clerk

CABLE ADVISORY COMMITTEE MINUTES
Thursday, April 17, 2008 – 7 p.m.
Conference Room C – Troy City Hall

I. Call to Order – 7:04 pm

II. Roll Call

Present:

Penny Marinos

Kent Voigt

Brian Wattles

Lisa Martinico

Tom Belian

Cindy Stewart, City Liaison

Nancy Chin, Student

Chi Song, Student

Absent:

Alan Manson

III. Approval of Minutes – Regular Meeting of January 16, 2008
Under Adjournment – Bryan Wattles should be Brian.
Moved by Penny Marinos, seconded by Lisa Martinico with corrections

IV: Correspondence:

Comcast – Channel Changes – March 21, 2008

Brian Wattles comment – he has not received any recent correspondence about new channel line-up changes. Why don't they come to subscribers via insert on bill, message on bill or messages via cable? Cindy will send e-mail to Olivia Visperas. Kent does not receive notices via the TV from WOW.

Comcast – Channel Changes – February 28, 2008

WOW – Bundled Services Mailing – March 2008 - Do they offer tiered bandwidth? Yes and you can check speed. Comcast & WOW have different ways to measure. Kent read an article that Comcast is working to have rules to restrict bandwidth and what customers do with it.

WOW – Interruption of Services – March 26, 2008

Customers got e-mail and letter from WOW apologizing for interruption.

V. Articles

FCC Preparing Public for Mandated Transition to Digital TV – Daily Tribune
April 3, 2007

Comment - UK is spending 10 times more on publicity than the US. This is upsetting a lot of people. Brian Wattles has a lot of concerns with Comcast and will write to Olivia. Cindy has arranged for a speaker at the Senior Center to explain this to our senior citizens.

Local Broadcasters Launch New Digital Channels for 2009 –
www.broadcastingcable.com March 11, 2008

With 569 programming sources coming there is still “nothing on TV.”

VI. New Business

Blocking the BitTorrent protocol

Brought forward by Chi Song - This affects the younger generation.

File sharing – users share very large files (10 gigabytes) Comcast, Oct 07, started blocking the uploads, not downloads yet. First time a company has selectively block what users see. Students distribute music and TV productions. FCC is investigating Comcast (check BitTorrent.com) Comcast has negotiated a deal with BitTorrent. BitTorrent does affect bandwidth so that is a reason they want to control this. If their fear is copyright infringement, they will have many more holes to plug. There is a huge changing market. The consensus of the group should be to oppose this. Do we want to communicate this to Comcast?

FCC held hearing on Howard campus. Comcast hired people to fill seats so the public could not get in and speak to topic. Tom would like to know what WOW feels about this topic. What is their position?

Committee suggests sending a report to City Council on this topic. Cindy will prepare and get to council as a report on their next agenda.

Comcast is a corporate giant and bottom line they are out to make a profit. Brian said we should put together a resolution dealing with topic of net neutral. Lisa said to remember our communities have no control over the Internet. Although the CAC and City has no control of community's use of the Internet, we feel the need to inform City Council. KV leery of a resolution, would rather send them an informational piece. CAC is here to advise City Council, make recommendations.

Any committee member wishing to e-mail Cindy info for a recommendation, please do so by 4/24/08. She will compile for a memo for City Council's next meeting.

VI. Old Business

Report on Web Publications from members

Statistic from the National Cable & Telecommunication Assoc.

- US TV households (9/2007) 112,275,000
- Basic cable subscribers (12/2007) 64,800,000
- Digital Cable customers 37,100,000
- Revenue from customers (2008) \$81, 910,000
- Top ten program networks
 1. Discover
 2. TNT
 3. ESPN
 4. CNN
 5. USA Network
 6. Lifetime
 7. Nickelodeon
 8. TBS
 9. Weather Channel
 10. Learning Channel

Tech Update – Consumer Electronic Trends for 2008

- Blu-Ray HD-DVD Disc
- Super Thin, Super Dark TV Sets Coming
- Home Networking
- New Services – Pro Women & Green
- iPhone & iPod Touch inspire
- Wireless World

Kent would like to see this committee monitor more reports like this from schools, businesses, and cable industry in order to keep the city informed on new technology.

Tom attended the National Association Broadcasters Conference saw new camera by JVC with microwave system and no need for cable trucks.

2007 – ABC, CBS, NBC 23.1 million viewers for nightly news (6:30pm)

2008 – down to 22 million – dropping each year by millions.

People can get news on the Internet and the 6:30 pm news doesn't fit with work schedules. Internet news available 24/7. Will the quality suffer due to the immediacy?

VII. Staff Report

Alan Manson sent an e-mail last week that he was moved out of Troy and will send in his resignation. He thanked the City for allowing him to be part of committee. The City is currently in the budget process. We have been taping all the wonderful Library concerts and Museum lectures.

WTRY Cable Guide
CAC Member Listing
ICCA Meeting Notes – January 16, 2008

Next Meeting: Thursday, July 17, 2008

- VIII. Adjournment -
Motion by Lisa Martinico, Seconded by Penny Marinos to adjourn at 8:30 pm. Approved.

Kent Voigt, Chairman

Cindy Stewart, City Liaison

TROY BROWNFIELD REDEVELOPMENT AUTHORITY
FINAL MEETING MINUTES

July 15, 2008

The meeting was called to order at 3:03 p.m. at Troy City Hall, Council Boardroom by Chairman Bruce Wilberding.

Members Present: Jim Campbell
Art Cotsonika (arrived @ 3:10 p.m.)
Victor Lenivov
Donald Schenk
Robert Swartz (arrived @ 3:04 p.m.)
Joseph Vassallo
Bruce Wilberding (Chairman)

Members Absent: None

Also Present: Lori Bluhm, City Attorney (left at 5:05 pm)
Mark Miller, Planning Director (left at 4:45 pm)
Patti Holland, Real Estate and Development Secretary

APPROVAL OF MEETING MINUTES

Resolution # TBRA 08-10
Moved by: Wilberding
Seconded by: Campbell

RESOLVED, that the TBRA approve the minutes of March 20, 2008.

Yeas: Campbell, Cotsonika, Schenk, Swartz, Vassallo, Wilberding
Nays: Lenivov
Absent: None

MOTION PASSED

Resolution # TBRA-08-11
Moved by: Wilberding
Seconded by: Campbell

RESOLVED, that the TBRA approve the minutes of March 31, 2008.

Yeas: Campbell, Cotsonika, Schenk, Swartz, Vassallo, Wilberding
Nays: Lenivov
Absent: None

MOTION PASSED

Resolution # TBRA 08-12
Moved by: Wilberding
Seconded by: Vassallo

RESOLVED, that the TBRA approve the minutes of April 15, 2008.

Yeas: Campbell, Cotsonika, Schenk, Swartz, Vassallo, Wilberding
Nays: Lenivov
Absent: None

MOTION PASSED

OLD BUSINESS

None

NEW BUSINESS

A. Legal Update

Lori Bluhm provided the board with a Reference Book and gave a presentation on the Freedom of Information Act and the Open Meetings Act.

B. Revolving Loan Fund

Mark Miller presented the Local Site Remediation Revolving Fund application. The TBRA discussed the October 2006 revision of the Local Site Remediation Revolving Fund, and asked that the item be brought back for further discussion and/or deliberation at the next TBRA meeting, and that any background information be sent out as soon as possible.

BOARD MEMBER COMMENTS

Mr. Cotsonika requested member introductions, especially since there were three new members present.

Mr. Lenivov requested the website to be updated and a live demonstration at the October meeting.

Mr. Lenivov requested the following items be discussed at future TBRA meetings

- Budget Format
- Check list for any future plans

Mr. Swartz expressed concern about the most recent Brownfield Plan, Brownfield Plan #5. He asked whether need should be required for all future Brownfield Plans, and asked for the item to appear as a future agenda item.

Mr. Schenk requested a procedural time line for future projects.

PUBLIC COMMENT

None

The meeting was adjourned at 5:15 p.m.

The next meeting scheduled is October 21, 2008.

Bruce Wilberding, Chairman

Mark Miller, Secretary/Treasurer

CALL TO ORDER

A meeting of the Troy Daze Festival Advisory Committee was held Tuesday, August 26, 2008 at the Troy Community Center at 7:05 pm.

ROLL CALL

Members Present: Mike Gonda
 Bob Berk
 Sandy Macknis
 Jeff Stewart
 Dan O'Brien
 Alison Miller
 Jim Hattan
 Jeff Super
 Bob Preston
 Sarah Wunderlich, student

City Staff Present: Cindy Stewart
 Bob Kowalski
 Jeff Biegler
 Tonya Perry

Others: Karen Hattan
 Doris Schuchter
 Poncho Massaini
 Kat Davis
 Diana McKay
 Jeff Winiarski
 Lynne Clark
 Steve Wassef

Additions/Deletions to Agenda

None

Approval of Minutes from July 22, 2008

RESOLUTION #TD-2008-08-23
Motion by: Sandy Macknis
Seconded by: Jeff Stewart

RESOLVED, that the minutes of July 22, 2008 are approved as submitted
MOTION CARRIED

New Business

a. Contract Updates –

All information has been entered, purchase orders sent out. Need to order straw bales. City Council approved the fireworks and Police Explorer's contracts on August 25, 2008. The City of Madison Heights called and asked us to be aware that Mad Bomber shorted them shells this year. Tonya Perry said the Fire Department would try to count shells. They discovered a problem with other companies selling shells taken off current jobs.

b. 2008 Event Updates –

Car Dealers are coming in; will need orange fences.

Cutest Toddler/Infant: there are only 30 entries to date.

Mike Conners, Boy Scout project was rejected (games for Kids Corner).

Sandy reported she has 245 student volunteers from the high schools; she will go to Troy Youth Council to recruit a few more.

Pickle Ball: There is a request to have an event at Troy Daze, but they felt it was too soon to pull off the event. Maybe next year.

Balloons and brochure have been ordered.

The EthniCity Tent is full. All Talent Shows are full.

Parade: Do we need a parade meeting regarding traffic? It's the same route/similar groups, but the time has changed to 10 am. The Grand Marshal has not been chosen yet. Troy and Athens Marching Bands are all set. The Troy High Football Team will carry the international flags. There is a need for 5-6 more adult volunteers to help the day of the parade. Need to check with Danielle Cover to see if the Miss Troy winners will be on the float. Need a six-seater for school board members. Mayor and Council will ride on golf carts.

Senior Sensation: Lunch reservations are coming in. It's \$3 per person this year. The Beaumont Hospital Wellness Fair is set. Margaret Julian and Diana Duluck are working on getting prizes for Bingo. Coffee will be prepared by Gail Moran of the Troy School District.

Sara Wunderlich, Student Rep, will be an assistant to Jeff Super for shuttles.

Mike will pick up 15-20 fire extinguishers.

Generator: Mad Power is all set. Jeff Winiarski is all set for electrical. We are using the same diesel fuel provider as last year.

Booths are full. The Booth meeting will be held Wed, September 3 at 7 pm. Need overhead projector for his laptop presentation. Bob and Lynn will be putting layout and packets together this week. Called Health Department; Kathy Fraser will attend the Booth Meeting, if possible. There is room also on the agenda for the Fire and Police Dept. They will be strict on rules. One parking pass per booth is provided; additional ones on sale. Wear black shirts to Booth Meeting.

Layout: almost identical to 2007 except outdoor stage moved back (west) almost where old pavilion was. Kids Corner Tents will form a "U" shape. Entertainment Tent was 80x100 E-W, now 80x100 N-S.

Drop Off Area for students is at the garbage dumpster off Northfield Pkwy. There will be a student drop-off sign. Mike will call Boulan Principal regarding turning on the school parking lot lights.

Parking stickers are on sale now. Cindy will send note to Tim McAvoy to include with school e-mail blast. Fire Dept. will deliver lawn signs to all Fire Stations & the Fire-Police Training Center.

Bob Matlick and Stu Redpath are new Operations Volunteers. Operations working Friday, September 5, 8 am at Boulan Park. Tents, storage trailers to arrive.

Nino Salvaggio is donating fruit, cheese, veggie trays for volunteers on Friday. We'll also have donuts, coffee and chips. Water and pop are needed for volunteers. 50 cases of water; 25 cases of pop (10 regular, 10 diet and 5 clear pop). Needs to be \$5-6 a case. Mike and Dan O'Brien will work on this

Sunday, September 7 at 8 am, need volunteers for more setup/signs.
Monday, September 8, setup/operations starts at 8 am. Jeff Super fixed and painted all the fences. Tuesday, September 9, setup again at 8 am.

RESOLUTION #TD-2008-08-24

Motion by: Mike Gonda

Seconded by: Alison Miller

RESOLVED, that all Troy Daze Advisory Committee members and their immediate family members (spouses/children) as well as Troy Daze Committee

Chairs and their immediate family members are not eligible to enter contests or win any monetary awards for Troy Daze related events or competitions.

Yes: All

No: None

MOTION CARRIED

Photo Contest: Steve Wassef introduced himself as assistant to Tom & Tammy Duszynski. Entries are coming in.

Northfield Pkwy will be closed on Saturday between 9:30-11:30 am for the Parade.

Waffle Breakfast: Jonathan Campion is all set. Saturday and Sunday from 9 am - 1 pm. \$5 waffle meal for adults/\$4 kids meal.

Diana McKay has a coin sorter for Alison to use for cutest infant/toddler contest.

Opening Ceremony/New Citizen Naturalization combined will begin at 6 pm.

Old Business

Police and Fire Explorer contract was approved on August 25, 2008 by the City Council.

Adjourn

RESOLUTION # TD-2008-08-25

Moved by: Alison Miller

Seconded by: Mike Gonda

RESOLVED, that the Troy Daze Advisory Committee Meeting is adjourned.

Yes: All

No: None

MOTION CARRIED

Meeting adjourned at 8:25 pm.

Bob Berk, Co-Chairperson

Cindy Stewart, Community Affairs Director

**TROY ETHNIC ISSUES ADVISORY BOARD
Minutes for Tuesday, September 2, 2008**

I. Call to Order 7:10 pm

II. Roll Call

Present Michelle Haight
 Karen Yelder
 Kelly Jones
 Mayada Fakhouri
 Grigore Buia
 Cindy Stewart, City Liaison

Absent Cathy Francois
 William Lawrence
 Reuben Ellis
 Lily Huang, Student rep
 Tony Haddad

Visitors: Sushma Shrestha

III. Approval of Minutes – August 12, 2008

Motion to approve August 12, 2008 minutes by Karen Yelder, seconded by Kelly Jones. Approved unanimously.

IV. Correspondence/ Articles

Kelly will bring to the October meeting.

V. Old Business

a. Troy Daze Ethnicity

Poster Contest – Deadline is Sept. 8. Judging is Sept. 11 in Room 404. Remind Tim McAvoy to send an e-blast. Michelle is set with judges.

Ethnicity Booths Confirmed:

EIAB, Peru, Germany, Troy High Chinese Club, Bharatiya Temple, CAPA, NAFFAA, African American Parent Support Group, Filipino American Community Council. CAGD, Oriental Culture Association, Arab Chaldean & American Council. Total 17 tables.

Cindy will get the trifold display board and bring the flags, pictures, Velcro, tablecloths and skirts, passports from Mayada, flag stickers, pushpins, and world map. Kelly and Karen will attend the Wed., Sept. 3 Booth Meeting.

b. African American Support Group – Next meeting is Monday, Sept. 8, 7:30 pm. Karen will attend. ACT prep class starts on 9/13 at Troy High. Math Prep class is Sept. 20-November at Baker. Nadeen Brown is President. There are plans to print a directory.

c. Troy School District Updates

Elementary school – Kelly finished her presentation for the PTO/PTA presidents. It was sent to Michelle for editing. She plans to discuss the EIAB mission and goals, resources, and demographics. She will send to Tim McAvoy next for approval and to get a date for presentation. Barnard Elementary School held their Kindergarten picnic and the Cultural Community Committee had a table there with information related to different ethnic groups as well as a cultural newsletter; highly recommended for other schools.

High Schools – Mayada and Padma made a presentation on August 18 to 30 new Troy teachers. It included an overview on EIAB, what they do, goals, upcoming events, resources and Troy Interfaith Group goals.

VI. New Business

- a. Sterling Heights Diversity Dinner September 18th at Ike's Family Dining on Van Dyke, Sterling Heights. \$30/ticket.
- b. Cultural Brochures – On hold until after Troy Daze. Plans to start with Arab, Indian, Chinese, and Eastern European. Check CIA.gov for information.

VII. Motion to adjourn 8:05 pm, by Michelle Haight and seconded by Karen Yelder

Next Meeting Tuesday, October 14, 2008 at 7 pm.

Kelly Jones, EIAB Chair

Cindy Stewart, EIAB Recording Secretary

CALL TO ORDER

A meeting of the Troy Daze Festival Advisory Committee was held Wednesday, September 3, 2008 at the Troy Community Center at 8:43 pm.

ROLL CALL

Members Present: Mike Gonda
 Bob Berk
 Sandy Macknis
 Jeff Stewart
 Dan O'Brien
 Alison Miller
 Jim Hattan
 Jeff Super
 Bob Preston
 Sarah Wunderlich, student

City Staff Present: Cindy Stewart
 Bob Kowalski
 Tonya Perry
 Mike Lyczkowski

Others:	Karen Hattan	Doris Schuchter
	Jeff Winiarski	Lynn Clark
	Bob Matlick	

Additions/Deletions to Agenda none

New Business**a. Event Updates –**

Move Cutest Toddler Board to Community Center.

Shirt colors:

Thursday – Gold

Friday – Teal

Saturday – California Blue

Sunday – Birch/grey

Senior Sensation – Al Lindsay will have ice there.

EthniCity – How many outlets? Let Jeff Winiarski know.

Kids Corner – Needs one outlet for games/tent.

Senior Sensation – Last year we needed a picnic table or folding chairs in parking lot while they wait for shuttle. Do same this year – 10 chairs.

Operations – Set up large Entertainment Tent; Outdoor Stage; Vendor Tent & Trailers delivered Friday. Headquarters set up. EthniCity Tent and Photo-Student Art to be delivered Saturday. Sunday at 8 am – set up for rest of tents.

Dan O'Brien got a deal on pop & water and Jeff Winiarski offered to pay for this.

Work Schedule:

Monday, 8 am – 4 pm

Tuesday, 8 am – 5/6 pm

Wednesday, 8 am – 8 pm

Thursday we begin.

Friday, 8 am - close

Need someone to pick up cleaning supplies and fire extinguishers. Clean banners. Laminate Friday afternoon at the Community Center.

Make 10 car dealer passes.

Adjourn

RESOLUTION # TD-2008-09-26

Moved by: Alison Miller

Seconded by: Jim Hattan

RESOLVED, that the Troy Daze Advisory Committee Meeting is adjourned.

Yes: All

No: None

MOTION CARRIED

Meeting adjourned at 9:01 pm.

Bob Berk, Co-Chairperson

Cindy Stewart, Community Affairs Director

BOARD MEMBER COMMENTS

The LAB members requested that a generic announcement “Library Advisory Board meetings are held the 2nd Thursday of the month at 7:30 p.m.” be included in future issues of Troy Today, on the Boards & Commissions page and on the cover banner page of the Library/Museum section.

Gauri announced that that MLA conference has special sessions for library trustees on Wednesday, October 22.

Gauri would like to add “drive up drop box” to the October LAB meeting.

Does the Library Director submit an annual report to the city?

The LAB members would like to include a discussion of their roles and responsibilities to the agenda of the upcoming special meeting about the library café space.

The LAB members would like a copy of the City Attorney’s presentation about the Open Meetings Act.

The LAB members would like additional copies of Chapter 9, which discusses the Library Advisory Board.

The LAB would like to know future dates of SLC Board meetings.

Could Dollar-Store paper bags be distributed for patrons to use? What are other bag options? Are the Friends of TPL pursuing this?

STUDENT REPRESENTATIVE’S COMMENTS

Joel is a senior at Troy High School.

POSTPONED ITEMS

There were no Postponed Items.

OLD BUSINESS

There was no Old Business

NEW BUSINESS

- A. Welcome to New Library Advisory Board Student Representative Joel Xu.
- B. Statistics 2007-2008 fiscal year, July-August 2008
The LAB would like the current year’s statistics as well as statistics from the previous 3 years, in future reports.
- C. Tour of Adult Services area—postponed until October meeting
- D. Summer Library Advisory Board meetings

Resolution #LB-2008-09-03

Moved by Wheeler
Seconded by Zembrzuski

RESOLVED, That the Library Advisory Board hold 12 meetings per year

Yes: 2—Gauri, Wheeler
No: 3—Duggan, Gregory, Zembrzuski

MOTION FAILED.

REPORTS & COMMUNICATIONS

Director's Report

Resolution #LB-2008-09-04

Moved by Gregory
Seconded by Wheeler

RESOLVED, That the Library Advisory Board receive and file the Director's Report for September

Yes: 5—Duggan, Gauri, Gregory, Wheeler, Zembrzuski
No: 0

Suburban Library Cooperative--Gregory

The SLC will have a new delivery service, the Trinity Delivery Service. SLC is conducting a search for a new director. The search has been narrowed to 2 finalists. Larry Neal reported to the SLC board about the annual in-service that was held for member library staff September 4 & 5. Alliance is the SLC's new investment service. The October SLC Board meeting will be Gregory's last meeting as a board representative, as TPL's term on the board ends at the end of October.

Friends of the Troy Public Library

No Report

Gifts.

The library received 4 donations from June-August:

- \$100 Troy Garden Club, Troy (proceeds from Troy Garden Walk)
- \$ 25 Piety Hill Chapter of the Daughters of the American Revolution, Birmingham
- \$ 35 Evening Primrose Garden Club, Troy
- \$ 33.63 June McPherson, Troy

Informational Items.

Website address for Troy Public Library calendar:

<http://sl.libcoop.net/troy/lib/eventcalendar.asp>

Contacts and Correspondence.

70 written comments from the public, received from May-August were reviewed.

Adjournment

The Library Board meeting adjourned at 9 P.M.

