

AGENDA

Regular Meeting

of the

**CITY COUNCIL
OF THE CITY OF TROY**

MARCH 15, 2004

CONVENING AT 7:30 P.M.

**Submitted By
The City Manager**

TO: The Honorable Mayor and City Council
Troy, Michigan

FROM: John Szerlag, City Manager

SUBJECT: Background Information and Reports

Ladies and Gentlemen:

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

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

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

Goals

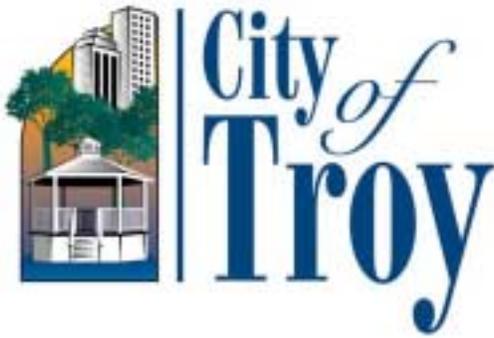
1. Minimize cost and increase efficiency of City government.
2. Retain and attract investment while encouraging redevelopment.
3. Effectively and professionally communicate internally and externally.
4. Creatively maintain and improve public infrastructure.
5. Protect life and property.

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Szerlag", is written over a light gray grid background.

John Szerlag, City Manager



CITY COUNCIL

AGENDA

March 15, 2004 – 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 – Mr. Philip Fitzgerald - First Baptist Church **1**

ROLL CALL **1**

PRESENTATION: **1**

A-1 Presentation: (a) Baker Middle School – Named Michigan Blue Ribbon Exemplary School; (b) Debbie Swartz, Stewardship Program Specialist for the Michigan Turfgrass Environmental Stewardship Program – Recognizing Carol Anderson and Marv Ash – Certification in Michigan Turfgrass Environmental Stewardship Program for Sylvan Glen Golf Course; (c) Service Commendation – Marv Ash 1

PUBLIC HEARINGS: No public hearings scheduled **1**

POSTPONED ITEM: **1**

D-1 Community Affairs Department Renovation 1

PUBLIC COMMENT: **2**

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

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PUBLIC COMMENT **29**

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CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE – Mr. Philip Fitzgerald - First Baptist Church

ROLL CALL

Mayor Matt Pryor
Robin Beltramini
Cristina Broomfield
David Eisenbacher
Martin F. Howrylak
David A. Lambert
Jeanne M. Stine

PRESENTATION:

A-1 Presentation: **(a)** Baker Middle School – Named Michigan Blue Ribbon Exemplary School; **(b)** Debbie Swartz, Stewardship Program Specialist for the Michigan Turfgrass Environmental Stewardship Program – Recognizing Carol Anderson and Marv Ash – Certification in Michigan Turfgrass Environmental Stewardship Program for Sylvan Glen Golf Course; **(c)** Service Commendation – Marv Ash

PUBLIC HEARINGS: No public hearings scheduled

POSTPONED ITEM:

D-1 Community Affairs Department Renovation

Resolution
Moved by Stine
Seconded by Beltramini

RESOLVED, That City Staff is **AUTHORIZED** to renovate office space for the Community Affairs Department and Conference Room as outlined in Appendix A, Detailed Cost Estimates at an estimated total project cost of \$65,530.00, utilizing in-house personnel, approved contracts, and standard purchasing procedures.

Resolution to Amend

Resolution
Moved by Pryor
Seconded by Eisenbacher

RESOLVED, That the Resolution be **AMENDED** by eliminating cabinetry, work-stations, chairs, desks. etc. and reduce the cost from the estimated total project cost of \$65,530.00 by approximately \$37,700.00.

Proposed Substitution Amendment

Suggested Resolution

Resolution #2004-03-

Moved by

Seconded by

RESOLVED, That the "Resolution to Amend" be **AMENDED** by **INSERTING** the following **SUBSTITUTE** Resolution, "That City Staff is **AUTHORIZED** to renovate office space for the Community Affairs Department and Conference Room as outlined in Appendix A, Detailed Cost Estimates **as listed in Appendix C** at an estimated total project cost of **\$65,530.00** **\$59,235.00**, utilizing in-house personnel, approved contracts, and standard purchasing procedures.

Yes:

No:

PUBLIC COMMENT:

A. Items on the Current Agenda

Any person not a member of the Council may address the Council with recognition of the Chair, after clearly stating the nature of his/her inquiry. No person not a member of the Council shall be allowed to speak more than twice or longer than five (5) minutes on any question, unless so permitted by the Chair. The Council may waive the requirements of this section by a majority of the Council Members. Consistent with Order of Business #11, the City Council will move forward the specific Business Items which audience members would like to address. The Mayor shall announce the items which are to be moved forward and will ask the audience if there are any additional items which they would like to address. All Business Items that members of the audience would like to address will be brought forth and acted upon at this time. Items will be taken individually and members of the audience will address council prior to council discussion of the individual item.

B. Items Not on the Current Agenda

After Council is finished acting on all Business Items that have been brought forward, the public is welcome to address the Mayor and Council on items that are specifically not on the agenda. (Rules of Procedure for the City Council, Article 15 as amended September 22, 2003)

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 remove 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 business portion of the agenda have been heard. (Rules of Procedure for the City Council, Article 13, as amended September 22, 2003)

E-1 Approval of Consent Agenda

Suggested Resolution

Resolution #2004-03-

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 (E) items, as printed.

Yes:

No:

E-2 Minutes: Regular Meeting of **March 1, 2004** and Regular Meeting/Liquor Violation Hearings of **March 3, 2004**

Suggested Resolution

Resolution #2004-03-

RESOLVED, That the Minutes of the 7:30 PM Regular Meeting of March 1, 2004 and the Minutes of the 7:30 PM Regular Meeting/Liquor Violation Hearings of March 3, 2004 be **APPROVED** as submitted.

E-3 Proposed City of Troy Proclamations:

Suggested Resolution

Resolution #2004-03-

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

- (a) Baker Middle School – Named Michigan Blue Ribbon Exemplary School
- (b) Service Commendation – Marv Ash

E-4 Scheduling of a Joint Meeting with City Council and the Parks & Recreation BoardSuggested Resolution

Resolution #2004-03-

RESOLVED, That a joint meeting **BE SCHEDULED** with Troy City Council and the Parks & Recreation Board on Monday, March 29, 2004 at 7:30 PM to discuss Parks and Recreation items in the Lower Level Conference Room at Troy City Hall, 500 W. Big Beaver – Troy, Michigan.

E-5 Standard Purchasing Resolution 1: Award to Low Bidder – Fertilization Services at Sylvan Glen Golf CourseSuggested Resolution

Resolution #2004-03-

RESOLVED, That a contract to furnish all materials, equipment, and labor for one-year requirements of fertilization services at Sylvan Glen Golf Course with an option to renew for an additional year is hereby **AWARDED** to the low bidder, Simplot Partners for an estimated total cost of \$26,360.00, at unit prices contained in the attached bid tabulation opened January 27, 2004; a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

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

E-6 Abandoned Industrial Development District and Industrial Facilities Exemption CertificateSuggested Resolution

Resolution #2004-03-

WHEREAS, The City Council of the City of Troy had formerly established an Industrial Development District (IDD), and granted an Industrial Facilities Exemption Certificate (IFEC) for Certificate #95-514; and

WHEREAS, The project and building have been abandoned and vacated.

THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy hereby **VACATES** the Industrial Development District established at 894 Maplelawn (IFEC #95-514), located in the City of Troy, County of Oakland, State of Michigan; and

THEREFORE, BE IT FURTHER RESOLVED, That the City Council of the City of Troy also **RESCINDS** and **REVOKES** the following abandoned and vacated Industrial Facilities Exemption Certificate (IFEC) being Certificate #95-514; and

BE IT FINALLY RESOLVED, That a copy of this Resolution shall be **FORWARDED** to the Michigan State Tax Commission by certified mail.

E-7 Sole Source – Nuisance Goose Control Services for Sanctuary Lake and Sylvan Glen Golf Courses

Suggested Resolution

Resolution #2004-03-

WHEREAS, Gooseworks Humane Goose Control is the sole known provider of complete nuisance goose control services for Southeastern Michigan; and

WHEREAS, Gooseworks Humane Goose Control has been under contract the past two years providing nuisance goose control services at Sylvan Glen Golf Course; and

WHEREAS, Gooseworks Humane Goose Control has successfully completed the required training and obtained the goose egg and nest destruction, roundup (capture) and transportation permits from the Michigan DNR.

NOW, THEREFORE, BE IT RESOLVED, That comprehensive nuisance goose control services for a period of nine (9) months at Sanctuary Lake and Sylvan Glen Golf Courses be **PROVIDED** by Gooseworks Humane Goose Control, the sole known provider, at an estimated total cost of \$12,600.00; and

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

E-8 Standard Purchasing Resolution 4: Oakland County Cooperative Purchasing Agreement – Fleet Vehicles

Suggested Resolution

Resolution #2004-03-

RESOLVED, That the contracts to provide fleet vehicles from Red Holman Pontiac, Golling Chrysler Jeep and Buff Whelan Chevrolet are hereby **APPROVED** through Oakland County Cooperative Purchasing Agreements at an estimated total cost of \$102,596.22.

E-9 Standard Purchasing Resolution 1: Award to Low Bidders – Hauling and Disposal of Dirt and Debris

Suggested Resolution

Resolution #2004-03-

RESOLVED, That contracts to provide one-year requirements of hauling and disposal services of dirt and debris with an option to renew for one additional year are hereby **AWARDED** to the low bidders, Jackies Transport Inc., Luke's Trucking and Excavating, L.L.C., and A&B Trucking,

Inc., for an estimated annual cost of \$34,000.00, \$4,000.00, and \$50,000.00 respectively, at unit prices contained in the bid tabulation opened February 18, 2004; a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FURTHER RESOLVED, That the awards are **CONTINGENT** upon contractors' submission of properly executed bid documents, including insurance certificates and all other specified requirements; and if the price of on-road diesel fuel exceeds \$2.00/gallon during the contract term, the City is **AUTHORIZED** to pay a \$.25/ton fuel surcharge to Luke's Trucking for hauling broken asphalt.

E-10 Sole Source – East Jordan Iron Works – Complete Hydrant and Repair Parts Contract

Suggested Resolution

Resolution #2004-03-

WHEREAS, East Jordan Iron Works, the manufacturer, has agreed to provide East Jordan complete hydrants, as well as hydrant and valve repair parts directly to the City of Troy at discounts greater than those of distributors.

NOW, THEREFORE, BE IT RESOLVED, That a contract to provide East Jordan complete hydrants, and valve and hydrant repair parts is hereby **APPROVED** with East Jordan Iron Works at discounts of 48% and 45% respectively, to expire October 31, 2006.

E-11 Private Agreement – Rochester Commons PUD – Project No. 03.914.3

Suggested Resolution

Resolution #2004-03-

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Gulf Rochester Commons, L.L.C. is hereby **APPROVED** for the installation of sanitary sewer, storm sewer, detention, water main, sidewalks, landscaping, soil erosion and paving on the site and in the adjacent right-of-way, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the documents; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-12 Standard Purchasing Resolution 1: Bid Award – Log Loader and Trailer

Suggested Resolution

Resolution #2004-03-

RESOLVED, That a contract to purchase one (1) wheeler log loader and trailer manufactured by Metavic is hereby **AWARDED** to the sole bidder, Payeur Distributions for an estimated total cost of \$38,675.00, at unit prices contained in the bid tabulation opened February 24, 2004; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-13 Standard Purchasing Resolution 2: Bid Award – Low Bidders Meeting Specifications – Turfgrass Chemical Products

Suggested Resolution

Resolution #2004-03-

RESOLVED, That contracts to purchase 2004 seasonal requirements of Turfgrass protection products are hereby **AWARDED** to the lowest acceptable bidders meeting specifications as follows:

BIDDERS:

United Horticultural Supply of Linden, MI

Great Lakes Turf, L.L.C., Grand Rapids, MI

Turfgrass Incorporated of South Lyon, MI

Simplot Partners of Farmington Hills, MI

Carslo Incorporated of Camargo, IL

ITEMS:

1, 4, 7, 8, 10, 11, 12, 34, 35, 36

13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32

3, 9, 31

5, 6

2

For an estimated total cost of \$100,408.00, at unit prices contained in the bid tabulation opened February 17, 2004; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-14 Standard Purchasing Resolution 6: Grant Approval and Authorization to Expend City Funds – FireTrax and CoBRA Software and Equipment

Suggested Resolution

Resolution #2004-03-

RESOLVED, That the Troy City Council does hereby **AUTHORIZE** the Troy Fire Department to receive a State of Michigan RRTN Grant and expend funds for the purchase of the FireTrax Personnel Accountability System from Rescue Sales and Services, and the CoBRA Command Software Database from Fischer Safety, Inc., the distributors for these proprietary systems with the PEAC-WMD Software Application obtained through normal purchase procedures at an estimated cost of \$49,660.00; and

BE IT FURTHER RESOLVED, That the Fire Department Operations equipment budget is hereby **AMENDED** due to the grant award in the amount of \$50,000.00.

E-15 Traffic Committee Recommendations

Suggested Resolution

Resolution #2004-03-

RESOLVED, That Control Order #04-01-MR is hereby **APPROVED** to establish a “NO LEFT TURN 7:15-7:45 A.M. EXCEPT BUSES” on the Troy High School drive onto Northfield Parkway.

E-16 Establishment of a Service Fee for Returned ChecksSuggested Resolution

Resolution #2004-03-

RESOLVED, That the Finance Department is **AUTHORIZED** to initiate a fee of \$25.00 for any check returned unpaid to the City for reason of Non-Sufficient Funds, and to adjust such fee as necessary to recover costs incurred.

E-17 Standard Purchasing Resolution 1 – Award to Low Bidder – Air CylindersSuggested Resolution

Resolution #2004-03-

RESOLVED, That a contract to purchase thirty (30) Air Cylinders for the Fire Department is hereby **AWARDED** to the low bidder, Argus Supply Company, for an estimated cost of \$18,876.00, at unit prices contained in the bid tabulation opened February 18, 2004; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-18 Standard Purchasing Resolution 1 – Independent Fee Appraiser for Proposed Major Road Sidewalk Projects: South Boulevard/South Side, John R to Dequindre & Square Lake/North Side, John R to DequindreSuggested Resolution

Resolution #2004-03-

RESOLVED, That a contract for independent fee appraisal services is hereby **AWARDED** to the low bidder, Andrew Reed & Associates, Inc. for a total cost of \$17,850.00 proposed major road sidewalk projects; and

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

E-19 Standard Purchasing Resolution 1 – Award to Low Bidders – Water System MaterialsSuggested Resolution

Resolution #2004-03-

RESOLVED, That contracts to provide one-year requirements for Water System Materials are hereby **AWARDED** to the low bidders: Vanderlind & Son, SLC Meter Service, Inc., East Jordan Iron Works, Inc., Cambridge Brass, Etna Supply Company and National Waterworks, Inc., for an estimated annual cost of \$27,917.00, \$22,383.00, \$33,392.00, \$2,389.00, \$9,039.00 and \$5,176.00 respectively, at unit prices contained in the bid tabulation opened February 20, 2004; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-20 Proposed McCulloch Drainage District Enlargement - Rochester Commons PUD, Project No. 03.914.3 – Section 23Suggested Resolution

Resolution #2004-03-

RESOLVED, That the McCulloch Drainage District **BE ENLARGED** to accommodate the 4.86 acres of the proposed Rochester Commons PUD in Section 23.

E-21 Motion to Confirm Prior Council Action of August 8, 2003 – E-15 Proposal to Continue Replacing Incandescent Lamps with Light Emitting Diodes (LED) for Traffic SignalsSuggested Resolution

Resolution #2004-03-

RESOLVED, That the City of Troy hereby **SUPPORTS** the Road Commission for Oakland County's proposal to continue to replace incandescent lamps used in traffic signals with light-emitting diodes (LEDs) at intersections where the City and RCOC share maintenance participation, per the list identified in the memorandum dated July 25, 2003 from the Road Commission for Oakland County; which is **ATTACHED** hereto and made part of the original Council Minutes.

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 (during the public comment portion of the agenda item's discussion). Other than asking questions for the purposes of gaining insight or clarification, Council shall not interrupt members of the public during their comments. For those addressing City Council, petitioners shall be given a fifteen (15) minute presentation time that may be extended with the majority consent of Council and all other interested people, their time may be limited to not more than twice nor longer than five (5) minutes on any question, unless so permitted by the Chair, in accordance with the Rules of Procedure of the City Council, Article 15, as amended September 22, 2003. 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.

F-1 Appointments to Boards and Committees: (a) Mayoral Appointments: 1. Economic Development Corporation; City Council Appointments: 1. Advisory Board for Persons with Disabilities; 2. CAC-Cable Advisory Committee; 3. Employee Retirement System Board of Trustees; 4. Parks & Recreation Board; 5. Troy Daze

The appointment of new members to all of the listed board and committee vacancies will require only one motion and vote by City Council. Council members submit recommendations for appointment. When the number of submitted names exceed the number of positions to be filled, a separate motion and roll call vote will be required (current process of appointing). Any

board or commission with remaining vacancies will automatically be carried over to the next Regular City Council Meeting Agenda.

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

(a) Mayoral Appointments

Suggested Resolution

Resolution #2004-03-

Moved by

Seconded by

RESOLVED, That the following persons are hereby **APPOINTED BY THE MAYOR** with **COUNCIL APPROVAL** to serve on the Boards and Committees as indicated:

Economic Development Corporation

Mayor, Council Approval (9) – 6 years

Stuart F Redpath does not wish to be reappointed Term expires 04-30-2009

Term expires 04-30-2009

Term expires 04-30-2009

CURRENT MEMBERS

NAME	TERM EXPIRES
Bluhm, Kenneth	04/30/06
Gigliotti, Robert S	04/30/08
Licari, Leger (Nino)	04/30/04
Parker, Michael	04/30/07
Redpath, Stuart F	04/30/03
Rocchio, James A.	04/30/03
Salgat, Charles	04/30/04
Sharp, John	04/30/03
Smith, Douglas	04/30/05

INTERESTED APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Almassian, Carolyn	04/22/02-04/2004	05/06/02
Baughman, Deborah L	06/18/01-05/2003	07/09/01
Chang, Jouky	10/02/01-10/2003	10/15/01
Chhaya, Dhimant	09/26/02	10/07/02
Hall, Patrick C	01/26/01-06/12/01-05/2003	02/05/01-07/09/01
Hoef, Paul V	09/12/01-08/14/02-08/2004	09/17/01
Freliga, Victor P	11/25/02-11/2004	12/02/02
Pritzloff, Mark	04/17/03-04/2003	04/28/03

Shah, Jayshree	08/28/01	09/17/01
Silver, Neil S	08/11/00-06/20/01-05/2003	08/21/00-07/09/01
Victor, Robert	6/03/03-05/2005	06/16/03

Yes:

No:

(b) City Council Appointments

Suggested Resolution

Resolution #2004-03-

Moved by

Seconded by

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 Alternates) – 3 years

Term expires 11-01-2006 (Alternate)

Term expires 07-01-2004 (Student)

CURRENT MEMBERS

NAME	TERM EXPIRES
Susan Robosan-Burt	11/01/06
Angela Done	11/01/05
Nancy Johnson	11/01/06
Leonard G. Bertin	11/01/05
Pauline Manetta	11/01/06
Dick Kuschinsky	11/01/04
Theodora House	11/01/06
Grace Yau (Student)	11/01/04
Dorothy Ann Pietron	11/01/04
Nada Raheb (Student)	07/01/03
Mark Pritzloff	11/01/06
Cynthia Buchanan	11/01/04
Kul B. Gauri	11/01/05
Jayshree Shah (Alternate)	11/01/03

INTERESTED APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Connor, Kathleen Ann	02/25/04-02/2006	03/01/04

INTERESTED STUDENT APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
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None on file

CAC-Cable Advisory Committee
Appointed by Council (7) – 3 years

Term expires 2-28-2004

Term expires 2-28-2004

CURRENT MEMBERS

NAME	TERM EXPIRES
Jerry L. Bixby	02/28/06
Shazad Butt	11/30/05
Richard Hughes	02/28/06
Penny Marinos	02/28/04
Alan Manzon	09/30/06
Fan Lin (Student)	07/01/04
W. Kent Voigt	02/28/04
Bryan H. Wehrung	02/28/05

INTERESTED APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Godlewski, W S	12/28/01-07/01/03- 07/2005	01/07/02-07/07/03
Kuschinsky, Dick	10/11/01-06/19/03- 06/2005	11/05/01
Payne, Timothy P	02/25/04-02/2006	03/08/04
Powers, Brian M	10/15/02-10/2004	10/21/02
Pritzloff, Mark	04/17/03-04/2005	04/28/03
Shier, Frank	02/18/03-02/2005	03/03/03
Victor, Robert	06/03/03-06/2005	
Wattles, Brian J	07/10/01	07/23/01
Weisgerber, William	07/14/03-07/2005	07/21/03

Employee Retirement System Board of Trustees

3 by Council, 3 by Members, Assistant City Manager/Finance, City Manager – Ordinance – 3 years

Change in number of members to include a retiree appointed by City Council per Council Resolution #2004-03-108-E-14 – March 1, 2004.

Retiree

Term expires 12-31-2004

CURRENT MEMBERS

NAME	TERM EXPIRES
Steven Pallotta (Employee)	12/31/06
Robert Crawford (Employee)	12/31/05

Thomas Houghton (Employee)	12/31/04
Mark A Calice (Council)	12/31/06
David A Lambert (Council)	04/15/06
New - Retiree	12/31/04
John M Lamerato	Ordinance
John Szerlag	Ordinance

INTERESTED APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Mark Halsey - Retiree	03/10/04-03/2006	03/15/04

Parks and Recreation Board**Appointed by Council (10) – 3 years**

Unexpired term expires 9-30-2006

CURRENT MEMBERS

NAME	TERM EXPIRES
Douglas M Bordas	9/30/05
Merrill Dixon (Senior Rep)	4/30/26
Ida Edmunds (School Rep)	7/31/04
Kathleen Fejes	9/30/04
Jose, Lawrence (Resigned)	9/30/06
Orestes Kaltsounis (Rusty)	9/30/06
Amy Kerns (Student)	07/01/04
Meaghan Kovacs – Does not wish to be reappointed.	09/30/05
Tom Krent	9/30/04
Jeffrey Stewart (Troy Daze Rep)	9/30/06
Janice Zikakis	9/30/05

INTERESTED APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Asjad, Zarina J	05/01/03- 05/2005	05/05/03
Balasa, Violet-Viorica	06/27/03- 06/2005	07/07/03
Bliss, Daniel H	03/17/03- 03/2005	04/14/03
Deel, Ryan J	05/17/01-06/25/01- 05/2003	05/21/01-07/09/01
Dixon, Merrill W	03/17/03- 03/2005	04/14/03
Gazetti, Tod	09/10/02- 09/2004	09/23/02
Hoef, Paul V	09/12/01-08/14/02- 08/2004	09/17/01

Hrynik, Thomas F	10/16/00-06/14/01- 06/09/03-05/2005	11/06/00-07/09/01- 06/16/03
Hyun, Yul Woong (Jeff)	09/26/03-09/2005	10/06/03
Huber, Laurie G	06/18/01-05/2003	07/09/01
Navratil, Terry	06/10/03-05/2005	06/16/03
O'Brien, Michael		
Petrulis, Al	02/11/03-07/31/03- 07/2005	02/17/03
Poulsen, Connie	08/17/01-08/2003	09/10/01
Preston, Robert S	10/11/02	11/04/02
Pritzloff, Mark	04/17/03-04/2005	04/28/03
Redpath, Stuart	07/26/00-03/17/03- 03/2005	08/07/00-04/14/03
Rounds, Muriel	07/25/03/-07/2005	08/04/03
Shah, Oniell	08/07/02	09/23/02
Smits, Beatrice G	12/2/03-12/2005	12/15/03
Victor, Robert	06/03/03-05/2005	06/16/03
Wattles, Brian J	07/10/01	07/23/01

Troy Daze

Appointed by Council (9) – 3 years

Term expires 11-30-2004

Term expires 07-01-2003 Student

CURRENT MEMBERS

NAME	TERM EXPIRES
Robert A. Berk	11/30/04
Sue Bishop (Deceased)	11/30/04
Jim D. Cyrulewski.	11/30/04
Cecile Dilley	11/30/04
Kessie Kaltsounis	11/30/05
Michael Gonda	11/30/06
William F Hall	11/30/05
Jeffrey Stewart (Rep to Parks/Rec Board)	09/30/06
Robert S. Preston	11/30/05
Cheryl A Whitton-Kaszubski	11/30/06
Jessica Zablocki (Student)	07/01/03

INTERESTED APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Asjad, Zarina J	05/01/03-05/2005	05/05/03
Freliga, Mary E	11/25/02-11/2004	12/02/02
Hashmi, Amin	08/22/02-08/2004	
Huber, Laurie G	09/22/00-06/18/01-05/2003	09/22/00-7/09/01
Musick, Marilyn K	12/01/03-12/2005	12/15/01
Pietron, Dorothy Ann	07/10/01-07/2003	07/23/01
Pritzloff, Mark	04/17/03-04/2005	04/28/03
Shier, Frank	02/18/03-02/2005	03/03/03
Wells, Alexandra	08/22/02-08/2004	09/09/02

INTERESTED STUDENT APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
None on file		

Yes:

No:

F-2 Closed SessionSuggested Resolution

Resolution #2004-03-

Moved by

Seconded by

BE IT RESOLVED, That the City of Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL 15.268 (e) City of Troy v. Rahaut, after adjournment of this meeting.