Kul Gauri
Chairman

Barbara Schaich
Recording Secretary

**CITY OF BIRMINGHAM
PLANNING BOARD ACTION ITEMS
OF WEDNESDAY, SEPTEMBER 22, 2008**

Item	Page
Opportunities for Collaboration	7
Resolution by Mr. Vleck And seconded that the City of Troy and the City of Birmingham explore creating a Joint Planning Commission as it relates to the proposed Troy-Birmingham Transit Center.	7
Resolution carried unanimously.	8
Resolution by Mr. Tagle Seconded by Mr. Strat to excuse the absent members of the Troy Planning Commission for personal reasons.	8
Resolution carried unanimously.	8

**CITY OF BIRMINGHAM
SPECIAL JOINT MEETING OF THE BIRMINGHAM PLANNING BOARD
AND
TROY PLANNING COMMISSION
WEDNESDAY, SEPTEMBER 22, 2008**

Minutes of the joint meeting of the Birmingham Planning Board and Troy Planning Commission held September 22, 2008. Chairman Robin Boyle convened the meeting at 5:33 p.m.

Birmingham Planning Board

Present: Chairman Robin Boyle (left at 6:30 p.m.); Board Members Brian Blaesing, Sam Haberman, Gillian Lazar, Mark Nickita, Janelle Whipple-Boyce

Absent: Board Member Bryan Williams; Student Representative Cole Fredrick

Birmingham Administration: Matthew Baka, Planning Intern
Sheila Bashiri, City Planner
Jana Ecker, Planning Director
Tara Maguire, GIS Coordinator
Jill Robinson, City Planner
Carole Salutes, Recording Secretary

Birmingham/Bloomfield Chamber of Commerce: John Roberts, Chairman
Alicia Green
Carrie Zarotney, President

Troy Planning Commission

Present: Chairman Robert Schultz; Commission Members Michael Hutson, Philip Sanzica, Thomas Strat, John Tagle, Mark Vleck (arrived at 5:40 p.m.)

Absent: Commission Members Mark Maxwell, Lon Ullmann, Wayne Wright

Troy Administration: Zak Branigan, Planning Consultant
Chris Forsyth, City Attorney
Mark Miller, Planning Director
R. Brent Savidant, Principal Planner

Troy Chamber of Commerce: Michelle Hodges, President
John Daily
Ted Wilson

09-182-08

CHAIRPERSON'S COMMENTS AND INTRODUCTION OF GUESTS

Chairman Robin Boyle welcomed the audience and everyone around the table introduced themselves.

09-183-08

APPROVAL OF THE AGENDA (no changes)

09-184-08

MEETING OPEN TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA (no one spoke)

09-185-08

DISCUSSION OF PROPOSED TROY-BIRMINGHAM TRANSIT CENTER

➤ Status of Transit Center Development

Ms. Jana Ecker gave a PowerPoint presentation which went over the reason for this meeting and why it is felt the Transit Center is needed in Birmingham and Troy. There has been an increase in demand for public transportation both nationally and locally with the price of gas going up, along with a resurgence in demand for urban living. This region needs to recognize these trends and plan for the future in terms of coordinating existing services. They think that a multi-modal Transit Center would be an excellent way to do that by coordinating AMTRAK, the existing bus lines, sedan service, taxi service, and some airport linkages. It allows connection in the future with any other types of transit services that might come to this area.

The City of Troy entered into a Consent Agreement in 2000 with the developer of the Midtown Shopping Center, which stipulated that if the City started construction on a transit center by 2010 then the developer would donate the land. It would come with a large parking lot already developed.

It has been determined that a critical part of this project must be the pedestrian tunnel that would run between Troy and Birmingham. The railroad companies will not allow any type of above-grade crossing. The only way to access the AMTRAK platform is from the Birmingham side. Therefore, since the land is on the Troy side, there is a need for an underground pedestrian tunnel to connect both sides.

➤ Existing planning efforts

- Proposed Troy Transit Center area – density, height, current land uses

Mr. Mark Miller said that Troy city staff along with the Planning Commission have prepared a Master Plan that specifically identifies a Transit Center District. The Master Plan moves this area away from traditional suburban development and allows for increased intensity in a livable urban environment. The Planning Commission must still approve the Master Plan in order to have a Transit Center designation in this location. Then they can start on regulations to implement it.

- Birmingham Rail District – density, height, current land uses

Ms. Ecker summarized that on the Birmingham side there is already the type of walkable community that one would generally like to see around a Transit Center. The Rail District has a Master Plan that sets up the type of development that encourages multiple stories, a mix of uses, moving the buildings up to the street, and making it pedestrian friendly. Further to the west in the Triangle District, a Master Plan has been completed that goes for the same thing and creates the type of environment that people want to live in. Troy has done a good job in identifying and defining the boundaries of the area they perceive to be most impacted by the development of the Transit Center and Birmingham needs to consider doing that as well.

➤ Area context

The Transit Center will be located on the Troy side immediately behind the Kroger retail store. Vehicular access will be down Doyle Dr., south of Maple Rd. There has been some discussion about providing five or ten parking spaces on the Birmingham side. The tunnel will be located a couple of blocks south of the existing platform is currently. Ms. Michelle Hodges voiced her concern for something to be underway prior to the 2010 deadline.

- GIS Data

Ms. Tara Maguire went through a series of maps that outlined some of the existing conditions in the proposed Transit Center area.

- Demographics

Ms. Maguire noted that the 2000 census data has been projected to 2007:

- The area in and around the Rail District has lower population numbers than some of the outlying areas but is growing;
- Median age of the population around the Transit Center is younger.
- Fewer housing units around the Transit Center than further away;
- Within one mile there are 4447 parcels;
- Traffic volumes on the roads will decrease as people start to use the Transit Center; and

- Median household income in and around the Transit Center is low to middle for the area.
 - o Future build-out potential

Chairman Boyle pointed out this is not just an opportunity to provide an alternative transportation system, but it is also an opportunity to see how additional development may be attracted to this area, particularly to vicinities that are presently somewhat lower in density.

➤ Transit oriented development

Transportation becomes a focal point, not only for the quality of life, but it also drives a different form of urban development that is somewhat higher in density and has a mixed-use component. So the twin goals are not just the transit, but the future that both cities envision for this particular area.

Mr. Sam Haberman thought the shared taxi concept should be incorporated into the existing services of the Transit Center. If there is no one to take people to their jobs, the Transit Center will not be used as much as it could be.

Mr. Brian Blaesing said it is obvious to him that the two planning bodies have to work together in light of the fact the Transit Center will not happen without the joint efforts of the two cities. Secondly, this will not happen unless the funding is established. Ms. Ecker said the Birmingham/Bloomfield Chamber of Commerce, Troy Chamber of Commerce, City of Troy, and City of Birmingham are working on funding. Most recently they have gone to all of the different legislators in the area to promote the Transit Center and to seek funding for it. Also they are looking at different groups that would be willing to support the transit center, so that when they make a formal request to the legislators, that support will be behind them. The budget for the project is in the neighborhood of \$5.6 million for the building and the tunnel. Funding in place is:
\$1.5 Million donation of land;
\$1.2 Million from City of Troy;
\$300 Thousand from City of Birmingham; and
\$350 Thousand from the State of Michigan for the conceptual design renderings.

Mr. Miller noted that the City of Troy has identified that trailways will be part of the Transit Center. They are currently in the process of sending out an RFQ to hire a non-motorized path system consultant. Ms. Ecker said Birmingham envisions a linear park that would run alongside the rail track to promote pedestrian circulation within the district.

Chairman Boyle felt that as part of these deliberations they would like to know a little bit more about how folks are getting to work.

Mr. Miller explained that the concept that Troy proposes along Big Beaver will not work in the suburban mode of driving from place to place. There needs to be a connection along Big Beaver down to the Transit Center.

Mr. Thomas Strat added that a link to Somerset is very important. They are trying to get mixed occupancy and are rehabbing a lot of the light industrial. The airport is an important link. Several cab companies are interested in becoming a part of the plan.

Mr. Mark Vleck said the group needs to take a look at the other destinations along the way.

Mr. Mark Nickita inquired how the Troy plan for that area will correlate with what Birmingham has done with the Rail District. Mr. Miller answered their Master Plan is a draft plan at this time. If it is adopted by the City it encompasses new infill development, allows for multi-modal transportation, and creates walkability. The two planning bodies must decide if they want to work together to create a common district that is in two cities; and further, whether they want to create common regulations for that area.

Mr. Philip Sanzica asked about any income that may be generated at the site. Ms. Ecker said there has been discussion about having concessions within the building that would produce a monthly income that would at least cover the maintenance costs. Mr. Chris Forsyth did not think the Consent Judgment would prohibit some types of concessions.

Mr. Vleck said the chances of success are dramatically increased if the cities combine together as a team and work on the Transit Center together. This is an area that definitely needs additional forms of mass transportation.

Chairman Boyle echoed those thoughts. It behooves the two planning bodies to come together in such a way as to make this Transit Center work.

The chairman took comments from members of the public at 6:25 p.m.

Mr. Richard Rosenbaum, resident of the area, said that by dividing the daily AMTRAK ridership of 27 people into the \$6.5 million figure it comes out to be the most expensive train station on the planet. Secondly, the piece of donated property that is worth \$1.5 million sounds to him like a \$1.5 million tax write-off for an individual who gave many other donations. The reason trains in Europe travel so quickly between cities is because they don't have many stops. Therefore, one might ask about two major train stations between Birmingham and Royal Oak about three miles apart.

Mr. Frank Carnovale, architect in Birmingham, said the two fundamental issues that need to be addressed immediately are how much this is going to cost and where the money is coming from; and secondly, is there enough time to coordinate these two city bodies and bore a pipe underneath an active railroad that neither City owns. He thinks

that ridership will increase in consideration of rising fuel costs. Therefore, this is something that should be seriously pursued and pursued quickly.

Ms. Dorothy Conrad, 2252 Yorkshire, said she would like to see a map of proposed destinations and employment opportunities along the line.

Mr. Larry Bertollini who lives in the area wanted to know how much the building is going to cost out of the \$5.6 million. Also, what is the purpose of the parking at the site and how many spots would be provided. Ms. Ecker explained the bulk of the cost is due to the tunnel and the earth work that would be necessary for it. She does not have a figure on the building at this time. Mr. Miller said 40 parking spaces have been set aside.

Ms. Alice Thimm from Birmingham wanted to know what is necessary to get this project underway. Ms. Ecker advised the City of Birmingham is trying to move this along as best they can but they have to rely on the City of Troy to work out the details of the Consent Agreement.

Chairman Boyle left the meeting at 6:30 p.m. and Chairman Robert Schultz took over.

Ms. Pam Brady from Troy asked if the Transit Center is part of the Brownfield Development Authority area, and if it is and it reverts, will Troy lose tax money if other establishments are put there instead of the Transit Center. Mr. Miller advised it is part of Brownfield Plan No. 1. He said the City of Troy has paid off the eligible legal fees, testing and cleanup of the site along with other expenses to Grand Sakwa. The tax increment is now being stored and will be available for the Brownfield Redevelopment Authority to grant loans. If the property reverts to City ownership he will have to find out what happens to the increments from the property because it would then be tax exempt.

Ms. Michelle Hodges, President of the Troy Chamber of Commerce, said even if the Transit Center never materializes the communities are now working collaboratively and they are better off because of that. The Troy Chamber is committed to this effort and is pleased to be working with such a great team. From a regional standpoint, they are also working with SEMCOG as well as Detroit Regional Mass Transit. They also have reached out to Aerotropolis to develop some sort of reciprocal support for this so that it is part of a regional plan. Additionally, the Oakland County Business Roundtable for Transit has provided a letter of support.

Ms. Hodges suggested some potential action items. Lawrence Tech University has recommended a transit-oriented development district as well. The respective bodies could also pass resolutions of support. Individuals should be writing letters of support too. Each of the communities need to have policies that are supportive of transit-oriented development. One of the most significant things the communities could do would be to hire a project manager because it is an aggressive timeline. If they remove as many obstacles as possible from the decision making process they will be more successful.

Mr. Richard Rosenbaum inquired about who would pay for the staffing of the building. Ms. Ecker said it is premature to determine what concession stands will be allowed. The Michigan Dept. of Transit, SMART, and AMTRAK may offer some funding.

Mr. John Roberts, Board Chair of the Birmingham/Bloomfield Chamber of Commerce, pointed out this area is unique in its lack of regional mass transit. This has to change.

➤ Opportunities for Collaboration

Mr. Brent Savidant gave a slide summary of potential state statutes that create tools to permit intergovernmental cooperation. He discussed the Joint Municipal Planning Act, created in December 2003, that allows the legislative bodies of two or more municipalities to establish a joint planning commission. The joint planning commission can have any or all of the powers that are provided the planning bodies under the Zoning Enabling Act.

Assuming there is an affirmative nod from both boards this evening, the next step would be to determine the district that the planning commission would have jurisdiction over and to put together a list of the joint planning commission's powers and duties.

Chairman Schultz believed it would be in the best interest of getting the project consummated to have a joint body overseeing the site that will contain the structure, the parking spaces, and the tunnel.

Resolution by Mr. Vleck

And seconded that the City of Troy and the City of Birmingham explore creating a joint planning commission as it relates to the proposed Troy-Birmingham Transit Center.

Mr. Blaesing thought it is important to proceed in this direction. The two most critical elements are the short time frame to do something, and getting the money in place. The joint body could reinforce to City, County, State, and Federal funding bodies that this is being taken seriously by the two communities. Secondly, in the end when they come up against deadlines, having the joint body in place would prove to be a good indication to Grand Sakwa that progress is being made. If more time is needed the cities may be able to negotiate it because of this effort.

Mr. Sanzica concurred that the cities must work together. When going for grants, congress wants to see cooperation between the communities. If there is any dissention, the project will fail.

Mr. Nickita thought that given the timeline it is important to show solidarity. This is a good avenue to continue discussion to a higher level.

ROLL CALL VOTE

Birmingham Planning Board

Yeas: Blaesing, Lazar, Haberman, Nickita, Whipple-Boyce

Nays: None

Absent: Boyle, Williams

Troy Planning Commission

Yeas: Hutson, Sanzica, Schultz, Strat, Tagle, Vleck

Nays: None

Absent: Maxwell, Ullmann, Wright

Resolution carried unanimously.

Resolution by Mr. Tagle

Seconded by Mr. Strat to excuse the absent members of the Troy Planning Commission for personal reasons.

ROLL CALL VOTE

Troy Planning Commission

Yeas: Hutson, Sanzica, Schultz, Strat, Tagle, Vleck

Nays: None

Absent: Maxwell, Ullmann, Wright

Resolution carried unanimously.

Messrs. Sanzica and Vleck indicated they are looking forward to the exciting potential of the two cities working together.

- Definition (not discussed)
- Case studies (not discussed)

09-186-08

MEETING OPEN TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA

Chairman Schultz opened the meeting for public comments at 6:55 p.m.

Mr. Larry Bertolini asked if the plan for the Transit Center has been finalized. Ms. Ecker advised there is an outside consulting firm that was hired with the State money that is working with the cities of Troy and Birmingham in the joint effort. The plan has not yet been finalized.

Ms. Ericka Knoll asked if traffic flow studies have been completed. Ms. Ecker replied that no studies have been finalized.

Mr. Frank Carnovale inquired if the City of Birmingham owns the property necessary to accommodate this connection. Mr. Ecker said they do not, but have been working toward an effort in that regard with a multitude of property owners there.

09-187-08

ADJOURNMENT

No further business being evident, meeting adjourned at 7 p.m.

Respectfully submitted,

Jana Ecker
Planning Director
City of Birmingham

Mark Miller
Planning Director
City of Troy

A meeting of the **Troy Youth Council (TYC)** was held on September 24, 2008 at 7:00 PM at Troy Community Center, 3179 Livernois. Jason Lee and Neil Shaw called the meeting to order at 7:03 p.m.

MEMBERS PRESENT: Willa Adamo
Disha Bora
Geon Woo Kim
Jason Lee (Co-chair)
Jennifer Liang
Joseph Niemiec
Vikram Prasad (Secretary)
Shaina Sekhri
Neil Shaw (Co chair)
Rachita Singh
Emily Wang
David Wylie

MEMBERS ABSENT: Sevita Rama
VISITORS: Nancy Morrison and Nick Donabedian - Teens Taking Action
STAFF PRESENT: Scott Mercer, Recreation Supervisor

1. Roll Call

2. Approval of Minutes

Resolution # TY-2008-9-14

Moved by Sekhri
Seconded by Adamo

RESOLVED, That the minutes of August 27, 2008 be approved.

Yes: All – 11

No: 0

Absent: 2 – Rama, Wylie

3. Attendance Report:

Report reviewed by council members, no comments.

4. Visitors

Nancy Morrison and Nick Donabedian – Teens Taking Action

Presented information regarding TTA.

TTA established in 1998

Provide leadership training

Teens against tobacco use (TABU)

Involved in Jam Fest

Spring break Troy style

7 habits of highly effective teens

Anyone can attend meetings

Walked through demonstrations

5. Teens Taking Action

No Update

6. Troy Daze

Some did not have the opportunity to volunteer due to weather. 3 members are in need of volunteer forms.

7. Motion to Excuse Absent Members Who Have Provided Advance Notification

No Motion

Resolution # TY-2008-

Moved by

Seconded by

RESOLVED that

Yes: 0

No: 0

Absent: 0

8. Youth Council Comments – None

9. Public Comments – None

10. Adjournment – 7:40 p.m.

Jason Lee, Co-chair

Scott Mercer, Recreation Supervisor

Reminder Next Meeting: October 22 at 7:00 P.M.

The Chairman, Ted Dziurman, called the meeting of the Building Code Board of Appeals to order at 8:30 A.M., on Wednesday, October 1, 2008 in the Lower Level Conference Room of the Troy City Hall.

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

ALSO PRESENT: Mark Stimac, Director of Building & Zoning
Paul Evans, Housing & Zoning Inspector Supervisor
Pam Pasternak, Recording Secretary

ITEM #1 – APPROVAL OF MINUTES- MEETING OF SEPTEMBER 3, 2008

Motion by Kessler
Supported by Richnak

MOVED, to approve the minutes of the meeting of September 3, 2008 as written.

Yeas: All – 5

MOTION TO APPROVE MINUTES CARRIED

ITEM #2 – VARIANCE REQUEST. PAUL DETERS, METRO DETROIT SIGNS, 5505 CORPORATE, for relief of Chapter 85 to install two (2) additional ground signs each measuring 50 square feet in area.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 85 to install two additional ground signs. This site currently has a 192 square foot ground sign. Chapter 85.02.05 (C) (3) allows one ground sign for each building in accordance with table 85.02.05 and one additional ground sign for each building, not to exceed thirty-six square feet in area. The site plan submitted indicates that the new signs would each be 50 square feet in area.

This item first appeared before this Board at the meeting of September 3, 2008 and was postponed to allow the petitioner to consider the possibility of reducing his variance request.

Revised plans have been submitted deleting one of the signs. However they are still requesting a variance to allow this sign to be 50 square feet in area where the ordinance limits this sign to 36 square feet.

Mr. Paul Deters of Metro Detroit Signs was present. Mr. Deters indicated that they had decided to eliminate the sign that would have been erected along New King. The new

ITEM #2 – con't.

sign will be constructed along the entrance drive on Corporate. There is no signage on the building and the owners do not have any plans to add signage. Mr. Deters stated that this sign will have the address on it as well as six major tenants. Each of the six (6) major tenants will have an identification sign that is one square foot in area.

Mr. Dziurman asked if the configuration of the sign made this variance necessary.

Mr. Deters said that was correct and reiterated that the owner wanted the address of the building as well as the names of the major tenants in the building.

Mr. Dziurman asked about the existing sign.

Mr. Stimac said that the 192 square foot existing sign does not identify the building, it identifies the complex. If that sign was not on the site the proposed sign would be allowed.

Mr. Kessler stated that he was hoping the petitioner had found additional information in requesting this variance. This complex has two (2) isolated entrances as well as a large retention pond in the front. The building sits quite far back on the property and the signs would provide the identification needed for both the building name and the parking. Mr. Kessler also hoped that the petitioner would have presented the correct verbiage regarding the hardships involved with this site. Mr. Kessler also stated that he would like something concrete that will state that the existing sign that identifies Baluster Park will not be used to identify the building.

Mr. Deters said that he had misinterpreted what the Board was asking for.

Mr. Richnak asked the petitioner if he felt that this site would meet any of the variables brought up by Mr. Kessler.

Mr. Deters stated he could definitely state that no tenants would be listed on the existing sign that identifies Baluster Park. This is a unique site with two (2) separate driveways. Mr. Deters said that they are trying to work with the Board.

Mr. Dziurman asked how many tenants would be listed on the sign.

Mr. Deters said that due to the configuration of the sign, they would only allow identification for six (6) of the major tenants.

Mr. Dziurman asked how large these tenant signs would be.

Mr. Deters said that they are 1' x 4'.

ITEM #2 – con't.

Mr. Kessler asked how large a sign would be permitted if the 192 square foot was not there.

Mr. Stimac said that depending on the setback, a maximum size of 200 square feet would be allowed.

Mr. Kessler asked about the location of the 192 square foot existing sign.

Mr. Evans said that in August 2005, this Board granted a variance on the setback to the front property line for the location of that sign based on the location of the pond and also the slope of the land.

Motion by Kessler
Supported by Nelson

MOVED, to grant Paul Deters, Metro Detroit Signs, 5505 Corporate relief of Chapter 85 to install two (2) additional ground signs each measuring 50 square feet.

- No tenant names will be listed on the 192 square foot office park sign.
- Any changes to the 192 square foot office park sign, including face changes, will require approval by the Building Code Board of Appeals.

Yeas: All – 5

MOTION TO GRANT VARIANCE CARRIED

ITEM #3 – VARIANCE REQUESTED. RALPH GARABEDIAN, 2644-2648

LOVINGTON, for relief of the dwelling unit separation wall in the attic of a two family dwelling required by Section 317.1 of the Michigan Residential Code.

Mr. Stimac explained that the petitioner is the owner of a two-family dwelling originally constructed in 1969. Recently the home was inspected as part of a property maintenance issues at the property. It was discovered that the fire resistance rated wall separating the two dwelling units did not extend through the attic of the units. Section 317.1 of the Michigan Residential Code requires that this wall extend to the underside of the roof sheathing. Upon being cited for this deficiency, the petitioner filled application for appeal of this item.

This item appeared before this Board at the meeting of September 3, 2008 and was postponed to allow the petitioner the opportunity to look into other options that would provide the same equivalent level of fire safety.

ITEM #3 – con't.

Mr. Stimac informed the Board that he had a telephone conversation with Mr. Garabedian who indicated that he was looking at replacing the roof and stated that he would put the fire separation walls in at that time. Mr. Stimac also stated that he had not received anything in writing, and although a Building Permit is not required for re-roofing, due to the structural changes a Building Permit would be required in this case.

Mr. Dziurman asked if he had given Mr. Stimac a time frame.

Mr. Stimac said that he had indicated that it would be done before this winter.

Motion by Richnak
Supported by Zuazo

MOVED, to postpone the request of Ralph Garabedian, 2644-2648 Lovington, for relief of the dwelling unit separation wall in the attic of a two-family dwelling required by Section 317.1 of the Michigan Residential Code until the meeting of November 5, 2008.

- To allow Building Department Staff to contact Mr. Garabedian regarding his intentions on this property.

Yeas: All – 5

MOTION TO POSTPONE THIS REQUEST UNTIL THE MEETING OF NOVEMBER 5, 2008 CARRIED

ITEM #4 – VARIANCE REQUESTED. DALE B. SCHMIDT, 6768 MERRICK DR., for relief of Chapter 83 to install a 48” high aluminum fence.

Mr. Stimac explained that the petitioner is requesting relief of the Ordinance to install a 48” high fence. This property is a double front corner lot. It has a 40’ minimum front yard setback along both Merrick and Kimberly. Chapter 83 limits the height of fences in front setbacks to a maximum height of 30”. The site plan submitted indicates this 4’ high fence setback 30’ from the property line along Kimberly.

Mr. Dale Schmidt was present and stated that if they comply with the Ordinance the proposed fence would be constructed right in the middle of the existing brick pavers. Mr. Schmidt has a riding mower and in order to get it in the back yard he needs a double gate and felt that this type of fencing would be more convenient and more cosmetically pleasing. Mr. Schmidt brought in pictures, which we passed out to the Board members showing the pavers and his back yard.

Mr. Dziurman asked how much the fence would have to be moved in order to leave the pavers they way they are now.

ITEM #4 – con't.

Mr. Schmidt said that the pavers are 7' wide and lead to the patio. He would need a minimum of 4' out and the existing landscaping would also have to be moved.

Mr. Dziurman asked how far back the fence needed to go from the property line.

Mr. Stimac stated that in order to stay out of the setback, this fence would need to be erected 40' from the property line. The petitioner is proposing to put this fence 30' from the property line.

Mr. Kessler asked if the 14'-9" shown on the site plan was the distance from the corner of the property to the house.

Mr. Stimac said he thought that it was the distance from the corner of the house to the corner of the fence.

Mr. Richnak informed the petitioner that in the past this Board has asked for extra landscaping on these types of requests. The landscaping helps to shield the fence from the neighbors as well as traffic going down the street. Mr. Richnak asked if the petitioner had considered running the fence through the landscaping so that visibility would be decreased.

Mr. Schmidt said that he probably could do that the only problem would be that there are three shrubs that are together and at least one or two of them would have to be moved.

Mr. Kessler said that if the sole reason for this type of fence was to get the lawn mower into the back yard, a regular gate could be put on this side of the house a larger gate on the other side of the house.

Mr. Schmidt said that he could do this but the fence would still run through the middle of the pavers.

Mr. Kessler said that he had gone by this property and the landscaping is very nice. Mr. Kessler asked what the minimum setback would be for going into the paver area.

Mr. Schmidt said that he is trying to have the fence blend with the landscaping and thinks that there would be approximately 2' before the pavers.

Mr. Kessler suggested that the petitioner maintain the landscaping inside the fence area. Mr. Kessler also asked if the petitioner had thought of putting up a fence at the time he had his patio and landscaping done.

Mr. Schmidt said that they wanted a fence all along, but waited until they had the funds to purchase it. They also have recently acquired a dog and they would like to be able to

ITEM #4 – con't.

let it out without worrying about it running away. Mr. Schmidt also said that there are three children next door and he is worried about them coming onto his property.

Mr. Kessler asked if this was a colored fence.

Mr. Schmidt said that it was a dark brown color.

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

There are two (2) written approvals on file. There are four (4) written objections on file.

Mr. Schmidt asked what the people were objecting to.

Mr. Dziurman said that basically they want the petitioner to follow the guidelines set forth in the Ordinance.

Mr. Kessler said that he was concerned about the relationship of this proposed fence to the property at the back of this home and how much the fence would be encroaching into the front setback along Kimberly.

Mr. Schmidt stated that it was right along the property line. When they first moved into this home the neighbors had a picket fence that was deteriorating. The neighbors are planning to remove that fence and Mr. Schmidt does not believe his fence will have any impact on them.

Mr. Richnak asked if the petitioner had looked into the option of starting the fence at the rear of the patio and bringing it back to the required setback. The majority of the fence would be behind landscaping.

Mr. Schmidt said that he could explore that possibility but thought that they would still have to come out about 9'.

Mr. Richnak suggested following the line of the existing pavers.

Mr. Schmidt said that he had thought of that, but was not sure how good that would look.

Mr. Kessler stated that the Board is trying to provide some direction. The Board needs a hardship that runs with the land to allow a variance. This is a new home on a corner and the pavers could be modified. The yard is beautiful but there should be a hardship that is unique to this lot. Mr. Kessler stated that he feels the Board can either postpone this request so that the petitioner could look into other options, or deny the request as the petitioner has not demonstrated a hardship.

ITEM #4 – con't.

Mr. Schmidt said that if the fence is put in the location that would comply with the Ordinance, he would also have to re-do the patio.

Mr. Stimac informed the petitioner that it would be extremely helpful to the Board if the petitioner were to show the exact location of the pavers on the plans or the location of the proposed fence on the site. The petitioner could also stake out the location of the fence that would comply with the Ordinance. Documentation in this case would be very helpful.

Mr. Dziurman suggested that this request be postponed to allow the petitioner the opportunity to designate these areas and give the Board another opportunity to look at the property to see what part of the landscaping would be affected. The petitioner would also be able to re-do the site plan and show more detail, which would point out what the hardship is.

Mr. Kessler stated that pictures would be very helpful.

Motion by Richnak
Supported by Kessler

MOVED, to postpone the request of Dale Schmidt, 6768 Merrick Drive for relief of Chapter 83 to install a 48" high aluminum fence until the meeting of November 5, 2008.

- To allow the petitioner to re-submit a more detailed site plan.
- To allow the petitioner the opportunity to stake out the property showing both the proposed location of the fence, and the location of the fence that would comply with the Ordinance.

Yeas: All – 5

MOTION TO POSTPONE THIS REQUEST UNTIL NOVEMBER 5, 2008 CARRIED

ITEM #5 – VARIANCE REQUESTED. NANCY PETERS, 1981 KRISTIN DR., for relief of Chapter 83 to install a 48" high non-obscuring fence.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 83 to install a 48" high picket style fence setback 30' and parallel to the front property line along Kristin. This fence is proposed to replace an existing two-rail split rail fence in this location. Chapter 83 limits the height of fences to 30" in required front setbacks.

Mrs. Peters' daughter, Lindsay Warren was present representing her mother. Ms. Warren stated that this home was constructed in 1976 and this fence was put in at the same time. It is now in a state of disrepair and needs to either be replaced or taken down. Ms. Warren also stated that her mother likes the looks of the new fence and it

ITEM #5 – con't.

would only be used to designate the sidewalk leading to the front door. The placement of the fence will remain the same as the existing fence; the difference will be the fact that this is a picket fence rather than a split rail and will be taller.

Mr. Dziurman asked why the petitioner wanted this height of fence.

Ms. Warren stated that this fence runs in 48" sections.

Mr. Richnak asked what the purpose of this fence was.

Ms. Warren stated that it is strictly decorative and will follow the walkway to the front door. They do not plan to add any type of gate and it will not be enclosed.

Mr. Kessler asked if they plan to maintain landscaping along the fence.

Ms. Warren stated that her mother takes great pride in the way her property looks and hires a professional landscaper.

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

There are four (4) written approvals on file. There are no written objections on file.

Mr. Richnak expressed concern about visibility along the window lines of the property.

Ms. Warren stated that they had put a sample piece of this fencing against the windows and did not believe it would create any type of problem. Ms. Warren also stated that if this variance is not approved the existing fence would still be taken down.

Mr. Kessler stated that if the installation is done correctly it will give this home a "country look" that would be very appealing. Mr. Kessler also said that he would like to see shrubbery maintained at a 12" height to make the fence appear shorter.

Mr. Richnak asked what type of shrubbery was around the existing fence.

Ms. Warren stated that she did not know, but said the landscaper cut it back every year.

Mr. Stimac said that based upon the pictures submitted the existing shrubs were hostas.

Mr. Zuazo asked if there was a way to put in a shorter fence.

A representative from Anderson Installations was present and stated that a shorter fence was not available in this style.

ITEM #5 – con't.

Motion by Richnak
Supported by Kessler

MOVED, to grant Nancy Peters, 1981 Kristin Dr., relief of Chapter 83 to install a 48” high non-obscuring fence.

- A combination of soil and shrubs, 12” in height, will be maintained along the street side of the fence line.
- Variance is not contrary to public interest.
- Variance will not have an adverse effect to surrounding property.

Yeas: All – 5

MOTION TO GRANT VARIANCE CARRIED

ITEM #6 – VARIANCE REQUESTED. CHUCK TRUZA, 2972 STRAWBERRY HILL, for relief of Section 85.01.05 B, of chapter 85 (The Sign Ordinance) of the Troy City Code.

Mr. Stimac explained that the petitioner is the President of the Strawberry Hill Park Homeowners Association and is requesting relief of the Sign Ordinance to erect a new subdivision entrance sign. Section 85.01.05 B of the Sign Ordinance states that no sign shall exceed 30” in height when located within the 25’ corner clearance triangle at the intersection of two public streets. The site plan submitted for the new subdivision entrance sign at the northeast corner of Strawberry Hill and Adams shows that the sign, within the corner clearance triangle, is proposed to be 45” tall.

Mr. Stimac also informed the Board that the sidewalk along Adams was not installed in the typical location. Mr. Stimac believes this was done due to the large amount of existing vegetation along Adams. The Engineering Department had informed Mr. Stimac that the chances of Adams Road being widened were “slim to none”. The west side of Adams road is Bloomfield Hills and if the road were widened a large amount of the existing mature vegetation would be lost.

Mr. Chuck Truza and Mr. William Kendall were present to represent the Strawberry Hill Park Homeowners Association. Mr. Kendall stated that they need a variance on the height of this sign due to the fact that there is a deep hollow and if the sign were to conform to the Ordinance it would appear sunken. Visibility is very important and conformance would make this visibility very difficult.

Mr. Richnak asked about the petitioners removing two existing evergreen trees.

ITEM #6 – con't.

Mr. Kendall said that they have received approval from Oakland County, who owns part of this property to remove two (2) existing pine trees and also approval to place the sign on their property. Mr. Kendall also stated that the entire area will be re-landscaped.

Mr. Richnak asked what type of landscaping they are proposing. Evergreen trees would affect visibility.

Mr. Truza stated that they have contacted a landscaping company and are planning to put in at least \$1,800.00 to \$2,000.00 of landscaping. The Homeowners Associations is planning to spend approximately \$9,000.00 for the sign and landscaping. They have drawn up preliminary plans but do not have anything definite at this time.

Mr. Richnak looked at the preliminary plan and stated that they are showing Day Lilies and Hostas, which would not restrict visibility.

Mr. Truza said that they have also installed a sprinkler system so that they can keep this landscaping looking fresh.

The Chairman opened the Public Hearing.

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

There are two (2) written approvals on file. There are no written objections on file.

Mr. Kessler asked if either Mr. Truza or Mr. Kendall lived in the home that was involved in this request.

Mr. Truza stated that the homeowner was not present, but they have made arrangements to compensate them for the lawn sprinkling and also for the electricity for the low voltage lighting they are planning to install.

Mr. Kessler was concerned as it impacts this homeowner the most and also because they will lose some of their existing vegetation.

Mr. Kendall said that they are not really changing any of the vegetation along their driveway. The two trees that they are planning to remove are near the down slope of the hollow.

Mr. Kessler asked if the homeowner had been involved with the planning of this sign.

Mr. Kendall stated that there was a stop sign on the south side of Strawberry and people drive past the sign. If they cannot put in the higher sign visibility will be limited.

ITEM #6 – con't.

Mr. Truza said that the placement of the sign will be behind the existing stop sign and will be setback quite a bit from the corner.

Mr. Richnak stated that he thought the existing sign was located a car length and one-half from Adams Road.

Mr. Kessler suggested that the petitioners could remove the trees and level the area which would allow them to put up a sign that was 30" in height.

Mr. Stimac stated that the grade by the Sign Ordinance is established at the center line of the road and the 30" height is measured from the center line of the road. Mr. Stimac also stated that they are proposing the new sign to be 45" above the centerline of the road.

Mr. Richnak asked if the proposed sign would be placed farther back from the road.

Mr. Truza said that the site line to the left approaching Adams is not any different than the existing site line.

Mr. Richnak agreed that the site line would not be changed from the existing site line.

Mr. Kessler stated that the variance would make an improvement to what is there, but is not sure that this Board has the expertise to make this decision.

Mr. Richnak asked if Mr. Kessler thought this proposal should be presented to the Transportation Engineer.

Mr. Kessler said that he does believe that is what should be done.

Mr. Stimac stated that he had spoken to Bill Houtari in the City's Engineering Department regarding this request but has not given him the paperwork that was submitted. The corner clearance is also to provide protection for pedestrians, or joggers, or bicyclists using the sidewalk. People traveling along Adams Road have to slow down in order to navigate the sidewalk crossing Strawberry and it is highly unlikely that Adams Road will be widened.

Motion by Richnak
Supported by Nelson

MOVED, to grant Chuck Truza, 2972 Strawberry Hills, relief of Section 85.01.05 B, of Chapter 85 (The Sign Ordinance) of the Troy City Code to install a subdivision entrance sign that is 45" tall, where Section 85.01.05 B of the Sign Ordinance states that no sign shall exceed 30" in height when located within the 25' corner clearance triangle at the intersection of two public streets.

ITEM #6 – con't.

- Pending approval of location by the Transportation Engineer.
- If Adams Road is widened, the Subdivision Sign will be A) removed at the cost of the petitioner; or B) Subject to Building code Board of Appeals Review.

Yeas: All – 5

MOTION TO GRANT VARIANCE WITH STIPULATIONS CARRIED

The Building Code Board of Appeals meeting adjourned at 9:55 A.M.

Ted Dziurman, Chairman

Pam Pasternak, Recording Secretary

TROY ETHNIC ISSUES ADVISORY BOARD
Minutes for Tuesday, October 14, 2008

I. Call to Order 7:06 pm

II. Roll Call

Present Michelle Haight
 Veena Rao
 Kelly Jones
 Mayada Fakhouri
 Grigore Buia
 Aries Tao, Student Representative
 Lily Huang, Student Representative
 Cindy Stewart, City Liaison

Absent John Witt
 Karen Yelder
 Cathy Francois
 Reuben Ellis

Guest: Lori Bluhm, City Attorney

III. Approval of Minutes – September 2, 2008

Motion to approve September 2, 2008 minutes by Michelle Haight, seconded by Mayada Fakhouri. Approved unanimously.

IV. New Business

a. Introduction of new members:

- Veena Rao has been a resident since 1996 and is a lawyer with Michigan Protection and Advocacy Service. She represents children with disabilities. She came from India at age 13 and has two children, ages 7 and 9, at Troy Union Elementary School.

- Aries Tao, Student Representative, is a senior at Troy High School. She has lived here since fifth grade. She is involved in Future Problem Solvers and is an Environmental Activist. She attended Chinese School and plays piano.

b. Legal Update: City Attorney Lori Bluhm shared her goal to provide Open Meetings Act guidelines to all City Boards and Committees. Lori passed out a reference book to all members. The book contains their mission and goals as well as information on the Michigan Sunshine Laws/Open Meetings Act & FOIA. Michigan adopted "sunshine legislation" as early as 1895.

She noted that "Public Body" applies when there is a quorum of Board Members and it can apply to a sub-committee. This applies to meetings, telephone conference calls or emails when you "reply to all." The City liaison can send items "to all," but Board members cannot.

“Open to the Public” means anyone can attend the meetings, tape or televise the proceedings. Keep the door to the meeting room open, and if you have to close the door due to outside noise, place a sign on the door. Regarding public comments, the EIAB can limit speakers based on time limits for the meeting. All meetings must be posted.

Board/Committee minutes must be kept with date, place, time, members present and absent. If a member is absent for long periods of time, the chair can talk to them regarding their absence. Council can replace members.

Every Public Body must comply with the Open Meetings Act because a person challenging this could take them to court. Intentional violations of the OMA are misdemeanors.

Freedom of Information Act (FOIA) – Any documents in possession of a governmental body are open to FOIA. Emails, minutes, etc., are public documents.

c. Correspondence/Articles

America’s “whites” will become a minority by 2042, according to the Census Bureau – August 15, 2008.

“A Journey of Hope: Michigan’s Immigrant Experience” is September 27-November 23, 2008 at Macomb Community College.

- Teaching Tolerance Magazine – An article in the Fall 2008 edition has an article, “I Didn’t Know there were Cities in Africa,” that deals with the stereotypes on Africa and the Continent. There is a website: teachingtolerance.org.

V. Old Business

- a. African American Support Group – Karen is attending this meeting tonight and will report on the meeting at the November meeting.
- b. Troy School District Updates – EIAB is working on opening dialogue with the School district. Kelly put together a proposal and sent it to Tim McAvoy. The proposal is to talk to PTOs/PTAs to encourage diversity within the PTO/PTA Boards. Next month Kelly will report on progress. Kelly is scheduled to speak at the Costello Board next month.
- c. Cultural Brochures – Information brochures regarding Arab, Indian, Chinese and Slovak immigrants will be highlighted initially. Regarding stores, specialty shops, cultural and religious holidays, there is a concern with accuracy. Michelle will send info to Cindy to disseminate to EIAB for input. Kelly had talked to the Sterling Heights liaison for the Diversity Board. Sterling Heights produces informational brochures to help teach tolerance and understanding and to celebrate our differences.

- d. Diversity Workshop - Padma Kuppa (Troy Interfaith Group) and Michelle Haight (EIAB) to present to all Troy administrators. Cultural Connections is four workshops beginning October 22 at Bharatyia Temple. "Arab and Indian Voice" speaking on their background, cultural traditions, addressing students needs. In December, at Shir Tikvah is "Chinese and Jewish Voice." In March 2009, African American and Muslim voice is scheduled.

EIAB has done a lot related to diversity, but they feel there is so much more to do. They feel good about the relationship with the EIAB and Troy Schools.

Staff Report: Thanks to EIAB for all of your support for Troy Daze. The weather was a complete disappointment. Cindy and Kelly sent thank you letters to all EthniCity participants. The subject of Troy Daze EthniCity will be on the November agenda to discuss the work involved and if EIAB can handle it in the future. The discussion will include a breakdown of responsibilities/duties expected of Board members.

VI. Public Comment – none

VII. Member Comment

- a. "Iqbal" by Francesco D'Adamo was assigned to be read by the entire Baker Middle School student body and parents were also encouraged to read it. The school then did projects related to child labor, equality and fair treatment. Michelle recommends the book to the EIAB.
- b. Kelly received a call from Willie Dechavez regarding the CAPA dinner on October 25. She will represent the EIAB at the dinner.

VIII. Motion to adjourn 8:20 pm.

Next Meeting Tuesday, November 11, 2008 at 7 pm.

Kelly Jones, EIAB Chair

Cindy Stewart, EIAB Recording Secretary

The Regular Meeting of the Troy City Planning Commission was called to order by Chair Schultz at 7:30 p.m. on October 14, 2008, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:

Michael W. Hutson
Mark Maxwell
Robert Schultz
Thomas Strat
John J. Tagle
Lon M. Ullmann
Mark J. Vleck

Absent:

Philip Sanzica
Wayne Wright

Also Present:

Mark F. Miller, Planning Director
R. Brent Savidant, Principal Planner
Christopher Forsyth, Assistant City Attorney
Richard Carlisle, Carlisle/Wortman Associates
Zak Branigan, Carlisle/Wortman Associates
Kathy Czarnecki, Recording Secretary

Resolution # PC-2008-10-116

Moved by: Strat
Seconded by: Tagle

RESOLVED, That Members Sanzica and Wright are excused from attendance at this meeting for personal reasons.

Yes: All present (7)
Absent: Sanzica, Wright

MOTION CARRIED

2. APPROVAL OF AGENDA

Mr. Hutson suggested to reverse Agenda items #5 and #6.

Resolution # PC-2008-10-117

Moved by: Hutson
Seconded by: Tagle

RESOLVED, To approve the Agenda as revised.

Yes: All present (7)
Absent: Sanzica, Wright

MOTION CARRIED

3. MINUTES – September 22, 2008 Special Joint Meeting (Birmingham Planning Board and Troy Planning Commission) and October 7, 2008 Special/Study Meeting

Mr. Miller suggested to postpone approval on the Special Joint Meeting minutes of September 22, 2008. It is preferable to act on the minutes at a future joint meeting with the City of Birmingham Planning Board.

Resolution # PC-2008-10-118

Moved by: Strat
Seconded by: Tagle

RESOLVED, To postpone approval of the September 22, 2008 Special Joint Meeting minutes to a future joint meeting with the City of Birmingham Planning Board.

Yes: All present (7)
Absent: Sanzica, Wright

MOTION CARRIED

Resolution # PC-2008-10-119

Moved by: Tagle
Seconded by: Maxwell

RESOLVED, To approve the minutes of the October 7, 2008 Special/Study Meeting as submitted.