Yes:

No:

F-3 Concession Stand OperationsSuggested Resolution

Resolution #2004-03-

Moved by

Seconded by

(a) Proposed Purchasing Resolution – Option A

RESOLVED, That a contract to provide five (5) seasonal requirements of Concession Stand Operations with an option to renew the contract for five (5) additional seasons for the Troy Family Aquatic Center, Boulan Park, Firefighters Park, and Flynn Park is hereby **AWARDED** to Russell Chavaux, for an annual guarantee of 12% of gross sales or a minimum of \$12,000.00

whichever is greater as contained in the attached bid tabulation opened March 3, 2004; a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and
BE IT FURTHER RESOVLED, That the award is **CONTINGENT** upon vendor submission of proper contract and bid documents, including insurance certificates and all specified requirements with the exclusion of Item 17 from the contract.

OR

(b) Proposed Purchasing Resolution – Option B

RESOLVED, That a contract to provide five (5) seasonal requirements of Concession Stand Operations with an option to renew the contract for five (5) additional seasons for the Troy Family Aquatic Center, Boulan Park, Firefighters Park, and Flynn park is hereby **AWARDED** to Sport Orion Express, for an annual guarantee of 12% of gross sales or a minimum of \$12,000.00 whichever is greater as contained in the attached bid tabulation opened March 3, 2004; a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FURTHER RESOVLED, That the award is **CONTINGENT** upon vendor submission of proper contract and bid documents, including insurance certificates and all specified requirements with the amendment of Item 17 in the contract to reflect the changes requested in the bid proposal.

Yes:

No:

F-4 Troy Racquet Club Rates

Suggested Resolution

Resolution #2004-03-

Moved by

Seconded by

RESOLVED, That the 2004-05 rates for membership and court time for Troy Racquet Club are hereby **APPROVED** as stated in the report from the Parks and Recreation Department dated March 4, 2004; a copy of which shall be **ATTACHED** to and made a part of the original Minutes of this meeting.

Yes:

No:

F-5 Reconsideration of Approved Minutes of February 18, 2004

Suggested Resolution

Resolution #2004-03-

Motion by

Seconded by

RESOLUTION FOR RECONSIDERATION OF MOTION #2004-02-078, #2004-02-080 and #2004-02-081:Suggested Resolution

Resolution #2004-03-

Motion by

Seconded by

RESOLVED, That Resolutions #2004-02-078, #2004-02-080 and #2004-02-081 be
RECONSIDERED.

Yes:

No:

RESOLUTIONS #2004-02-078 and #2004-02-081 AS ADOPTED:**(a) Alibi Lounge of Troy, Inc. (dba: Alibi Lounge)**

Resolution #2004-02-078

Moved by Stine

Seconded by Beltramini

WHEREAS, The City Council of the City of Troy has reviewed the following infractions of liquor control codes and regulations and/or ordinances of the State of Michigan and/or the City of Troy respectively; and

WHEREAS, The City Council has given public notice that it will deliberate and determine whether to adopt a resolution to recommend to the Michigan Liquor Control Commission that the license not be renewed after a Public Hearing on Wednesday, February 18, 2004, for the following licensed establishment:

Name: Alibi Lounge of Troy, Inc. (dba: Alibi Lounge)
Address: 6700 Rochester Road
License No.: Class C (858-2002)

and, having found violation for the following codes and/or regulations: SALE TO MINOR (Compliance Test) on October 28, 2003; and

WHEREAS, This Licensee had a prior violation dated October 11, 2002 – Sale to Minor (Compliance Test); and

WHEREAS, After due notice the Licensee was given opportunity to review these cited infractions, and opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 18, 2004;

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that after due notice, appropriate hearing and deliberations, and having made findings, it is recommended to the Michigan Liquor Control Commission that License Number 858-2002 (Class C) in the name of Alibi Lounge of Troy, Inc. in the City of Troy, **BE RENEWED** with the **STIPULATION** that the Licensee will implement their proposed "Employee Acknowledgement of Policy Pertaining to

Sales of Alcoholic Beverages” and submit the Troy Police Department with copies of the revised Employee Acknowledgement of Policy signed by employees which will include the revision that all patrons who are served alcohol will be required to provide valid identification providing that person to be 21 years of age or older; and a certified copy of this resolution will be **SENT** to the Michigan Liquor Control Commission.

Yes: All-7

(c) Picano Restaurant, Inc. (dba: Picano’s)

Resolution #2004-02-081

Moved by Stine

Seconded by Lambert

WHEREAS, The City Council of the City of Troy has reviewed the following infractions of liquor control codes and regulations and/or ordinances of the State of Michigan and/or the City of Troy respectively; and

WHEREAS, The City Council has given public notice that it will deliberate and determine whether to adopt a resolution to recommend to the Michigan Liquor Control Commission that the license not be renewed after a Public Hearing on Wednesday, February 18, 2004, for the following licensed establishment:

Name: Picano Restaurant, Inc. (dba: Picano’s)
Address: 3775 Rochester Road
License No.: Class C (7024-2002)

and, having found violation for the following codes and/or regulations: SALE TO MINOR (Compliance Test) on October 29, 2003; and

WHEREAS, This Licensee had a prior violation dated May 3, 2001 – Sale to Minor (Compliance Test); and

WHEREAS, After due notice the Licensee was given opportunity to review these cited infractions, and opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 18, 2004;

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that after due notice, appropriate hearing and deliberations, and having made findings, it is recommended to the Michigan Liquor Control Commission that License Number 7024-2002 (Class C) in the name of Picano Restaurant, Inc., in the City of Troy, **BE RENEWED** with the **STIPULATION** that the Licensee will implement an employee policy pertaining to sales of alcoholic beverages which will include the provision that all patrons who are served alcohol will be required to provide valid identification providing that person to be 21 years of age or older and that all uncertified servers and/or servers with certificates older than six months will be TIPS or TAMS trained, and Licensee will provide documentation of certificates and demonstrate a contract to the Troy Police Department by March 30, 2004; and a certified copy of this resolution will be **SENT** to the Michigan Liquor Control Commission.

Yes: All-7

RECOMMENDED AMENDMENTS TO THE MOTIONS #2004-02-078 AND #2004-02-081:

Suggested Resolution

Resolution #2004-03-

Moved by

Seconded by

RESOLVED, That the Resolutions #2004-02-078 and #2004-02-081 will be **AMENDED** by **STRIKING** "all patrons" in the phrase "...**STIPULATION** that the Licensee will implement an employee policy pertaining to sales of alcoholic beverages which will include the provision that **all patrons** who are served alcohol will be required to provide valid identification providing that person to be 21 years of age or older..." **INSERTING** "patrons that appear to be under the age of 35".

Yes:

No:

PROPOSED AMENED MOTIONS:

(a) Alibi Lounge of Troy, Inc. (dba: Alibi Lounge)

Resolution #2004-02-078

Moved by Stine

Seconded by Beltramini

WHEREAS, The City Council of the City of Troy has reviewed the following infractions of liquor control codes and regulations and/or ordinances of the State of Michigan and/or the City of Troy respectively; and

WHEREAS, The City Council has given public notice that it will deliberate and determine whether to adopt a resolution to recommend to the Michigan Liquor Control Commission that the license not be renewed after a Public Hearing on Wednesday, February 18, 2004, for the following licensed establishment:

Name: Alibi Lounge of Troy, Inc. (dba: Alibi Lounge)
 Address: 6700 Rochester Road
 License No.: Class C (858-2002)

and, having found violation for the following codes and/or regulations: SALE TO MINOR (Compliance Test) on October 28, 2003; and

WHEREAS, This Licensee had a prior violation dated October 11, 2002 – Sale to Minor (Compliance Test); and

WHEREAS, After due notice the Licensee was given opportunity to review these cited infractions, and opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 18, 2004;

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that after due notice, appropriate hearing and deliberations, and having made findings, it is recommended to the Michigan Liquor Control Commission that License Number 858-2002 (Class C) in the name of Alibi Lounge of Troy, Inc. in the City of Troy, **BE RENEWED** with the **STIPULATION** that the Licensee will implement their proposed "Employee Acknowledgement of Policy Pertaining to Sales of Alcoholic Beverages" and submit the Troy Police Department with copies of the revised Employee Acknowledgement of Policy signed by employees which will include the revision that **patrons that appear to be under the age of 35** who are served alcohol will be required to provide valid identification providing that person to be 21 years of age or older; and a certified copy of this resolution will be **SENT** to the Michigan Liquor Control Commission.

Yes:

No:

(c) Picano Restaurant, Inc. (dba: Picano's)

Resolution #2004-02-081

Moved by Stine

Seconded by Lambert

WHEREAS, The City Council of the City of Troy has reviewed the following infractions of liquor control codes and regulations and/or ordinances of the State of Michigan and/or the City of Troy respectively; and

WHEREAS, The City Council has given public notice that it will deliberate and determine whether to adopt a resolution to recommend to the Michigan Liquor Control Commission that the license not be renewed after a Public Hearing on Wednesday, February 18, 2004, for the following licensed establishment:

Name: Picano Restaurant, Inc. (dba: Picano's)
Address: 3775 Rochester Road
License No.: Class C (7024-2002)

and, having found violation for the following codes and/or regulations: SALE TO MINOR (Compliance Test) on October 29, 2003; and

WHEREAS, This Licensee had a prior violation dated May 3, 2001 – Sale to Minor (Compliance Test); and

WHEREAS, After due notice the Licensee was given opportunity to review these cited infractions, and opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 18, 2004;

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that after due notice, appropriate hearing and deliberations, and having made findings, it is recommended to the Michigan Liquor Control Commission that License Number 7024-2002 (Class C) in the name of Picano Restaurant, Inc., in the City of Troy, **BE RENEWED** with the **STIPULATION** that the Licensee will implement an employee policy pertaining to sales of alcoholic beverages which will include the provision that **patrons that appear to be under the age of 35** who are

served alcohol will be required to provide valid identification providing that person to be 21 years of age or older and that all uncertified servers and/or servers with certificates older than six months will be TIPS or TAMS trained, and Licensee will provide documentation of certificates and demonstrate a contract to the Troy Police Department by March 30, 2004; and a certified copy of this resolution will be **SENT** to the Michigan Liquor Control Commission.

Yes:

No:

RESOLUTION #2004-02-080 AS ADOPTED:

(b) LaShish, Inc. (dba: LaShish)

Resolution #2004-02-080

Moved by Stine

Seconded by Howrylak

WHEREAS, The City Council of the City of Troy has reviewed the following infractions of liquor control codes and regulations and/or ordinances of the State of Michigan and/or the City of Troy respectively; and

WHEREAS, The City Council has given public notice that it will deliberate and determine whether to adopt a resolution to recommend to the Michigan Liquor Control Commission that the license not be renewed after a Public Hearing on Wednesday, February 18, 2004, for the following licensed establishment:

Name: LaShish, Inc. (dba: LaShish)
Address: 3720 Rochester Road
License No.: Class C (100797-2002)

and, having found violation for the following codes and/or regulations: SALE TO MINOR (Compliance Test) on October 28, 2003; and

WHEREAS, This Licensee had a prior violation dated August 16, 2001 – Sale to Minor (Compliance Test); and

WHEREAS, After due notice the Licensee was given opportunity to review these cited infractions, and opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 18, 2004;

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that after due notice, appropriate hearing and deliberations, and having made findings, it is recommended to the Michigan Liquor Control Commission that License Number 100797-2002 (Class C) in the name of LaShish, Inc. in the City of Troy, **BE RENEWED** with the **STIPULATION** that Licensee provide their form of an employee contract and all uncertified servers and/or servers with certificates older than six months will be TIPS or TAMS trained and Licensee will provide documentation thereof to the Troy Police Department by March 30, 2004; and a certified copy of this resolution will be **SENT** to the Michigan Liquor Control Commission.

Yes: All-7

RECOMMENDED AMENDMENT TO THE MOTION #2004-02-080:

Suggested Resolution

Resolution #2004-03-

Moved by

Seconded by

RESOLVED, That the Resolutions #2004-02-079 will be **AMENDED** by **INSERTING** “which will include the provisions that patrons that appear to be under the age of 35 who are served alcohol will be required to provide valid identification providing that person to be 21 years of age or older” in the phrase “...**STIPULATION** that Licensee provide their form of an employee contract **which will include the provisions that patrons that appear to be under the age of 35 who are served alcohol will be required to provide valid identification providing that person to be 21 years of age or older** and all uncertified servers...”.

Yes:

No:

PROPOSED AMENEDDED MOTION:

(b) LaShish, Inc. (dba: LaShish)

Resolution #2004-02-080

Moved by Stine

Seconded by Howrylak

WHEREAS, The City Council of the City of Troy has reviewed the following infractions of liquor control codes and regulations and/or ordinances of the State of Michigan and/or the City of Troy respectively; and

WHEREAS, The City Council has given public notice that it will deliberate and determine whether to adopt a resolution to recommend to the Michigan Liquor Control Commission that the license not be renewed after a Public Hearing on Wednesday, February 18, 2004, for the following licensed establishment:

Name: LaShish, Inc. (dba: LaShish)
Address: 3720 Rochester Road
License No.: Class C (100797-2002)

and, having found violation for the following codes and/or regulations: SALE TO MINOR (Compliance Test) on October 28, 2003; and

WHEREAS, This Licensee had a prior violation dated August 16, 2001 – Sale to Minor (Compliance Test); and

WHEREAS, After due notice the Licensee was given opportunity to review these cited infractions, and opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 18, 2004;

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that after due notice, appropriate hearing and deliberations, and having made findings, it is recommended to the Michigan Liquor Control Commission that License Number 100797-2002 (Class C) in the name of LaShish, Inc. in the City of Troy, **BE RENEWED** with the **STIPULATION** that Licensee provide their form of an employee contract **which will include the provisions that patrons that appear to be under the age of 35 who are served alcohol will be required to provide valid identification providing that person to be 21 years of age or older** and all uncertified servers and/or servers with certificates older than six months will be TIPS or TAMS trained and Licensee will provide documentation thereof to the Troy Police Department by March 30, 2004; and a certified copy of this resolution will be **SENT** to the Michigan Liquor Control Commission.

Yes:

No:

F-6 Change Order #1 for Water Main Abandonment on Crooks, Maple to Temple City – Contract –03-6

Suggested Resolution

Resolution #2004-03-

Moved by

Seconded by

RESOLVED, That Change Order No. 1 to Contract No. 03-6, - Crooks Road – Maple Road to Temple City, be **APPROVED** and Troelsen Excavating Company be **AUTHORIZED** to work at an estimated total cost of \$108,241.00; the approved contract amount is increased to \$373,251.00; and

BE IT FURTHER RESOLVED, That if additional work is required such additional work is **AUTHORIZED** in an amount not to exceed 10% of the change order amount.

Yes:

No:

F-7 Ladd's Inc. 5-Acre Parcel Appraisal

Suggested Resolution

Resolution #2004-03-

Moved by

Seconded by

(a) Proposed Resolution A – Option 1

RESOLVED, That Troy City Council **DIRECTS** City Management to **KEEP OWNERSHIP** of the westerly part of the property having Sidwell #88-20-11-201-024 and develop a park site when funds become available.

OR

(b) Proposed Resolution A – Option 2

RESOLVED, That Troy City Council **DIRECTS** City Management **TO SELL** the 5-acre City owned parcel being the westerly part of property having Sidwell #88-20-11-201-024 to Ladd's, Inc. for the appraised value of \$580,000.00.

OR

(c) Proposed Resolution A – Option 3

RESOLVED, That Troy City Council **DIRECTS** City Management **TO TRADE** the 5-acre City owned parcel being the westerly part of property having Sidwell #88-20-11-201-024 to Ladd's, Inc. for the easterly part of property having Sidwell #88-20-11-201-012.

OR

(d) Proposed Resolution A – Option 4

RESOLVED, That Troy City Council **DIRECTS** City Management **TO TRADE** the 5-acre City owned parcel being the westerly part of property having Sidwell #88-20-11-201-024 to Ladd's, Inc., for the westerly part of property having Sidwell #88-20-11-201-012.

Yes:

No:

F-8 Reconsideration of City Manager Employment Agreement

RESOLUTION FOR RECONSIDERATION OF MOTION #2004-03-110a:

Suggested Resolution

Resolution #2004-03-

Motion by

Seconded by

RESOLVED, That Resolution #2004-03-110a be **RECONSIDERED**.

Yes:

No:

RESOLUTION #2004-03-110a AS ADOPTED:**E-10 Compensation for (a) City Manager and (b) City Attorney****(a) Compensation for City Manager**

Resolution #2004-03-110a

Moved by Lambert

Seconded by Stine

RESOLVED, That the salary of the City Manager **SHALL BE** \$133,786.00 per year **EFFECTIVE** January 1, 2004; and

BE IT FURTHER RESOLVED, That the City Manager **IS ELIGIBLE** for a severance benefit equal to six months of salary should he be involuntarily terminated, and **HAVE THE OPTION** of converting this pay to the equivalent years of service for his pension, along with six months of healthcare coverage; and

BE IT FURTHER RESOLVED, That the City Manager **SHALL CONTINUE** to be included in the "exempt" classification and be provided the fringe benefits of this classification; and

BE IT FINALLY RESOLVED, That the City Clerk and the Mayor are **AUTHORIZED TO EXECUTE** the City Manager's Employment Agreement; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-6

No: None

Absent: Broomfield

A. RECOMMENDED AMENDMENTS TO THE MOTION #2004-03-110a:Suggested Resolution

Resolution #2004-03-

Moved by

Seconded by

RESOLVED, That the Resolution #2004-03-110a be **AMENDED** by **STRIKING** "...**EXECUTE** the City Manager's Employment Agreement..." **INSERTING** "**EXECUTE** the revised City Manager's Employment Agreement, submitted March 8, 2004,..." in the BE IT FINALLY RESOLVED paragraph.

Yes:

No:

PROPOSED AMENDED MOTION:**(a) Compensation for City Manager**

Resolution #2004-03-110a

Moved by Lambert

Seconded by Stine

RESOLVED, That the salary of the City Manager **SHALL BE** \$133,786.00 per year **EFFECTIVE** January 1, 2004; and

BE IT FURTHER RESOLVED, That the City Manager **IS ELIGIBLE** for a severance benefit equal to six months of salary should he be involuntarily terminated, and **HAVE THE OPTION** of converting this pay to the equivalent years of service for his pension, along with six months of healthcare coverage; and

BE IT FURTHER RESOLVED, That the City Manager **SHALL CONTINUE** to be included in the "exempt" classification and be provided the fringe benefits of this classification; and

BE IT FINALLY RESOLVED, That the City Clerk and the Mayor are **AUTHORIZED TO EXECUTE** the **revised** City Manager's Employment Agreement **dated March , 2004**; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes:

No:

OR**B. RECOMMENDED AMENDMENTS TO THE MOTION #2004-03-110a:**Suggested Resolution

Resolution #2004-03-

Moved by

Seconded by

RESOLVED, That the Resolution #2004-03-110a be **AMENDED** by **STRIKING** the second paragraph " BE IT FURTHER RESOLVED, That the City Manager **IS ELIGIBLE...**", and by **STRIKING** the BE IT FINALLY RESOLVED paragraph, and by **INSERTING** "BE IT FINALLY RESOLVED, That this resolution constitutes the employment agreement between the City Manager and the City of Troy."

Yes:

No:

PROPOSED AMENEDDED MOTION:**(a) Compensation for City Manager**

Resolution #2004-03-110a

Moved by Lambert

Seconded by Stine

RESOLVED, That the salary of the City Manager **SHALL BE** \$133,786.00 per year **EFFECTIVE** January 1, 2004; and

BE IT FURTHER RESOLVED, That the City Manager **SHALL CONTINUE** to be included in the "exempt" classification and be provided the fringe benefits of this classification; and

BE IT FINALLY RESOLVED, That this resolution constitutes the employment agreement between the City Manager and the City of Troy.

Yes:

No:

F-9 City Code – Chapter 60, Fees and Bonds – Notary Fees**Suggested Resolution**

Resolution #2004-03-

Moved by

Seconded by

RESOLVED, That an ordinance amendment to Chapter 60, Sections 60.03 and 60.04 is hereby **ADOPTED** as recommended by City Management; a copy of this ordinance shall be **ATTACHED** to the original Minutes of this meeting.

Yes:

No:

F-10 Kaftan Enterprises, Inc. v. City of Troy**Suggested Resolution**

Resolution #2004-03-

Moved by

Seconded by

RESOLVED, That the City of Troy City Council **APPROVES** the proposed release by Kaftan Enterprises, Inc., with regard to its claims in 52/4 District Course Case No. 03-C01103 GC and **AUTHORIZES** payment in the amounts stated therein and further **AUTHORIZES** the City Attorney to **EXECUTE** the stipulation for dismissal with prejudice; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes:

No:

COUNCIL COMMENTS/COUNCIL REFERRALS – No items referred.