Yes: All present (7)
Absent: Sanzica, Wright

MOTION CARRIED

4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

SPECIAL USE REQUEST

6. PUBLIC HEARING – SPECIAL USE REQUEST (SU 362) – ABC Warehouse, Auto Repair Facility, West Side of John R, North of 14 Mile Road (637 John R), Section 35, B-3 (General Business) District

Mr. Savidant presented a summary of the Planning Department report on the proposed special use and preliminary site plan review, and reported it is the recommendation of City Management to approve the application as submitted.

James Meinershagen of 4657 Heatherbrook, Troy, was present to represent ABC Warehouse. He addressed the truckwell and car stereo equipment installation.

Members Maxwell and Strat posed questions relating to the proposed landscaping.

Ron Kachman, project landscape architect of The Design & Construction Group, 330 E. Maple Road, Troy, was present. Mr. Kachman addressed the scope of the proposed landscape plan.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2008-10-120

Moved by: Vleck
Seconded by: Maxwell

RESOLVED, That Special Use Approval and Preliminary Site Plan Approval, pursuant to Section 22.30.06 of the Zoning Ordinance, as requested for the proposed ABC Warehouse Auto Repair Facility, located on the west side of John R, north of 14 Mile, in Section 35, within the B-3 zoning district, be granted.

Yes: All present (7)
Absent: Sanzica, Wright

MOTION CARRIED

MASTER PLAN

5. PUBLIC HEARING – CITY OF TROY MASTER PLAN – 2008 City of Troy Master Plan

Mr. Miller introduced the agenda item.

Messrs. Miller and Savidant expressed their enthusiasm in the forward thinking that went into the creation of what they believe is a cutting edge document.

Chair Schultz commented on the fairly quick timeframe taken to complete the document.

Zak Branigan of Carlisle/Wortman Associates gave an overall review of the proposed Master Plan. He specifically addressed the extensive public input that went into the completion of the document.

Chair Schultz advised the audience of the Public Hearing ground rules.

Mr. Hutson explained the intent and function of a Master Plan. The document incorporates the vision of future improvement within the City and is a guideline used by the Planning Commission for future land use and community development. Mr. Hutson stated that existing zoning of all property would remain the same and approval of the Master Plan would not change zoning classifications.

PUBLIC HEARING OPENED

Present to speak were:

- Neil Fletcher of 1120 Jefferson, Troy
- Frank Kilcullen of 1222 W. Wattles, Troy
- Trevor Babi of 4067 Penrose, Troy
- Tom Duff of 1102 Jefferson, Troy
- Tonia Babi of 4067 Penrose, Troy
- Amar Majjhoo of 1084 Jefferson, Troy
- David Donnellon of 755 W. Big Beaver Road, Troy

Mr. Miller addressed the specific neighborhood node of Crooks and Wattles, and read the paragraph in the proposed Master Plan that correlates to that specific node.

Mr. Vleck commented positively on the recent development within walking distance from his home.

Mr. Strat addressed the need for walkability within the City.

Discussion followed specifically on the wording on page 93 of the proposed Master Plan relating to the Crooks and Wattles neighborhood node: “Industrial uses and single-family residential will not be permitted in the Neighborhood Nodes.”

Mr. Branigan explained how the Master Plan is created with layers and addressed the general character of the Master Plan. He assured that nothing in the Plan would prohibit property to be used as it is currently zoned.

PUBLIC HEARING CLOSED

Mr. Hutson addressed the flyer distributed to residents living in the Crooks and Wattles area with a warning that the intersection would become commercial with the adoption of the Master Plan. He asked the author of the flyer to step forward and express publicly his/her concerns.

No one stepped forward.

Mr. Vleck asked if the paragraph in question could be modified or if the words “single-family residential” could be omitted without implication.

Richard Carlisle of Carlisle/Wortman Associates said it would do no harm to take out the “single-family residential” wording.

Mr. Strat addressed his vision of a neighborhood node.

Mr. Tagle encouraged residents to read the entire document so they can envision the big picture.

Chair Schultz agreed, and stated that the Master Plan is available on the City’s website.

Resolution # PC-2008-10-121

Moved by: Vleck
Seconded by: Strat

WHEREAS, The Municipal Planning Enabling Act, PA 33 of 2008, provides that a municipal planning commission shall make and approve a Master Plan for the physical development of the community; and

WHEREAS, A Master Plan is a long-range, broad policy document used to guide decision-making related to land use and community development; and,

WHEREAS, The Planning Commission has determined that it would be in the public interest to adopt a new Master Plan for land use; and

WHEREAS, The Planning Commission notified each municipality contiguous to the City, the County planning commission, each public utility company and railroad company owning or operating a public utility or railroad within the City, for purposes of notification, of its intent to adopt a new Master Plan; and

WHEREAS, Relying upon public input, the City’s Planning Commission, Planning Department staff, and the City’s Planning consultant developed the proposed City of Troy 2008 Master Plan; and

WHEREAS, The Planning Commission encouraged public participation during the planning process including hosting a Master Plan Workshop on June 21, 2007 and a Master Plan Open House on February 26, 2008; and

WHEREAS, The proposed City of Troy 2008 Master Plan was submitted to City Council, which authorized distribution of the proposed plan; and

WHEREAS, The proposed City of Troy 2008 Master Plan was distributed to each municipality contiguous to the City, the County planning Commission, each public utility company and railroad company owning or operating a public utility or railroad within the City, for purposes of notification, for review and comment; and

WHEREAS, The Planning Commission received comment in reference to the proposed Master Plan from several of these entities; and

WHEREAS, On September 9, 2008 the Oakland County Coordinating Zoning Committee voted to endorse the proposed City of Troy 2008 Master Plan, finding that the proposed Plan is not inconsistent with the Plan of any surrounding communities; and

WHEREAS, On October 14, 2008, after proper public notice, the Planning Commission held a public hearing on the proposed Master Plan, during which members of the public were given the opportunity to comment on the proposed Plan; and

WHEREAS, The Planning Commission has determined that the draft City of Troy 2008 Master Plan represents the long-range vision of the City of Troy.

THEREFORE BE IT RESOLVED, The City of Troy Planning Commission hereby approves and adopts the City of Troy 2008 Master Plan, “September 30, 2008 Draft for Distribution”, as per the requirements of the Municipal Planning Enabling Act, PA 33 of 2008, with the following modification:

On page 93, in the top right paragraph, the statement “and single-family residential” shall be removed.

BE IT FURTHER RESOLVED, The Big Beaver Corridor Study shall be considered an integrated component of this Master Plan, and is also adopted as part of the Master Plan adoption process.

BE IT FINALLY RESOLVED, That within the next five years, the Planning Commission shall review the City of Troy 2008 Master Plan and determine whether or not to commence the procedure to amend the Plan or adopt a new Plan.

Yes: All present (7)
Absent: Sanzica, Wright

MOTION CARRIED

Mr. Carlisle expressed his appreciation to the Planning Commission and Planning staff for the opportunity to work on the Master Plan. He said there are plenty of congratulations to spread around.

Chair Schultz shared the positive reaction received from fellow planning professionals and planning commissioners when the Master Plan was presented at the MAP conference.

Mr. Miller informed those present in the audience that they can contact the Planning Department for digital copies of the Master Plan or with any questions they might have.

OTHER ITEMS

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

There was no one present who wished to speak.

8. **PLANNING COMMISSION COMMENTS**

There were positive comments around the table relating to the newly adopted Master Plan.

Mr. Miller addressed the following:

- October 15, 2008 Downtown Development Authority (DDA) meeting.
- October 29, 2008 Special Joint Meeting with the City of Birmingham Planning Board.

The Regular Meeting of the Planning Commission adjourned at 9:03 p.m.

Respectfully submitted,

Robert M. Schultz, Chair

Kathy L. Czarnecki, Recording Secretary

The Regular Meeting of the Troy City Planning Commission was called to order by Chair Schultz at 7:30 p.m. on October 14, 2008, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:

Michael W. Hutson
 Mark Maxwell
 Robert Schultz
 Thomas Strat
 John J. Tagle
 Lon M. Ullmann
 Mark J. Vleck

Absent:

Philip Sanzica
 Wayne Wright

Also Present:

Mark F. Miller, Planning Director
 R. Brent Savidant, Principal Planner
 Christopher Forsyth, Assistant City Attorney
 Richard Carlisle, Carlisle/Wortman Associates
 Zak Branigan, Carlisle/Wortman Associates
 Kathy Czarnecki, Recording Secretary

Resolution # PC-2008-10-116

Moved by: Strat
 Seconded by: Tagle

RESOLVED, That Members Sanzica and Wright are excused from attendance at this meeting for personal reasons.

Yes: All present (7)
 Absent: Sanzica, Wright

MOTION CARRIED

2. APPROVAL OF AGENDA

Mr. Hutson suggested to reverse Agenda items #5 and #6.

Resolution # PC-2008-10-117

Moved by: Hutson
 Seconded by: Tagle

RESOLVED, To approve the Agenda as revised.

Yes: All present (7)
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MOTION CARRIED

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Yes: All present (7)
Absent: Sanzica, Wright

MOTION CARRIED

Resolution # PC-2008-10-119

Moved by: Tagle
Seconded by: Maxwell

RESOLVED, To approve the minutes of the October 7, 2008 Special/Study Meeting as submitted.

Yes: All present (7)
Absent: Sanzica, Wright

MOTION CARRIED

4. PUBLIC COMMENTS – Items not on the Agenda

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The Regular Meeting of the Planning Commission adjourned at 9:03 p.m.

Respectfully submitted,



Robert M. Schultz, Chair



Kathy L. Czarnecki, Recording Secretary

CABLE ADVISORY COMMITTEE MINUTES
Thursday, October 16, 2008 – 7 p.m.
Conference Room C – Troy City Hall

I. Call to Order – 7:00 pm

II. Roll Call

Present:

Penny Marinos

Kent Voigt

Brian Wattles

Padma Kuppa

Tom Belian

Cindy Stewart, City Liaison

Nancy Chin, Student

Chi Song, Student

Absent:

Lisa Martinico

Mark Gunn

Guest: Lori Bluhm, City Attorney

III. Approval of Minutes – Regular Meeting of April 17, 2008
Motion by Tom Belian to approve the April 17, 2008 minutes, seconded by Brian Wattles. Approved unanimously.

IV. Intro of New Members

Padma Kuppa – a 10-year Troy resident with two children at Baker and Costello. Padma has been involved in many community organizations and City Boards.

V. Correspondence:

Comcast Begins Bandwidth Limits Today, Free Press, 10/1/08
According to an email from WOW to a member - WOW doubled bandwidth for customers at no additional cost

Comcast's Challenge, Time Magazine, 10/9/08

VI. New Business

a. The Future of the Cable Advisory Committee -

Kent and Brian had a discussion on the cable industry related to all the changes over the past six years. Cable Advisory Committee was formed in 1982 which was a good idea at that time since there were so many questions about technology, cable infrastructure needs, potential disruption to public and private city operations, possible costs to the City to oversee this new technology and financial and practical implications for citizens.

The City Council was kept up to date on issues through CAC and City Liaison. A few years ago, with the concerted effort by AT&T and existing cable companies, they succeeded in having franchise provisions removed from local municipal control and placed in the hands of the MPSC. It absolved cable operators from having to negotiate individual franchises with local government units. State and local agencies no longer have the ability to control the nature and scope of cable services. Additionally Cable television operators, building on new technologies, now offer services such as phone and Internet that are not covered in existing cable franchise agreements.

Brian and Kent asked if there is a reason for this committee to exist in light of these issues. Open for discussion, what is the future of the Cable Advisory Committee?

City Attorney Lori Bluhm, has been visiting boards and committees to inform them on Sunshine Laws, Open Meetings Act, and FOIA. Lori did research on the formation of the CATV Advisory Committee. Committee formed by a resolution on Oct. 18, 1982. If committee feels they are no longer needed they can give a recommendation to the City Council. Nationally, cable gets a lot of publicity with FCC, preemption, but not many issues in Michigan. Basically providers get what they want and there is not a lot we can do about it. Recently Dearborn and Meridian Twp. took cable to court. Judge ruled PEG is preempted by law.

On another note, the ICCA preempts the City's involvement since the Consortium oversees the cable companies. Do we try to look for another mechanism to "fight" the cable companies? As a member for many years, our responsibilities have lessened. Pseudo regulatory functions are lessened and we know we have no authority Are phone and Internet services under City jurisdiction since they were not in initial resolution?

Lori responded that with Internet and phone we have no power, no meaningful opposition. If you want to be an educational component, it's in your purview. But very little or no binding decisions or things you can

influence, just as Council cannot influence cable companies. Advisory boards can only pass recommendations to Council. The communities do have ICCA, NATOA, and PROTEC to inform, educate, and advise.

Kent – The function we might exert is nil. One role to monitor the cable industry and report to Council, ICCA also does this. If we can't touch the telephone piece and Internet is questionable, and those are the future, what is our role? As an advisory body, we only make recommendations to Council.

Tom – Looking at committees there is a very minimal cost to having these committees. How much exposure do we have in the community as a committee? We could be outreaching to the community related to cable.

Kent – Historic District Commission and others have a legal role unlike this committee. All we can do is make recommendations to Council. We are informational.

Kent – What do we want to do? We have not met since April because there has not been much to meet about.

Lori – There are boards who only meet on an as needed basis (Act 78, EDC, Charter Revision Committee, etc.)

Brian – We could recommend one meeting per year and special meetings on an as needed basis. There could be some potential benefits.

Lori – There are no bylaws or rules but you should send your decision to Council in case you want to apply for other boards. Continue as a committee meeting once a year or more if needed as an informational committee. Members could be assigned to research topics in the field.

Tom – More input provided the better. We meet as needed, take on tasks on a voluntary basis. Looking for the evolution of this group.

Kent – Our students will be going forward into this technology. What are your views?

Nancy – We have had fewer issues to talk about since she was first appointed as a student rep.

Future issues – PEG channels moved to higher channels and increased bandwidth. Free reign related to education issues. City has little control over cable and the CAC has no control over the City. CAC can be educational/informational and meet quarterly or once a year.

Motion made by Brian Wattles, seconded by Padma Kuppa: Given the changes to the legal landscape of cable on state, federal and local levels, the role of the Cable Advisory Committee has been diminished over the years. Resolved that the Cable Advisory Committee meets on an as needed basis for special topics/issues or as requested by the Chair.

Motion Approved Unanimously

b. Legal Update – Lori Bluhm

The Cable Advisory Committee is a public body – meetings are open to the public. Meetings could include e-mail correspondence and because of this members cannot use the reply to all. No deliberation can be held outside of the posted meeting location. Cindy can e-mail the Committee information but do not reply to all. This would be a violation of the open meetings act. Meetings have to be posted at City Hall and on the web site 18 hours in advance (when building open).

VII. Staff Report

Community Media Network (CMN) will hold their 25th Anniversary Open House on Thursday, November 13, from 6-9 pm

VIII. Member Comment

Tom has observed that many people fill training sessions at CMN but don't come back to produce programs. Pam Brady, LOWV, asked CMV to help her produce a political program turned away and sent to a volunteer. A person from Oakland County LOWV was not turned away. All requests should be turned over to volunteer community members unless CMN is paid to produce the program. CMN is at fault if they don't get more volunteers involved. Penny said that maybe those volunteers get trained then feel it was not what they wanted. Tom asked Jay why the two people were not treated equally. Kent asked Cindy to look into this.

IX. Adjournment

Motion to by the Chair to adjourn at 8:45 pm. Meeting adjourned.

Kent Voigt, Chairman

Cindy Stewart, City Liaison

A meeting of the **Troy Youth Council (TYC)** was held on October 22, 2008 at 7:00 PM at Troy Community Center, 3179 Livernois. Jason Lee called the meeting to order at 7:05 p.m.

MEMBERS PRESENT: Willa Adamo (Secretary)
Disha Bora
Jason Lee (Chair)
Vikram Prasad
Sevita Rama
Shaina Sekhri
Emily Wang

MEMBERS ABSENT: Geon Woo Kim, Jennifer Liang, Joseph Niemiec, Neil Shaw
Rachita Singh, David Wylie

VISITORS: Lori Bluhm, City Attorney

STAFF PRESENT: Scott Mercer, Recreation Supervisor

1. Roll Call

2. Approval of Minutes

Resolution # TY-2008-10-15

Moved by Sekhri
Seconded by Prasad

RESOLVED, That the minutes of September 24, 2008 be approved.

Yes: All – 7

No: 0

Absent: 6 – Kim, Liang, Niemiec, Shaw, Singh, Wylie

3. Attendance Report:

Report reviewed by council members, no comments.

4. Visitors

Lori Bluhm, City Attorney

Presented information regarding:

City attorney's office

History of Troy Youth Council

Open Meetings Act

Meeting Rules

Sunshine Laws

FOIA

5. Teens Taking Action

No Update

6. Troy Daze

No Update

7. Motion to Excuse Absent Members Who Have Provided Advance Notification

No Motion

Resolution # TY-2008-10-16

Moved by Bora
Seconded by Wang

RESOLVED that Liang, Niemiec, Shaw and Singh are excused.

Yes: 7
No: 0
Absent: 6 - Kim, Liang, Niemiec, Shaw, Singh, Wylie

8. Youth Council Comments – None

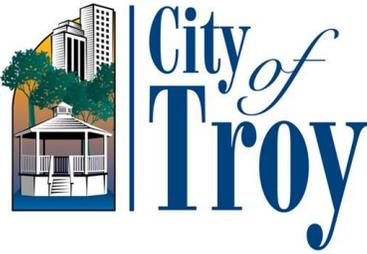
9. Public Comments – None

10. Adjournment – 8:10 p.m.

Jason Lee, Co-chair

Scott Mercer, Recreation Supervisor

Reminder Next Meeting: November 19 at 7:00 P.M.



CITY COUNCIL REPORT

TO: Phillip L. Nelson, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance & Administration
Cathleen A. Russ, Library Director
Loraine M. Campbell, Museum Manager

SUBJECT: Troy Historical Museum Annual Report 2007-2008

Background:

- In an effort to keep City Council members updated on the many programs and activities offered by the Troy Historical Museum, the Library Director and Museum Manager respectfully submit the Troy Historical Museum's Annual Report, for the year 2007-2008.

Financial Considerations:

- There are no financial considerations associated with this item.

Legal Considerations:

- There are no legal considerations associated with this item.

Policy Considerations:

- This recommendation addresses the following Outcome Statements:
Troy adds value to properties through maintenance or upgrades of infrastructure and quality of life venues.
Troy is rebuilding for a healthy economy reflecting the values of a unique community in a changing and interconnected world.

Options:

- City management recommends that the Troy Historical Museum's Annual Report for 2007-2008 be received and filed.

**Troy Museum and Historic Village
Annual Report
FY 2007-08**

Introduction

The year began with thoughtful discussion on the comments and suggestions highlighted in the Museum Assessment Report prepared by Dr. Charles Watkins, an evaluator for the American Association of Museum's MAP (Museum Assessment Program.) During the next twelve months, the staff and volunteers worked to improve and expand the quantity and quality of mission-focused museum education and enrichment programs.

In partnership with the Troy Historical Society's Heritage Campaign, staff continued to plan for the expansion of the Troy Museum to serve future residents in Troy and the region.

Museum Administration

The following staffing changes and additions occurred during FY2007-08:

Date	Change
September 2007	Virginia Czerwinski was hired to fill the position left vacant by Cindianne Johnson.
June 2008	Kathrin Schwietale Jaeger resigned to return to Germany. Laura Bunting assumed Kathrin's duties as the Archive Technician.

The Troy Museum & Historic Village utilized three undergraduate interns during the year. The following is a description of the interns and their projects:

Term	Intern	School	Project
Winter 2007	Cathryn Eccleston	WSU	Scanned photos in the Troy Fire Department Collection. Some of these images will be used to illustrate a book on the history of the department.
Winter 2007	Victoria Baldwin	CMU	Cleaned and catalogued artifacts collected from the preliminary archeological dig at the original site of the Parsonage (Square Lake and Livernois)
Summer 2008	Sarah Hardman	OU	Served as a public program assistant for daily activities and events

Exhibits

Due to increased space constraints and poor accessibility, the upper level gallery was transformed into work stations and a conference room for staff, interns and volunteers. Greater effort was made to rotate temporary exhibits in the lower level lobby and to use the frosted glass panels in the lobby for poster-style interpretation.

The interior furnishings of the print shop were improved to create a more authentic and functional site. The collections staff also began interior restorations in the General Store.

Education Programs

There was no significant change in school group numbers and the total number of groups served (245) remained the same. This reflects continued use of 98% of available field trip slots. However the percentage of Troy School District participation increased 5% and revenues increased 5% to a high of \$42,870. In 2008/09, the museum will be open on Mondays, which will add 38 field trip days to the museum calendar.

Once again, Troy Public Schools purchased copies of *Our Community*, a history of Troy and Troy Township for children. This book is used as a curriculum supplement for second graders.

In 2007 the interpretive staff piloted a new field day option. "Life 100 Years Ago" is taught in the Parsonage. Children explore the lifestyle of a turn-of-the-century farming family.

School group visitation statistics are attached.

Public Programs

The Troy Historical Society continued to support all weekend and evening enrichment programs, lectures and day trips. A number of new programs, including monthly tours of the three homes in the village, were introduced and popular outreach programs like the pre-school story hour were continued.

The staff also evaluated the time and funds expended on major events. Attendance on these days is always weather dependant. However, there are many other nice days when no specific activities or programs have been scheduled. To provide greater customer service and increase casual walk-in visitation, the staff promoted simple, low-cost, daily activities, demonstrations, tours and programs during the summer of 2007 and advertised that there is something happening at the museum everyday. Daily attendance increased and offset poor attendance at three special events that were held on days when the weather was inclement.

Total public and school group attendance at the Museum was 25,016. Details regarding school group and public attendance are attached.

Archive and Collections

See the attached Collections Report.

Projects and Staff Assignments:

Editorial and Publications Team

Retired members of the Troy Fire Department developed a proposal to compile a book on the history of their volunteer organization. The group offered to gather old photos and information; raise funds to print the book; and donate all proceeds from sales of the publication to the Troy Heritage Campaign. They asked that the museum staff assist with writing and layout. The text will be finalized in the fall of 2008 and the group anticipates that the book will be printed by spring 2009.

WEB Team

Debra Newby was appointed to the Web Support Team coordinated by the IT Department. The museum continues to improve and expand its WEB access.

Grants

The Michigan Council for the Humanities awarded \$1,925 to subsidize performer's fees for the summer 2007 concert series entitled "There's Music in the Air." Ameriprise Financial contributed \$3,000 of additional corporate support.

Troy Historical Society

The Historical Society approved a resolution to operate the Museum Gift Shop as a Standing Committee that will report to the Board of Trustees Quarterly. Revenues from Gift Shop Sales will be reinvested in new merchandise, or transferred to either museum Public Programs, the heritage Campaign or the Endowment Fund.

Troy Heritage Campaign

The Campaign completed the following significant steps in FY 2007/08:

- Hopkins Burns Design Studios of Ann Arbor were retained to develop the site plan and provide architectural services for the proposed expansion.
- Two Public Classrooms were held with Hopkins Burns to include members of the public in the site planning process.
- The Heritage Campaign was designated the recipient of all proceeds from the Troy Traffic jam, a new, larger car show organized by businesses in the Big Beaver Corridor. The first show will be held on August 10, 2008.

- The Troy Historical Society is partnering with the Troy Coalition Against Drug and Alcohol Abuse in Art Unhinged, a fundraiser that will auction art created from old doors salvaged from the Kmart Headquarters building.

Volunteers:

The Troy Historical Society, Troy Garden Club, Evening Primrose Garden Club, Troy High School students in Project LEAD and the National Honor Society, Boy Scouts in Troop 1701 and member of the Museum Guild of Volunteers contributed at total of 2,500 hours of service to the museum. Assistance was provided for the four main public events; to prepare activities materials for school groups; and to provide assistance in research, clerical duties, garden maintenance, and exhibits. Finally the Troy heritage Campaign volunteers continued their efforts to raise funds for the museum expansion.

Physical Maintenance and Buildings

The following capital improvements were made in compliance with the priorities outlined in the Physical Maintenance and Conservation Plan.

Main Museum Building

None

Log Cabin

None

Caswell

The UV filters installed last year were shown to be ineffective in reducing the total infiltration of UV light. Permanent filters were not installed.

Poppleton School

None

General Store

The bid to strip and stain the building was released. The contract will be awarded in August 2008.

Print Shop

None

Wagon Shop

The deteriorated foundation members and siding were replaced or repaired. The deteriorated windows were restored. The interior of the building was cleaned and reorganized to improve work space and visitor access.

Draft specifications to remove old lead paint on the exterior and stain the building were developed.

Troy Hall
None

Gazebo
None

Parsonage
A wainscoting of Lincrustra wall board was added to the front parlor of the house.

Church
A damaged underground electrical conduit was repaired to stop water from leaking into the L Box in the basement. Damaged wiring was repaired and switched from three-phase to one-phase.

Village:
Signs for the ABC Garden were made and installed by members of the Troy Garden Club. Volunteers from Holiday Inn planted over 50 trees, shrubs and perennials in different landscape beds.

**Comparison of Education Program
FY 2006/07 and FY 2007/08**

Date	# Prgms.	# Attnd	Troy Groups	# Staff	Prg Fee
Sep 2006	7	303	3	13	1,171.50
Oct 2006	31	1407	0	47	\$5,044.00
Nov 2006	28	1,182	6	44	\$4,404.00
Dec 2006	11	718	5	27	\$3,033.00
Jan 2007	12	905	1	36	\$4,175.00
Feb 2007	11	806	1	27	\$3,622.00
Mar 2007	26	1590	3	58	\$6,825.00
Apr 2007	41	1236	31	49	\$3,650.00
May 2007	68	2176	47	76	\$6,130.00
Jun 2007	10	661	1	14	\$2,754.00
Total	245	10,984	98	391	\$40,808.50
Sep 2007	5	325	0	7	\$1,258.00
Oct 2007	31	1,553	8	51	\$5,347.00
Nov 2007	21	997	2	38	\$4,244.00
Dec 2007	13	734	5	29	\$3,645.00
Jan 2008	17	1258	2	45	\$5,460.00
Feb 2008	12	759	0	35	\$3,643.00
Mar 2008	12	956	2	35	\$4,063.00
Apr 2008	48	1878	25	62	\$6,392.00
May 2008	80	2432	54	57	\$6,769.00
Jun 2008	6	443	6	15	\$2,049.00
Total	245	11,035	103	373	\$42,870.00

Number of field trips provided:	No change
Number of students and chaperones served	Within 1% of 2006/07
Number of Troy groups	+5%
Number of staff used for programs	-5%
Revenue	+5%

**Comparison of Public Visitation
FY 2006/07 and FY 2007/08**

Date	Walk-In	#Attending Programs	Meetings/ Facilities Rentals	Rentals Fees	Total Visitors
Jul 2006	702	2,003	4	\$350.00	2,705
Aug 2006	878	1,033	8	\$1,050.00	1,911
Sep 2006	425	664	12	\$700.00	1,089
Oct 2006	511	881	11	\$700.00	1,392
Nov 2006	586	664	10	\$700.00	1,250
Dec 2006	425	1,132	6	\$350.00	1,551
Jan 2007	377	292	6	\$25.00	669
Feb 2007	235	140	4	0	375
Mar 2007	329	178	7	0	507
Apr 2007	491	212	7	\$350.00	703
May 2007	494	327	10	\$400.00	821
Jun 2007	742	147	16		889
Total	6,195	7,673	101	\$4,625.00	13,862
Jul 2007	971	1,532	6	\$950.00	2,503
Aug 2007	898	574	9	\$975.00	1,472
Sep 2007	363	977	5	\$750.00	1,340
Oct 2007	701	945	9	\$350.00	1,646
Nov 2007	422	315	9	\$800.00	737
Dec 2007	332	862	2	0	1,194
Jan 2008	341	375	10	\$350.00	716
Feb 2008	374	274	5	0	648
Mar 2008	348	374	5	\$350.00	722
Apr 2008	425	418	15	\$250.00	843
May 2008	402	589	15	\$350.00	991
Jun 2008	537	632	16	\$1,300.00	1149
Total	6,114	7,867	90	\$6,425.00	13,981

Comparisons 2006 and 2007:

Walk-in attendance: -1%

Total Attendance: within 1% of 2006/07

Program attendance: +2%

Facilities Rental Income: +39%

Public Events FY 2006/07

Event	Date	Attendance
Motoring Memories Car Show	July 2006	570
Harvest Home Festival	Sept 2006	271
Trick or Treating on the Green	Oct 2006	400
Hanging of the Greens	Dec 2006	908
Total		2,149

Public Events FY 2007/08

Event	Date	Attendance
Motoring Memories Car Show	July 2007	346
Fall Farm Festival	Sept 2007	640
Trick or Treating on the Green	Oct 2007	580
Hanging of the Greens	Dec 2007	750
Total		2,316

Comparative Attendance Statistics

Total	FY 2006-07	FY 2007-08	Change
School Group attendance	10,984	11,035	<1%
Walk-in attendance	6,195	6,114	-1%
Program attendance	7,673	7,867	+2%
Public Events attendance	2,149	2,316	+7.7%
Total Public attendance	13,862	13,981	<1%
Total Museum visitation (Schools + public)	24,846	25,016	-<1%
Meetings and facilities rentals	101	90	-10.9%
Revenue from Education Programs	\$40,808.50	\$42,870.00	5%
Revenues from facilities rentals	\$4,625	\$6,425	+39%
Total revenues (schools + facilities)	\$45,433	\$49,295	+8.5%

**Museum Collections Report:
Fiscal Year 2007-2008**

Notable Activities, Projects & Events:

- General Store – reorganization of exhibit space; purchase of reproduction artifacts; inventory and conservation of artifacts
- Print Shop – volunteer (Glen Marshall) has been working in the shop on a regular basis; volunteer work includes keeping usable presses and equipment in good order and providing interaction with the public
- Wagon Shop – prepared shop for repairs by moving equipment and providing access to all portions; monitored and photographed structural repairs by contractor; cleaned and reorganized shop prior to reopening
- Parsonage – prepared front room for installation of Lincrusta by a contractor; monitored Lincrusta installation; refurnished room and reopened building
- Uninstalled main exhibit: “Troy 50th Anniversary”; exhibit gallery now used as work space
- Series of mini-exhibits in the main hall exhibit case and Pioneer Room: “Toys”; “Got Milk?”; “Candles”; “Lighting”
- Provided artifacts and installation assistance for offsite 2-day exhibit of museum quilts at the Cameo Quilters quilt show
- Collections and Village tour and presentation to Oakland University archaeology students
- Collections and Village tour and presentation to Citizens Academy
- Continued work on scanning Troy Fire Department photos and documents for Troy Fire Department book
- Provided support and assistance to educational programs and other museum staff and projects as needed
- Provided Photoshop support for a variety of general Troy museum publications
- Provided support to special events as needed
- Intern from CMU (Vicki Baldwin) cleaned and processed 380 artifacts from the Church & Parsonage archaeological project into the PastPerfect database during a 4.5 month internship

- Intern from Wayne State (Cathryn Eccleston) scanned 197 Troy Fire Department images during a 40-hour internship
- Archive Assistant Kathrin Schwietale-Jäger resigned her position to return to Germany
- Laura Bunting began working as Archive Assistant

Collection & Archive Holdings:

Accession records: 3542 (vs. 4628 for 2006-2007) – Decrease of 1086 items

Each donation is identified by a unique Accession Number regardless of the number of items in the donation. The number of accession records dropped substantially this year as expected. The number may continue to slightly decline over the next 2-3 years before stabilizing, as old SNAP records are reconciled with PastPerfect and the accession database streamlined.

Collection records: 8658 (vs. 7610 for 2006-2007) – Increase of 1048 items

Each item in the collection receives a unique Object ID Number as its permanent tracking number. Although Object ID Numbers usually represent a single piece, numbering conventions sometimes require multiple items receive the same number (e.g., a document collection would receive a single Object ID Number and organized with a folder finding guide rather than each page being numbered). Due to Object ID numbering conventions the number of collection records provides a general representation of the Collection and is not a completely accurate count of the number of actual pieces in the Museum Collection. However, tracking collections by number and type is a useful organizational tool and these are the numbers generally given when asked to define the Collection by size and composition. PastPerfect divides the collection records into 4 linked databases. Overall the record numbers in each group are expected to grow annually and represent actual items in the Collection. Over the next 2-3 years, as PastPerfect data continues to be reconciled and streamlined, items are moved between the 4 databases. Therefore, the record numbers in each group may change up or down and may not be fully indicative of actual material added to the Collection:

- Archive records: 1362 (vs. 1267 for 2006-2007) – Increase of 95 items

- Library records: 367 (vs. 347 for 2006-2007) – *Increase of 20 items*
- Object records: 5314 (vs. 4612 for 2006-2007) – *Increase of 702 items*
- Photo records: 1615 (vs. 1384 for 2006-2007) – *Increase of 231 items*
- *Total Records:* 8658 (vs. 7610 for 2006-2007) – *Increase of 1048 items*

42 individuals, families or organizations donated accessionable artifacts to the museum during fiscal year 2007-2008 (vs. 27 during fiscal year 2006-2007):

- 8 single item donations
- 34 multiple item donations

Donations of notable Troy importance during fiscal year 2007-2008 included:

- Collection of material from the estate (Shirley A. Hersey) of the last direct descendent of Marvin Castle Beach; items include photo album (c.1860s-1890s), doll c.1870, coverlet c.1850, silver spoons, furniture, documents, and misc material; Brooks family material also included with donation due to donor's Brooks family descent as well.
- 2 chairs from Civil War veteran Clark Harris (directly from the Harris family)
- Big Beaver Airport stationery (c.1950s-1980s)
- 1855 map of southern Michigan
- Barnard and Niles family artifacts including George Niles' 1838 Michigan State Militia certificate, flail from Johnson Niles, WW II ration book, and misc documents and ephemera
- 1951 Troy Township Building Code Booklet

Artifact purchases for the Collection during fiscal year 2007-2008:

- Reproduction food cans for General Store Exhibit (\$986.00)
- Suitcase for program use (\$10.00)

Donations during fiscal year 2007-2008 increased the volume of stored materials by the following:

- Document & photo storage: ~8 linear feet (on 16" deep shelves) {all material in archive}
- 3-Dimensional artifacts: ~125 cu. ft.

21 donations were declined during fiscal year 2007-2008 (vs. 32 in 2006-2007) – artifacts did not fit within the collections policy or were otherwise unacceptable due to storage limitations or other considerations. Items declined included but were not limited to:

- Books (c.1900s-1990s); 6 sewing machines (c1870s-1900); doll collection (c.1970s-1980s); clothing collection (c.1880s-1960s); camera collection; bottle collection; newspapers and clippings; 2 beds and a piano.

The following material was transferred to the Troy Nature Center for use in educational programs: 2 corn knives, 1 potato planter, 1 draw knife, 1 scythe, and 1 corn planter. All material transferred was found in the Collection, but none of the material has any known donation form or Object ID # associated with it. All items are believed to have been dropped anonymously at the museum between 1996 and 1999. The museum Collection has multiple examples of each of the items transferred to the Nature Center.

No part of the Troy Museum Collection was de-accessioned during fiscal year 2007-2008.

Research Activities & Collections Use:

- 9 unique user Archive and Collections specific research & reproduction requests (requests may include multiple visits):
- 2 – General public
- 0 – Press/media/commercial
- 7 – City of Troy (6 Community Affairs; 1 Building Inspection)
- Research request: Troy streets & maps 1960 [general public]
- Research request: Boulan Park area maps pre-1963 [general public]

- Research request: Council Packets c.1970s [City of Troy Building Inspection]
- Photo request: 6 requests [City of Troy Community Affairs]
- Continuous internal research projects for programs and exhibits by staff, volunteers, and interns
- Occasional behind the scenes tours for special groups and other guests
- Resource Room research files and books continue to see heavy use by walk-in visitors and staff, but actual numbers are not tracked due to the utilitarian nature of the Resource Room.

Outgoing Loans:

- Agricultural tools for educational program [Nature Center]
- 13 Quilts and 4 dress forms for an offsite exhibit at a Troy quilt show [Cameo Quilters]

Primary goals for fiscal year 2008-2009:

- Complete Collections Operating Manual and update forms
- Continue PastPerfect corrections and streamlining
- Continue inventory and stabilization of the general collection
- Continue transfer of artifacts from General Store basement so waterproofing repairs can be made
- Update Virtual Exhibit contents to reflect new donations



CITY COUNCIL REPORT

TO: Phillip L. Nelson, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance & Administration
Cathleen A. Russ, Library Director

SUBJECT: Troy Public Library Annual Report 2007-2008

Background:

- In an effort to keep City Council members updated on the many collections, programs and services offered by the Troy Public Library, the Library Director respectfully submits this Troy Public Library Annual Report, for the year 2007-2008.

Financial Considerations:

- There are no financial considerations associated with this item.

Legal Considerations:

- There are no legal considerations associated with this item.

Policy Considerations:

- This recommendation addresses the following Outcome Statements:
Troy adds value to properties through maintenance or upgrades of infrastructure and quality of life venues.
Troy is rebuilding for a healthy economy reflecting the values of a unique community in a changing and interconnected world.

Options:

- City management recommends that the Troy Public Library's Annual Report for 2007-2008 be received and filed.

**Troy Public Library
Annual Report
FY 2007-08**

Introduction

The fiscal year that began July 1, 2007, could be characterized as a year of new beginnings, of re-evaluation of “the way we’ve always done things,” as well as a year that changes in several areas were implemented.

Library Staffing and Administration

Cathleen Russ replaced Brian Stoutenburg as Library Director in June 2007. Changes to TPL’s staffing structure included eliminating the two Assistant Director positions, and implementing Department Heads in all of the library’s service areas, resulting in a savings of approximately \$20,000. This change was made in order to increase accountability of, and provide structure for, library staff, as well as distributing responsibility for creating new programs and services.

Additional staff changes were also made, including consolidating open Library Assistant positions into Library Aide positions, resulting in cost savings as well as increased efficiency. The number of library staff positions decreased from 16 full-time positions to 15; the number of part-time positions decreased from 99 to 92, for a total of 107 staff members.

Two undergraduate students from Oakland Community College’s Library Technology program interned at TPL this year. These interns assisted in all departments of the library for 12-week periods, and wrote favorable reports about their experiences at TPL. Many students in library science programs at the University of Michigan and Wayne State University chose TPL as the subject of their “Observation of a Busy Public Library” assignment.

Needs Assessment/Feasibility Study

The major project for the year was the completion of the Needs Assessment/Feasibility study, which was undertaken to study the need for a new or renovated library facility. A Request for Proposals was sent out in late August to solicit bids for this study. Fanning/Howey Associates, Inc, was the company selected to perform the study. Members of Fanning/Howey staff, led by principal architect Jim Mumby, studied the physical building, usage statistics, and comments from patrons, as well as conducted focus groups and interviews with library staff, city staff, and library patrons. The final report was presented to the City Council in early February. The study recommended that the Troy Public Library be expanded, or a new library constructed, with space needs of 115,000 square feet. Estimated cost to build or renovate on this scale was approximately \$37 million. Several Community Forums were held on this topic. The Friends of the Library funded a community survey to gauge the level of support for this project. Survey results indicated that approximately one-third of the Troy community would support the sale of bonds needed to fund this project. Based on the survey results and on the current economic climate, the decision was made not to proceed further with the project at the present time.

Collections

The Special Needs Collection was introduced in October 2007, with a Grand Opening/Open House. This collection is the first of its kind in any public library in Michigan, and was initiated at the request of the Friends of the Troy Public Library. The original collection of 166 books, games, interactive toys, DVDs and tapes, and 2 magazine subscriptions, was funded with seed money donated by the Friends. This collection has proved very popular with the library's patrons, and is considered a success. At least four other libraries in Michigan have inquired about this collection with a view to starting a similar collection in their libraries, which is a significant compliment.

Another project that took place was the weeding and eventual elimination of the VHS (video) collection. Videos are no longer being produced and the items in the existing collections were taking up a great deal of needed space. Additionally, most items in this collection had not circulated in over three years.

The print reference collection was analyzed and items that were duplicated by the library's electronic references were eliminated, in another measure of cost- and space savings.

Downloadable movies (MyLibraryDV) and books in an MP3 format (Playaways) were introduced and are growing in usage.

Services

Self service holds for patrons debuted to great acclaim. Patrons found it easy to retrieve their own holds and the Circulation Department made use of the extra space in their work area due to this change. In tandem with self service holds, the library also implemented self-checkout stations in all public service areas of the library. Self-checkout transactions currently account for 4% of all circulation.

Exhibits

The Troy Public Library's galleries are popular places for local artists to display their work. Over the last year, 39 exhibits were held, displaying 1,057 pieces of art, photography, or other types of artifacts.

Programs

The library offers programs on a variety of topics, to inform, entertain, educate and enrich the community. Topics for adults range from travel to poetry to concerts to explorations of different cultures. Gaming programs for teens were introduced this year, as well as college workshops and writing programs. Children's programs included story times, crafts, holiday celebrations and much more. In 2007-2008, 1,178 programs were offered, breaking down as follows:

- 482 adult programs offered, 9,523 total attendance
- 39 teen programs offered, 538 total attendance
- 657 programs offered, 17,662 total attendance

In addition, the library offered its popular Summer Reading Program for Adults, Children, and Teens. This year, the program extended also to library staff members. 144 adults participated in the Adult Summer Reading Program; over 40 teens participated in the Teen Summer Reading Program; and over 1,100 children participated in the Children's Summer Reading Program. The inaugural Staff Summer Reading Program attracted 23 library staff members.

Library and City Websites

Phillip Kwik was appointed to the Web Support Team coordinated by the IT Department, to make recommendations about the city's website. In addition, a committee of representatives from all library departments was formed to redesign the library's website.

Grants

The Troy Public Library received \$2,400 from the ACMP Foundation and \$3,000 from the Target Community Grant Foundation, to fund the 2007 Youth Chamber Music Institute. The library was also the recipient of the "We the People" Bookshelf award, which consisted of 16 books for children and teens on the theme of "Created Equal." This grant was received from a joint program sponsored by the American Library Association and the National Endowment for the Humanities.

Friends of the Troy Public Library

The Friends of the Library continue to support the Troy Public Library by funding the library's programs. In addition, the Friends fund the annual Summer Reading programs, the five book discussion groups, and the very popular Spice of Life Humanities Discussion group.

The Friends reached a fundraising milestone this year, when sales from the Friends Book Shop totaled over \$100,000.

Volunteers

Over 100 volunteers contributed 13,706 volunteer hours to the Troy Public Library and Friends of the Library during this year. A celebration to honor these volunteers was held in the library in October.

Partnerships with the Troy Museum and other organizations (I/ACT)

In an effort to foster a closer partnership between the Troy Public Library and the Troy Historical Museum, the library director and museum manager have been working on coordinating program offerings and brainstorming ways to cross-promote the two organizations.

The Image/Arts Council of Troy, a revisioning of the former Troy Arts Council, began meeting monthly at the Troy Public Library. The goal of I/ACT is to bring public art to the City of Troy. I/ACT will be working with community groups on projects that will increase awareness of public art in Troy. The library's art galleries are one of the few places in Troy where public art is exhibited, so the library takes an active interest in the work of this new organization.

Physical Maintenance and Buildings

Renovations to the library's public and staff restrooms were completed this year. In addition, three of the library's HVAC units were replaced this year, to complete the replacement of all rooftop units.