REPORTS AND COMMUNICATIONS

G-1 Minutes – Boards and Committees:

- (a) Animal Control Board/Final – November 19, 2003
 - (b) Local Development Finance Authority/Final – December 1, 2003
 - (c) Employees' Retirement System Board of Trustees/Final – December 10, 2003
 - (d) Downtown Development Authority/Final – January 21, 2004
 - (e) Youth Council/Final – January 21, 2004
 - (f) Civil Service Commission (Act 78)/Final – January 22, 2004
 - (g) Troy Daze/Final – January 27, 2004
 - (h) Election Commission/Final – January 29, 2004
 - (i) Planning Commission/Final – February 10, 2004
 - (j) Advisory Committee for Persons with Disabilities/Draft – February 4, 2004
 - (k) Advisory Committee for Persons with Disabilities/Final – February 4, 2004
 - (l) Advisory Committee for Senior Citizens/Draft – February 5, 2004
 - (m) Liquor Advisory Committee/Final – February 9, 2004
 - (n) Planning Commission/Draft – February 24, 2004
 - (o) Youth Council/Draft – February 25, 2004
 - (p) Election Commission/Draft – March 1, 2004
 - (q) Advisory Committee for Senior Citizens/Draft – March 4, 2004
-

G-2 Department Reports:

- (a) Permits Issued During the Month of February 2004
 - (b) Monthly Financial Report – February 29, 2004
-

G-3 Announcement of Public Hearings:

- (a) Commercial Vehicle Appeal – 2803 Rhodes – **SCHEDULED for March 22, 2004**
 - (b) Commercial Vehicle Appeal – 6640 John R – **SCHEDULED for March 22, 2004**
-

G-4 Green Memorandums:

- (a) Revisions to Chapter 97 Troy City Code – Coin Operated Amusement Devices and Arcades
-

G-5 Proposed Proclamations/Resolutions from Other Organizations:

- (a) City of Royal Oak – Resolution Endorsing Feasibility of a Metropark at the Michigan State Fairgrounds
 - (b) City of Walled Lake – Resolution Regarding a Moratorium on Detroit Water and Sewer Rate Increases
 - (c) City of Royal Oak – Resolution Regarding the Proposed "I-75 Widening Project"
-

G-6 Calendar

G-7 Letters of Appreciation:

- (a) Letter of Appreciation from Larry Harworth, Operations Manager and Larry Feld, Chief Mechanic – Huntington Woods Public Works Thanking Sam Lamerato for His Prompt Attention to Repairing One of Their Trucks
- (b) Letter of Appreciation from Judy Williams to Chief Craft Thanking Officer Josh Jones for Assisting Her With Her Flat Tire
- (c) Thank You Card from Chris and Rachel Joost Thanking the Police Department for its Contribution to the Successful Apprehension for Those Responsible for the Holiday Inn Shooting
- (d) Letter of Appreciation from Ronald P. Monache to Chief Craft Thanking Officer Russell Barrows for Assisting His Elderly Sister When She Experienced Car Trouble in Troy
- (e) Letter of Appreciation from Troy Athens Student Congress to Tom Rosewarne Thanking Him for Loaning Them City of Troy Construction Equipment for Their Conference, “Constructing Leaders”
- (f) News Article, Re: “*The 100 Best Fleets in North America*” – Utility Fleet Management

G-8 Memorandum, Re: Auction – Vehicle Sale on January 17, 2004 in St. Clair Michigan

G-9 Minutes – Construction Code Commission – Department of Labor & Economic Growth – Bureau of Construction Codes & Fire Safety, Re: Indicating that Mr. Gary Shripka is Vice-Chairman

G-10 Memorandum, Re: Inergy Automotive Systems v City of Troy

G-11 Memorandum, Re: Ad Hoc Joint Committee

G-12 Memorandum, Re: Authorized Server Training for Liquor Licensees

G-13 Memorandum, Re: Payment Method for Recreation Pass

G-14 Memorandum, Re: Code Enforcement Activities January 2003 to Date

G-15 Memorandum, Re: Bidcorp On-Line Auction – Test Computer Sale – Final Reporting

G-16 Memorandum, Re: Licensed Liquor Establishment Compliance Investigations

G-17 Memorandum, Re: Report on Water System Feasibility Study

PUBLIC COMMENT

Public Comment is limited to people who have not addressed Council during the 1st Public Comment section (Rules of Procedure for the City Council, Article 5 (15), as amended May 6, 2002).

STUDY ITEMS – No Study Items submitted

It is City Management's recommendation to recess the Regular meeting at this time and to immediately reconvene it in the Council Board Room to provide for a study environment. Additionally, it would be recommended that the Mayor request the City Clerk to post notice that the City Council meeting has been relocated to the Council Board Room.

Respectfully submitted,

John Szerlag, City Manager

**PROCLAMATION
BAKER MIDDLE SCHOOL
NAMED MICHIGAN BLUE RIBBON EXEMPLARY SCHOOL**

WHEREAS, In recognition of its outstanding commitment to education, **Baker Middle School** was named a **2003-2004 Michigan Blue Ribbon Exemplary School** by the Michigan Department of Education; and

WHEREAS, **Baker Middle School** is one of only 4 middle schools in Michigan to earn the “Blue Ribbon” designation from the Michigan Department of Education’s annual search for top schools. A total of only 13 elementary, middle and high schools received this prestigious award statewide; and

WHEREAS, **Baker Middle School** was cited for its strong commitment to excellence in education and learning through its exceptional teaching and energetic staff; and

WHEREAS, **Baker Middle School** was recognized for testing procedures that have helped students identify and overcome their reading weaknesses and programs such as HOSTS – Helping One Student to Succeed – which pairs students with reading mentors; and

WHEREAS, The **Baker Middle School** community attributes much of its success to a dedicated group of parent volunteers who contribute their valuable time and talent each year to the school; and

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy congratulates the quality of teamwork demonstrated by the staff, students and parent volunteers of **Baker Middle School**, which has allowed them to celebrate this Blue Ribbon award, the most prestigious education award in the state of Michigan;

BE IT FURTHER RESOLVED, That the City Council of the City of Troy, does hereby join with the citizens of Troy to commend **Baker Middle School’s** rigorous efforts to provide quality education, strong leadership, parental participation, and significant progress in achieving high academic standards.

Signed this 15th day of March 2004.

Service Commendation
MARVIN ASH

WHEREAS, Marv Ash began his employment with the City of Troy as the MSE-D Golf Course Maintenance Man in the Parks and Recreation Department on June 25, 1973; was promoted to Acting Greens Superintendent at Sylvan Glen Golf Course on June 3, 1985 and on October 1, 1985 promoted to Greens Superintendent; and

WHEREAS, Marv retired from the City of Troy on March 26, 2004 after 31 years of dedicated and professional service; and

WHEREAS, Marv has always been approachable to his staff as well as having an excellent rapport with all City Departments; and

WHEREAS, Marv's even temperament, concern for residents and great sense of humor have always made him a valued and cherished member of the Parks and Recreation Department; and

WHEREAS, He attended Michigan State University, College of Agriculture – 2 year Technical Training Program in Turfgrass Management. **Marv** was instrumental in obtaining the Michigan Environmental Stewardship certification for Sylvan Glen Golf Course after five years of diligent study, research and work; and

WHEREAS, Marv will now have more time to spend with his wife JoAnn traveling, as well as enjoying more golfing, hunting, snowmobiling, bowling and working around their home; and

WHEREAS, During the course of his employment, **Marv** has contributed many tireless hours of dedicated service to the City of Troy and its citizens.

NOW, THEREFORE, BE IT KNOWN, That the City Council of the City of Troy takes this opportunity to express its appreciation to **Marv Ash** for his many contributions to the betterment of the City; and

BE IT FURTHER KNOWN That the City Council on behalf of themselves, City management, and the citizens of the City of Troy, extends wishes of prosperity, good health and happiness to **Marv** during his retirement years.

Presented this 15th day of March 2004.

March 8, 2004

TO: John Szerlag, City Manager

FROM: John M. Lamerato, Assistant City Manager/ Finance & Administration
Jeanette Bennett, Director of Purchasing
Cindy Stewart, Community Affairs Director

RE: **Agenda Item** - Community Affairs Department Renovation

RECOMMENDATION

The City requests approval and authorization to expend an estimated \$59,235.00 to complete renovations of the City Manager's former office area for the Community Affairs Department and a City Hall Conference Room to provide needed workspace improvements and efficient storage space. This project is part of the ongoing process to renovate office space previously approved.

DETAILS

Community Affairs currently occupies approximately 275 square feet of office space (previous memo had number of square footage incorrectly at 350 sq. ft). Within this area Community Affairs has 4 workstations, 12 filing cabinets, and one eight-foot table/work area. The office was an existing conference room and is not ergonomically efficient. It also does not handle current data equipment space requirements. Renovation plans reflect the adjustments made to accommodate these needs. Per Council directive, the Building Operations amount increased by \$3,000 to complete activation and operation of the Fire Suppression System. All overtime labor costs however have been removed.

Furniture costs were cut by **36%**. Attached for your review is a proposed plan of the renovated areas (Appendix A), a detailed cost comparison with furniture removed (Appendix C), as well as detailed plans with additional items cut from this project which we hope to add in future budgets (Appendix B).

Items cut from this plan to decrease costs are:

- Table & 4 chairs in Reception Area
- Five file cabinets
- Conference Room Table, Chairs, Tackboards
- A worksurface & panel in Reception Area

Per original Plan, the workroom will utilize 6 used file cabinets recycled from old Manager's Office space.

March 9, 2004

To: John Szerlag, City Manager

Re: Community Affairs Renovation

Page 2 of 2

Highlights of the plan include the following:

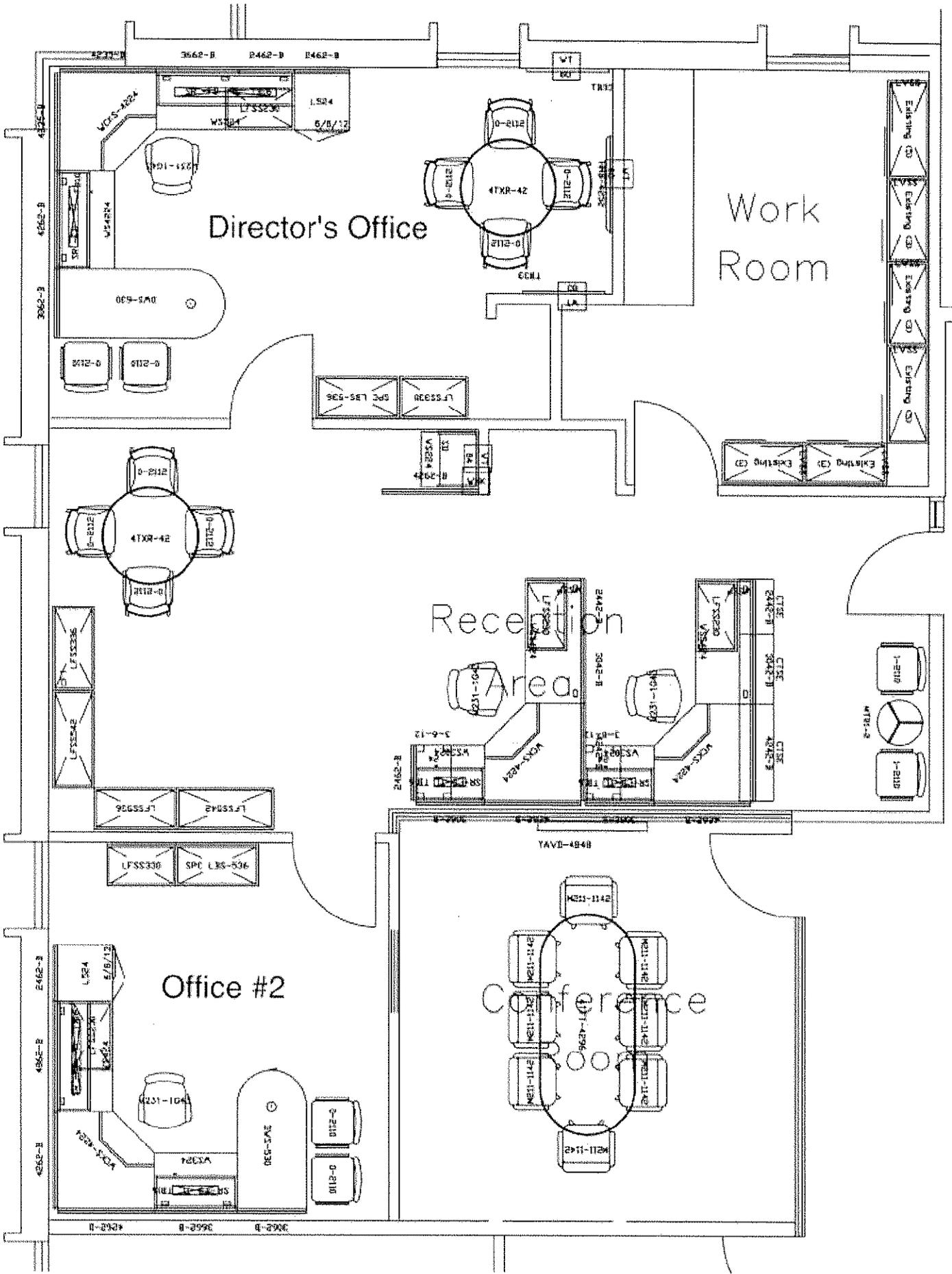
- Portion of existing offices that were the City Managers' will be reconfigured and walls moved to accommodate Community Affairs' needs.
- Other portions of the existing offices that were the City Managers' will be reconfigured and walls moved to make a Conference Room to accommodate various departments.
- Additional updated file cabinets will greatly increase storage capacity and office efficiency and professionalism.
- Existing Community Affairs office will be converted to storage space and television studio.

BACKGROUND

Over the last few months, the State of Michigan Haworth contract has changed to add Unigroup and Places furniture groups to the Extended Program with a deep discount of **80.6%** discount. These furniture groups are the standard for the City and in the past were only available to us through the Oakland County contract at a discount of 67%. Currently, we can pick and choose the best pricing between the Oakland County and State Contract depending upon what is being purchased. Seating is currently priced at a greater discount through the Oakland County contract at a 63% discount vs. 58% from the State.

SUMMARY

The recommendation to expend approximately \$59,235.00 versus the \$65,530.00 originally proposed will provide Community Affairs with the efficient workspace and storage space needed. The new total reflects a furniture cost reduction of \$8,219.22 or 36%, a completed fire suppression system at an increased cost of \$3,000.00, and an overtime cost deletion of \$1,076.80. Funds for this expenditure are available through Building Operations – City Hall Capital Outlay Budget, Account #401265.7975.010.



Renovation Square Footage 1376 usable Community Affairs / Conference Room

APPENDIX C

RENOVATION	Old Estimate	New Estimate
Base Cove / Wall and Ceiling sound Insulation	\$1,200	\$1,200.00
Blinds	\$1,000	\$1,000.00
Carpet with Glue \$35.00 per sq. yard X 175 sq. yards	\$6,125	\$6,125.00
Ceiling Grid	\$750	\$750.00
Ceiling Tile	\$1,500	\$1,500.00
Counter Tops & all Laminates includes all substructures	\$1,400	\$1,400.00
Laminated Entry Doors, Bi Folds with all hardware and locksets	\$2,600	\$2,600.00
Drywall includes complete wall construction	\$1,200	\$1,200.00
Electrical	\$2,000	\$2,000.00
Fire Suppression PREP ONLY	\$6,000	\$6,000.00
Complete activation and operation of Fire Suppression	<i>Not included</i>	\$3,000.00
HVAC	\$2,000	\$2,000.00
Lighting includes additional lights, exit signs and emergency lighting	\$3,000	\$3,000.00
Light cover upgrade		N/A
Paint (2) coats with primer / Wall Paper for corridor	\$2,200	\$2,200.00
Roll up door estimated cost only		N/A
Sound Insulation Walls & Ceiling (4 inch both)		N/A
VAV Controllers ventilation system		N/A
Windows for interior offices 48 X 42 Tempered Glass / Aluminum framed (1)		N/A
Misc. Items	\$500	\$500.00

MATERIAL - Subtotal	\$31,475	\$34,475.00
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LABOR

Regular Time (425hrs. X \$22.43/hr)	\$9,532.75	\$9,532.75
Overtime (est. 32hrs x \$33.65/hr)	\$1,076.80	\$0.00

LABOR Subtotal	\$10,609.55	\$9,532.75
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COMMUNICATIONS (Pricing provided from IT Department)

Notes - all lines existing in offices sufficient for service		\$0.00
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FURNITURE (Pricing provided from ISCG)

Workstations	\$8,600.24	\$8,265.13
Chairs	\$5,902.26	\$2,842.34
File cabinets	\$4,731.19	\$2,015.52
Tables/Displays Boards	\$2,282.22	\$373.70
Installation / Design	\$1,927.93	\$1,727.93

FURNITURE SUBTOTAL	23,443.84	\$15,224.62
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Total Project Estimate	\$65,530	\$59,232.37
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**EXTENDED PURCHASING PROGRAM for the STATE OF MICHIGAN
N031431 for orders shipping to continental U.S. locations, accessing 2000 domestic price list**

Product Group	Systems Products	Seating Products	Freestanding Products	Wood Casegoods	Tables	List Dollar Value	Customer Discount Product Only	Customer Discount Installed
I Regular Lead Time	UniGroup NW/WT PLACES NW/WT				UniGroup NW/WT PLACES NW/WT	\$1 or more	81.60%	
RUSH**						\$1 or more	74.50%	
II Regular Lead Time	Causeway					\$1 or more	64.50%	
III	Vancouver Panel Hung			Vancouver Freestanding		\$1 or more	59.00%	
RUSH**						\$1 or more	44.00%	
IV	Premise NW Premise WT		Premise Casegoods NW Premise Casegoods WT			\$1 or more	49.5%	
RUSH**						\$1 or more	45.0%	
V	PLACES FW Tables FW RACE if/if Tables					\$1 or more	59.0%	
RUSH**						\$1 or more	54.0%	
VI			950 Series Files, PLACES Freestanding Steel			\$1 or more		71.70%
RUSH**						\$1 or more		61.0%
VII Regular Lead Time	Crossings™	800 Series. Ascent, Berlin, Composites, Dendhur, Essex, Eton, Europa, Forenze, Galerie, Katia, Laura, Maria, October, Prescott, Tally, Tuscany, Tuxedo, Asheville, Berkshire, Cavendish, Richmond Zoey Chu		PLACES Wood Casegoods and Freestanding Units Varia Orlando, Tripoli Nottingham Sherbrooke	PLACES FW Galerie, Varia Entropy, Profile, Series K, Tripoli Nottingham	\$1-\$100,000 \$100,001- \$500,000 \$500,001 or more	50.00% 52.25% Negotiable	
RUSH**						\$1 or more	42.00%	
VIII Regular Lead Time		SystemSeating/Catalyst Accolade/Comforto 28 NW Monaco/System 58/ TAS Improv, COMFORTO 12 Comforto 28 Wood Kinetics X99	if Personal Storage Towers if Lateral Files		Kinetics, Tactics	\$1-\$100,000 \$100,001-\$500,000 \$500,001 or more	58.00% 60.50% Negotiable	
RUSH**						\$1 or more	51.00%	
IX Regular Lead Time	Jump Stuff Boogie Boards					\$1-\$100,000 \$100,001 or more	40.00% 40.00%	
RUSH**						\$1 or more	40.00%	
X Regular Lead Time		Look				\$1 or more	61.60%	
RUSH**						\$1 or more	40.00%	

XJ Regular Lead Time	DataThing					\$1 or more	00.00%	
XII Regular Lead Time	European Collection					\$1 or more	40.00%	

Price List: Current pricing applies.

- ** Seller offers the above mentioned discounts on products included in this Agreement which are offered in Seller's RUSH Programs. See the current price list(s) for a description of the products included in these programs.
- A. Only the items stated within each product group may be combined on a single purchase order for purposes of attaining a higher discount tier and/or negotiable discount tier. DIFFERENT PRODUCT GROUPS OR LEAD TIMES MAY NOT be combined together for purposes of attaining the next pricing tier.
- B. The applicable discount will be separately negotiated for new products or lead time programs introduced by Seller during the term of this Agreement.

**ATTACHMENT A
Discount Schedule
OAKLAND COUNTY**

N01121 for orders shipping to U.S. locations, accessing domestic price list.

Product Group	Systems Products	Seating Products	Freestanding Products	Wood Casegoods	Tables	List Dollar Value	Customer Discount Product Only
I Regular Lead Time	UniGroup NW/WT PLACES NW/WT Premise NW Premise WT				UniGroup NW/WT PLACES NW/WT PREMISE	\$1-\$300,000 \$300,001 or More	67% Negotiable
RUSH**						\$1 or More	58%
II Regular Lead Time	RACE IF	SystemSeating/Catalyst Accolade/Comforto 28 NW Monaco/System 58/ TAS Improv, COMFORTO 12 Comforto 28 Wood Kinetics	950 Series Files, PLACES Freestanding Steel Premise Casegoods NW Premise Casegoods WT		Kinetics, Tactics	\$1-\$500,000 \$500,001 or More	63% Negotiable
RUSH**						\$1 or More	56%
III Regular Lead Time	PLACES FW Vancouver Panel Hung Crossings™ Causeway Castelli 3D	800 Series, Ascent, Berlin, Composites, Dendhur, Essex, Eton, Eutopa, Forenze, Galerie, Katia, Laura, Maria, October, Prescott, Tally, Tuscany, Tuxedo, Asheville, Berkshire, Cavendish, Richmond Zoey Chu	Sherbrooke	PLACES Wood Casegoods and Freestanding Units Varia Orlando, Tripoli Vancouver Freestanding Nottingham	PLACES FW Galerie, Mirador, Varia Entropy, Profile, Series K, Tripoli Nottingham	\$1-\$500,000 \$500,001 or More	53.5% Negotiable
RUSH**						\$1 or More	46.5%
IV Regular Lead Time	Jump Stuff Boogie Boards					\$1 or More	40%
RUSH**						\$1 or More	40%
V Regular Lead Time		X-99 / Look				\$1-\$500,000 \$500,001 or More	60.75%
RUSH**						\$1 or More	52%
VI Regular Lead Time	Data Thing					\$1 or More	00%

Price List: Current pricing applies.

**Seller offers the above mentioned discounts on products included in this Agreement which are offered in Seller's RUSH Programs. See the current price list(s) for a description of the products included in this program.

- A. Only the items stated within each product group may be combined on a single purchase order for purposes of attaining a higher discount tier and/or negotiable discount tier. DIFFERENT PRODUCT GROUPS OR LEAD TIMES MAY NOT be combined together for purposes of attaining the next pricing tier.
- B. The applicable discount will be separately negotiated for new products or lead time programs introduced by Seller during the term of this Agreement.

A Regular Meeting of the Troy City Council was held Monday, March 1, 2004, at City Hall, 500 W. Big Beaver Road. Mayor Pryor called the Meeting to order at 7:37 P.M.

The Invocation was given by Rev. Hoon Kyoung Lee – Korean United Methodist Church and the Pledge of Allegiance to the Flag was given.

ROLL CALL

PRESENT: Mayor Matt Pryor
Robin E. Beltramini
David Eisenbacher
Martin F. Howrylak
David A. Lambert
Jeanne M. Stine

ABSENT: Cristina Broomfield

Resolution to Excuse Council Member Broomfield

Resolution #2004-03-105
Moved by Beltramini
Seconded by Howrylak

RESOLVED, That Council Member Broomfield's absence at the Regular City Council meeting of Monday, March 1, 2004 **BE EXCUSED** due to her absence from the county.

Yes: All-6
No: None
Absent: Broomfield

PRESENTATIONS: No presentations scheduled.

PUBLIC HEARINGS: No public hearings scheduled

PUBLIC COMMENT:

A. Items on the Current Agenda

E-7 Application for a New Specially Designated Distributor – Specially Designated Merchant (SDD/SDM) License by Han Mi Oriental Mart, Inc.

(a) Approval of a New Specially Designated Distributor (SDD) – Specially Designated Merchant (SDM) License

Resolution #2004-03-106a
Moved by Beltramini

Seconded by Eisenbacher

RESOLVED, That the request from Han Mi Oriental Mart, Inc., for a new Specially Designated Distributor (SDD) – Specially Designated Merchant (SDM) license, located at 5060 Rochester, Troy, MI 48085 – Oakland County [MLCC REQ ID #235659], be considered for approval. It is the consensus of this legislative body that the application be **RECOMMENDED** for issuance.

Yes: All-6
No: None
Absent: Broomfield

(b) Approval of Agreement

Resolution #2004-03-106b
Moved by Beltramini
Seconded by Eisenbacher

WHEREAS, The City Council of the City of Troy 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.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy hereby **APPROVES** an agreement as **REDRAFTED** and placed on the table with Han Mi Oriental Mart, Inc., which shall become effective upon approval of the request for a new Specially Designated Distributor (SDD) – Specially Designated Merchant (SDM) license, located at 5060 Rochester, Troy, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the document; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-6
No: None
Absent: Broomfield

1. Amendment to Rules of Procedure – Proposed by Council Member Beltramini

Resolution
Moved by Beltramini
Seconded by Stine

RESOLVED, That Council Rules of Procedure be **AMENDED** as proposed and further revised on March 1, 2004 effective at the next meeting of Council.