Usage Statistics and Interpretation

TROY PUBLIC LIBRARY ANNUAL STATISTICS

July 1, 2007 through June 30, 2008

Total Circulation	1,510,904
# of new Library cards	6,130
Total # of Cardholders	48,414
# of hold placed/filled	157,066
Items in Transit to TPL (Items borrowed)	182,893
Items in Transit from TPL (Items loaned)	173,388
Total # of Items in Collection	316,450
Items added	23,218
Items deleted	16,923
Program attendance	27,723
# of Programs	1,178
Total # of patron visits	673,528
Total # of Web Page Hits	672,464

The above statistics illustrate the current trend in library usage. While overall circulation of materials increased almost 100,000 from last year, the number of patron visits to the library decreased. Also, the number of visitors to the library's website is almost equal to the number of people who visited the library in person, which demonstrates the popularity of electronic services, and the "do it yourself" nature of electronic/Internet service that is becoming more prevalent. The huge numbers of holds being placed, as well as the number of items in transit to and from the Troy Public Library, also show that patrons are placing their own holds online, frequently from their home computers. With a collection of over 300,000 items, the Troy Public Library has one of the largest collections of libraries its size, in southeast Michigan, and the number of holds being placed on these items indicate that the collections are serving the needs of the Troy community. Program attendance has remained steady, with many great programs offered for adults, teens and children.

Conclusion and Goals for 2008-2009

While the Needs Assessment study indicated that a new library facility would enhance and improve the collections, programs and services offered by the Troy Public Library, the economic climate is not conducive to such a project at this time. Therefore, it is important to make the best use of the space that the library currently occupies. To that end, goals for 2008-2009 include:

- Evaluating spatial and collection needs
- Making necessary changes to create usable space
- Eliminating redundancy of resources whenever possible
- Evaluating staffing levels and reassigning responsibilities as needed

The Troy Public Library continues to be a very busy, very popular, and well-used community resource. Open 65 hours per week, Sunday-Saturday, the library truly offers something for everyone.

October 21, 2008

Mr. Charles Craft
Chief of Police
Troy Police Department
500 W. Big Beaver
Troy, MI 48084

RE: Officer Christina Giovannoni

Dear Mr. Craft:

While driving my wife's new car, I ran out of gas on I-75 just south of the Rochester Rd. exit. Officer Giovannoni responded promptly to the cell phone call of one of my passengers. She drove me to a station where I was able to purchase gas to partially refill my tank and drove me back to the car.

She was timely, professional and courteous throughout.

I am asking you to commend her for her service. Her actions reflect well on the City of Troy, and the Troy Police Department in particular.

It is comforting to know as a Troy resident that we have such competent and professional police officers ready to assist us.

Yours truly,



Michael J. Farrug

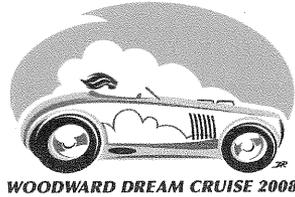
MJF/cw

cc: Officer Christina Giovannoni

cc: City Manager
D/C Manager
Captains
BB
Off. Giovannoni
Off. Giovannoni's File



RECEIVED
Chief of Police J-03b
10/17/08 CC



October 9, 2008

Troy Police Department
500 W. Big Beaver Road
Troy, MI 48084

Dear Chief Craft,

On behalf of the Board of Directors of the Woodward Dream Cruise, I would like to take just a moment to extend our most sincere thanks for your support for the 2008 Cruise event. Your law enforcement measures and support of the Cruise are a key element in assuring the continued success of this terrific event. Doing as much as we reasonably can minimize the possibility of a traffic related accident or injury is critically important. It is the potential "Achilles Heel" of the whole Cruise event. We would like to extend a special thanks to Chief Ted Quisenberry for his enforcement coordination efforts with all the community law enforcement officials. Please extend my personal thanks to all of your officers for the great job they do on Cruise day and all of the many other days involved in the extended event..

The 2008 Woodward Dream Cruise was a major success by most any measure. Crowds on the Saturday of the Cruise were consistent with our best years ever at about 1.3 million happy spectators. My own guess is that the spectators enjoying the "cruising" custom vehicles for the week of the Dream Cruise were at an all time high: in the 2 million range. The number of custom cruisers was consistent with previous year highs as well. This is all the more remarkable given the overall economic situation in Michigan and high gas prices. While the attendance at most other events were down this year, the Cruise maintained its terrific popular appeal. Most importantly, we had a very safe Cruise with no reported injuries!

There was an overall feeling among many observers that the Woodward Dream Cruise is the single most positive event in southeast Michigan. We plan to continually improve the Cruise to make it even better. Thank you, once again, for your wonderful support in keeping it safe. Please excuse my taking so long to send this much deserved thanks.

Warm regards,

A handwritten signature in black ink, appearing to read "Dale", written in a cursive style.

Dale Dawkins
President and CEO

cc: Cory Manager
D/C Manager
Capt. Matt
Lt. Lucas
Sgt. Daniel
BB

October 2008

Jennifer Lawson, Environmental Specialist
City of Troy Public Works Department
500 W. Big Beaver Road
Troy, MI 48084

Dear Jen:

We are excited to announce the completion of SEMCOG's Low Impact Development (LID) manual. The manual will help local officials, planners, engineers, and developers promote and implement numerous LID design techniques in their communities. Thank you for providing very interesting case study information for inclusion in the manual.

We value your expertise and assistance in the development of SEMCOG's LID manual. Please share the manual with coworkers and colleagues. We look forward to learning about any new LID projects that you implement in the future. Thank you again for your willingness to participate in this effort.

Sincerely,



Amy Mangus, Coordinator
SEMCOG

Jen,
Thanks for all the
support + technical
advice ON LID!

RECEIVED

OCT 16 2008

ENGINEERING

J-3c



DEPARTMENT OF THE ARMY AND THE AIR FORCE
 MICHIGAN NATIONAL GUARD
 JOINT FORCES HEADQUARTERS
 51ST WEAPONS OF MASS DESTRUCTION
 CIVIL SUPPORT TEAM
 AUGUSTA, MI. 49083

October 8, 2008

Police Chief Charles Craft
 500 W. Big Beaver Rd
 Troy, Michigan 48048

Dear Chief Craft:

Thank you, and your entire staff for your involvement in the *CREST* radiation exercise on September 18th, 2008. Your participation was invaluable in supporting critical emergency actions during a multi-agency response to various simulated emergency events.

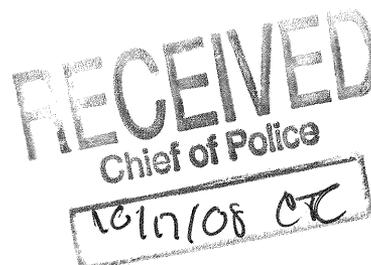
Moreover, your support of our efforts during the radiation exercise at the *CREST* facility allowed the 51st WMD CST to meet all our exercise objectives. A key element in the successful response to any major incident or exercise is solid inter-agency relationships; this event afforded us an excellent opportunity to build upon these relationships.

On behalf of my entire staff and the Michigan National Guard's Homeland Security Directorate, I applaud your RRTN for investing in the security and safety of our communities.

Sincerely,

JASON M. AWADI
 MAJ, SC, MIARNG
 Commanding

CC: City Manager
 DIC Manager
 Captains
 Sgt. Ostrawski
 File





J-03e

FERRIS STATE UNIVERSITY

CHIEF CRAFT -
THIS IS A SUCCESS BECAUSE OF
THE EFFORTS OF WENDELL MOORE
AND ALL OF THE OFFICERS WHO
WILLINGLY WORK WITH
THESE INTERNS.
Gary Mayer

October 20, 2008

Deputy Chief Gary Mayer
City of Troy Police Department
500 W. Big Beaver
Troy, MI 48084

Dear Deputy Chief Mayer,

Please allow this letter to convey our sincere appreciation to you personally and to all the members of your agency who assisted in making the Ferris State University Criminal Justice Summer 2008 Internship Program a success. We feel that the internship program is an essential part of the student's education and without your cooperation the program would not be possible. We appreciate the considerable time and effort that you and your staff devoted to our intern(s).

We are constantly trying to improve the meaningfulness of the internship program with the ultimate goal of preparing the students for the real world. We would welcome any suggestions or comments from you or members of your agency relative to the operation of our internship program.

Once again, please accept our gratitude for your assistance with our internship program this year. We look forward to working with you again in the future.

Sincerely,

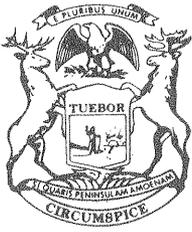
Terry M. Nerbonne

Terry M. Nerbonne, Ph. D.
Internship Coordinator
School of Criminal Justice

cc: Citra Mgr.
D/C M...
C&P's
W. Moore/Ed E
BB

RECEIVED
Chief of Police
11/3/08 CJC

COLLEGE OF EDUCATION AND HUMAN SERVICES
SCHOOL OF CRIMINAL JUSTICE
1349 Cramer Circle, BIS 506, Big Rapids, MI 49307-2737
Phone 231 591-3652 or 231 591-5080 Fax 231 591-3792



Royal Oak Police Department

J-03f

221 E. Third Street
Royal Oak, MI 48067-2693

Theodore H. Quisenberry
Chief of Police

Troy Police Department
500 W. Big Beaver Rd.
Troy, MI 48084

September 8, 2008

Dear Chief ~~Craft~~, *e/melic*

Thank you for your support at the 2008 WOODWARD DREAM CRUISE. Your Motorcycle Unit helped tremendously in making this year's DREAM CRUISE a success. We had 102 motor officers from 28 different departments participate in this year's event, which drew over one million visitors. Your motor officers' efforts are greatly appreciated in assisting the local Departments hosting the DREAM CRUISE, given the scope and size that this event has become.

We hope that your officers enjoyed the event and will be able to participate again in the future. Please do not hesitate to contact us if our motor unit can ever assist you with any event in your city.

Enclosed, as a token of our appreciation is a group photograph of all of the motor officers who participated in the cruise.

Thank you again for your motor unit's support,

Theodore H. Quisenberry
Theodore H. Quisenberry
Police Chief

DJ Morris
Sgt. Donald Morris
Motor Unit Coordinator

Thanks Again!

cc: City Mgr.
D/C Morris
Captains
BB

Phone Area Code	(248)	Chief of Police	246-3527	Detective Division	246-3515
General Information	246-3500	Deputy Chief-Staff Services	246-3526	Records Division	246-3530
Fax Number	246-3402	Administrative Office	246-3525	Traffic Safety Division	246-3505
		Deputy Chief-Operations	246-3510	Community Policing	246-3524

THANK
YOU

OFFICER Lisa Rocka Fellow
OFFICER Melissa Raymer

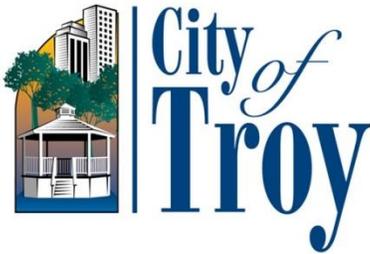
9-21-08

I'd like to thank the
two police officers and
two detectives that
helped me with my
grand daughter on
Wed, Sept 17th. Jolie
had locked herself
in the house + locked
myself + her baby
brother out of the
house. Although we
couldn't get in every
one made sure Jolie
stayed safe + kept
me calmer than I
was before they arrived.
The Riv. Police Dept.
needs to commend
these police officers +
detectives.
Thanks again,
Denise Guemette

CC: CITY MGR
D/C MAYOR
CAPT'S
FILES
B3

RECEIVED
Chief of Police

9/29/08 CTC



CITY COUNCIL REPORT

DATE: October 15, 2008

TO: Phillip L. Nelson, City Manager

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

SUBJECT: City of Troy Master Plan

Background:

- On July 7, 2008 City Council approved distribution of the draft City of Troy Master Plan.
- The Planning Commission held a public hearing on this item on October 14, 2008. At that meeting the Planning Commission adopted the City of Troy Master Plan.
- Hard copies of the Master Plan will be distributed to Council upon printing.
- There are no financial or legal considerations at this time. In addition, no action is necessary.

Policy Considerations:

- The application is consistent with the following “Outcome Statements” as established at the July 1, 2008 Special Council meeting:
 - I. Troy has enhanced the health and safety of the community
 - II. Troy adds value to properties through maintenance or upgrades of infrastructure and quality of life venues.
 - III. Troy is rebuilding for a healthy economy reflecting the values of a unique community in a changing and interconnected world.

Prepared by: MFM & PPB

G:\Master Plan\City Council\City Council memo 11 10 08.docx

**Troy Youth Assistance Board Meeting
Final Minutes September 18, 2008
6:00 p.m.**

Present: Leonette Ciepielowski, Robin Beltramini, George Zielinski, Nancy Piotrowski, Jeanne Stine, Ann Comiskey, Charlene Krupitzer, Dale Zygnowicz, Daniella Youhan, Paul Scobie.

Call to order: Leonette called the meeting to order at 6:02 p.m. All rose for the Pledge of Allegiance.

Minutes: Nancy moved to approve the minutes of August 21, 2008. Robin B seconded; with one correction – Charlene Krupitzer was present at August meeting, so moved.

Treasurer's Report: George Zielinski:

- George presented August 2008 Treasurers Report.. Ann moved to approve report. Jeanne seconded; so moved.

Communications:

- Tomorrow, September 19, 2008 is Senior Job and Volunteer Expo at the Troy Community Center—Paul to attend.
- Leonette will accept a check on behalf of TYA from City of Troy / Casual for a Cause at City Council meeting on Monday, October 6.

Caseworker's Report:

- NEW VOLUNTEER ORIENTATION-The TYA Executive Committee is actively working toward providing an orientation/overview for potential new volunteers in October. There are two confirmed prospective individuals who have expressed interest. If you know of persons with additional interest, please speak with Leonette, Nancy, or myself as soon as possible.
- SENIOR EXPO-On Friday, September 19, I will be providing coverage for TYA at the City of Troy's Senior Job Fair and Volunteer Expo. This takes place from 9:30 AM until 12:00 noon at the Troy Community Center and is an opportunity for us to reach out to seniors seeking meaningful volunteer opportunities.
- DR. WILLIAM POLLACK-I have the flyers available for the OCYA presentations on boys and young men to be given by Dr. William Pollack of Harvard University on November 3 and 4. Please see me if you are interested; feel free to make copies to share with other potential individuals or groups.
- CASEWORK-During August, four new referrals came into TYA-all from police sources. Our caseload as of August 31, 2008 stood at 45-27 boys and 18 girls.

Executive Committee Report:

- Robin B reports that plans are underway for an October Volunteer Orientation event. Also, Annual Breakfast is coming along nicely; Wendy Underwood to be honored at the event. Following the Annual Meeting, members will sit down to finalize layout for a new TYA banner.

Committee Reports:

A. Camp/Skill Building:

- Paul reported that 2008 Summer Camp season went well. Awaiting invoice from CYO for residential campers.

B. Family Education:

- Charlene shares that Active Parenting Now series began on September 11 and that registration is beginning for September 30th presentation "Kids Who Want Everything And Think They Should Get It."

C. Fundraising- Vacant:

D. Mentors Plus-Bruce Baxter:

- No report

E. Membership- Nancy to report later in meeting.

F. Publicity- Amy Johnson:

- Paul indicates we have had good exposure for programs through Troy School District thanks to Tim McAvoy's assistance and via Troy Chamber of Commerce.

E. Youth Involvement-

- No Report

H. Youth Recognition-Committee

- 2009 event scheduled for Wednesday April 22, 2009 at Athens High School.

School Reports:

- We are very happy to welcome Daniella Youhon as this year's Student Representative from Athens High. Daniella reports that Homecoming at Athens is scheduled for October 11.

Old Business:

- Work is ongoing in follow up with persons identified previously as possible new volunteers. We will attempt to invite these individuals our upcoming Annual Breakfast as our guests so that they can be "hosted" and get a fuller picture of what TYA is all about.

New Business:

- TYA Banner and Annual Breakfast Meeting discussed previously.

Community Information From Organization/Agencies Liaisons:

- Ann reports that the Troy Community Coalition is bringing in John Underwood on September 22 to present, "The Life of an Athlete," a look at how communities and schools can work together to insure safe, sound competition in alcohol and drug free ways.
- Robin B reports that much of Troy Daze was canceled due to heavy rain last week and reminded everyone that October 6 is final day to register to vote.

Adjourned: 7:05 p.m.

Next meeting will be October 16, 2008 @ 6:00 p.m.



CITY COUNCIL REPORT

November 5, 2008

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Asst. City Manager/Economic Development Services
Steven J. Vandette, City Engineer

SUBJECT: Inter-Modal Transit Facility Project Scope - Concept and Preliminary Engineering Design Services to Construction

Background

- The City of Troy has contracted with the Michigan Department of Transportation (MDOT) for the planning and design of a new rail passenger inter-modal transit facility along the existing Amtrak route between the borders of Troy and Birmingham.
- On November 10, 2006, statements of qualifications (SOQ) were received to provide conceptual and preliminary engineering /design services for an inter-modal transit facility in accordance with the Scope of Services developed by city staff.
- Troy and Birmingham city staffs participated in the review of consultant qualifications, consultant interviews and the selection of a consultant for this project.
- On April 16, 2007 a contract for Concept and Preliminary Engineering Design Services was awarded to Wendel Duchscherer of Amherst, New York by Troy City council.
- On June 30, 2007 a contract was executed with Wendel Duchscherer for design services based on their Project Approach (see attached copy) in substantial compliance with the scope of services determined by the City of Troy.
- City staff and representatives from the City of Birmingham have been working with Wendel Duchscherer to develop a series of design plans for the Transit Center.
- The most recent option, presented to Troy City Council on October 6, 2008 addresses a number of site improvement and safety issues, and provides a plan that minimizes future operating costs.
- A tunnel connecting Birmingham with Troy is a key element for the project to succeed, as the Amtrak line runs on the west track and an at-grade crossing or overhead bridge crossing, for various reasons, are not available options.

- The Transit Center building can be built as a distinct phase of the project and would be placed at the south end of the east ramp in Troy. Analysis by Wendel Duchscherer suggests that the initial building envelop will likely total 3,000 to 3,500 square feet.
- Estimates for the Transit Center have been developed by the consultant for each of the proposed designs. As of this writing, the estimate for the Transit Center is \$6 million. The estimate is driven in large part by the need for the tunnel.

Consultant Deliverables Received to Date

- Traffic Impact Study
- Environmental Site Assessment Report
- Major Considerations and design Criteria
- Alternate Conceptual Plans and Cost Estimates

Inter-Modal Transit Facility Project Objectives

The facility is intended to improve the attractiveness, reliability, safety and economic efficiency of rail passenger service and will provide passenger facilities that are designed to encourage increased rail travel and expanded Inter-modal transit coordination and integration with other transit/para-transit modes.

City staff will incorporate all planning documents and generate the project to meet at least three objectives for the future. The objectives are as follows:

Objective 1 - Construct the proposed transit center to serve rail customers, and as a transfer point for bus and taxi users and other private and personal modes of transit. Construction of the center will provide a connection point for commuters to and from various areas in the general vicinity of Troy. Should uncertainty of fossil fuel supplies and pricing continue, more and more commuters will look at travel options other than the passenger car.

Objective 2 - Ties to the Big Beaver Corridor development. One of the goals of the Big Beaver Corridor Study is to make the corridor more urbane with high density mixed use developments and to make the corridor more pedestrian friendly. The proposed Transit Center could be a logical tie to access and egress from the transit center for office worker commuters to offices or other service functions along the Big Beaver Corridor. Using a form of mass transit could also reduce the amount of vehicular traffic which would meet one of the primary goals of the Big Beaver Study. Capital construction of wide pedestrian walkways that could also be used as transit-ways would be eligible for federal funding. Other positive aspects of the project would be the reduction of vehicular traffic on Big Beaver that would result in lower fuel consumption and greatly reduced carbon dioxide emissions into the atmosphere.

The proposed transit center could also be a tie to the Troy Airport by fulfilling the needs of business commuters with ties to rail, taxi, or shuttle services.

Objective 3 – Encourage economic growth and development. A study completed by the University of Michigan for the Urban Land Institute entitled the Troy/Birmingham Transit Center Strategic & Implementation Plan identifies the market potential for future development, transportation options and complimentary land uses near the proposed Transit Center. The study indicates that there is 715,353 square feet (both walkable and drivable) of local retail demand over the next five years. The study goes on to state that “While the for sale housing market is struggling, there is sufficient demand for as many as 300 attached residential rental units within the Transit Center District in the next five years.” There are over 4,400 properties within a one mile radius of the proposed Transit Center.

The study indicates a proposed development area located along Maple Road immediately east of the rail line. By locating the proposed transit center into this area, there are possibilities of producing a dynamic mix of uses and enhancing the area’s potential walkable character. The proposed transit center could also act as a catalyst for upgrading the Maple Corridor.

As previously indicated, two significant portions of the population do not want to own or care for property and want to live in higher density mixed use areas. The two age groups want to be able to walk or use mass transit to get to their destinations. By changing the physical face of the area to higher density, and in some cases upscale apartments or condominiums and building the developments as transit oriented would make the area, including the Big Beaver and Maple corridors more interesting to the development community.

The City’s Master Plan utilizes the findings of the “Troy Futures Report” that states that Troy should be looking at a “Villaging” concept, or the establishment of activity nodes with a connected sense of place, centered on a range of different concepts or themes. These areas would be compact, walkable, and would provide a mix of uses to contribute to an atmosphere of vitality and diversity. The proposed Master Plan indicates that “The Villaging concept can be achieved by following the principles of Transit Oriented Development or TOD. The TOD principles are centered on the basic idea that mixed-use, walkable, compact development surrounding transit stations contributes to the health of the community and helps support the transit itself.”

Financing and Phasing Options:

Total capital cost of the Transit Center as proposed is estimated around \$6 million dollars. The capital project can be viewed as two distinct elements: the tunnel and the building. The tunnel and the building can be built simultaneously, or separately. Certain site improvements likely could be undertaken in a third phase, if needed. That said, there are economies of scale that staff will want to consider when developing a phasing stage.

The estimated cost for the tunnel, and associated ramps/stairway, is \$1.8 million. The consultant estimates that the construction work would take approximately 150 days, weather permitting.

Wendel Duchscherer estimates that the building and canopy work should total \$2.0 million. The work for this phase would take approximately 160 days, after designs are completed and bids received.

The balance of the budget is for site improvements, including roadway improvements, additional utility work, and the platform improvements. It is anticipated that the site improvements will accommodate multiple forms of public (SMART, Amtrak) and private (sedan, taxi) transit, as well as anticipated need for park and ride users, car rental agency, and non-motorized transit (pedestrian, bicycle) needs. The work should take approximately 260 days to complete.