Vote on Amendment

Resolution
Moved by Pryor
Seconded by Howrylak

RESOLVED, That the Resolution to “*Amend the City Council Rules of Procedure – Proposed by Council Member Beltrami*” be **AMENDED** by placing non-agenda items to be addressed be placed before Reports and Communications, G items.

Vote on Postponement

Resolution #2004-03-107

Moved by Howrylak

Seconded by Eisenbacher

RESOLUTION, That the Resolution and Amendment for *Amendment to Rules of Procedure – Proposed by Councilmember Beltrami*” be **POSTPONED** until the Regular City Council Meeting scheduled for Monday, April 12, 2004.

Yes: Eisenbacher, Howrylak, Lambert, Stine

No: Pryor, Beltrami

Absent: Broomfield

MOTION CARRIED

B. Items Not on the Current Agenda

CONSENT AGENDA

E-1 Approval of Consent Agenda

Resolution #2004-03-108

Moved by Beltrami

Seconded by Lambert

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Item E-7 which was addressed under Public Comment A. and Items E-8, E-10 and E-19 which shall be considered after Consent Agenda (E) items, as printed.

Yes: All-6

No: None

Absent: Broomfield

E-2 Minutes: Regular Meetings of February 18, 2004 and February 23, 2004

Resolution #2004-03-108-E-2

RESOLVED, That the Minutes of the 7:30 PM Regular Meeting/Liquor Violation Hearings of February 18, 2004 and the Minutes of the 7:30 PM Regular Meeting of February 23, 2004 be **APPROVED** as submitted.

E-3 City of Troy Proclamation:

Resolution #2004-03-108-E-3

RESOLVED, That the following City of Troy Proclamation be **APPROVED**:(a) Purchasing Month – March 2004

E-4 Standard Purchasing Resolution 1: Award to Low Bidder - Ammunition

Resolution #2004-03-108-E-4

RESOLVED, That a one (1) year contract to furnish requirements of ammunition with an option to renew for one additional year, is hereby **AWARDED** to the low bidder, CMP Distributors, Inc. for an estimated annual cost of \$47,517.00, at unit prices contained in the bid tabulation opened January 6, 2004; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-5 Standard Purchasing Resolution 3: Exercise Renewal Option – Lawn and Yard Services/Home Chore Program

Resolution #2004-03-108-E-5

WHEREAS, On November 18, 2002, a one-year contract with an option to renew for one additional year to provide Lawn and Yard Services for the Home Chore Program was awarded to the low total bidder, Kathy's Lawn Maintenance (Resolution #2002-11-613-E-6); and

WHEREAS, Kathy's Lawn Maintenance has agreed to exercise the one-year option to renew the contract under the same pricing, terms and conditions.

NOW, THEREFORE, BE IT RESOLVED, That the option to renew the contract is hereby **EXERCISED** with Kathy's Lawn Maintenance, to provide one-year requirements of Lawn and Yard Services for the Home Chore Program at an estimated cost of \$48,968.00, under the same prices, terms, and conditions expiring April 30, 2005.

E-6 Vacation of a Storm Sewer Easement – Sidwell #88-20-28-203-035 – Drury Inn

Resolution #2004-03-108-E-6

RESOLVED, That the permanent easement for storm sewer, as conveyed to the City of Troy by Drury Inn – Troy, a Michigan Partnership and recorded in Liber 8668, Page 618 of Oakland County Register of Deeds be **VACATED**; and

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED TO RECORD** said vacation of the permanent easement with Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-9 Macomb County Animal Shelter Services

Resolution #2004-03-108-E-9

RESOLVED, That the City Council of the City of Troy hereby **APPROVES** the Agreement between Macomb County Health Department and the City of Troy dated January 1, 2004, 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.

E-11 Casualty and Property Insurance Renewal – Approval to Negotiate with the Michigan Municipal Risk Management Authority (MMRMA)

Resolution #2004-03-108-E-11

RESOLVED, That the City Manager is hereby **AUTHORIZED** to negotiate a new agreement with the Michigan Municipal Risk Management Authority (MMRMA) for the casualty and property insurance needs of the City.

E-12 Nancy Cook v. City of Troy and Ronald Makowski

Resolution #2004-03-108-E-12

RESOLVED, That the City Attorney is hereby **AUTHORIZED AND DIRECTED** to represent the City of Troy in any and all claims and damages in the matter of Nancy Cook v. City of Troy and Ronald Makowski and to retain any necessary expert witnesses to adequately represent the City.

E-13 Standard Purchasing Resolution 2: Bid Award – Lowest Bidder Meeting Specifications – Printing of Troy Today – Quarterly Newsletter

Resolution #2004-03-108-E-13

RESOLVED, That a contract to provide printing of the quarterly Troy Today newsletter for one (1) year with an option to renew for two (2) additional one-year periods is hereby **AWARDED** to the lowest acceptable bidder meeting specifications, Grand River Printing & Imaging, for an estimated annual cost of \$66,970.00, plus the actual cost of bulk rate postage; and additional charges as needed not to exceed 10% of the total contract cost or \$6,697.00, at unit prices contained in the bid tabulation opened February 11, 2004 or expire upon completion of the Spring 2005 issue; a copy of which shall be **ATTACHED** to the original Minutes of this meeting to expire upon completion of the Spring 2005 issue.

E-14 Amendment to Chapter 10 – Employees Retirement System

Resolution #2004-03-108-E-14

RESOLVED, That the ordinance to amend Chapter 10 of the City Code, Employees Retirement System, is hereby **RATIFIED** as recommended by the City Attorney; a copy of this ordinance shall be **ATTACHED** to the original Minutes of this meeting.

E-15 Standard Purchasing Resolution 1: Award to Low Bidder – Parking Lot Maintenance Program

Resolution #2004-03-108-E-15

RESOLVED, That a contract to provide Parking Lot Maintenance is hereby **AWARDED** to the low bidder, Asphalt Specialists, Inc., for an estimated total cost of \$104,290.00, at unit prices contained in the bid tabulation opened February 11, 2004; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon contractor submission of properly executed bid and contract documents, including bonds, insurance certificates and all other specified requirements, and if changes in the quantity of work is required either additive or deductive, such changes are **AUTHORIZED** in an amount not to exceed 25% of the total project cost and within budgetary limitations.

E-16 Standard Purchasing Resolution 2: Bid Award – Lowest Bidders Meeting Specifications – Type “K” Copper Tubing

Resolution #2004-03-108-E-16

RESOLVED, That contracts to purchase Type “K” Copper Tubing are hereby **AWARDED** to the low bidders meeting specifications, Linwood Pipe & Supply / A Ferguson Enterprise and SLC Meter Service, Inc. for an estimated total cost of \$864.00 and \$13,782.00 respectively, at unit prices contained in the bid tabulation opened February 6, 2004; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-17 Acceptance of Permanent Easements and Reimbursement for Landscaping in the Easement Areas – Maplelawn Road Reconstruction Project – Maple to Crooks – Project #90.903.1

Resolution #2004-03-108-E-17

RESOLVED, That the permanent easements for roadway, sidewalk, public and private utilities for the Maplelawn Road Reconstruction Project/Maple to Crooks, for the following properties as indicated by Sidwell numbers: 20-21-426-029 and 20-28-302-002, are hereby **ACCEPTED**; and

BE IT FURTHER RESOLVED, That payments be **AUTHORIZED** for the reimbursement of landscaping in the total amount of \$21,213.77; and

BE IT FINALLY RESOLVED, That the City Clerk is hereby **DIRECTED TO RECORD** said permanent easements with the Oakland County Register of Deeds; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-18 Recognition as a Nonprofit Organization Status from Somerset Collection Charitable Foundation for the Purpose of Obtaining a Charitable Gaming License

Resolution #2004-03-108-E-18

RESOLVED, That the request from the Somerset Collection Charitable Foundation, Troy, Michigan - County of Oakland, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license be **APPROVED** as recommended by City Management.

E-20 Standard Purchasing Resolution 3: Exercise Renewal Option – Printing/ Distribution of Water & Sewer Bills

Resolution #2004-03-108-E-20

WHEREAS, On March 3, 2003 a one-year contract with the option to renew for three additional one-year periods for printing/distribution of water and sewer bills was awarded to the low bidder, CDCI/Source Link, as a result of a best value process (Resolution #2003-03-126-E-15); and

WHEREAS, CDCI/Source Link has agreed to exercise the option to renew for one additional year under the same contract prices, terms, and conditions.

NOW, THEREFORE, BE IT RESOLVED, That the option to renew the contract is hereby **EXERCISED** with CDCI/Source Link to provide printing/distribution of water and sewer bills for an estimated total cost of \$13,000.00, plus the actual cost of first class postage, under the same contract prices, terms, and conditions, to expire April 30, 2005.

ITEMS TAKEN OUT OF ORDER

E-8 Summer Maintenance Agreement – R.C.O.C.

Resolution #2004-03-109
Moved by Beltramini
Seconded by Eisenbacher

RESOLVED, That the Summer Maintenance Agreement between the Board of County Road Commissioners of the County of Oakland and the City of Troy, which becomes effective on April 1, 2004, with payment by the Road Commission for Oakland County to the City of Troy in the amount of \$33,714.72, is hereby **APPROVED**, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the documents; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-6
No: None
Absent: Broomfield

E-10 Compensation for (a) City Manager and (b) City Attorney**(a) Compensation for City Manager**

Resolution #2004-03-110a
Moved by Lambert
Seconded by Stine

RESOLVED, That the salary of the City Manager **SHALL BE** \$133,786.00 per year **EFFECTIVE** January 1, 2004; and

BE IT FURTHER RESOLVED, That the City Manager **IS ELIGIBLE** for a severance benefit equal to six months of salary should he be involuntarily terminated, and **HAVE THE OPTION** of converting this pay to the equivalent years of service for his pension, along with six months of healthcare coverage; and

BE IT FURTHER RESOLVED, That the City Manager **SHALL CONTINUE** to be included in the “exempt” classification and be provided the fringe benefits of this classification; and

BE IT FINALLY RESOLVED, That the City Clerk and the Mayor are **AUTHORIZED TO EXECUTE** the City Manager’s Employment Agreement; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-6
No: None
Absent: Broomfield

(b) Compensation for City Attorney

Resolution #2004-03-110b
Moved by Lambert
Seconded by Stine

RESOLVED, That the salary of the City Attorney **SHALL BE** \$109,697.00 per year **EFFECTIVE** January 1, 2004; and

BE IT FURTHER RESOLVED, That the City Attorney **SHALL CONTINUE** to be included in the “exempt” classification and be provided the fringe benefits of this classification.

Yes: All-6
No: None
Absent: Broomfield

E-19 Authorization to Make Unconditioned Offers – Permanent Water Main Easements: Donaldson Water Main Re-placement – Project #01-504.5 – Owners: Wiktorski-Sutherland-Nagamalli

(a) Authorization to Make Unconditioned Offers-Nagamalli

Resolution #2004-03-111
 Moved by Howrylak
 Seconded by Stine

WHEREAS, In order to proceed with the proposed water main replacement on Donaldson, south of Square Lake, on schedule, it is necessary for Council to take action to approve, unconditioned offers to purchase, and court action, if necessary, in order to obtain the below listed necessary permanent water main easements:

<u>Owner</u>	<u>Pin #</u>	<u>Interest Needed</u>	<u>Appraised Value</u>
Nagamalli	20-10-126-045	13' Water Main Easement	\$1,600.00

BE IT RESOLVED, That the Real Estate and Development Department is hereby **AUTHORIZED** to make unconditioned offers for the needed permanent water main easements for the amounts of the appraisals plus closing costs.

Yes: All-6
 No: None
 Absent: Broomfield

(b) Authorization to Institute Court Action if Necessary -Nagamalli

Resolution #2004-03-112
 Moved by Pryor
 Seconded by Stine

WHEREAS, In order to proceed with the proposed water main replacement on Donaldson, south of Square Lake, on schedule, it is necessary for Council to take action to approve, unconditioned offers to purchase, and court action, if necessary, in order to obtain the below listed necessary permanent water main easements:

<u>Owner</u>	<u>Pin #</u>	<u>Interest Needed</u>	<u>Appraised Value</u>
Nagamalli	20-10-126-045	13' Water Main Easement	\$1,600.00

BE IT RESOLVED, That the City Attorney is hereby **AUTHORIZED**, if necessary, to institute condemnation litigation and to execute and deliver any and all documents and papers, and to expend necessary funds expedient for the prosecution of such proceedings or settlement of such claims on proceedings by and with the express **APPROVAL** of this Council.

Yes: Beltramini, Lambert, Stine, Pryor
 No: Eisenbacher, Howrylak
 Absent: Broomfield

MOTION CARRIED

(c) **Acceptance of Permanent Easements For Water Main – Donaldson Water Main Re-Placement – Project #01.504.5 – Owners - Wiktorski – Sutherland**

Resolution #2004-03-113
 Moved by Eisenbacher
 Seconded by Beltramini

WHEREAS, The Real Estate and Development Department has obtained the below listed Water Main Easements for the appraised values.

<u>Owner</u>	<u>Pin #</u>	<u>Interest Needed</u>	<u>Appraised Value</u>
Sutherland	20-10-126-047	10' Water Main Easement	\$3,200.00
Wiktorski	20-10-126-046	10' Water Main Easement	\$2,900.00

RESOLVED, That the Permanent Easements for Water Main, as listed, are hereby **ACCEPTED**, and;

BE IT FURTHER RESOLVED, That the City Clerk is hereby DIRECTED TO RECORD said Permanent Easements with the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-6
 No: None
 Absent: Broomfield

REGULAR BUSINESS

F-1 **Appointments to Boards and Committees: (a) Mayoral Appointments – No appointments made at this time: City Council Appointments: Historic District Commission**

(b) **City Council Appointments**

Resolution #2004-03-114
 Moved by Lambert
 Seconded by Eisenbacher

RESOLVED, That the following persons are hereby **APPOINTED BY THE CITY COUNCIL** to serve on the Boards and Committees as indicated:

Historic District Commission
Appointed by Council (7) – 3 Years

Marjorie A. Biglin Term expires 3-01-2007

Yes: All-6
 No: None
 Absent: Broomfield

Appointments Carried-Over as Item F-1 on the Next Regular City Council Meeting Agenda Scheduled for March 15, 2004:

(a) Mayoral Appointments

Economic Development Corporation

Mayor, Council Approval (9) – 6 years

Stuart F Redpath Does not wish to be reappointed Term expires 04-30-2009

_____ Term expires 04-30-2009

_____ Term expires 04-30-2009

(b) City Council Appointments

Advisory Committee for Persons with Disabilities

Appointed by Council (9 Regular, 3 Alternates) – 3 years

_____ Term expires 11-01-2006 (Alternate)

_____ Term expires 07-01-2004 (Student)

CATV Advisory Committee

Appointed by Council (7) – 3 years

_____ Term expires 2-28-2004

_____ Term expires 2-28-2004

Parks and Recreation Board

Appointed by Council (10) – 3 years

_____ Unexpired term expires 9-30-2006

Troy Daze

Appointed by Council (9) – 3 years

_____ Term expires 11-30-2004

_____ Term expires 07-01-2003 Student

F-2 Closed Session – No Closed Session required at this time.

F-3 **Community Affairs Department Renovation**

Resolution
Moved by Stine
Seconded by Beltramini

RESOLVED, That City Staff is **AUTHORIZED** to renovate office space for the Community Affairs Department and Conference Room as outlined in Appendix A, Detailed Cost Estimates at an estimated total project cost of \$65,530.00, utilizing in-house personnel, approved contracts, and standard purchasing procedures.

Resolution to Amend

Resolution
Moved by Pryor
Seconded by Eisenbacher

RESOLVED, That the Resolution be **AMENDED** by eliminating cabinetry, work-stations, chairs, desks. etc. and reduce the cost from the estimated total project cost of \$65,530.00 by approximately \$37,700.00.

Resolution to Postpone

Resolution
Moved by Howrylak
Seconded by Eisenbacher

RESOLVED, That Community Affairs Department Renovation be **POSTPONED** to the Regular City Council Meeting scheduled for Monday, June 21, 2004

Amendment to Resolution to Postpone

Resolution #2004-03-115
Moved by Beltramini
Seconded by Stine

RESOLVED, That the Resolution to Postpone be **AMENDED** by **STRIKING** "Monday, June 21, 2004" and **INSERTING** "Monday, March 15, 2004" and **INSERTING** "City Council **DIRECTS** City Management to return with revised plans."

Yes: Lambert, Stine, Pryor, Beltramini
No: Eisenbacher, Howrylak
Absent: Broomfield

MOTION CARRIED

Vote on Amended Resolution to Postpone

Resolution #2004-03-116
Moved by Howrylak
Seconded by Eisenbacher

RESOLVED, That Community Affairs Department Renovation be **POSTPONED** to the Regular City Council Meeting scheduled for Monday, March 15, 2004; and

BE IT FURTHER RESOLVED, That City Council **DIRECTS** City Management to return with revised plans.

Yes: Stine, Pryor, Beltramini, Howrylak, Lambert
No: Eisenbacher
Absent: Broomfield

MOTION CARRIED

F-4 Bid Waiver - Maintenance Contract for Sanctuary Lake Golf Course

Resolution #2004-03-117
Moved by Lambert
Seconded by Stine

WHEREAS, Douglas Treadwell Golf and Associates is the partner of Troy Golf L.L.C. that designed and is constructing the Sanctuary Lake Golf Course; and

WHEREAS, A mid-season opening date is anticipated with a smooth transition into daily operations being imperative; and

WHEREAS, Douglas Treadwell Golf and Associates has extensive knowledge of the Section One site and the golf course development and maintenance activities; and

WHEREAS, A mid-season switch to another company or City Staff is disruptive to the entire golf operation.

NOW, THEREFORE, BE IT RESOLVED, That staff is **AUTHORIZED** to prepare contract documents for Douglas Treadwell Golf and Associates to provide golf maintenance through November 30, 2004 at an estimated cost of \$480,400.00 provided the course opens June 1, 2004 and pro-rated thereafter; and

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon contractor submission of properly executed contract documents, including bonds, insurance certificates and any other requirements deemed necessary by City Staff; and **AUTHORIZATION IS GRANTED** to add or delete work due to weather conditions, not to exceed 10% of the original project cost or \$48,040.00.

Yes: Pryor, Beltramini, Eisenbacher, Lambert, Stine
No: Howrylak

Absent: Broomfield

MOTION CARRIED

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

The meeting **RECONVENED** at 9:28 PM.

F-5 City of Troy Resolution: Requesting Michigan Legislature to Correct Assessment Inequity

Resolution #2004-03-118

Moved by Stine

Seconded by Beltramini

WHEREAS, The Michigan Supreme Court issued a decision in the *WPW Acquisitions v City of Troy* case concerning the assessment of property taxes on commercial properties; and

WHEREAS, The Supreme Court's decision has resulted in inequities as it relates to property assessments whose value is based on occupancy rates; and

WHEREAS, The WPW decision declared the "additions" language for increase in occupancy is unconstitutional but did not address the offsetting "loss" language, which has a large impact on many properties in the State; and

WHEREAS, Prior to this decision a commercial/industrial property owner could work with their local assessor for assessment relief if the property's occupancy rate dropped (loss), and subsequently, when the occupancy rate improved the assessment would return to a stabilized level when the occupancy recovered (addition); and

WHEREAS, This was a fair and reasonable way to help property owners who were struggling with a particular property, and the "addition" and "loss" sections of the statute worked in harmony, providing temporary relief for decrease in occupancy; and

WHEREAS, Since the "addition" section of the statute has been ruled unconstitutional, commercial property owners can now manipulate the system by decreasing their occupancy level to achieve a permanent reduction in their Taxable Value and then lock in non-market property taxes at a reduced level; and

WHEREAS, The decision unintentionally rewards those commercial property owners who operate inefficiently and maintain high vacancy rates while penalizing those property managers who offer competitive lease rates; and

WHEREAS, The decision is unfair to residential taxpayers as the resulting effect will shift the property tax burden to residential taxpayers over time since, theoretically, property taxes collected from commercial properties as a percentage of total tax revenues will decrease; and

WHEREAS, The potential loss in property tax revenue within the City of Troy as a result of the Supreme Court decision is significant. Such potential revenue loss will not only impact the City

of Troy, but also the County of Oakland, Troy School District, the State of Michigan Education Tax, Oakland Intermediate School District, and Oakland Community College.

NOW THEREFORE BE IT RESOLVED, That the City of Troy strongly urges its State Legislators to re-establish tax equity and correct the impact of the WPW Acquisitions v City of Troy decision by supporting legislation to remove both the additions and losses sections of the General Property Tax Act (MCL 211.34d(1)(b)(vii) and 211.34d(1)(h)(iii)).

BE IT FURTHER RESOLVED, That copies of this resolution be sent to State Senator Shirley Johnson and State Representative John Pappageorge who represent the City of Troy.

Yes: All-6
No: None
Absent: Broomfield

F-6 Alternate Dispatch Center (ADC) Relocation Budget

Resolution #2004-03-119
Moved by Beltramini
Seconded by Stine

RESOLVED, That the Troy City Council hereby **APPROVES** the budget for the moving of the Alternate Dispatch Center from the Department of Public Works to the Troy Police and Fire Training Center for a cost not to exceed \$47,000.00.

Yes: All-6
No: None
Absent: Broomfield

F-7 Environment Impact Statement for Widening and Reconstruction of I-75 from M-102 to M-59

Resolution #2004-03-120
Moved by Beltramini
Seconded by Lambert

WHEREAS, Improvements to the I-75 Corridor such as additional lanes on I-75, interchange improvements and local roadway improvements are overdue, and are recommended by the I-75 corridor study; and

WHEREAS, The lack of these improvements continues to exacerbate traffic congestion concerns in the City and the region.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy **RECOMMENDS** that the Draft Environmental Impact Statement for the I-75 Corridor Study be approved by the Federal Highway Administration and **ENCOURAGES** communities along I-75 to support the DEIS, for the timely approval of federal funds for the completion of the recommended improvements.

Yes: All-6
No: None
Absent: Broomfield

COUNCIL COMMENTS

There was a consensus of City Council to **DIRECT** City Management to set a tentative joint meeting with the Parks and Recreation Advisory Board on Monday, March 29, 2004 in the Lower Level Conference Room.

COUNCIL REFERRALS

REPORTS AND COMMUNICATIONS

G-1 Minutes – Boards and Committees:

- (a) Parks and Recreation Advisory Board/Final – November 13, 2003
 - (b) Troy Daze/Final – November 25, 2003
 - (c) Library Board/Final – January 8, 2004
 - (d) Parks and Recreation Advisory Board/Final – January 8, 2004
 - (e) Planning Commission Special-Study/Final – January 27, 2004
 - (f) Ethnic Issues Advisory Board/Final – February 3, 2004
 - (g) Planning Commission Special-Study/Final – February 3, 2004
 - (h) Employees' Retirement System Board of Trustees/Draft – February 11, 2004
 - (i) Library Board/Draft – February 12, 2004
 - (j) Board of Zoning Appeals – February 17, 2004
- Noted and Filed
-

G-2 Department Reports:

- (a) 2003 Police Department Calls for Service
- Noted and Filed
-

G-3 Announcement of Public Hearings:

- (a) Commercial Vehicle Appeal – 1918 Muer – Scheduled for March 22, 2004
 - (b) Parking Variance Request – 3614-3674 Rochester Road – Scheduled for March 22, 2004
- Noted and Filed
-

G-4 Green Memorandums: None submitted.

G-5 Proposed Proclamations/Resolutions from Other Organizations:

- (a) City of Farmington Hills – Resolution - Urging Regulation of Cable Television Rates
- Noted and Filed
-

G-6 Calendar

Noted and Filed

G-7 Letters of Appreciation:

- (a) E-Mail from Leonard Bertin Commending Laura Fitzpatrick on Her Thoroughness in the Role She Played in the Civic Center Priority Task Force (CCPTF) Report
Noted and Filed
-

G-8 Letter to U.S. Senator Carl Levin, Re: Use of CMAQ Transportation Funds for Operations of ITS Programs

G-9 Memorandum, Re: Report on 2003 Sidewalk Waivers

G-10 Memorandum, Re: Cricket Field at Boulan Park
Noted and Filed

PUBLIC COMMENT

STUDY ITEMS – No study items submitted.

The meeting **ADJOURNED** at 9:50PM.

Matt Pryor, Mayor

Tonni L. Bartholomew, MMC - City Clerk

A Regular Meeting of the Troy City Council was held Wednesday, March 3, 2004, at City Hall, 500 W. Big Beaver Road. Mayor Pro Tem Lambert called the Meeting to order at 7:39 P.M.

The Invocation was given by Council Member Beltramini and the Pledge of Allegiance to the Flag was given.

ROLL CALL

PRESENT: Mayor Matt Pryor (Arrived 7:40 PM)
 Robin E. Beltramini
 Cristina Broomfield
 David Eisenbacher
 Martin F. Howrylak (Arrived 7:41 PM)
 David A. Lambert
 Jeanne M. Stine

ABSENT: Cristina Broomfield

Resolution to Excuse Council Member Broomfield

Resolution #2004-03-121
 Moved by Beltramini
 Seconded by Stine

RESOLVED, That Council Member Broomfield's absence at the Regular City Council/Liquor Violation Hearings meeting of Wednesday, March 3, 2004 **BE EXCUSED** due to her absence from the county.

Yes: All-5
 No: None
 Absent: Broomfield, Howrylak

OUTLINE OF PUBLIC HEARING PROCEDURE

The City Attorney suggests the following outline of procedure for consideration of liquor violations:

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

8. If the licensee offers evidence from witnesses who have not been previously sworn, the City Clerk should swear those witnesses.
9. Once the licensee has concluded his presentation, the Assistant City Attorney should be given an opportunity for rebuttal, if any is desired.
10. City Council members may ask questions at any time, but it is suggested that this questioning by Council members be conducted after the parties conclude their presentations.
11. When the presentation of evidence is concluded, the matter returns to the City Council for public comment, discussion, deliberation, and resolution.

PUBLIC COMMENT:

A. Items on the Current Agenda

PUBLIC HEARINGS

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

Liquor Violations (SDD/SDM):

- a) Name: Kelly's Market, Inc. (dba: Kelly's Market)
Address: 6037 Rochester Road
License No.: SDD (15846-2002) & SDM (17017-2002)
- b) Name: Rite Aid of Michigan, Inc. (dba: Rite Aid Discount Pharmacy #4268)
Address: 3986 John R
License No.: SDD (11763-2002) & SDM (4339-2002)
- c) Name: Shuwayhat Market, Inc. (dba: John's Market)
Address: 75 E Square Lake
License No.: SDD (17367-2002) & SDM (17655-2002)
- d) Name: Czaryd Enterprises, Inc. (dba: Troy Party Store)
Address: 6990 John R
License No.: SDD (15685-2002) & SDM (11856-2002)
- e) Name: Bormans, Inc. (dba: Farmer Jack Supermarket #789)
Address: 2105 W South Blvd.
License No.: SDM (18011-2002)
- f) Name: Rite Aid of Michigan, Inc. (dba: Rite-Aid Pharmacy #2731)
Address: 1981 W South Blvd.
License No.: SDM (78430-2003)
- g) Name: Troy Paradise, Inc. (dba: Troy Paradise Party Store)
Address: 5945 John R
License No.: SDD (115945-2002) & SDM (115365-2002)

Postponed Liquor Violations (Class C):

- a) Name: Mon Jin Lau, Inc. (dba: Mon Jin Lau)
Address: 1515 E. Maple
License No.: Class C (353-2002)
- b) Name: Hooter’s of Troy, Inc. (dba: Hooter’s)
Address: 1686 John R
License No.: Class C (1737-2002)

1.0 Liquor Violations (SDD-SDM): (a) Kelly’s Market, Inc. (dba: Kelly’s Market); (b) Rite Aid of Michigan, Inc. (dba: Rite Aid Discount Pharmacy #4268); (c) Shuwayhat Market, Inc. (dba: John’s Market); (d) Czaryd Enterprises, Inc. (dba: Troy Party Store); (e) Borman’s Inc. (dba: Farmer Jack Supermarket #789); (f) Rite Aid of Michigan, Inc. (dba: Rite-Aid Pharmacy #2731); and (g) Troy Paradise, Inc. (dba: Troy Paradise Party Store)

(a) Kelly’s Market, Inc. (dba: Kelly’s Market)

Resolution #2004-03-122
Moved by Beltramini
Seconded by Eisenbacher

RESOLVED, That **NO ACTION** be taken at this time on the pending resolution of the identification court case in regard to Kelly’s Market, Inc.

Yes: All-6
No: None
Absent: Broomfield

Suspend City Council Rules # 5 and Change Order of Business

Resolution #2004-03-123
Moved by Lambert
Seconded by Stine

RESOLVED, That City Council **SUSPEND** Rules of Procedure #5 and move forward 2.0 (a) Mon Jin Lau on the current agenda.

Yes: All-6
No: None
Absent: Broomfield

2.0 Liquor Violations (Class C): (a) Mon Jin Lau, Inc. (dba: Mon Jin Lau)**(a) Mon Jin Lau, Inc. (dba: Mon Jin Lau)**

Resolution

Moved by Stine

Seconded by Lambert

WHEREAS, The City Council of the City of Troy has reviewed the following infractions of liquor control codes and regulations and/or ordinances of the State of Michigan and/or the City of Troy respectively; and

WHEREAS, The City Council has given public notice that it will deliberate and determine whether to adopt a resolution to recommend to the Michigan Liquor Control Commission that the license not be renewed after a Public Hearing on Wednesday, March 3, 2004, for the following licensed establishment:

Name: Mon Jin Lau, Inc. (dba: Mon Jin Lau)
 Address: 1515 E. Maple
 License No.: Class C (353-2002)

and having found violation for the following codes and/or regulations: SALE TO MINOR (Compliance Test) on October 29, 2003; and

WHEREAS, This licensee had prior violations dated October 15, 1978 – Sale to Minor; June 17, 1992 – Sale to Minor (Compliance Test); August 11, 1994 – Sale to Minor (Compliance Test); October 19, 2000 – Sale to Minor (Compliance Test); and

WHEREAS, After due notice the licensee was given opportunity to review these cited infractions, and opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, March 3, 2004;

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that after due notice, appropriate hearing and deliberations, and having made findings, it is recommended to the Michigan Liquor Control Commission that License Number 353-2002 (Class C) in the name of Mon Jin Lau, Inc., in the City of Troy, **BE RENEWED**; and a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission.

Vote on Resolution to Amend

Resolution #2004-03-124

Moved by Beltramini

Seconded by Eisenbacher

RESOLVED, That the Resolution for Mon Jin Lau, Inc. be **AMENDED** by **INSERTING**, “with the **STIPULATION** that all staff is to be recertified and the Troy Police Department notified within six months, and *Employee Acknowledgements* will be signed by all employees.

Yes: All-6

No: None
Absent: Broomfield

Vote on Amended Resolution

Resolution #2004-03-125
Moved by Stine
Seconded by Lambert

WHEREAS, The City Council of the City of Troy has reviewed the following infractions of liquor control codes and regulations and/or ordinances of the State of Michigan and/or the City of Troy respectively; and

WHEREAS, The City Council has given public notice that it will deliberate and determine whether to adopt a resolution to recommend to the Michigan Liquor Control Commission that the license not be renewed after a Public Hearing on Wednesday, March 3, 2004, for the following licensed establishment:

Name: Mon Jin Lau, Inc. (dba: Mon Jin Lau)
Address: 1515 E. Maple
License No.: Class C (353-2002)

and having found violation for the following codes and/or regulations: SALE TO MINOR (Compliance Test) on October 29, 2003; and

WHEREAS, This licensee had prior violations dated October 15, 1978 – Sale to Minor; June 17, 1992 – Sale to Minor (Compliance Test); August 11, 1994 – Sale to Minor (Compliance Test); October 19, 2000 – Sale to Minor (Compliance Test); and

WHEREAS, After due notice the licensee was given opportunity to review these cited infractions, and opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, March 3, 2004;

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that after due notice, appropriate hearing and deliberations, and having made findings, it is recommended to the Michigan Liquor Control Commission that License Number 353-2002 (Class C) in the name of Mon Jin Lau, Inc., in the City of Troy, **BE RENEWED** with the **STIPULATION** that all staff is to be recertified and the Troy Police Department notified within six months, and *Employee Acknowledgements* will be signed by all employees; and a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission.

Yes: All-6
No: None
Absent: Broomfield

(b) Rite Aid of Michigan, Inc. (dba: Rite Aid Discount Pharmacy #4268)

Resolution
Moved by Eisenbacher

Seconded by Beltramini

WHEREAS, The City Council of the City of Troy has reviewed the following infractions of liquor control codes and regulations and/or ordinances of the State of Michigan and/or the City of Troy respectively; and

WHEREAS, The City Council has given public notice that it will deliberate and determine whether to adopt a resolution to recommend to the Michigan Liquor Control Commission that the license be revoked after Public Hearing on Wednesday, March 3, 2004 for the following licensed establishment:

Name: Rite Aid of Michigan, Inc. (dba: Rite Aid Discount Pharmacy #4268)
Address: 3986 John R
License No.: SDD (11763-2002) & SDM (4339-2002)

and having found violation of the following codes and/or regulations;

SALE TO MINOR (MLCC Compliance Test), July 11, 2003; and

WHEREAS, This licensee has had prior violations dated: December 9, 1996 – Sale to Minor (Compliance Insp.); October 28, 1998 – Sale to Minor (Compliance Insp.); October 27, 1999 – Sale to Minor (Compliance Test); April 24, 2001 – Sale to Minor (Compliance Test); February 28, 2002 - Sale to Minor (Compliance Test); and

WHEREAS, After due notice the licensee was given opportunity to review these cited infractions, and opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, March 3, 2004.

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that after due notice, appropriate hearing and deliberations, and having made findings, it is **RECOMMENDED** to the Michigan Liquor Control Commission that License Number SDD (11763-2002) and SDM (4339-2002) in the name of Rite Aid of Michigan, Inc. in the City of Troy, **NOT BE REVOKED** with the **STIPULATION** that the Licensee provide evidence that an identification card scanning device is installed and all employees are recertified within ninety (90) days; and a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission.

Vote on Amendment

Resolution #2004-03-126
Moved by Eisenbacher
Seconded by Beltramini

RESOLVED, That the Resolution be **AMENDED** by **INSERTING**, “that the Troy Police Department continue monthly surveillance of compliance at this location.”

Yes: All-6
No: None
Absent: Broomfield

Vote on Amended Resolution

Resolution #2004-03-127
 Moved by Eisenbacher
 Seconded by Beltramini

WHEREAS, The City Council of the City of Troy has reviewed the following infractions of liquor control codes and regulations and/or ordinances of the State of Michigan and/or the City of Troy respectively; and

WHEREAS, The City Council has given public notice that it will deliberate and determine whether to adopt a resolution to recommend to the Michigan Liquor Control Commission that the license be revoked after Public Hearing on Wednesday, March 3, 2004 for the following licensed establishment:

Name: Rite Aid of Michigan, Inc. (dba: Rite Aid Discount Pharmacy #4268)
 Address: 3986 John R
 License No.: SDD (11763-2002) & SDM (4339-2002)

and having found violation of the following codes and/or regulations;

SALE TO MINOR (MLCC Compliance Test), July 11, 2003; and

WHEREAS, This licensee has had prior violations dated: December 9, 1996 – Sale to Minor (Compliance Insp.); October 28, 1998 – Sale to Minor (Compliance Insp.); October 27, 1999 – Sale to Minor (Compliance Test); April 24, 2001 – Sale to Minor (Compliance Test); February 28, 2002 - Sale to Minor (Compliance Test); and

WHEREAS, After due notice the licensee was given opportunity to review these cited infractions, and opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, March 3, 2004.

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that after due notice, appropriate hearing and deliberations, and having made findings, it is **RECOMMENDED** to the Michigan Liquor Control Commission that License Number SDD (11763-2002) and SDM (4339-2002) in the name of Rite Aid of Michigan, Inc. in the City of Troy, **NOT BE REVOKED** with the **STIPULATION** that the Licensee provide evidence that an identification card scanning device is installed and all employees are recertified within ninety (90) days, and that the Troy Police Department continue monthly surveillance of compliance at this location; and a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission.

Yes: Pryor, Beltramini, Eisenbacher, Howrylak, Stine
 No: Lambert
 Absent: Broomfield

MOTION CARRIED

(c) Shuwayhat Market, Inc. (dba: John's Market)

Resolution #2004-03-128
Moved by Stine
Seconded by Lambert

WHEREAS, The City Council of the City of Troy has reviewed the following infractions of liquor control codes and regulations and/or ordinances of the State of Michigan and/or the City of Troy respectively; and

WHEREAS, The City Council has given public notice that it will deliberate and determine whether to adopt a resolution to recommend to the Michigan Liquor Control Commission that the license be revoked after Public Hearing on Wednesday, March 3, 2004 for the following licensed establishment:

Name: Shuwayhat Market, Inc. (dba: John's Market)
Address: 75 E Square Lake
License No.: SDD (17367-2002) & SDM (17655-2002)

and having found violation of the following codes and/or regulations; SALE TO MINOR, March 24, 2003 (Compliance Test); and

WHEREAS, This licensee has had prior violations dated: October 23, 1987 – Sale to Minor (Compliance Test); September 2, 1988 – Sale to Minor (Compliance Test); and May 10, 2001 – Sale to Minor (Compliance Test); and

WHEREAS, After due notice the licensee was given opportunity to review these cited infractions, and opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, March 3, 2004.

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that after due notice, appropriate hearing and deliberations, and having made findings, it is **RECOMMENDED** to the Michigan Liquor Control Commission that License Number SDD (17367-2002) and SDM (17655-2002) in the name of Shuwayhat Market, Inc. in the City of Troy, **NOT BE REVOKED**; and a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission.

Yes: All-6
No: None
Absent: Broomfield

The meeting **RECESSED** at 8:53 PM.

The meeting **RECONVENED** at 9:14 PM.

(d) Czaryd Enterprises, Inc. (dba: Troy Party Store)

Resolution #2004-03-129
Moved by Beltramini
Seconded by Stine

WHEREAS, The City Council of the City of Troy has reviewed the following infractions of liquor control codes and regulations and/or ordinances of the State of Michigan and/or the City of Troy respectively; and

WHEREAS, The City Council has given public notice that it will deliberate and determine whether to adopt a resolution to recommend to the Michigan Liquor Control Commission that the license be revoked after Public Hearing on Wednesday, March 3, 2004 for the following licensed establishment:

Name: Czaryd Enterprises, Inc. (dba: Troy Party Store)
Address: 6990 John R
License No.: SDD (15685-2002) & SDM (11856-2002)

and having found violation of the following codes and/or regulations; SALE TO MINOR (Compliance Test), October 27, 2003; and

WHEREAS, This licensee has had prior violations dated: May 18, 1984 – Sale to Minor (Patrol Observ.); August 24, 1998 – Sale to Minor (MLCC Compliance Test); and

WHEREAS, After due notice the licensee was given opportunity to review these cited infractions, and opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, March 3, 2004.

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that after due notice, appropriate hearing and deliberations, and having made findings, it is **RECOMMENDED** to the Michigan Liquor Control Commission that License Number SDD (15685-2002) and SDM (11856-2002) in the name of Czaryd Enterprises, Inc. in the City of Troy, **NOT BE REVOKED** with the **STIPULATION** that proof of certification is submitted within ninety (90) days; and a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission.

Yes: All-6
No: None
Absent: Broomfield

(e) Bormans, Inc. (dba: Farmer Jack Supermarket #789)

Resolution #2004-03-130
Moved by Stine
Seconded by Beltramini

WHEREAS, The City Council of the City of Troy has reviewed the following infractions of liquor control codes and regulations and/or ordinances of the State of Michigan and/or the City of Troy respectively; and

WHEREAS, The City Council has given public notice that it will deliberate and determine whether to adopt a resolution to recommend to the Michigan Liquor Control Commission that the license be revoked after Public Hearing on Wednesday, March 3, 2004 for the following licensed establishment:

Name: Bormans, Inc. (dba: Farmer Jack Supermarket #789)
 Address: 2105 W South Blvd.
 License No.: SDM (18011-2002)

and having found violation of the following codes and/or regulations; SALE TO MINOR (Compliance Test), March 24, 2003; and

WHEREAS, This licensee has had prior violations dated: October 24, 2000 – Sale to Minor (Compliance Test); April 24, 2001 – Sale to Minor (Compliance Test); and

WHEREAS, After due notice the licensee was given opportunity to review these cited infractions, and opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, March 3, 2004.

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that after due notice, appropriate hearing and deliberations, and having made findings, it is **RECOMMENDED** to the Michigan Liquor Control Commission that License Number SDM (18011-2002) in the name of Bormans, Inc. in the City of Troy, **NOT BE REVOKED** with the **STIPULATION** that the Licensee forward verification of training scheduled to take place on April 9, 2004 within ninety (90) days; and a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission.

Yes: Howrylak, Stine, Pryor, Beltramini, Eisenbacher
 No: Lambert
 Absent: Broomfield

MOTION CARRIED

(f) Rite Aid of Michigan, Inc. (dba: Rite-Aid Pharmacy #2731)

Resolution #2004-03-131
 Moved by Beltramini
 Seconded by Howrylak

WHEREAS, The City Council of the City of Troy has reviewed the following infractions of liquor control codes and regulations and/or ordinances of the State of Michigan and/or the City of Troy respectively; and

WHEREAS, The City Council has given public notice that it will deliberate and determine whether to adopt a resolution to recommend to the Michigan Liquor Control Commission that the license be revoked after Public Hearing on Wednesday, March 3, 2004 for the following licensed establishment:

Name: Rite Aid of Michigan, Inc. (dba: Rite-Aid Pharmacy #2731)
 Address: 1981 W South Blvd.
 License No.: SDM (78430-2003)

and having found violation of the following codes and/or regulations; SALE TO MINOR (Compliance Test), June 19, 2003; and

WHEREAS, This licensee has had a prior violation dated: February 28, 2002 – Sale to Minor (Compliance Test); and

WHEREAS, After due notice the licensee was given opportunity to review these cited infractions, and opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, March 3, 2004.

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that after due notice, appropriate hearing and deliberations, and having made findings, it is **RECOMMENDED** to the Michigan Liquor Control Commission that License Number SDM (78430-2003) in the name of Rite Aid of Michigan, Inc. in the City of Troy, **NOT BE REVOKED** with the **STIPULATION** that an identification optical scanner be installed and all cash register personnel including the pharmacy personnel be retrained with TIPS and TAMS within ninety (90) days and notification forwarded to the Troy Police Department; and a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission.

Yes: All-6
No: None
Absent: Broomfield

(g) Troy Paradise, Inc. (dba: Troy Paradise Party Store)

Resolution #2004-03-132
Moved by Stine
Seconded by Lambert

WHEREAS, The City Council of the City of Troy has reviewed the following infractions of liquor control codes and regulations and/or ordinances of the State of Michigan and/or the City of Troy respectively; and

WHEREAS, The City Council has given public notice that it will deliberate and determine whether to adopt a resolution to recommend to the Michigan Liquor Control Commission that the license be revoked after Public Hearing on Wednesday, March 3, 2004 for the following licensed establishment:

Name: Troy Paradise, Inc. (dba: Troy Paradise Party Store)
Address: 5945 John R
License No.: SDD (115945-2002) & SDM (115365-2002)

and having found violation of the following codes and/or regulations; SALE TO MINOR (Compliance Test), March 24, 2003; and

WHEREAS, This licensee has had no prior violations; and

WHEREAS, After due notice the licensee was given opportunity to review these cited infractions, and opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, March 3, 2004.

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that after due notice, appropriate hearing and deliberations, and having made findings, it is **RECOMMENDED** to the Michigan Liquor Control Commission that License Number SDD (115945-2002) and SDM (115365-2002) in the name of Troy Paradise, Inc. in the City of Troy, **NOT BE REVOKED** with the **STIPULATION** that all employees be TIPS and TAMS trained and that the Licensee provide proof of training to the Troy Police Department within ninety (90) days ; and a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission.

Yes: All-6
No: None
Absent: Broomfield

POSTPONED PUBLIC HEARING

2.0 Liquor Violations (Class C): (a) Mon Jin Lau, Inc. (dba: Mon Jin Lau)- Moved forward on the agenda and (b) Hooter's of Troy, Inc. (dba: Hooter's)

Note: Mon Jin Lau was moved forward.

(b) Hooter's of Troy, Inc. (dba: Hooter's)

Resolution #2004-02-133
Moved by Beltramini
Seconded by Stine

WHEREAS, The City Council of the City of Troy has reviewed the following infractions of liquor control codes and regulations and/or ordinances of the State of Michigan and/or the City of Troy respectively; and

WHEREAS, The City Council has given public notice that it will deliberate and determine whether to adopt a resolution to recommend to the Michigan Liquor Control Commission that the license not be renewed after a Public Hearing on Wednesday, March 3, 2004, for the following licensed establishment:

Name: Hooter's of Troy, Inc. (dba: Hooter's)
Address: 1686 John R
License No.: Class C (1737-2002)

and, having found violation for the following codes and/or regulations: SALE TO MINOR (Compliance Test) on April 23, 2003; and

WHEREAS, This licensee had a prior violation dated November 22, 2001 – Serve Intoxicated Person (Traffic Accident); and

WHEREAS, After due notice the licensee was given opportunity to review these cited infractions, and opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, March 3, 2004;

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that after due notice, appropriate hearing and deliberations, and having made findings, it is recommended to the Michigan Liquor Control Commission that License Number 1737-2002 (Class C) in the name of Hooter’s of Troy, Inc., in the City of Troy, **BE RENEWED** with the **STIPULATION** that the employee policy document will be amended to reflect that all patrons appearing to be 35 or younger must produce identification and no server will be able to serve alcohol until they have received *Bar Code* training with the understanding that the Troy Police Department must also confirm that the *Bar Code* training is substantially the same as the TIPS and TAMS training; and a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission.

Yes: All-6
No: None
Absent: Broomfield

The meeting **ADJOURNED** at 10:35 PM.

Matt Pryor, Mayor

Barbara A. Holmes, CMC – Deputy City Clerk

March 1, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services
Jeanette Bennett, Purchasing Director
Carol K. Anderson, Director of Parks and Recreation

SUBJECT: **Agenda Item-** Standard Purchasing Resolution 1: Award To Low Bidder-
Fertilization Services at Sylvan Glen Golf Course

RECOMMENDATION

On January 27, 2004, bid proposals were opened to furnish one-year requirements of Fertilization Services at Sylvan Glen Golf Course with an option to renew for one (1) additional year. City management recommends a contract be awarded to the low bidder, Simplot Partners, 24800 N. Industrial Drive, Farmington Hills, MI. 48335, (248) 474-7474 for an estimated total cost of \$26,360.00, at unit prices contained in the attached bid tabulation, contingent upon submission of proper insurance certificates, and all specified requirements.

PROPOSAL:

PROPOSALS/ Estimated Quantity	DESCRIPTION:	PRICING: Cost per Acre per Application 2004	NET TOTAL: Per Application(s) 2004
A. 50 Acres Total (Two 25 acres) Applications	For Golf Course Fairways –Two (2) Applications of 22-2-19 with 86% Polyon and 80% Polymer Coated Potassium with Small Mini Prills i.e. greens particle size	\$ <u>218.85</u>	\$ <u>\$10,942.50</u>
B. 82 Acres/ Application	For Golf Course Roughs – One (1) Application of 25-3-14 with 82% Polyon and 57% Polymer Coated Potassium Regular standard grade particle size	\$ <u>188.02</u>	\$ <u>15,417.64</u>
<u>Estimated Total All Awarded Items</u>			<u>\$26,360.14</u>

SUMMARY

This contract is for various fertilization activities on golf course fairways, and roughs turfgrass areas, including application services. The manufactured fertilizer material is to be provided in BULK FORM- NO BAGGED MATERIAL- and application equipment used on golf course turfgrass areas, shall be capable of handling the bulk fertilizer material.