Not included in the estimate are the land costs on the west side of the tracks. The City of Birmingham has been in on-going discussions with DTE and other land owners in this regard. It appears that the parties are working toward a solution. Wendel Duchscherer, in developing the cost estimates, indicates that costs for storm water and environmental clean up are yet determined on the west side of the tracks.

To date, the City of Troy has set aside \$1.3 million in capital reserves for the project. The City of Birmingham has committed \$300,000 toward project costs. For the project to move forward, the cities of Troy and Birmingham will need to secure about \$5 million from other sources.

As stated in the October 2nd report, city staff and our partners have been meeting with key State and Federal officials in order to secure grants and other forms of funding for the Transit Center. The City of Birmingham is conducting final interviews for an outside "project manager" on November 10th. It is likely that a cost sharing agreement will come before City Council in the near future, for your review and consideration.

That is not to say that we are solely focusing efforts on securing public funds. Some of the private sector providers expressed an early interest in acting as possible partners in the project. City staff is currently exploring those possibilities, both from a capital and operating perspective.

Much of what happens depends on the timing of funds for the project. It is highly likely that the project will need to be built in phases. In light of the election results, the financial picture on Wall Street, and the sunset of SAFETY-LU, it is likely that the project will phase as follows:

- **BUILDING:** The building could be constructed utilizing available reserve funds from Troy and committed funds from Birmingham, as city staff and the project manager seek other funding for future phases.
- **TUNNEL:** The second phase of the project could be the construction of the tunnel. Grants for the construction phase, and possibly the shuttle service until such time as the tunnel is constructed, will be explored with the Federal Highway Administration, the State of Michigan, and our public and private partners.

Phasing the project, using reserve funds, would allow the City to meet the terms of the consent agreement between the City and Grand Sakwa. The center would initially focus on bus riders and taxi patrons, and a shuttle system could be employed to take rail riders to and from the Birmingham side of the tracks. Operational funds for shuttle system will need to be secured.

Troy Unofficial Results

SUMMARY REPT-GROUP DETAIL

GENERAL ELECTION
TUESDAY, NOVEMBER 4, 2008
OAKLAND COUNTY, MICHIGAN

REPORT-EL45A PAGE 001

RUN DATE:11/05/08 05:11 AM

	TOTAL VOTES	%	PRECINCT	ABSENTEE
PRECINCTS COUNTED (OF 36)	36	100.00		
REGISTERED VOTERS - TOTAL	57,009			
BALLOTS CAST - TOTAL	44,966		29,653	15,313
VOTER TURNOUT - TOTAL		78.88		

STRAIGHT PARTY TICKET

Vote for not more than 1

Republican Party (REP)	10,444	52.56	6,500	3,944
Democratic Party (DEM)	9,192	46.26	5,978	3,214
Green Party (GRN)	68	.34	56	12
U.S. Taxpayers Party (UST)	33	.17	21	12
Libertarian Party (LIB)	98	.49	80	18
Natural Law Party (NLP)	34	.17	28	6

ELECTORS OF PRESIDENT AND VP

Vote for not more than 1

John McCain (REP)	21,780	48.63	14,168	7,612
Barack Obama (DEM)	22,267	49.71	14,922	7,345
Cynthia McKinney (GRN)	58	.13	47	11
Chuck Baldwin (UST)	80	.18	56	24
Bob Barr (LIB)	264	.59	182	82
Ralph Nader (NLP)	249	.56	157	92
WRITE-IN	93	.21	52	41

UNITED STATES SENATOR

Vote for not more than 1

Jack Hoogendyk, Jr. (REP)	17,603	40.61	11,304	6,299
Carl Levin (DEM)	24,471	56.45	16,288	8,183
Harley G. Mikkelsen (GRN)	318	.73	240	78
Michael N. Nikitin (UST)	175	.40	120	55
Scotty Boman (LIB)	641	1.48	480	161
Doug Dern (NLP)	119	.27	66	53
WRITE-IN	21	.05	18	3

REPRESENTATIVE IN CONGRESS 9TH DISTRICT

Vote for not more than 1

Joe Knollenberg (REP)	21,123	48.73	13,994	7,129
Gary Peters (DEM)	20,153	46.49	13,095	7,058
Douglas Campbell (GRN)	540	1.25	404	136
Adam Goodman (LIB)	542	1.25	409	133
Jack Kevorkian (NPA)	946	2.18	627	319
WRITE-IN	41	.09	33	8

REPRESENTATIVE IN STATE LEGISLATURE 41ST DISTRICT

Vote for not more than 1

Marty Knollenberg (REP)	24,399	58.20	16,146	8,253
Evan Ross Treharne (DEM)	17,297	41.26	11,224	6,073
WRITE-IN	230	.55	161	69

RUN DATE:11/05/08 05:11 AM

	TOTAL VOTES	%	PRECINCT	ABSENTEE
MEMBER OF THE STATE BOARD OF ED				
Vote for not more than 2				
Scott Jenkins (REP)	19,350	25.65	12,595	6,755
Richard Zeile (REP)	17,064	22.62	11,017	6,047
John Austin (DEM)	16,776	22.24	10,831	5,945
Kathleen Straus (DEM)	17,330	22.97	11,208	6,122
Dwain Reynolds, III (GRN)	775	1.03	605	170
Karen Adams (UST)	1,484	1.97	1,054	430
Gail M. Graeser (UST)	625	.83	423	202
Bill Hall (LIB)	1,140	1.51	850	290
Jeff A. Steinport (LIB)	812	1.08	613	199
WRITE-IN.	88	.12	75	13

	TOTAL VOTES	%	PRECINCT	ABSENTEE
REGENT OF THE UNIVERSITY OF MICHIGAN				
Vote for not more than 2				
Susan Brown (REP)	18,997	25.39	12,262	6,735
John G. LaFond (REP)	16,467	22.01	10,531	5,936
Laurence B. Deitch (DEM)	15,200	20.32	9,779	5,421
Denise Ilitch (DEM)	19,664	26.28	12,864	6,800
Ellis Boal (GRN)	864	1.15	669	195
Richard Ryskamp (UST)	600	.80	407	193
Joe Sanger (UST)	691	.92	461	230
Eric L. Larson (LIB)	1,179	1.58	892	287
Kerry L. Morgan (LIB)	1,058	1.41	811	247
WRITE-IN.	97	.13	84	13

	TOTAL VOTES	%	PRECINCT	ABSENTEE
TRUSTEE OF MICHIGAN STATE UNIVERSITY				
Vote for not more than 2				
Lisa Bouchard (REP)	21,113	28.18	13,781	7,332
George Scott Romney (REP)	20,836	27.81	13,286	7,550
Dianne Byrum (DEM)	14,779	19.73	9,543	5,236
Diann Woodard (DEM)	14,193	18.94	9,219	4,974
Therese Marie Storm (GRN)	854	1.14	649	205
Robert Gale (UST)	671	.90	457	214
Crystal Van Sickle (UST)	598	.80	411	187
David A. Brown (LIB)	970	1.29	744	226
Joseph Rosenquist (LIB)	819	1.09	627	192
WRITE-IN.	87	.12	76	11

	TOTAL VOTES	%	PRECINCT	ABSENTEE
GOVERNOR OF WAYNE STATE UNIVERSITY				
Vote for not more than 2				
Torion J. Bridges (REP)	16,456	22.65	10,674	5,782
Danialle Karmanos (REP)	21,706	29.87	14,135	7,571
Paul Massaron (DEM)	14,807	20.38	9,457	5,350
Gary S. Pollard (DEM)	15,019	20.67	9,631	5,388
Margaret Guttshall (GRN)	1,020	1.40	775	245
Rick Butkowski (UST)	878	1.21	543	335
Terry Haines (UST)	613	.84	428	185
Dan Keizer (LIB)	907	1.25	668	239
Nicole Michalak (LIB)	1,163	1.60	866	297
WRITE-IN.	96	.13	84	12

RUN DATE:11/05/08 05:11 AM

	TOTAL VOTES	%	PRECINCT	ABSENTEE
COUNTY EXECUTIVE				
Vote for not more than 1				
L. Brooks Patterson (REP)	28,171	66.23	18,423	9,748
Brenda Lawrence (DEM)	14,245	33.49	9,373	4,872
WRITE-IN.	118	.28	91	27
PROSECUTING ATTORNEY				
Vote for not more than 1				
David Law (REP)	21,312	52.15	13,838	7,474
Jessica R. Cooper (DEM)	19,335	47.31	12,722	6,613
WRITE-IN.	221	.54	164	57
SHERIFF				
Vote for not more than 1				
Michael J. Bouchard (REP)	29,361	68.92	19,314	10,047
Jane Boudreau (DEM)	13,138	30.84	8,621	4,517
WRITE-IN.	102	.24	72	30
CLERK/REGISTER OF DEEDS				
Vote for not more than 1				
Ruth Johnson (REP)	23,188	58.59	14,982	8,206
Sheila Smith (DEM)	16,265	41.10	10,737	5,528
WRITE-IN.	122	.31	101	21
TREASURER				
Vote for not more than 1				
Pat Dohany (REP)	22,025	55.85	14,224	7,801
Andy Meisner (DEM)	17,263	43.77	11,359	5,904
WRITE-IN.	149	.38	112	37
DRAIN COMMISSIONER				
Vote for not more than 1				
John P. McCulloch (REP)	22,629	58.47	14,657	7,972
Brett Nicholson (DEM)	15,913	41.12	10,450	5,463
WRITE-IN.	159	.41	133	26
COUNTY COMMISSIONER 13TH DISTRICT				
Vote for not more than 1				
Robert Gosselin (REP)	7,393	57.52	4,841	2,552
Jon E. Levin (DEM)	5,417	42.14	3,575	1,842
WRITE-IN.	44	.34	28	16
COUNTY COMMISSIONER 19TH DISTRICT				
Vote for not more than 1				
Mike Bosnic (REP)	8,501	51.17	5,835	2,666
Tim Burns (DEM)	8,062	48.53	5,556	2,506
WRITE-IN.	51	.31	45	6

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	TOTAL VOTES	%	PRECINCT	ABSENTEE
COUNTY COMMISSIONER 20TH DISTRICT				
Vote for not more than 1				
David W. Potts (REP).	2,484	65.18	1,521	963
James Edward Dundas (DEM)	1,315	34.51	819	496
WRITE-IN.	12	.31	12	0
COUNTY COMMISSIONER 24TH DISTRICT				
Vote for not more than 1				
Daniel K. Milz (REP).	2,551	41.11	1,503	1,048
Gary R. McGillivray (DEM)	3,613	58.22	1,979	1,634
WRITE-IN.	42	.68	31	11
JUSTICE OF SUPREME COURT				
Vote for not more than 1				
Diane Marie Hathaway.	14,942	44.24	10,126	4,816
Robert W. Roddis	3,069	9.09	2,319	750
Cliff Taylor	15,617	46.24	9,808	5,809
WRITE-IN.	144	.43	123	21
JUDGE OF COURT OF APPEALS				
Vote for not more than 3				
Mark J. Cavanagh	22,536	37.28	14,405	8,131
E. Thomas Fitzgerald.	20,291	33.57	12,827	7,464
Henry William Saad	17,268	28.57	10,728	6,540
WRITE-IN.	354	.59	281	73
JUDGE OF COURT OF APPEALS				
Vote for not more than 1				
Elizabeth L. Gleicher	24,301	98.66	15,937	8,364
WRITE-IN.	331	1.34	265	66
JUDGE OF CIRCUIT COURT				
Vote for not more than 5				
James M. Alexander	19,578	21.14	12,366	7,212
Martha D. Anderson	19,128	20.66	11,968	7,160
Nanci Grant.	18,755	20.26	11,648	7,107
Shalina D. Kumar	17,087	18.45	10,657	6,430
Rudy J. Nichols	17,572	18.98	10,804	6,768
WRITE-IN.	471	.51	368	103
JUDGE OF CIRCUIT COURT				
Vote for not more than 2				
David Carl Anderson	10,129	18.21	6,505	3,624
Mary Ellen Brennan	17,180	30.89	10,431	6,749
Lisa Gorcyca	19,879	35.74	13,167	6,712
Thomas E. Kuhn.	8,201	14.75	5,085	3,116
WRITE-IN.	227	.41	178	49

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	TOTAL VOTES	%	PRECINCT	ABSENTEE
JUDGE OF CIRCUIT COURT				
Vote for not more than 1				
Leo Bowman	24,024	98.71	15,674	8,350
WRITE-IN.	313	1.29	254	59
JUDGE OF PROBATE COURT				
Vote for not more than 1				
Mark Frankel	12,618	43.98	8,223	4,395
Daniel A. O'Brien.	15,898	55.42	10,046	5,852
WRITE-IN.	172	.60	150	22
JUDGE OF DISTRICT COURT 52ND DISTRICT, 4TH DIVISION				
Vote for not more than 1				
William E. Bolle	24,038	98.56	15,525	8,513
WRITE-IN.	350	1.44	275	75
STATE PROPOSAL 08-1				
Vote for not more than 1				
YES	25,532	60.04	17,559	7,973
NO.	16,993	39.96	10,548	6,445
STATE PROPOSAL 08-2				
Vote for not more than 1				
YES	25,050	58.27	16,844	8,206
NO.	17,936	41.73	11,638	6,298
OAKLAND COUNTY PROPOSAL				
Vote for not more than 1				
YES	26,812	71.84	17,553	9,259
NO.	10,509	28.16	6,763	3,746
TROY CHARTER AMENDMENT CITY OF TROY				
Vote for not more than 1				
YES	28,569	73.53	18,794	9,775
NO.	10,285	26.47	6,539	3,746
LOCAL SCHOOL DISTRICT BOARD MEMBER				
SCHOOL DIST. OF THE CITY OF BIRMINGHAM				
Vote for not more than 2				
Michael F. Fenberg	610	32.04	389	221
Joel S. Milinsky	480	25.21	294	186
Geraldine Rinschler	803	42.17	453	350
WRITE-IN.	11	.58	6	5

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	TOTAL VOTES	%	PRECINCT	ABSENTEE
LOCAL SCHOOL DISTRICT BOARD MEMBER BLOOMFIELD HILLS SCHOOL DISTRICT				
Vote for not more than 2				
Ed Ford	220	30.94	152	68
Pradeep Mehra	117	16.46	72	45
Kate Pettersen.	152	21.38	100	52
John Steven Roach.	106	14.91	63	43
Michael Sherman	79	11.11	51	28
Richard Stavoe.	33	4.64	23	10
WRITE-IN.	4	.56	4	0

	TOTAL VOTES	%	PRECINCT	ABSENTEE
LOCAL SCHOOL DISTRICT BOARD MEMBER SCHOOL DISTRICT OF THE CITY OF ROYAL OAK				
Vote for not more than 1				
Marty Cardamone	125	46.47	90	35
Frank Houston	142	52.79	86	56
WRITE-IN.	2	.74	1	1

	TOTAL VOTES	%	PRECINCT	ABSENTEE
COMMUNITY COLLEGE BD OF TRUSTEES OAKCOM1				
Vote for not more than 2				
Phillip J. Abraham	8,969	21.07	5,672	3,297
Shirley J. Bryant.	12,108	28.44	7,561	4,547
Sandra L. Ritter	11,555	27.15	7,602	3,953
Carlyle Fielding Stewart	4,303	10.11	2,971	1,332
Timothy Terpening.	5,350	12.57	3,624	1,726
WRITE-IN.	282	.66	240	42

	TOTAL VOTES	%	PRECINCT	ABSENTEE
COMMUNITY COLLEGE BD OF TRUSTEES OAKCOM1				
Vote for not more than 1				
Sherry Cormier-Kuhn	4,758	21.94	3,087	1,671
Debbie Macon	5,142	23.71	3,514	1,628
Christopher P. Maloney	3,979	18.35	2,823	1,156
Thomas Patrick Sullivan.	7,599	35.04	4,677	2,922
WRITE-IN.	207	.95	174	33



CITY COUNCIL REPORT

November 5, 2008

TO: Phillip L. Nelson, City Manager
FROM: John M. Lamerato, Assistant City Manager/Finance & Administration
SUBJECT: Preliminary Discussion of the 2009/10 Budget

City management wishes to open a dialogue with Council regarding upcoming budgetary matters. The following three areas will be discussed:

Preliminary Budget Projections

Staff has provided a summary of General Fund revenues and a projection of expenditures for discussion with Council.

Fund Balance

Staff has provided a summary of fund balance utilization for discussion with Council.

City Council Deficit Reduction Survey

Fashioned after a survey that the City of Sterling Heights prepared for their Council's review, City management has prepared a list of possible ways to generate additional revenue and some potential cuts to expenditures. Where possible, a dollar amount has been estimated for the potential new revenue or cost savings ideas.

City management requests that Council review these suggestions and indicate on the survey forms whether each idea should be considered for implementation. We ask that Council please complete the survey and return to Mary Redden by Friday, November 21, 2008.

If there are any questions, please feel free to contact us.

Budget Performance Report

	Prior Year Total	Amended Budget	2009-10 Prop. Budget
Fund: 101 GENERAL FUND			
Revenue			
Department: 000 Revenue			
4402 Property Taxes	34,182,976	34,000,000	34,200,000
4423 Mobile Home Tax	2,181	1,690	2,000
4427 Senior Citizen Housing	30,900	32,000	32,000
4445 Tax Penalties and Interest	711,366	600,000	700,000
4447 Administration Fee	1,741,038	1,700,000	1,750,000
4451 Business Licenses and Permits	-	-	-
4451-20 Business Licenses and Permits - Electric, Plumbing, Heating	11,761	15,000	13,000
4451-30 Business Licenses and Permits - Builders	-	-	-
4451-40 Business Licenses and Permits - Sign Erectors	-	-	-
4451-50 Business Licenses and Permits - Service Stations	175	-	-
4451-60 Business Licenses and Permits - Amusements	15,748	18,000	16,000
4451-70 Business Licenses and Permits - Other	10,660	7,000	8,000
Rollup Account 4451 Business Licenses and Permits totals:	38,344	40,000	
4476 Non-Business Licenses and Permit	-	-	-
4476-10 Non-Business Licenses and Permit - Refrigeration and Air Cond	27,630	40,000	30,000
4476-15 Non-Business Licenses and Permit - Building	799,645	1,100,000	900,000
4476-20 Non-Business Licenses and Permit - Electrical	132,218	160,000	150,000
4476-25 Non-Business Licenses and Permit - Heating	70,540	110,000	90,000
4476-30 Non-Business Licenses and Permit - Plumbing	85,529	110,000	100,000
4476-35 Non-Business Licenses and Permit - Animal	29,803	30,000	30,000
4476-40 Non-Business Licenses and Permit - Sidewalks	9,292	15,000	12,000
4476-45 Non-Business Licenses and Permit - Fence	2,515	3,000	3,000
4476-50 Non-Business Licenses and Permit - Sewer Inspection	17,394	23,000	20,000
4476-55 Non-Business Licenses and Permit - Right of Way	14,718	20,000	20,000
4476-60 Non-Business Licenses and Permit - Multiple Dwelling Inspections	15,020	24,000	20,000
4476-65 Non-Business Licenses and Permit - Grading	4,560	7,000	7,000
4476-70 Non-Business Licenses and Permit - Fire Protection	62,382	60,000	60,000
4476-75 Non-Business Licenses and Permit - Occupancy	34,197	38,000	38,000
4476-80 Non-Business Licenses and Permit - Sign	48,263	52,000	50,000
4476-85 Non-Business Licenses and Permit - Fireworks	555	-	500
4476-90 Non-Business Licenses and Permit - Hazardous Materials	-	1,000	1,000
4476-95 Non-Business Licenses and Permit - Miscellaneous	1,170	1,500	1,500
Rollup Account 4476 Non totals:	1,355,431	1,794,500	

Budget Performance Report

4505 Public Safety	-	-	
4506 LLEBG Mugshot	-	-	
4507 Domestic Preparedness	-	-	
4509 Sch Resource	-	-	
4510 VEST	-	6,500	
4511 Identity TF	-	-	
4512 MCOLES Police Academy	-	5,600	
4513 Museum Assmt	-	-	
4524 OHSP	14,577	-	
4543 State Grants - Public Safety	-	-	
4543-100 State Grants - Public Safety - Criminal Justice	31,273	30,000	
4543-110 State Grants - Public Safety - Internet Crimes Against Children	-	-	
4543-120 State Grants - Public Safety - 911 Training	16,215	-	
4543-130 State Grants - Public Safety - Oakland County NET	7,500	7,500	
Rollup Account 4543 State Grants totals:	54,988	37,500	
4566 State Grant - Culture/Recreation	-	-	
4566-100 State Grant - Culture/Recreation - Library	55,724	52,000	55,000
4566-200 State Grant - Culture/Recreation - LSCA Grant	-	-	
Rollup Account 4566 State Grant totals:	55,724	52,000	
4569 State Grants - Other	-	-	
4569-110 State Grants - Other - Community Forestry	-	-	
4569-200 State Grants - Other - FEMA Disaster	-	-	
Rollup Account 4569 State Grants totals:	-	-	
4574 State Revenue Sharing	-	-	
4574-010 State Revenue Sharing - Homestead Exemption Reimb	7,914	6,000	6,000
4574-020 State Revenue Sharing - Liquor Licenses	62,249	65,000	63,000
4574-030 State Revenue Sharing - Sales Tax	6,633,938	6,600,000	6,600,000
Rollup Account 4574 State Revenue Sharing totals:	6,704,100	6,671,000	
4582 Public Safety	32,642	25,000	25,000
4587 Library - Penal Fines	116,143	125,000	120,000
4588 Library Mini Grants	2,400	-	-
4589 County - West Nile	30,058	30,000	30,000
4607 Fees	-	-	
4607-010 Fees - Animal Impounds	1,275	1,000	1,250
4607-020 Fees - Building Board of Appeals	1,600	1,500	1,500
4607-030 Fees - CATV Franchise Fees	941,125	900,000	940,000
4607-040 Fees - Non-residential Library Card	19,600	20,000	20,000