March 1, 2004

To: John Szerlag, City Manager

Re: Bid Award – Fertilizer Application Services Sylvan Glen Golf Course

BUDGET

Funds for these services are available in the Sylvan Glen Golf Course Contract Grounds Maintenance Account # 785.7802.050.

85 Vendors Notified on MITN System

3 Bid Responses Received

1 Bid Withdrawn

2 No Bids: (1) Company not interested at this time.

(1) Company does not provide type of service specified.

Opening Date -- 1-27-04
 Date Prepared -- 3/1/04

CITY OF TROY
 BID TABULATION
 FERTILIZATION SERVICES - GOLF COURSE

VENDOR NAME:

* SIMPLOT	DAVEY GOLF	EXCELL
PARTNERS		LANDSCAPING
		- WITHDREW BID -

PROPOSAL -- FURNISH ONE (1) YEAR REQUIREMENTS OF FERTILIZER APPLICATION SERVICES WITH AN OPTION TO RENEW FOR AN ADDITIONAL YEAR IN ACCORDANCE WITH THE SPECIFICATIONS

PROPOSAL "A"			
For Golf Course Fairways 2004			
50 Acres	Cost per Acre Application:	\$ 218.85	WITHDREW (\$73.00)
(Two 25 Acres Applications)			
PROPOSAL "B"			
For Golf Course Roughs 2004			
82 Acres	Cost per Acre Application:	\$ 188.02	WITHDREW (\$45.00)
ESTIMATED GRAND TOTAL PROPOSALS 'A-B':		* \$ 26,360.14	\$ 41,760.00
SITE INSPECTION:	Y/N	YES	YES
	DATE	10/13/03	MULTIPLE TIMES
INSURANCE:	Can Meet	XX	XX
	Cannot Meet		
ALTERNATE INSURANCE:	POLLUTION COVERAGE		
	Can Meet	XX	BLANK
	Cannot Meet	W/LIMITATIONS	
BIDDER'S QUESTIONNAIRE	Y or N	YES	YES
TERMS:		NET DUE 45 DAYS	BLANK
WARRANTY:		NONE	BLANK
EXCEPTIONS:		NO EXCEPTIONS OR SUBSTITUTIONS	NONE
ACKNOWLEDGEMENT - SIGNED	Y or N	YES	YES

NO BIDS:

Owen Tree Service
 United Horticultural Supply

* DENOTES LOW BIDDER

ATTEST:

Marvin Ash
 Charlene McComb
 Linda Bockstanz

Jeanette Bennett
 Purchasing Director



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Downloading History for ITB-COT 03-44GCFertiliz

The report below shows all fax and e-mail vendors that matched this document when it was originally issued. It also shows all vendors that have downloaded or ordered the document and any subsequent amendments as of 3/1/2004.

Document Title:	Fertilization Services at Sylvan Glen Golf Course
Date Issued:	1/6/2004
Close Date:	1/27/2004

Click on the table headings for "Account Number" or "Company name" to re-sort this report by that column. You may also click on any vendor account number to view their account information.

Acct #	Company Name	Service	Date Obtained Document	Date Obtained Amendments
13870	A.G. Housey Company, Inc.	E-mail	1/9/2004	
10239	Advanced Irrigation Systems, Inc.	Fax		
12306	Advanced Services Lawn and Landscape	E-mail		
14952	All State Tree & Lawn, Inc.	E-mail		
14581	American Sprinkler	E-mail		
11191	Artistic Outdoor Services Inc.	E-mail		
12114	B & B Lawn Service	Fax		
10927	B & L Landscaping	Fax		
14182	B2 INC	Free	1/9/2004	
13835	Backer Landscaping, Inc.	Free	1/7/2004	
15144	Carso, Inc.	Free	1/21/2004	
14019	Cornerstone Landscape Design, Inc.	E-mail		
14524	Cusimano's Cleaning & Janitorial	Fax		
11681	D and J Lawn and Snow Corp.	E-mail		
15620	D. A. Alexander & Company	E-mail	1/13/2004	
13953	Davey Commercial Grounds Management	Fax	1/23/2004	
14183	Donnelly Bros. Landscape & Snow Removal, Inc.	E-mail		
10657	Envision Enterprises	E-mail		
13905				

	Excell Landscaping	Free	1/26/2004	
11528	Fazal Khan & Assocaites	E-mail		
10091	Fitzgerald Henne & Associates	E-mail		
11201	Fosmore Trucking and Maintenance	E-mail		
15063	G.D.M. Lawn Care	E-mail		
14623	Gene's Landscape Service Co.	E-mail		
10938	Great Lakes Landscaping & Construction Inc.	Fax	1/20/2004	
15570	Great Lakes Turf, LLC	E-mail	1/19/2004	
14169	Greentrees, Inc.	Fax		
15149	HAWTHORNE TREE & LAWN CARE INC.	Fax	1/16/2004	
15490	Hutch Paving, Inc.	Free	1/14/2004	
15797	J MOLLEMA & SON INC	Free	1/29/2004	
13603	JB Maintenance	E-mail		
15760	K & K Construction and Landscapin g LLC	E-mail	1/26/2004	
15287	K&G Services, Inc.	Free	1/13/2004	
15135	Kappy Industries Inc	Free	1/13/2004	
12606	KDS Landscape	Fax		
14108	Kevin's Lawn Care & Snow Removal	E-mail		
13963	Kristel Cleaning, Inc	E-mail	1/13/2004	
14891	Lawn Barber Inc.	Fax		
13464	Loch Le Monde Landscapes	Free	1/7/2004	
10884	Maged Contracting, Inc.	Fax		
11638	Michigan Playgrounds, Inc.	E-mail		
11953	MichiSCAPE, Inc.	E-mail		
11639	Mike's Tree Surgeons, Inc.	E-mail		
15353	MOTOR CITY SCOREBOARD CO.	Free	1/13/2004	
10426	Mt. Vernon Tree & Landscaping Inc.	E-mail		
15487	Nihranz Landscaping Inc.	E-mail	1/6/2004	
14529	Northwood Contracting Incorporated	Fax	1/6/2004	
15737	Oakland Outdoors Inc.	E-mail	1/25/2004	
11073	Oscar W. Larson Co.	E-mail		
10203	Owen Tree Service, Inc.	E-mail	1/6/2004	
10061	Parks Landscaping & Snow Service	E-mail	1/11/2004	
10065	Payne Landscaping, Inc.	E-mail		
11072	Peltz Sodding, Inc.	Fax		
11344	Premium Sevices, Inc	E-mail		
10449	Pro Mow Lawn Services	E-mail		
10207	Rasins Landscape & Assoc., Inc.	E-mail		
11720	Rolar Property Services Inc.	E-mail		
10401	Rumptz Landscape & Design	E-mail		
12936	SHERMAN NURSERY FARMS	E-mail		
10703	Simplot Partners	E-mail	1/14/2004	

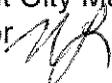
13730	SMART Management Group, LLC	E-mail		
13914	Steele's Service's LLC	E-mail		
10113	Sullivan Corporation	Free	1/9/2004	
12181	T-III, LTd.	Free	1/14/2004	
13975	The Davey Co.	Free	1/20/2004	
11833	The Johnson Hill - Land Ethics Studio, Inc.	Fax		
15269	Tiede Landscaping	E-mail		
13915	Tom's Landscaping & Nursery, Inc.	Fax		
13602	Total Outdoor Services	E-mail		
13480	Tri-County Tree Expert Co., Inc.	E-mail	1/9/2004	
10658	Troy Clogg Landscape Assoc., LLC.	E-mail		
10389	Trugreen Chemlawn/Trugreen Landcare	E-mail	1/6/2004	
10311	Turf Tenders Landscaping & Fertilizing Inc.	Free	1/12/2004	
15659	Turfgrass Inc.	Free	1/16/2004	
13019	Turfgrass Systems, LLC	E-mail	1/8/2004	
15735	United Horticultural Supply / Verdicon	E-mail	1/25/2004	
10285	United Lawnscape, Inc.	Fax	1/6/2004	
11851	Visual Image Exchange	Free	1/13/2004	
14368	Washington Elevator Company, Inc.	Free	1/21/2004	
14338	Washtenaw Inc., Maintenance Services	E-mail	1/7/2004	
14785	Weingartz	E-mail	1/15/2004	
14016	WH Canon, Inc.	Fax		
10604	white excavating company inc.	Fax		
14272	YARD NANNY LLC	Fax		
15339	Yardmaster, Inc.	Fax		

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March 1, 2004

To: John Szerlag, City Manager

From: John Lamerato, Assistant City Manager – Finance/Administration
Nino Licari, City Assessor 

Re: Abandoned Industrial Development District, and Industrial Facilities Exemption Certificate

Recommended City Council Action:

Staff recommends that you request that the City Council pass a suggested resolution vacating an Industrial Development District (IDD) wherein the company has abandoned its project. Passage of the suggested resolution will also vacate and rescind an abandoned Industrial Facilities Exemption Certificate (IFEC).

Background and Detail:

Per written notification (copy attached) Defiance Testing and Engineering has consolidated its units in Westland and Troy into one entity in Troy, at 1150 W Maple.

The company had an Industrial Development District (IDD) and an Industrial Facilities Exemption Certificate (IFEC) at 894 Mapelawn (Parcel ID # 88-99-00-056-234-02, Certificate #95-514). They are no longer located at this address, and have disposed of \$571,211 worth of the property formerly at this location.

While they are allowed to request the transfer of the remaining assets from this location to the 1150 W Maple address, from the State Tax Commission, to date, they have not done so.

Consequently, the IDD and the IFEC should be vacated to remove it from both the City's rolls, and the State Tax Commission's.


DEFIANCE
TESTING & ENGINEERING

February 20, 2004

Teresa Karega
Accounting Manager
Defiance Testing & Engineering Services
200 Galleria Office Centre
Suite 200
Southfield, MI 48034

REC'D
FEB 24 2004
DI
ASSESS...

City of Troy
Department of Assessment
500 West Big Beaver
Troy, MI 48084

RE: Parcel #99-00-056-234-02

Dear Sir or Madam:

During 2002 our parent company filed Chapter 11 and went through a major restructuring program, which we were part of. During our restructuring period, we consolidated our two campuses (Westland and Troy) into one campus in Troy. As a result, we exited this building (894 Maplelawn) and disposed of \$571,211 worth of property. The remaining balance was moved to 1150 Maple.

If you have any further questions regarding the above, please feel free to contact me at 248-386-4542. Thank you.

Sincerely,

Teresa Karega
Accounting Manager

PUT OUR PRODUCT DEVELOPMENT TO THE TEST

1628 Northwood Troy, MI 48084 Phone 248•458•5900 • Fax 248•458•5901
Website www.defiancetest.com

March 5, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services
Jeanette Bennett, Purchasing Director
Carol K. Anderson, Director of Parks and Recreation

SUBJECT: **Agenda Item:** Sole Source- Nuisance Goose Control Services for Sanctuary Lake and Sylvan Glen Golf Courses

RECOMMENDATION

The Parks and Recreation Department recommends the City enter into a contract with Gooseworks Humane Goose Control, the sole known provider of comprehensive goose control services for Sanctuary Lake and Sylvan Glen Golf Courses, for an estimated total cost of \$12,600.00. The contract will be for nine (9) months service at both facilities for \$700/month/facility.

BACKGROUND

Julie Oakes is the wildlife biologist for the Department of Natural Resources who is in charge of the Canada Goose nest/egg destruction, roundup (capture), and hold programs for Southeastern Michigan. City management staff has contacted her about other companies that offer a comparable service. She has informed us that Gooseworks Humane Goose Control is the sole supplier providing comprehensive goose control services.

Gooseworks will provide goose control services on a seasonal basis to Sanctuary Lake and Sylvan Glen Golf Courses, by employing hazing techniques utilizing highly trained border collies and their handlers. Gooseworks has successfully completed training and obtained from the Michigan DNR the following permits:

- Goose harassment with use of dogs
- Goose egg and nest removal/destruction
- Goose roundup (capture) and transportation
- Nuisance goose control
- Currently holds required goose egg and nest destruction permits for S.G.G.C.
- Currently holds roundup and transportation permits for S.G.G.C.
- Additional permits for Sanctuary Lake Golf Course will be also obtained
- Gooseworks is fully insured under a one (1) million dollar liability policy

Gooseworks Humane Goose Control has provided their contract services at Sylvan Glen Golf Course the past two (2) years. We have received no complaints during the past two seasons in regards to accumulation of excessive goose droppings on the golf course grounds. In addition, staff has noted that our overall goose population has diminished in total numbers, and our golfers have been extremely pleased with the results we received by utilizing this complete contract service.

BUDGET

Funds to provide these services will be available in the respective Golf Course Grounds Maintenance Accounts #885.7802.050 and #785.7802.050.

March 4, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services
Jeanette Bennett, Purchasing Director
Charles T. Craft, Police Chief
Timothy L. Richnak, Public Works Director

SUBJECT: Agenda Item - Standard Purchasing Resolution 4: Oakland County
Cooperative Purchasing Agreement – Fleet Vehicles

RECOMMENDATION

The Fleet Maintenance Division of Public Works Department requests approval and authorization to purchase five (5) fleet vehicles through Oakland County Cooperative Purchasing Agreements at an estimated total cost of \$102,596.22.

The equipment will replace vehicles due to come out of service from the Police Department Administration and Investigations and are as follows:

	<u>ITEM</u>	<u>BUDGET</u>	<u>UNIT COST</u>	<u>TOTAL</u>
<u>RED HOLMAN PONTIAC</u>				
1	Montana Extended 4 Door	A-2	\$21,000.00	\$22,768.50
1	Grand Prix GT 2	A-2	\$21,000.00	\$18,218.50
<u>Golling Chrysler Jeep</u>				
1	Sebring LXI 4-Door Sedan	A-2	\$21,000.00	\$15,081.40
<u>BUFF WHELAN CHEVROLET</u>				
1	Trail Blazer 4WD	A-2	\$21,000.00	\$23,919.25
1	Van 7 Passenger AWD	A-2	<u>\$21,000.00</u>	<u>\$22,608.57</u>
TOTAL			\$105,000.00	\$102,596.22

If you have any questions regarding this recommendation, please feel free to call me at your convenience.

BUDGET

Funds are available from the Vehicle Motor Pool Capital Account 565.7981.

Prepared by: Samuel P. Lamerato, Superintendent of Motor Pool

March 1, 2004

To: John Szerlag, City Manager

From: Gary A. Shripka, Assistant City Manager/ Services
Jeanette Bennett, Purchasing Director
Timothy L. Richnak, Public Works Director

Subject: **Agenda Item** – Standard Purchasing Resolution 1: Award to Low Bidders – Hauling and Disposal of Dirt and Debris.

RECOMMENDATION

On February 18, 2004, bid proposals were opened to furnish one-year requirements of hauling and disposal of dirt and debris with an option to renew for one additional year. After reviewing these proposals, City management recommends awarding the contract to the low bidders, Jackies Transport Inc., Luke's Trucking and Excavating LLC, and A&B Trucking Inc. as follows:

Jackies Transport Inc.

Item	Est Qty (Tons)	Description	Price/Ton	Total
A.	4,000	Broken concrete with or w/out wire possibly mixed with fill dirt	\$3.50	\$14,000
D.	2,000	Catch basin sludge and street sweepings	\$10.00	<u>\$20,000</u>
				\$34,000

***Luke's Trucking and Excavating**

B.	1,000	Broken asphalt possibly mixed with fill dirt	\$4.00	\$ 4,000
----	-------	--	--------	-----------------

A & B Trucking

C.	12,500	Fill dirt, material excavated from water and sewer repairs as well as ditching operations	\$4.00	\$50,000
----	--------	---	--------	-----------------

Estimated Grand Total (per year) **\$88,000**

*Luke's bid includes a \$.25/ton fuel surcharge for material hauled, if the price of on-road diesel fuel exceeds \$2.00/gallon. Even with this increase, Luke's Trucking is still the lowest bidder for hauling broken asphalt.

BUDGET

Funds are available from the Water and Street Departments' operating budgets.

52 Vendors Notified on MITN System
1 Vendor Walk-In
7 Bid Responses Rec'd

Prepared by: Emily Frontera, Administrative Aide

VENDOR NAME:

Jackies	Luke's Trucking	A & B Trucking
Transport Inc	& Excavating LLC	Inc

ITEM	EST QTY(TONS)	DESCRIPTION	PRICE/ TON	PRICE/ TON	PRICE/ TON
A.	4,000	Broken concrete with and without wire, possibly mixed	\$ 3.50	\$ 4.00	\$ 4.00
B.	1,000	Broken asphalt possibly mixed with fill dirt	\$ 4.75	\$ 4.00	\$ 5.50
C.	12,500	Fill Dirt, material excavated from water and sewer repairs, as well as ditching operation. Material may include culverts, Large Stumps, logs & wood materials	\$ 10.00	\$ 4.50	\$ 4.00
D.	2,000	Catch basin sludge and street sweepings.	\$ 10.00	\$ 12.75	No bid
ESTIMATED TOTAL AWARDED ITEMS:			\$ 34,000	\$ 4,000	\$ 50,000

DISPOSAL SITE:		Sank Trail Landfill	Pine Tree Acres	Blank
		Facility #82-000065	29 Mile/Gratiot	
EPA PERMIT #:		8934	Upon Request	Blank
EQUIPMENT LIST:	Attached/Not Attached	Attached	Attached	Attached
INSURANCE:	Can Meet Cannot Meet	XX	XX	XX
SITE VISIT:	Yes/No Date	No Blank	Yes 11-Feb-2004	Yes 2-Feb-2004
TERMS:		30 Days	Net 30 Days	Net 30
WARRANTY:		N/A	None	Blank
EXCEPTIONS:		Concrete & Asphalt must be free of deris & Dirt	See Addendum B Fuel Cost	No Exceptions
ACKNOWLEDGEMENT: Completed	Y or N	Yes	Yes	Yes

NOTE: \$.25/Ton fuel surcharge,
if diesel exceeds \$2.00/Gal

PROPOSAL - One(1) Year Requirements to Haul & Dispose of Concrete, Asphalt, Dirt, Catch Basin Sludge, Street Sweepings and Miscellaneous Debris with an Option to Renew for One(1) Additional Year

ATTEST:

Emily Frontera
Theresa Grafton
Linda Bockstanz
Marina Basta Farouk

BOLDFACE TYPE DENOTES LOW BIDDERS

Jeanette Bennett
Purchasing Director

Opening Date -- 2-18-04
 Date Prepared -- 2-20-04

CITY OF TROY
 BID TABULATION
 HAULING/DISPOSAL OF DIRT AND DEBRIS

VENDOR NAME:

Enviro-Vac Services Inc.	Republic Services of MI, LLC	J & H Transportation Inc.

ITEM	EST QTY(TONS)	DESCRIPTION	PRICE/ TON	PRICE/ TON	PRICE/ TON
A.	4,000	Broken concrete with and without wire, possibly mixed	\$ 6.50	\$ 12.50	\$ 4.50
B.	1,000	Broken asphalt possibly mixed with fill dirt	\$ 6.50	\$ 12.50	\$ 4.50
C.	12,500	Fill Dirt, material excavated from water and sewer repairs, as well as ditching operation. Material may include culverts, Large Stumps, logs & wood materials	\$ 8.00	\$ 12.50	\$ 19.50
D.	2,000	Catch basin sludge and street sweepings.	\$ 14.00	\$ 12.95	\$ 19.50
ESTIMATED TOTAL AWARDED ITEMS:			\$ -	\$ -	\$ -

DISPOSAL SITE:	Sank Trail Hills	Carleton Farms	Pine Tree Acres
EPA PERMIT #:	MIR 00009 027	8623	Blank
EQUIPMENT LIST:	Attached/Not Attached	Not Attached	Provided by Sub-contractor
INSURANCE:	Can Meet Cannot Meet	XX	XX
SITE VISIT:	Yes/No Date	Yes 10-Feb-2004	Yes Incumbent
TERMS:		Net 30	Net 30
WARRANTY:		Blank	Blank
EXCEPTIONS:		Blank	Blank
ACKNOWLEDGEMENT: Completed	Y or N	Yes	Yes

Opening Date -- 2-18-04
 Date Prepared -- 2-20-04

CITY OF TROY
 BID TABULATION
 HAULING/DISPOSAL OF DIRT AND DEBRIS

VENDOR NAME:

Disposal		
Management		

ITEM	EST QTY(TONS)	DESCRIPTION	PRICE/ TON		
A.	4,000	Broken concrete with and without wire, possibly mixed	\$ 6.50		
B.	1,000	Broken asphalt possibly mixed with fill dirt	\$ 6.50		
C.	12,500	Fill Dirt, material excavated from water and sewer repairs, as well as ditching operation. Material may include culverts, Large Stumps, logs & wood materials	\$ 21.20		
D.	2,000	Catch basin sludge and street sweepings.	\$ 17.00		
ESTIMATED TOTAL AWARDED ITEMS:			\$ -		

DISPOSAL SITE:		Rockwood Landfill or		
		Carleton Farms		
EPA PERMIT #:		Blank		
EQUIPMENT LIST:	Attached/Not Attached	Attached		
INSURANCE:	Can Meet Cannot Meet	XX		
SITE VISIT:	Yes/No Date	No		
TERMS:		Net 30		
WARRANTY:		Blank		
EXCEPTIONS:		Blank		
ACKNOWLEDGEMENT: Completed	Y or N	Yes		



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Downloading History for ITB-COT 04-04 Hauling

The report below shows all fax and e-mail vendors that matched this document when it was originally issued. It also shows all vendors that have downloaded or ordered the document and any subsequent amendments as of 3/1/2004.

Document Title:	Hauling & Disposal of Dirt & Debris
Date Issued:	1/30/2004
Close Date:	2/18/2004

Click on the table headings for "Account Number" or "Company name" to re-sort this report by that column. You may also click on any vendor account number to view their account information.