Budget Performance Report

4607-050 Fees - Miscellaneous	820	2,500	2,500
4607-060 Fees - Museum Program	44,376	45,000	50,000
4607-070 Fees - Plan Review	58,150	80,000	80,000
4607-080 Fees - Platting	-	-	-
4607-085 Fees - Non-sufficient funds	13,617	12,000	14,000
4607-090 Fees - Planned Unit Develop Application	41,589	15,000	30,000
4607-100 Fees - Sign Appeal	-	-	-
4607-110 Fees - Site Plans	40,110	40,000	40,000
4607-130 Fees - Telecommunication	-	-	-
4607-135 Fees - Telecom - METRO	232,689	-	200,000
4607-140 Fees - Towing	4,790	20,000	20,000
4607-150 Fees - Vital Statistics	136,096	110,000	120,000
4607-170 Fees - Zoning Board of Appeals	5,645	8,000	8,000
4607-180 Fees - Zoning	12,000	20,000	18,000
Rollup Account 4607 Fees totals:	1,553,481	1,275,000	
4626 Services Rendered	-	-	-
4626-010 Services Rendered - Open and Close Cemetery	6,590	5,000	6,000
4626-020 Services Rendered - Court Ordered Pmt & Ins	15,249	8,000	12,000
4626-030 Services Rendered - County Road Maintenance	244,795	250,000	250,000
4626-060 Services Rendered - Department of Public Works	25,761	30,000	30,000
4626-070 Services Rendered - Duplicating and Photostats	45,725	40,000	45,000
4626-080 Services Rendered - Election Services	80,784	2,000	2,000
4626-085 Services Rendered - School Elections	-	2,500	2,500
4626-090 Services Rendered - Engineering Fees	1,048,044	700,000	800,000
4626-100 Services Rendered - Landscaping/Tree Pres Plan	3,963	8,000	8,000
4626-110 Services Rendered - Microfilming	4,900	6,000	6,000
4626-120 Services Rendered - Miscellaneous	9,622	20,000	12,000
4626-125 Services Rendered - Passports	88,084	100,000	100,000
4626-130 Services Rendered - Police Services - Contract	75,886	80,000	80,000
4626-135 Services Rendered - Police Services - Clawson	198,786	203,000	203,000
4626-140 Services Rendered - Police Reports	49,934	50,000	50,000
4626-145 Services Rendered - Police APCO Training	4,838	5,650	5,000
4626-170 Services Rendered - ROW	13,140	100,000	100,000
4626-210 Services Rendered - Soil Erosion	37,590	50,000	50,000
4626-220 Services Rendered - Special ROW Maintenance	43,086	40,000	43,000
4626-230 Services Rendered - Weed Cutting	11,562	12,000	12,000
Rollup Account 4626 Services Rendered totals:	2,008,339	1,712,150	
4642 Sales	-	-	-

Budget Performance Report

4642-010 Sales - Abandoned Vehicles	46,195	50,000	50,000
4642-020 Sales - Auction Confiscated Property	7,026	15,000	15,000
4642-050 Sales - Landscaping and Greenbelts	-	10,000	10,000
4642-070 Sales - Miscellaneous	3,517	4,000	4,000
4642-080 Sales - Printed Materials	2,280	4,500	4,000
4642-100 Sales - Outdoor Education Center	24,906	25,000	28,000
4642-115 Sales - Senior Store	17,320	18,000	20,000
4642-120 Sales - Sign Installation	2,734	5,000	4,000
4642-130 Sales - Smart Tickets	5,763	6,000	6,000
4642-140 Sales - Street Lighting	-	3,000	
4642-150 Sales - Tree Planting	4,655	10,000	8,000
Rollup Account 4642 Sales totals:	114,395	150,500	
4651 Use and Administration	-	-	
4651-040 Use and Administration - Miscellaneous	1,887	2,000	2,000
4651-050 Use and Administration - Nature Center	55,988	55,000	58,000
4651-074 Use and Administration - Senior Citizen Activity	293,525	275,000	290,000
4651-075 Use and Administration - Community Center Passes	1,620,223	1,675,000	1,650,000
4651-076 Use and Administration - Community Center Swim Programs	208,496	200,000	205,000
4651-077 Use and Administration - Community Center Fitness Classes	103,489	120,000	110,000
4651-078 Use and Administration - Community Center Programs/Events	28,330	30,000	30,000
4651-080 Use and Administration - Recreation	1,425,200	1,500,000	1,500,000
4651-090 Use and Administration - Winter Program	-	-	-
Rollup Account 4651 Use and Administration totals:	3,737,137	3,857,000	
4655 Fines and Forfeits	-	-	
4655-010 Fines and Forfeits - County Reimbursement-Court	366,188	410,000	400,000
4655-020 Fines and Forfeits - Drug Forfeiture Proceeds	163,723	225,000	200,000
4655-030 Fines and Forfeits - False Alarms - Fire Dept	10,800	12,000	12,000
4655-040 Fines and Forfeits - False Alarms - Police	156,006	170,000	160,000
4655-050 Fines and Forfeits - Library Materials	120,593	120,000	125,000
4655-060 Fines and Forfeits - OUIL Reimbursement	65,113	55,000	60,000
4655-065 Fines and Forfeits - Civil Infractions	2,185	2,000	2,000
4655-070 Fines and Forfeits - Bond Processing Fees	1,566	2,000	2,000
Rollup Account 4655 Fines and Forfeits totals:	886,174	996,000	
4667 Rent Income	-	-	
4667-010 Rent Income - Building Rent	208,046	300,000	300,000
4667-015 Rent Income - Communication Tower	47,803	47,800	45,000
4667-020 Rent Income - Concession Stand	3,322	3,000	3,500
4667-025 Rent Income - Community Center Rent	272,787	225,000	275,000
4667-028 Rent Income - Flynn Park - Beaumont	15,240	15,000	15,000

Budget Performance Report

4667-030 Rent Income - Gazebo	7,355	10,000	8,000
4667-045 Rent Income - Library Cafe	8,250	9,000	9,000
4667-050 Rent Income - Library Audio Visual	13,310	15,000	15,000
4667-060 Rent Income - Library Books	1,695	2,000	2,000
4667-075 Rent Income - Field Maintenance	34,627	40,000	40,000
4667-085 Rent Income - Parking Lot (SMART)	184,787	175,000	180,000
4667-095 Rent Income - Tennis Bubble	26,562	26,000	27,000
Rollup Account 4667 Rent Income totals:	823,784	867,800	
4669 Investment Income	-	-	
4669-020 Investment Income - Investment Income	765,993	600,000	750,000
Rollup Account 4669 Investment Income totals:	765,993	600,000	
4671 Miscellaneous	27,135	10,000	10,000
4675 Private Contributions	-	-	
4675-040 Private Contributions - Library	504	-	
4675-050 Private Contributions - Fire Department	8,077	-	
4675-060 Private Contributions - Miscellaneous	19,309	-	
4675-070 Private Contributions - Museum	320	-	
4675-080 Private Contributions - Police	9,510	5,000	5,000
4675-090 Private Contributions - Police - Recov	-	10,000	
4675-110 Private Contributions - Parks and Recreation	31,327	10,000	10,000
Rollup Account 4675 Private Contributions totals:	69,047	25,000	
4676 Reimbursements	-	-	
4676-010 Reimbursements - Reimbursements	1,174	-	20,000
Rollup Account 4676 Reimbursements totals:	1,174	-	
4677 Administrative Charges	-	-	
4677-226 Administrative Charges - Refuse	33,200	34,200	35,600
4677-301 Administrative Charges - Debt Service	45,100	46,450	48,300
4677-583 Administrative Charges - Sanctuary Lake Golf Course	-	-	
4677-584 Administrative Charges - Golf Course	44,100	45,420	47,230
4677-590 Administrative Charges - Sewer	120,300	124,000	129,000
4677-591 Administrative Charges - Water	138,000	142,000	148,000
4677-661 Administrative Charges - Motor Pool	37,750	39,000	40,560
Rollup Account 4677 Administrative Charges totals:	418,450	431,070	
4687 Refunds and Rebates	-	-	
4687-010 Refunds and Rebates - Legal Fees	6,600	10,000	10,000
4687-040 Refunds and Rebates - Rebates	8,464	10,000	10,000
Rollup Account 4687 Refunds and Rebates totals:	15,064	20,000	
4694 Cash Over or Short	(241)	-	

Budget Performance Report

4699 Operating Transfers In	-	-	-
4699-101 Operating Transfers In - General	-	4,136,980	-
4699-202 Operating Transfers In - Major Street Fund	2,114,780	2,221,300	2,288,000
4699-203 Operating Transfers In - Local Streets Fund	1,681,106	1,794,330	1,848,000
4699-243 Operating Transfers In - LDFA	10,000	-	10,000
4699-248 Operating Transfers In - DDA	259,248	465,880	300,000
4699-250 Operating Transfers In - Brownfield	10,000	10,000	10,000
4699-257 Operating Transfers In - Budget Stabilization	58,906	40,000	50,000
4699-401 Operating Transfers In - Capital	848,522	-	-
4699-590 Operating Transfers In - Sewer	682,140	704,200	725,000
Rollup Account 4699 Operating Transfers In totals:	5,664,702	9,372,690	
Department: 000 Revenue totals:	61,157,501	64,438,000	
Revenue Totals	61,157,501	64,438,000	60,883,940
Revenue Totals:	61,157,501	64,438,000	
Fund Totals: GENERAL FUND	61,157,501	64,438,000	
Revenue Grand Totals:	61,157,501	64,438,000	
Grand Totals:	61,157,501	64,438,000	

General Fund
2009/10 Preliminary Budget Projections

Bus. Unit	Department	6/30/07 Actual	6/30/08 Actual	2008/09 Budget	2009/10 +3% B	2009/10 +2.5% B
371	Building Insp.	2,051,078	2,121,746	2,322,790	2,392,474	2,380,860
<u>Council Exex. Admin.</u>						
172	Manager	748,727	752,365			
266	City Attroney	1,021,109	1,029,220			
102	City Council	69,338	63,465			
		<u>1,839,174</u>	<u>1,845,050</u>	<u>4,031,940</u>	<u>4,152,898</u>	<u>4,132,739</u>
<u>Engineering</u>						
442	Engineering	2,450,386	2,443,156			
443	Traffic Eng.	226,332	233,689			
		<u>2,676,718</u>	<u>2,676,845</u>	<u>2,955,450</u>	<u>3,044,114</u>	<u>3,029,336</u>
<u>Finance</u>						
262	Elections	248,689	232,223			
191	Accounting	1,069,964	1,152,628			
257	Assessing	899,665	921,972			
215	Clerk	443,385	506,562			
223	Audit	59,280	60,347			
270	Human Resources	556,260	566,950			
233	Purchasing	405,995	370,410			
247	Bd. Of Review	1,616	1,753			
253	Treasurer	452,466	494,907			
748	Comm. Affairs	589,410	598,957			
		<u>4,726,730</u>	<u>4,906,709</u>	<u>3,146,810</u>	<u>3,241,214</u>	<u>3,225,480</u>

Bus. Unit	Department	6/30/07 Actual	6/30/08 Actual	2008/09 Budget	2009/10 +3% B	2009/10 +2.5% B
	<u>Fire Dept.</u>					
	337 Fire Admin.					
	338 Fire Oper.					
	340 Fire Companies					
	341 Fire Prev.					
	343 Fire Comm.					
	344 Fire Halls					
		4,376,861	4,373,012	4,333,920	4,463,938	4,442,268
	<u>Library & Museum</u>					
	790 Library	4,360,752	4,334,104			
	804 Museum Buildings	429,631	472,819			
	807 Museum Grounds	14,897	24,516			
		4,805,280	4,831,439	4,317,190	4,446,706	4,425,120
	<u>Other Gen. Gov't</u>					
	265 City Hall	1,084,989	819,161			
	277 District Court	263,582	245,089			
	261 Fire-Police Trng. Ctr.	95,423	98,866			
	721 Planning	667,154	732,573			
	723 Planning Comm.	30,327	27,149			
	410 Bd. Of Zoning Appeals	8,296	6,252			
	740 Real Estate & Dev.	402,744	499,052			
		2,552,515	2,428,142	2,520,740	2,596,362	2,583,759
	<u>Other</u>					
	966 Trsf. Out	3,510,000	10,000	-	-	-

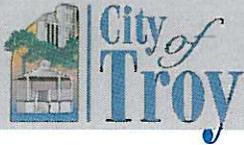
Bus. Unit	Department	6/30/07 Actual	6/30/08 Actual	2008/09 Budget	2009/10 +3% B	2009/10 +2.5% B
	<u>Police</u>					
	305 Police Admin.					
	321 Criminal Justice Trng.					
	322 Training					
	324 Emerg. Response					
	334 Research & Tech.					
	307 Criminal Investigations					
	308 Crime Info Unit					
	309 Special Invest. Unit					
	310 Narcotics Enf.					
	311 Drug Enforcement					
	314 Juvenile Unit					
	315 Patrol					
	316 K Nine					
	317 Directed Patrol					
	318 Traffic Unit					
	319 Crossing Guards					
	328 Animal Control					
	325 Communications					
	326 Records					
	329 Lock Up					
	333 Property					
	335 Comm. Services					
		23,147,967	24,269,902	25,020,110	25,770,713	25,645,613

Bus. Unit	Department	6/30/07 Actual	6/30/08 Actual	2008/09 Budget	2009/10 +3% B	2009/10 +2.5% B
	<u>Parks & Recreation</u>					
	756 Civic Ctr. Maint.					
	757 Cemetery					
	758 Parks Garage					
	759 Athletic Field Maint.					
	770 Parks Maint.					
	772 Park Eq. Repair					
	773 Park Special Events					
	774 Major Tree Maint.					
	775 Major Tree Planting					
	776 Major tree Storm Damage					
	777 Local Tree Maint.					
	778 Local Tree Planting					
	779 Local Tree Storm Damage					
	780 Street Island Maint. Major					
	781 Street Island Maint. Local					
	782 Street Island Maint. Northfield					
	783 Street Island Maint. DDA					
	753 Recreation					
	754 Senior Programs					
	755 Comm. Ctr.					
	752 Parks & Rec. Admin.					
	771 Nature Center					
		8,424,151	9,413,684	10,023,370	10,324,071	10,273,954

Bus. Unit	Department	6/30/07 Actual	6/30/08 Actual	2008/09 Budget	2009/10 +3% B	2009/10 +2.5% B
	<u>Streets</u>					
	Local Roads		1,681,106			
	County Roads		578,848			
	Major Roads		2,287,361			
	Drains		457,342			
	Sidewalks		160,130			
	Streetlighting		400,817			
	Weeds		35,142			
		<u>4,754,158</u>	<u>5,600,746</u>	<u>5,765,680</u>	<u>5,938,650</u>	<u>5,909,822</u>
	Total	<u>62,864,632</u>	<u>62,477,275</u>	<u>64,438,000</u>	<u>66,371,140</u>	<u>66,048,950</u>
					2009/10 Revenue Projections	<u>60,883,940</u>
					2009/10 Budget Shortfall	<u>5,487,200</u> <u>5,165,010</u>
					Less 2009/10 Budget Cuts Phase 1	<u>(581,200)</u> <u>(581,200)</u>
						<u>4,906,000</u> <u>4,583,810</u>

General Fund
 Unreserved/Undesignated Fund Balance History
 11/4/2008

	Budget Re-Appropriated Fund Balance	Actual Fund Balance Useage	Variance	Undesignated/ Unreserved Fund Balance	% of G/F Budget
1998-99	\$ 2,694,600	\$ 3,390,769	\$ 6,085,369	\$ 11,347,690	24.0
1999-00	3,654,930	3,341,299	6,996,229	11,520,476	23.1
2000-01	3,271,015	2,166,126	5,437,141	9,994,133	18.1
2001-02	4,717,480	(1,417,787)	3,299,693	9,749,911	17.5
2002-03	3,322,000	(533,379)	2,788,621	8,967,715	15.5
2003-04	3,438,860	(973,975)	2,464,885	8,175,958	13.8
2004-05	3,099,430	2,111,439	5,210,869	13,036,631	21.7
2005-06	1,305,560	(1,345,020)	(39,460)	11,157,403	17.2
2006-07	6,384,360	(2,033,222)	4,351,138	10,787,420	17.0
2007-08	3,210,280	(1,232,825)	1,977,455	8,706,382	13.5
2008-09	4,136,980				



CITY COUNCIL DEFICIT REDUCTION SURVEY

Potential New Revenue Sources and Expenditure Savings

√ APPROPRIATE COLUMN TO RANK IDEAS

Item #	POTENTIAL NEW REVENUES	Estimated Dollars	Strongly Consider	Consider	Neutral	Do Not Consider	Need More Info
1.	Transfer excess Special Assessment funds	\$1,000,000					
2.	Increase DDA charge for services	175,000					
3.	Implement Police arrest booking fee	158,600					
4.	Implement property damage auto crash recovery fee	135,200					
5.	\$1.00 service charge on all parks and recreation transactions	100,000					
6.	Charge seniors the full cost of all programs	100,000					
7.	Implement business occupancy permit and annual renewal fee	75,000					
8.	Raise building permit fees by 5%	70,000					
9.	Implement auto injury accident cost recovery fee	61,500					
10.	Charge non-profit groups for use of Community Center meeting rooms	30,000					
11.	Implement structure fire response fee	25,000					
12.	Implement a single-family residential rental inspection program	25,000					
13.	Implement fire re-inspection and revised plan review fee	18,750					
14.	Implement suspicious fire response and investigation fee	12,500					



CITY COUNCIL DEFICIT REDUCTION SURVEY

Potential New Revenue Sources and Expenditure Savings

		√ APPROPRIATE COLUMN TO RANK IDEAS					
Item #	POTENTIAL NEW REVENUES, CONTINUED	Estimated Dollars	Strongly Consider	Consider	Neutral	Do Not Consider	Need More Info
15.	Implement downed wire fire response fee (electric company pays)	10,000					
16.	Charge youth groups full cost for field usage	10,000					
17.	Increase shelter fees	10,000					
18.	Charge admission to museum grounds (currently a donation is requested)						
19.	Charge non-resident fee for Internet usage						
20.	Implement a fuel surcharge on traffic tickets						
TOTAL POTENTIAL NEW REVENUES		\$2,016,550					

		√ APPROPRIATE COLUMN TO RANK IDEAS					
Item #	POTENTIAL EXPENDITURE SAVINGS	Estimated Dollars	Strongly Consider	Consider	Neutral	Do Not Consider	Need More Info
1.	Freeze positions through retirement incentives (2009/10)	1,300,000					
2.	Eliminate community agency contributions:						
	Troy Youth Assistance - \$40,000						
	Troy Community Coalition - 97,000						
	The Haven - 4,370						
	Troy Boys/Girls Club - 76,320	\$217,690					



CITY COUNCIL DEFICIT REDUCTION SURVEY

Potential New Revenue Sources and Expenditure Savings

√ APPROPRIATE COLUMN TO RANK IDEAS

Item #	POTENTIAL EXPENDITURE SAVINGS, CONTINUED	Estimated Dollars	Strongly Consider	Consider	Neutral	Do Not Consider	Need More Info
3.	Return maintenance of all county roads back to county	170,000					
4.	Close the Library on Fridays	100,000					
5.	Eliminate all irrigation except athletic fields, DDA and City Hall	100,000					
6.	No snow removal on overtime (City property)	100,000					
7.	Reduce part-time staff in the parks by 25%	85,000					
8.	Reduce number of right-of-way mowing from 6 to 3 cuttings per year	39,000					
9.	Eliminate City calendar	35,000					
10.	Limit the snow plowing of subdivisions to straight time, with minimal overtime	30,000					
11.	Reduce Civic Center maintenance levels	30,000					
12.	Eliminate employee tuition reimbursement	25,000					
13.	Eliminate the annual volunteer firefighters banquet	21,500					
14.	Hold bi-annual Troy Daze festivals	20,000					
15.	Eliminate the annual boards and committees appreciation banquet	15,000					
16.	Reduce mowing in parks/public grounds	15,000					



CITY COUNCIL DEFICIT REDUCTION SURVEY
 Potential New Revenue Sources and Expenditure Savings

√ APPROPRIATE COLUMN TO RANK IDEAS

Item #	POTENTIAL EXPENDITURE SAVINGS, CONTINUED	Estimated Dollars	Strongly Consider	Consider	Neutral	Do Not Consider	Need More Info
17.	Eliminate annual plantings, mulch, street island maintenance except DDA and Civic Center	8,000					
18.	Eliminate family festival	6,800					
19.	Eliminate the Citizens Academy	3,000					
20.	Operate City Hall on a four-ten hour day schedule, closing one day a week						
21.	Negotiate hiring part-time personnel in lieu of full-time						
	TOTAL POTENTIAL EXPENDITURE SAVINGS	\$2,320,990					

√ APPROPRIATE COLUMN TO RANK IDEAS

Item #	OTHER IDEAS	Estimated Dollars	Strongly Consider	Consider	Neutral	Do Not Consider	Need More Info
1.	Direct city manager and department directors to eliminate lowest priority services						
2.	Re-evaluate Troy Daze event (in totality) - including size, location, duration, purpose, etc						
3.	Consider the benefits of alternative fuel vehicles (i.e. liquid propane, natural gas, hybrids, etc)						
4.	Develop and promote energy saving policy						



CITY COUNCIL DEFICIT REDUCTION SURVEY
 Potential New Revenue Sources and Expenditure Savings

√ APPROPRIATE COLUMN TO RANK IDEAS

Item #	OTHER IDEAS, CONTINUED	Estimated Dollars	Strongly Consider	Consider	Neutral	Do Not Consider	Need More Info
5.	Buy distressed property in Troy and use to rebuild for the future						
6.	Promote Troy to the film industry - reap the benefits						
7.	Privatize City Attorney's Office						
8.	City Income Tax						
9.	Operate the Nature Center as a park	300,000					
10.	Levy up to 1 mill for Parks and Recreation operations						
11.	Levy up to 1 mill for Museum and Library operations						
	TOTAL POTENTIAL SAVINGS OF OTHER IDEAS	\$300,000					