Acct #	Company Name	Service	Date Obtained Document	Date Obtained Amendments
14928	1-800-GOT-JUNK?	E-mail	1/30/2004	
15881	A&B TRUCKING INC.	Free	2/19/2004	
14788	A.F.W.C. Contracting, Inc.	Free	2/10/2004	
13225	Able Demolition	E-mail	2/2/2004	
12530	Accu-Steel Inc	E-mail		
12763	ACME Contracting, Ltd.	Free	2/2/2004	
11454	Advanced Underground Inspection, LLC	E-mail	2/5/2004	
14467	American Environmental Consultants, LLC	Free	2/3/2004	
12114	B & B Lawn Service	Fax		
10139	B & J Parking Lot Maintenance, Inc.	E-mail		
10927	B & L Landscaping	Fax	2/2/2004	
10682	C & R Maintenance d/b/a Rizzo Services	E-mail	2/5/2004	
14990	Carrigan Development Inc.	Fax		
13639	Company Image	Free	2/3/2004	
11681	D and J Lawn and Snow Corp.	E-mail	2/12/2004	
12323	D.L.F. Trucking, Inc.	Fax		
13709	Dillon Industries, Inc.	Free	2/4/2004	
13470	Disposal Management	Free	1/31/2004	
12889	Downriver Maintenance Corporation	E-mail	2/4/2004	

14401	Econ Disposable Suppliese, Inc.	Free	2/2/2004	
10028	ENTRAM CORP	Free	2/10/2004	
15664	Enviro-Vac Services, Inc.	Free	2/16/2004	
13905	Excell Landscaping	Free	2/3/2004	
13051	Flint-Genesee Economic Growth Alliance	Free	2/12/2004	
15913	HAYES EXCAVATING CO INC.	Fax	2/6/2004	
13077	Homrich, Inc.	E-mail	2/6/2004	
10543	J & W Tree Artisans	Free	1/31/2004	
12278	J. T. Express LTD	E-mail		
15135	Kappy Industries Inc	Free	2/2/2004	
12254	L-D-J CONSTRUCTION, INC.	E-mail	2/6/2004	
15940	LaHill, Inc.	Free	2/9/2004	
15957	Luke's Trucking and Excavating L.L.C	E-mail	2/10/2004	
15385	Merrell Bros., Inc.	E-mail		
12351	North American Excavating & Trucking Co, Inc.	E-mail		
10643	Osburn Industries, Inc.	E-mail	2/3/2004	
11073	Oscar W. Larson Co.	E-mail	2/20/2004	
15962	Plumbrook Towing	Free	2/11/2004	
14111	Republic Services of MI, LLC	Free	2/5/2004	
12531	Rohr gasoline equipment inc.	Fax		
10108	Rose Moving and Storage	E-mail		
13730	SMART Management Group, LLC	E-mail		
10731	T.F.R. Enterprises, Inc.	E-mail		
10974	The Avrie Group, Inc.	E-mail		
13671	Troy Aggregate Carriers	Fax		
16072	TW Contracting, Inc.	Fax	2/20/2004	
11267	United Soils, Inc.	E-mail	2/11/2004	
10101	Vac-All Service, Inc.	E-mail	1/30/2004	
15073	W.T. Stevens Construction, Inc.	Free	2/4/2004	
10604	white excavating company inc.	Fax	2/12/2004	
11031	Wiegand Mack Sales and Service	Fax	2/11/2004	
13091	Young's Environmental Cleanup	Free	2/9/2004	
12859	YTI Supply Inc.	Free	2/3/2004	

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March 9, 2004

To: John Szerlag, City Manager

From: Gary A. Shripka, Assistant City Manager/Services
Jeanette Bennett, Purchasing Director
Timothy L. Richnak, Public Works Director

Subject: **Agenda Item** – Sole Source – East Jordan Iron Works
Complete Hydrant and Repair Parts Contract

RECOMMENDATION

On August 5, 2002, the City Council approved a two-year contract to provide East Jordan hydrant and valve repair parts with an option to renew for two additional years to East Jordan Iron Works (Council Res. # 2002-08-459-E5). The Public Works Department recommends adding complete East Jordan Fire Hydrants to the contract at a 48% discount and to continue to receive the 45% discount off list prices for hydrant and valve repair parts to expire October 31, 2006.

SOLE SOURCE EXPLANATION

The City of Troy standardized all fire hydrants in the City to those manufactured by East Jordan Iron Works many years ago. Standardization has alleviated many problems with employee training, inventory and maintenance issues. By purchasing directly from the manufacturer, the City is receiving a greater discount than a distributor.

MARKET SURVEY

A market survey was not deemed necessary, as the City has standardized on the East Jordan hydrants and valve parts and the City is purchasing directly from the manufacturer.

BUDGET

Funds are available in the Water Department Operating Budget.



February 2, 2004

ATT: Steve Terry
East Jordan Iron Works
13001 Northbend
Oak Park, MI 48237

Dear Mr. Terry

On October 17, 2002 the City of Troy entered into contract #20200166 OB with East Jordan Iron Works to provide two-year requirements of East Jordan Hydrant and Valve Repair Parts. This contract contained an option to renew for two additional years at the same 45% discount on list prices, terms, and conditions as the original contract. In addition to the parts, the City is interested in adding complete hydrants at a 48% discount from current list prices.

Please fax this letter back indicating if East Jordan Iron Works wishes to renew this contract through October 2006 to (248) 524-3520. A request by City staff to determine the successor bidder's interest in renewing the contract in no way obligates the City. The option cannot be exercised without Troy City Council approval and a blanket purchase order issued.

If you have any questions please call me at (248) 524-3501

CHECK ONE:

East Jordan Iron Works is interested in renewing the contract under the same prices, terms, and conditions and adding complete hydrants at a 48% discount :

~~East Jordan Iron Works is not interested in renewing the contract:~~

X 
Signed: Authorized Company Representative

Print Name: STEPHEN E. TERRY

Date: FEB. 2, 2004

Thank you,
Emily Frontera
Department of Public Works, City of Troy

E-2 Minutes: Regular Meeting of July 22, 2002 and Study Session of July 29, 2002

Resolution #2002-08-459-E-2

RESOLVED, That the Minutes of the 7:30 PM Regular Meeting of July 22, 2002 and 7:30 PM Study Session of July 29, 2002, be approved as submitted.

E-3 Proposed City of Troy Proclamations: No Proclamations Proposed

E-4 Temporary Water and Sanitary Sewer Service to Proposed Office Building in Rochester Hills

Resolution #2002-08-459-E-4

RESOLVED, That the Inter-local Agreement for Municipal Water and Sanitary Sewer Service from the City of Troy to property in Rochester Hills located on South Boulevard between John R and Dequindre and described as Parcel 1 in the Agreement is hereby **APPROVED**; and

BE IT FURTHER RESOLVED, That service shall be provided only in the event that Rochester Hills has not completed its water and sewer extension project in time to accommodate the Talon Office Building; and

BE IT FINALLY RESOLVED, That when Rochester Hills' water and/or sewer systems become available to service the property, the owner shall connect to Rochester Hills' system(s) and discontinue use of the Troy system, all in accordance with the terms of the Agreement.

E-5 Sole Source – East Jordan Iron Works – Hydrant and Valve Repair Parts Contract

Resolution #2002-08-459-E-5

WHEREAS, East Jordan Iron Works, the manufacturer, has agreed to provide East Jordan hydrant and valve repair parts directly to the City of Troy at a 45% discount off list.

NOW, THEREFORE, BE IT RESOLVED, That a two-year contract with an option to renew for an additional two-years is hereby **APPROVED** with East Jordan Iron Works to provide East Jordan hydrant and valve repair parts at a 45% discount off list prices expiring October 16, 2004.

E-6 Standard Purchasing Resolution 1: Award to Low Bidder - Troy Daze Entertainment Tents

Resolution #2002-08-459-E-6

March 9, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services
Steven Vandette, City Engineer 

SUBJECT: Agenda Item - Private Agreement
Rochester Commons PUD
Project No. 03.914.3

The Engineering Department has reviewed and approved plans for this project, which includes water main, storm sewer, detention, sanitary sewer, sidewalks, landscaping, soil erosion and paving.

The Owner has provided a Letter of Credit for escrow and cash fees & deposits in the amount of the estimated cost of public improvements, as required.

Approval is recommended.

G:\Projects\Projects - 2003\03.914.3 - Rochester Commons PUD\Private Agreement Cover Letter.doc

CC: Tonni Bartholomew, City Clerk (Original Agreement)
James Nash, Financial Services Director
Carol Anderson, Director of Parks and Recreation
Mark Miller, Planning Director
Nino Licari, City Assessor
Timothy Richnak, Director of Public Works
William Jawlik, Inspector Supervisor.
Gulf Rochester Commons L.L.C.

Prepared by: G. Scott Finlay, PE
Civil Engineer

Enclosed: Private Agreement, Detailed Summary, Sketch, and Suggested Resolution

**CONTRACT FOR INSTALLATION OF MUNICIPAL IMPROVEMENTS
(PRIVATE AGREEMENT)**

PROJECT NO. 03.914.3PROJECT LOCATION: SW ¼ SECTION 23

RESOLUTION NO. _____

DATE OF COUNCIL APPROVAL: _____

KNOW ALL MEN BY THESE PRESENT; That the City of Troy, a Michigan Municipal Corporation of the County of Oakland, State of Michigan, hereinafter referred to as "City" and Gulf Rochester Commons L.L.C. whose address is 2038 W. Big Beaver, Suite 200, Troy, MI 48084 and whose telephone number is 248-643-9690 hereinafter referred to as "Owners".

WITNESSETH, FIRST: That the City agrees to allow the installation of water main, storm sewer, detention, sanitary sewer, sidewalks, soil erosion, landscaping and paving in accordance with plans prepared by Professional Engineers Associates, whose address is 2430 Rochester Ct., Suite 100, Troy, MI 48083 and whose telephone number is (248) 689-9090 and approved prior to construction by the City Specifications of the City shall be complied with for this construction.

SECOND: That the Owners agree to contribute the approximate contract price of \$723,896.00. This amount will be transmitted to the City Clerk for installation of said improvements in the form of (check one):

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

Said funds shall be placed on deposit with the City upon the execution of this contract and shall be disbursed to the contractor by the City only upon presentation of duly executed waivers of lien and sworn statements satisfactory to the City, and after final inspection and approval by the Engineering Department for the City. In addition, the owners agree to deposit and contribute \$120,067.00 cash fee per the attached **Detailed Summary of Required Escrow Deposits Cash Deposits and Cash Fees.**

**CONTRACT FOR INSTALLATION OF MUNICIPAL IMPROVEMENTS
(PRIVATE AGREEMENT)**

PROJECT No. 03.914.3 _____

PROJECT LOCATION: S ¼ SECTION 23 _____

COUNCIL RESOLUTION No. _____

DATE OF COUNCIL APPROVAL: _____

THIRD: The owners may contract for construction of said improvement or may have the City advertise for bids. In the event the Owners select their own contractor, such contractor shall be subject to prior written approval by the City and completed contract documents shall be submitted to the City.

Owners agree to arrange for a pre-construction meeting with the City Engineer and the contractor prior to start of work. All municipal improvements must be completely staked in the field under the direct supervision of a registered civil engineer or registered land surveyor, according to the approved plans.

FOURTH: Owners hereby acknowledge the benefit to their property conferred by the construction of the aforementioned and agree and consent to pay the total sum of \$ 843,963.00 for the construction of said public utilities in lieu of the establishments of any special district by the City. Further, owners acknowledge that the benefit to their property conferred by the improvement is equal to, or in excess of, the aforementioned amount.

FIFTH: Owners agree that if, for any reason, the total cost of completion of such improvement shall exceed the sum deposited with the City in accordance with Paragraph SECOND hereof, that Owners will immediately remit such additional amount to the City upon request and City will disburse such additional amount in accordance with Paragraph SECOND hereof. In the event the total cost of completion shall be less than the sum deposited with City in accordance with Paragraph SECOND hereof, City will reimburse to the Owners the excess funds remaining after disbursement of funds.

SIXTH: 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 for such public utilities as required by the City Engineer.

**CONTRACT FOR INSTALLATION OF MUNICIPAL IMPROVEMENTS
(PRIVATE AGREEMENT)**

PROJECT NO. 03.914.3

PROJECT LOCATION: SW ¼ SECTION 23

COUNCIL RESOLUTION NO. _____

DATE OF COUNCIL APPROVAL: _____

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed in duplicate on this 5TH day of MARCH, 2007.

OWNERS

CITY OF TROY

Gulf Rochester Commons, LLC, a Michigan limited liability company

By:

By: SRJ Land Company, LLC a Michigan limited liability company,

Its: Member

Matt Pryor, Mayor

By: SRJ-Management, Inc., a Michigan corporation

Its: Manager

By:

Scott R. Jacobson, President

Tonni Bartholomew, City Clerk

STATE OF MICHIGAN)

) ss.

COUNTY OF OAKLAND)

March The foregoing instrument was acknowledged before me this 5TH day of MARCH, 2004, by Scott R. Jacobson, the President of SRJ-Management, Inc., a Michigan corporation, as the Manager of SRJ Land Company LLC, a Michigan limited liability company, as the Member of **Gulf Rochester Commons, LLC**, a Michigan limited liability company, on behalf of said company.

MELBA AUSTIN
Notary Public, Wayne County, Mich.
Acting In OAKLAND County, Mich.
My Commission Expires July 1, 2004

Melba Austin
, Notary Public
Oakland County, Michigan
My Commission Expires:

Detailed Summary of Required Escrow Deposits or Performance Bond, Cash Fees & Deposits
Rochester Commons PUD - Project No. 03.914.3
40 Units - Section 26

ESCROW DEPOSITS or PERFORMANCE BOND:

Sanitary Sewers	<u>\$69,200</u>
Water Mains	<u>\$127,890</u>
Storm Sewers	<u>\$185,850</u>
Pavement - On-Site	<u>\$115,870</u>
Grading	<u>\$48,000</u>
Detention Basin	<u>\$25,000</u>
Soil Erosion Control Measures	<u>\$2,126</u>
Monuments and Lot Corner Irons	<u>\$275</u>
Temporary Access Road	<u>\$2,500</u>
Major Road Improvements (other than decel or passing lanes)	<u>\$5,000</u>
Sidewalks - ON SITE	<u>\$63,675</u>
Sidewalks - Big Beaver	<u>\$21,600</u>
Deposit for the Repair of Damage to Existing Public Streets Used for Access	<u>\$24,000</u>
Urbancrest Removal & Replacement	<u>\$32,910</u>

TOTAL ESCROW DEPOSITS (REFUNDABLE): \$723,896

CASH FEES (NON-REFUNDABLE):

Water Main Testing and Chlorination	<u>\$926</u>
Maintenance of Detention Basin	<u>\$18,143</u>
Testing Services	<u>\$10,858</u>
Engineering Review and Inspection	<u>\$49,732</u>

TOTAL CASH FEES (NON-REFUNDABLE): \$79,659

CASH DEPOSITS (REFUNDABLE):

Deposit for Maintenance & Cleaning of Ex. Public Streets Used for Access	<u>\$8,000</u>
Landscape Deposit	<u>\$16,720</u>
Punchlist & Restoration Deposit	<u>\$15,688</u>

TOTAL CASH DEPOSITS (REFUNDABLE): \$40,408

Stormwater detention for this development will be provided by:

a new detention basin on the Fire Station #1 Site

Engineer: Professional Engineering Associates

Developer: Tadian Development

March 4, 2004

To: John Szerlag, City Manager

From: Gary A. Shripka, Assistant City Manager/Services
Jeanette Bennett, Purchasing Director
Carol K. Anderson, Parks and Recreation Director

Subject: **Agenda Item** – Standard Purchasing Resolution #1: Bid Award –
Log Loader and Trailer

RECOMMENDATION

Bid proposals were opened February 24, 2004, to furnish one Log Loader and Trailer to the Parks and Recreation Department. City management recommends that a contract be awarded to the sole bidder, *Payeur Distributions, 5379 King East Street, Ascot Corner, Quebec City, Canada, JOB1A0* for an estimated total cost of \$38,675.00, at unit prices contained in the attached bid tabulation.

This estimated total cost includes the base price of \$33,175.00, plus the addition of a tool box (\$475.00), hydraulic winch (\$1975.00), 400-degree swing capability (\$1275.00) and 3' telescopic extend-a-boom (\$1775.00).

BACKGROUND

The log loader/trailer is a specialized piece of equipment that will be used in the removal of ash trees killed by the Emerald Ash Borer devastation of the southeast Michigan region. The unit is towed behind a tower truck or 2 ½ yard dump truck and will allow the complete removal of a tree log in a timely and efficient manner. Current practice for removal of logs from downed trees involves an equipment trailer and a front-end loader. This method is time consuming and requires additional personnel to operate the front-end loader during both the loading of the log onto the trailer as well as the unloading of the logs from the trailer at the DPW yard.

The log loader/trailer purchased with this contract is one piece of equipment and can be operated by one worker, using the hydraulic boom of the loader to pick up a log and place it on the attached trailer. The log loader boom then repeats the procedure in reverse, to unload the logs at the yard. We are currently able to cut 10 -12 dead ash trees daily, chipping the brush as we go and leaving the logs on the ground until personnel and equipment can get back to the site to remove them. The addition of the new log loader/trailer will allow the entire tree to be removed from the site before moving on to the next location; thereby increasing safety, efficiency, and improving customer service to the residents whose trees have been removed.

March 4, 2004

To: John Szerlag
Re: Bid Award – Log Loader and Trailer

SUMMARY

Although only one bid was received, specifications were written to allow equipment from several manufacturers to qualify. In addition to the log loader/trailer quoted by Payeur Distributions, equipment from Quality Manufacturing, Hud-Son Forest Equipment, and Eichhorst Sales, would have also been acceptable alternates.

After the bid opened, the Parks department made phone inquiries of these suppliers to ascertain why they chose not to bid. Hud-Son Forest Equipment could not verify whether the trailers they carried had the carrying capacity specified. Eichhorst Sales utilizes distributorships. The distributor contacted by Eichhorst was unable to complete the bid information in a timely manner. In addition to mail notification, attempts were made to verbally notify the Quality Manufacturing Co. Messages were left on two separate occasions with no return calls.

A query of tree maintenance companies who have purchased like equipment indicates the City received a fair price from Payeur. These owners believe the Wheeler is the best log loader/trailer on the market.

BUDGET

Funds are currently available for this purchase in Parks and Recreation Capital accounts #401752.7978.010, #401756.7978.010, and #401770.7974.055.

18 Vendors Notified on the MITN System
5 Vendors Mailed Bid Notices
1 Bid Response Rec'd
1 No Bid: (1) Company does not handle equipment as specified – only chassis mounted –

Prepared by: Jeffrey J. Biegler, Superintendent of Parks

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services
 Jeanette Bennett, Purchasing Director
 Carol Anderson, Director of Parks and Recreation

SUBJECT: **Agenda Item** - Standard Purchasing Resolution 2: Bid Award – Low Bidders Meeting
 Specifications
 Turfgrass Chemical Products

RECOMMENDATION

Bid proposals were opened February 17, 2004, for the 2004 seasonal supply of turfgrass protection products, to be used by the Sylvan Glen Golf Course and the Parks Maintenance Division. The estimated total cost for these products is \$100,408.00. City management recommends purchases be made from the following low bidders meeting specifications.

United Horticultural Supply, 15515 Knobhill Dr., Linden, Michigan, 48451, 1-586-839-8930

Item No.	Product Description	Estimated Quantity	Unit Price	Estimated Total Cost
1.	Chipco 26 GT Flowable Alt. Iprodione Pro 2 SE Approved Alt. Chipco 26019 Flowable	90 gallons- 18 cases	\$88.00	\$7,920.00
4.	Chipco Signature	66 lbs- 3 cases	\$16.75	\$1,105.50
7.	Eagle WSP	30 lbs- 10 cases	51.14	\$1,534.20
8.	Heritage WG	48 lbs- 2 cases	\$335.00	\$16,080.00
10.	Talstar GC	12 gallons- 3 cases	\$152.00	\$1,824.00
11.	DeltaGard GC	8 gallons-2 cases	\$184.00	\$1,472.00
12.	Mach 2	20 gallons- 4 cases	99.00	\$1,980.00
34.	Subdue Maxx	10 gallons – 1 pak	\$511.00	\$5,110.00
35.	Primo Maxx	10 gallons – 1 pak	\$350.00	\$3,500.00
36.	Banner Maxx	90 gallons- 9 paks	275.00	24,750.00
ESTIMATED TOTAL:				\$65,275.70

Carso Inc. 404 S. Vine, Box 139, Camargo, IL. 61919, 1-888-832-5296

Item No.	Product Description	Estimated Quantity	Unit Price	Estimated Total Cost
2.	Daconil Weatherstik/ Echo 720 Approved Alt. Concorde SST	90 gallons- 18 cases	\$48.00	\$4,320.00
ESTIMATED TOTAL:				\$4,320.00

March 4, 2004

To: John Szerlag

Re: Bid Award - Turfgrass Chemical Products for 2004

Page 2 of 3

Turfgrass Inc. P.O. 667, South Lyon, MI. 48178, 1-800-521-TURF

Item No.	Product Description	Estimated Quantity	Unit Price	Estimated Total Cost
3.	Banol	2 gallons- 1 case	\$ 313.00	\$ 626.00
9.	Merit 75 W.S.P.	102.4 oz- 4 cases	\$15.58	\$1,596.00
31.	13-0-46 K-Power Greens Grade	1375 lbs- 25 bags	\$.305	\$420.00
		ESTIMATED TOTAL:		\$2,642.00

Great Lakes Turf LLC 1042 Michigan NE Grand Rapids, Michigan 49503

Item No.	Product Description	Estimated Quantity	Unit Price	Estimated Total Cost
13.	Astron	50 gallons- 10 cases	\$75.00	\$3,750.00
14.	Phytofos	40 gallons – 8 cases	\$35.00	\$1,400.00
15.	Knife	35 gallons- 7 cases	\$35.00	\$1,225.00
16.	Renaissance	50 gallons- 10 cases	\$35.00	\$1,750.00
17.	Perk Up	15 gallons- 3 cases	\$75.00	\$1,125.00
18.	12-0-12 Equalize Fertilizr	120 gals- 24 cases	\$13.00	\$1,560.00
19.	6-12-3 Turf Starter Soluble Fertilizer	75 gallons- 15 cases	\$13.00	\$975.00
20.	4-4-16 Soluble Fertilizer	150 gals- 30 cases	\$16.00	\$2,400.00
21.	18-0-3 Soluble Fertilizer	75 gallons- 15 cases	\$13.00	\$975.00
22.	20-8-30 Envy Soluble Fertilizer	400 lbs- 16 cases	\$1.12	\$448.00
23.	Calphlex	25 gallons- 5 cases	\$34.00	\$850.00
24.	Phlexmag	25 gallons- 5 cases	\$30.00	\$750.00
25.	Maxiplex	25 gallons- 5 cases	\$24.00	\$600.00
26.	Protesyn	40 gallons- 8 cases	\$36.00	\$1,440.00
27.	Prevade	10 gallons- 2 cases	\$30.00	\$300.00
28.	Turgor 0-0-5+2 SI	10 gallons- 2 cases	\$32.00	\$320.00
29.	Per4Max	10 gallons- 2 cases	\$66.00	\$660.00
30.	5-0-5 Soil Synergy Greens Grade	6000lbs- 120 bags	\$.44	\$2,640.00
32.	0-0-24 White Gold Greens Grade	1,650 lbs- 33 bags	\$.64	\$1,056.00
		ESTIMATED TOTAL:		\$24,224.00

Simplot Partners, 24800 N. Industrial Dr., Farmington Hills, Michigan, 48335

Item No.	Product Description	Estimated Quantity	Unit Price	Estimated Total Cost
5.	Dispatch Soil Penetrant Wetting Agent Approved Alt. Syringe	165 gallons- 3 drums	\$11.55	\$1,905.75
6.	Primer Soil Surfactant Alt Rely	60 gallons- 2 drums	\$34.00	\$2,040.00
		ESTIMATED TOTAL:		\$3,945.75

March 4, 2004

To: John Szerlag

Re: Bid Award - Turfgrass Chemical Products for 2004

Page 3 of 3

EXPLANATION OF BID NOT MEETING SPECIFICATIONS

Turfgrass Incorporated bid an alternate gel pak formulation for Item #36, Banner Maxx. This material has a xylene- (solvent) based carrier, whereas the product specified is a water based emulsifiable concentrate. The xylene based product has a very noticeable odor, and creates an issue with compatibility when tank mixing a combination of different products, which is done routinely during spray applications.

SUMMARY

All items recommended represent the lowest acceptable bid meeting specifications. Estimated quantities of chemicals shall be purchased at quoted unit prices, and ordered in unit lots on an as needed basis.

Vendors quoting the same price per unit cost were awarded the bid item based upon payment terms, and best delivery time after a verbal phone release.

No bids were received for the following item:

<u>Item</u>	<u>Product</u>	<u>Estimated</u>
<u>No.</u>	<u>Description</u>	<u>Quantity</u>
33.	Kellys High Calcium Lime Greens Grade	18,000 lbs.- 360 bags

Price quotes shall be obtained to purchase the quantities of this material as needed.

The chemicals will be used by the Parks Maintenance Division and the Sylvan Glen Golf Course to maintain turfgrass. The estimated totals for each item are based upon our anticipated use for the upcoming season. We make every effort to minimize the amount of product we carry from one season to the next, and only purchase quantities needed.

BUDGET

Funds for these purchases are available from the Golf Course and Parks Division Seed/Planting Supplies Operating Budgets.

55 Vendors Notified on MITN System

6 Bid Responses Rec'd

1 Late Bid

March 2, 2004

TO: John Szerlag, City Manager

FROM: Jeanette Bennett, Purchasing Director
William S. Nelson, Fire Chief

SUBJECT: Agenda Item: Standard Purchasing Resolution 6: Grant Approval
And Authorization To Expend City Funds – FireTrax and Cobra
Software and equipment

RECOMMENDATION

City management recommends that a RRTN grant which will enhance the response capabilities to hazardous materials and terrorism incidents be accepted and designates its use to purchase the identified hardware and software from the sole source providers of hardware and proprietary software mandated by the Michigan State Police Emergency Management Division at an estimated cost of \$49,660.00.

BACKGROUND

The Troy Special Response Unit is a participating member of the Michigan Regional Response Team Network. This network, established three years ago, is comprised of 15 local emergency response teams and several state response teams. While the local units of government provide primary funding and personnel, the State of Michigan also provides funding to support and equip the teams. Troy has been awarded a grant of \$50,000 for specialized equipment and computer software to enhance the response capabilities to hazardous materials and terrorism incidents. In order to standardize equipment and software within the various teams, the Michigan State Police Emergency Management Division requires that the grant funding be utilized to purchase specific hardware and software.

The equipment and software included in this grant includes:

- FireTrax Personnel Accountability System manufactured by Salamander Technologies which is proprietary and only available in Michigan through their distributor, Rescue Equipment Sales and Service, at an estimated cost of \$26,850.00.
- COBRA Command Software which is proprietary and only available from Fischer Safety Inc. at an estimated cost of \$21,100.00.
- PEAC-WMD Software Application and Database is available from various distributors and will be obtained through a quotation process at an estimated cost of \$1,710.00.

The remaining funds from the grant will be utilized for purchasing other SRU equipment through normal purchasing procedures.

BUDGET INFORMATION

The attached resolution amends the Fire department equipment budget to receive the grant funding and allows it to be expended on the designated items.



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF STATE POLICE
LANSING



COL. TADARIAL J. STURDIVANT
DIRECTOR

February 27, 2004

All RRTN members and/or RRTN equipment purchasers:

The below information is for when you make your Fire-Trax orders. The color choices had to be made on the FRV Ring and FPV Tag. We had a conference call with the equipment committee members and decided all RRTN ID Tags (FPV TAG) will be tan. This is because tan is not one of the common colors that other responders may be using. The below table shows you what color schemes you need to order for your teams FPV Ring. In addition to the collector ring colors, we had to decide what information was going to go on the tags with the rings. Ten tags are to be ordered. Each one will have your team name as indicated below and the following information on six of the tags: Entry Team 1, Entry Team 2, Entry Team 3, Decon 1, Decon 2, Research. The four remaining tags will be blank (other than your team name) so we can add names if needed in the future or on site.

Team Name on FPV Ring	Core Color (lettering)	Plastic Tag Color
Alpena RRT	White	Pine Green
Ann Arbor RRT	Yellow	Blue
Battle Creek RRT	White	Black
Berrien Co RRT	White	Medium Brown
Clinton Twn RRT	White	Gray
Grand Rapids RRT	Black	Yellow
Lansing RRT	White	Red
Muskegon Co RRT	Yellow	White
St. Clair Co RRT	Red	White
Sterling Heights RRT	Black	Almond
Traverse City RRT	White	Bright Green
Tri-Cities RRT	White	Orange
Troy RRT	White	Blue
U.P. RRT	White	Burgundy
Warren RRT	Dark Brown	Ivory
State Police	White	Navy Blue

Please remember to make sure you get training with the system. Salamander Technologies is who gives this training. If you are going with another vendor, make sure you are getting the proper training from them and at the \$1000 price that Salamander will give.

We have been notified that the original hand-held that we were going to order is going to be discontinued. Therefore, we are upgrading to a color one that also takes pictures (FT-8146). It is more expensive but you still should be under the \$50,000 mark for all items. Remember that no other items are authorized to be purchased under RRTN 2003 grant money except the CoBRA, PEAK and FIRE-TRAX systems. We can save money if you go through Salamander

Technologies as they can upgrade the handheld to the FT-8146 for about \$400 if you order before March. After that, the price increases. I know we all have purchasing procedures so this just for you information to assist you.

Also, no substitutions are allowed on equipment, laptops etc. This should help with purchases as these are RRTN specifications for responder safety, standardization and interoperability. **No reimbursement will be given if the equipment purchased is not to RRTN specifications as outlined.**

Please use and look at the new specifications that I have sent. These changes are for the better and I appreciate all your work and support on these issues. I apologize for the formal letterhead but I needed to get a lot of information out and email was not going to work. Please take a look at the draft RRTN logo below. Any feedback is appreciated. This is being looked at as it is standard use with the other response teams (MUSAR). As always, call me if you have any questions or concerns.

Office (517) 336-6419.
Pager (517) 232-1656
Cell (517) 719-1194
kelenskc@michigan.gov

Sincerely,

CHRIS A. KELENSKE, SGT.
Emergency Management Division
Homeland Security Section



**RRTN 2003 SDPEG EQUIPMENT LIST
FIRE-TRAX**

	Price	Quantity	Total
Fire-Trax Software			
FT-HOST: Host Software (Per CPU)	\$1,995	1	\$1,995.00
FT-COM: Command Module (Per CPU)	\$2,995	1	\$2,995.00
FT-SMC: Software Maintenance Contract (1st Year)	\$998	1	\$998.00
4 year additional Software Maintenance Contract (5 yr. total)	\$3,194	1	\$3,194.00
Hand-helds			
FT-8146 Package:color display, 802.11 b, keypad, imager scanner	\$4,265	2	\$8,530.00
FT-BATT: Spare battery for Palm	\$75	2	\$150.00
Wireless LAN			
FT-S24: 11 Mbs Spec 24 Access Point Pkg.	\$1,124	1	\$1,124.00
High Gain Antennas (requires 2) each	\$100	2	\$200.00
Other Hardware			
FT-T402: Zebra T402 Printer for temp.onsite tags and equipment.	\$895	1	\$895.00
Panasonic Tuff Book 73 w/ DVD/CD RW and conn. Box Lap top soft ware includes operating system only	\$4,210	1	\$4,210.00
Supplies			
FT-2x1: 2" x 1" Synthetic Poly (12 x 260 labels/roll)	\$100	3	\$300.00
FT-RIB: T402 Ribbon (4" resin, 298')	\$20	2	\$40.00
Fire-PAS V Personel tags			
FPV-TAG Complete tag (Includes below FPV-A, B, C, D, & E))	\$2.50	100	\$250.00
FPV-A ID Tags, TAN in color			
FPV-B Plastic Pouches (2.5" x 4.2")			
FPV-C Black Nylon Tie			
FPV-D Gold Ring (2.25")			
FPV-E Snap, round eye, 2.25"			
Collection Rings			
FPV-RING Complete Ring (Includes below FPV-F, G, & H))	\$4.95	10	\$49.50
FPV-F Spring Clips			\$0.00
FPV-G Collector Ring ID Tag (1" x 4" engraved tag)			\$0.00
FPV-H Collector Ring, 1" Diameter			\$0.00
FPV-I Large Personnel Accountability Binder	\$85	1	\$85.00
FPV-J First Due Board	\$55	1	\$55.00
FPV-N Custom Engraved ID PAS Tags (persons name and dept)	\$4.30	1	\$4.30
FPV-LAM Laminator - 4"	\$175.00	1	\$175.00
Incident Command			
CTS-5 IM Replacement pads	\$17.50	1	\$17.50
CCB-2 IM System board (plexiglass enclosed)	\$160.00	1	\$160.00
CCS-1A IM System Sheet (large)	\$13.00	5	\$65.00
CPW-52 Worktable/tripod	\$195.00	1	\$195.00
CBC-91 Command Board Carrying Case	\$50.00	1	\$50.00

**RRTN 2003 SDPEG EQUIPMENT LIST
FIRE-TRAX**

Services

Installation & Training (per day)	\$1,000	1	\$1,000.00
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Shipping

\$100.00

TOTAL FIRE-TRAX SYSTEM COST

\$26,837.30

RRTN 2003 Equipment Specifications

PEAC Software

	Price	Quantity	Total
PEAC Software			
PEAC-WMD Software Application and Database for the Windows 95/98/NT/2000/ME/XP, with 1 year of software upgrades, and 1 year of technical support.	\$1,295	1	\$1,295.00
Tech-Supp			
Additional year after first year of technical support and software upgrades	\$200	2	\$400.00
NOTE: The above line item represents 2 years of software upgrades and technical support			
Shipping			\$15.00
TOTAL PEAC SOFTWARE COST			\$1,710.00

RRTN 2003 Equipment Specifications

CoBRA System

CoBra Command Kit Configuration		Price	Quantity	Total
Item	Option/Description			
CoBra Command Kit (Product ID R-C10.3)		\$14,220	1	\$14,220.00
	INCLUDES THE FOLLOWING:			
	Itronix GoBook II laptop (with 1.7 GHz INTEL Pentium IV processor,			
	256 MB RAM, 40 GB HD, transmissive touchscreen, internal			
	combination 56k/Ethernet Modem, integral 802.11(b), integral			
	Verizon-capable CDMA Wireless Modem, USB port, Type 2 PC Card			
	slot, Windows 2000.			
	Internal combination DVD/DC-RW drive w/software			
	Internal Floppy drive, 3.5"			
	Bathook hard handle and shoulder strap			
	Olympus Digital Camera			
	XD 64 MB Media Card			
	Camera Battery Recharger			
	Pentax Dsmobile USB Scanner			
	Cannon BJC-55 Bubble Jet Printer			
	Printer USB Cable			
	Garmin GPS Receiver and cable			
	Garmin Mapping Software			
	DC Power Inverter			
	Pelican Hardside Case w/padded insert			
	Pelican Lid Organizer			
	Custom Case Label			
	CoBra Software v3.0			

RRTN 2003 Equipment Specifications

Three year laptop warranty, including help desk for the laptop, and one year software support w/ subscription.				
COBRA COMMAND KIT SUB-TOTAL				\$14,220.00
Options to add:				
Part Number	Description			\$0.00
N/A	Add 2 years software support subscription	\$500	1	\$500.00
IX260-03D	Upgrade memory to 1,024MB	\$1,050	1	\$1,050.00
IX260-05M	Upgrade to backlit keyboard	\$249	1	\$249.00
IX260-06C	Add Bluetooth	\$145	1	\$145.00
N/A	One year unlimited, data only Verizon CDMA Service	\$1,300	1	\$1,300.00
46-0102-001	Spare main battery	\$249	1	\$249.00
46-0084-002	Media battery auxiliary battery	\$229	1	\$229.00
62-0187-001	External battery charger (including power supply)	\$217	1	\$217.00
54-0091-003	Shoulder strap	\$12	1	\$12.00
50-0096-002	Vehicle power adater 12V	\$128	1	\$128.00
62-0234-001	Cargo Pouch	\$60.00	1	\$60.00
62-0232-001	Stylus w/tether (6 pack)	\$20.00	1	\$20.00
N/A	Microsoft Office XP Standard	\$450.00	1	\$450.00
N/A	Jane's Counterterrorism Software (w/ 1year updates)	\$1,500.00	1	\$1,500.00
N/A	Jane's Software Quarterly Updates (2 add'l years)	\$750.00	1	\$750.00
OPTIONS SUB-TOTAL				\$6,859.00
TOTAL CoBRA SYSTEM COST				\$21,079.00

Total Potential Cost: \$49,626.30

March 8, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Asst. City Manager/Services
Steven J. Vandette, City Engineer
John K. Abraham, Traffic Engineer 

SUBJECT: Agenda Item – Traffic Committee Recommendations

At the Traffic Committee meeting of February 18, 2004, the following recommendation was made for City Council approval:

1. Recommend installing a NO LEFT TURN 7:15-7:45 A.M. EXCEPT BUSES sign on the Troy High School drive onto Northfield Parkway (Item 3).

JKA/ln

DRAFT

The Traffic Committee meeting was called to order at 7:30 p.m. in the Lower Level Conference Room at Troy City Hall on February 18, 2004 by Jan Hubbell, Vice-Chair.

1. Roll Call

PRESENT: Ryan Deel
Ted Halsey
Jan Hubbell
Kaveri Korgavkar, Student Rep.
Richard Minnick

ABSENT: John Diefenbaker
Richard Kilmer
Charles Solis

Also present: John Abraham, Traffic Engineer
Lt. Scott McWilliams, Police Department

Motion to Excuse

RESOLUTION #TC-2004-02-08

Motion by Halsey
Seconded by Deel

To excuse Mr. Diefenbaker, Mr. Kilmer and Mr. Solis as they are out of the City.

YEAS: All-4

NAYS: None

ABSENT: 3 (Diefenbaker, Kilmer, Solis)

MOTION CARRIED

2. Minutes – January 21, 2004

RESOLUTION #TC-2004-02-09

Motion by Halsey
Seconded by Deel

To approve the January 21, 2004 minutes as printed.

YEAS: All-4

NAYS: None

ABSENT: 3 (Diefenbaker, Kilmer, Solis)

MOTION CARRIED

3. Traffic Concerns Around Troy High School

At the last Traffic Committee meeting there was discussion about traffic concerns in the Troy High School area. The Traffic Engineer and Traffic Safety Lieutenant were requested to investigate and report back. The Traffic Safety Unit has been out almost every morning to enforce traffic laws in the area, and the Traffic Engineering office performed studies at the school to evaluate the traffic and concerns.

During arrival time, particularly between 7:15 and 7:45 a.m., there is very high congestion on all roadways in the school area. All students have to use the Long Lake entrance, while all parents dropping off students have to use the Northfield Parkway entrance. Due to delays at the Northfield Parkway entrance, the traffic backup extends in both directions on the roadway and on many occasions back into the intersection of Northfield Parkway and Long Lake Road. This also leads to motorists stalling or “getting stuck” in the median area of the intersection. As such, there are many instances when this stalled traffic obstructs through traffic on Long Lake, causing a potentially hazardous situation. This is one of the major concerns from a traffic safety point of view since there have also been crashes related to such obstruction of traffic.

Traffic studies at the school show the following at the intersection of Northfield Parkway and Troy High School.

	Left Turn In	Left Turn Out	Right Turn In	Right Turn Out
7:00 – 7:15	39	40	83	40
7:15 – 7:30	55	93	153	89
7:30 – 7:45	58	79	146	96
7:45 – 8:00	2	5	8	0
Total	154	217	390	225

As seen, there is a very high number of traffic maneuvers at the intersection between 7:15 and 7:45 a.m. All the parents are directed to the circular drive southeast of the school and must exit back onto Northfield Parkway in both directions. In this time period, backups on Northfield Parkway are in excess of 20 vehicles. Observations indicated that there is a very high number of vehicles (217) making a left out of the driveway, and these may be slowing down all traffic in the area. The student parking lot had around 63 vehicles at 7:15 a.m. and by 7:45 a.m. there were 434. There were a couple of instances where the backup in the center lane on Long Lake from the school driveway was overflowing into the westbound Long Lake traffic lane. Very few vehicles were seen exiting this driveway onto Long Lake during the morning arrival time.

Subsequent to the studies, Sgt. Redmond and Dr. Abraham met with the school principal, assistant principal and the Assistant Superintendent of the Troy School District regarding these concerns. The Principal, Dr. Boehms, indicated that a few minor changes were done to the drop off areas and that traffic and concerns from parents have been high since fall.

Dr. Fowler, Asst. Superintendent, indicated that this might be one of the sites the school district is looking at for some kind of reconfiguration to improve traffic flow and parking. Two options for alleviating the existing concerns were discussed.

1. To post "NO LEFT TURN BETWEEN 7:15 and 7:45 a.m. EXCEPT BUSES" at the school driveway at Northfield Parkway. This would force all traffic exiting the school to make a right turn, thus creating a better flow of traffic in the drop off pattern.
2. All parents could use the northern driveway on Northfield Parkway into the staff/student parking lot. The idea is to use a part of the parking lot (western edge) as a drop off area, and the parents would exit onto Long Lake. Since there is more than adequate stacking for this option, traffic flow might be much smoother. This also utilizes the outbound lanes of the driveway that leads to Long Lake (which currently is hardly used in the morning).

To separate parent traffic from students in the parking lot, all aisles of the parking lot may have to be closed by gates so that vehicles do not enter these parking aisles and drop off kids, making it potentially unsafe. The second (south) driveway at southbound Northfield Parkway will also have to be signed NO RIGHT TURN in the morning. Several options were discussed with this concept. It was concluded that some of this may involve more permanent type improvements, and the school district may hire a traffic consultant to evaluate and design parking and drop off areas.

Sgt. Redmond felt that the potential traffic safety situation is something that may need immediate attention and suggests that we try the NO LEFT TURN onto Northfield Parkway option on a temporary basis to determine whether it helps. To expedite the process, it was decided that a temporary traffic control order will be issued to restrict left turns. A special letter from the school will inform parents, and then signs will be installed around the first of March to help relieve the situation.

In the meantime, the Traffic Committee can study and consider other options to relieve congestion in the area.

Sgt. Redmond and Dr. Abraham have been at the school repeatedly. All parents driving their children to school enter and exit the same driveway from northbound and southbound Northfield Parkway. Drivers wanting to turn left (north) onto Northfield hold up the line blocking in and out traffic. Southbound traffic backs up so far that it blocks traffic on Long Lake. Teachers use the same driveway on Northfield Parkway.

Very few motorists use the student driveway onto Long Lake. That driveway is only used as an entrance. Parents could use it as an exit in the morning to relieve congestion at the Northfield Parkway driveway.

School buses all enter from Long Lake and exit onto Northfield Parkway, about half turning left and half right.

The school has plenty of land and space to change the configuration of driveways and traffic flow for greater efficiency. Sgt. Redmond and Dr. Abraham have met with Dr. Boehms and Dr. Fowler, and they are aware of the problems. They have made some changes in the parking lot but the situation seems to have worsened. It was suggested that another driveway could be added to create two different loops of traffic. The School District plans to hire a traffic consultant to perform a study of the school to come up with some permanent solutions to the traffic concerns in the area.

SUGGESTED RESOLUTION:

1. Recommend installing a NO LEFT TURN 7:15-7:45 A.M. EXCEPT BUSES sign on the Troy High School drive onto Northfield Parkway.

RESOLUTION #2004-02-10

Motion by Halsey

Seconded by Deel

YEAS: All-4

NAYS: None

ABSENT: 3 (Diefenbaker, Kilmer, Solis)

MOTION CARRIED

4. Sidewalk Maintenance Program

At the last Traffic Committee meeting discussion on sidewalks, there was a request for a report on sidewalk maintenance by our Department of Public Works. Tim Richnak, DPW Director, indicated that the DPW has a very aggressive sidewalk maintenance program. For major roads the City is divided into six different sections and each year major road sidewalks in one section are inspected and repaired. These inspections include finding trip hazards, cracks more than ¼ inch wide, and pavement surface failures. In addition to sidewalks in the section, the DPW also performs repairs on areas where they receive citizen requests. Therefore, every piece of major road sidewalk will be inspected and repaired once every six years.

For residential area sidewalks, the City is divided into 12 sections, so all sidewalks are inspected and repaired, if required, once in 12 years. The DPW is responsive to any sidewalk concern they receive, and encourage residents to inform them if they see sidewalk problems.

Attached are some details of the maintenance program. Last year \$385,000 was spent on the sidewalk maintenance program.

5. **Visitors' Time**

6. **Other Business**

Mr. Halsey mentioned that there is City-owned property at Vanderpool and Rochester where people park, though there are some NO PARKING signs. Sgt. Redmond mentioned that he will be glad to go and take a look at it.

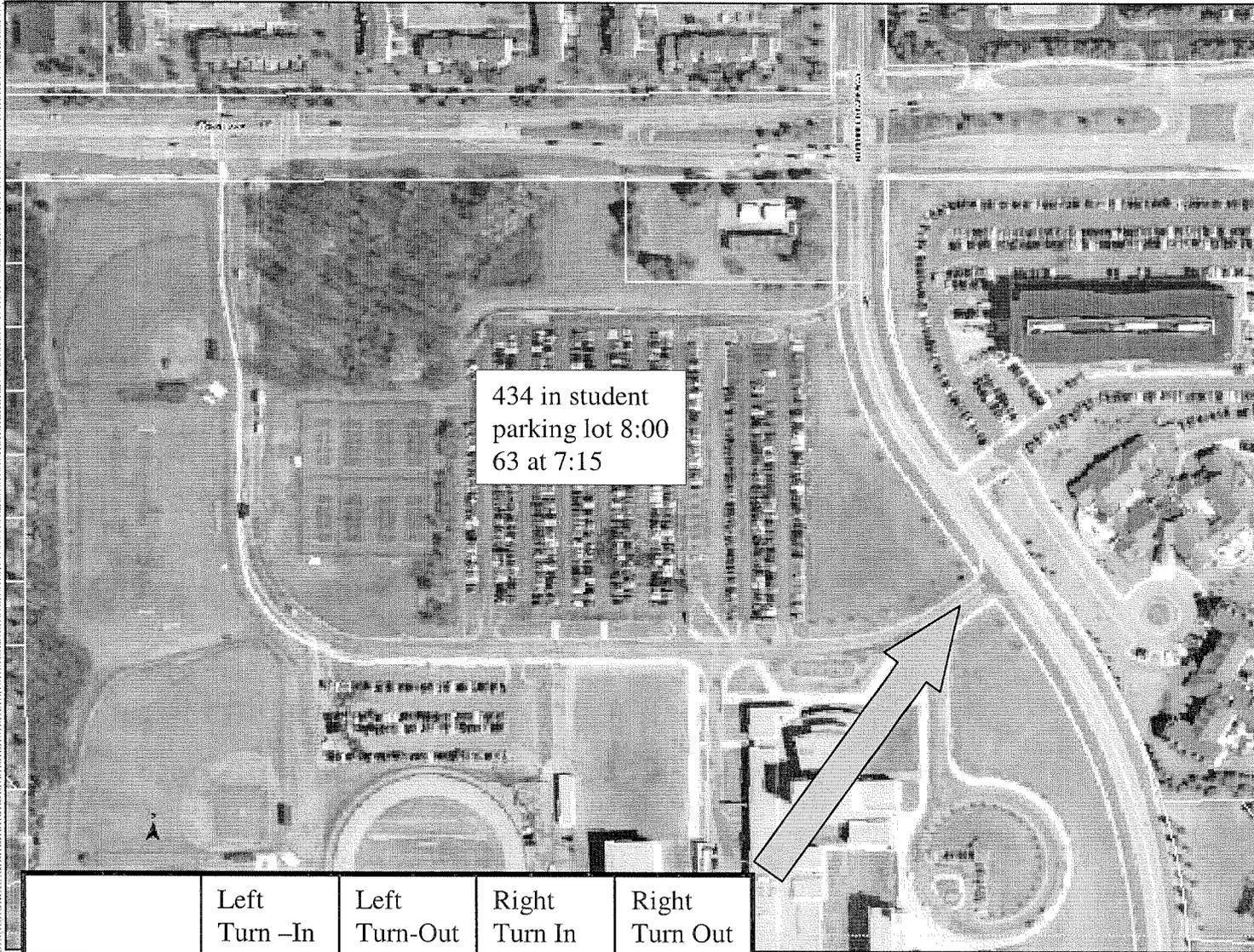
Mr. Deel mentioned an article in the Detroit Free Press that gave Stephenson Highway a "D" grade. Stephenson carries a great number of heavy trucks that takes a toll on the pavement. Dr. Abraham explained that the City is currently in the right-of-way acquisition phase for reconstructing the roadway.

The question was raised as to when Wattles Road will be boulevarded. Dr. Abraham said it will be done at the same time as the Rochester Road reconstruction project.

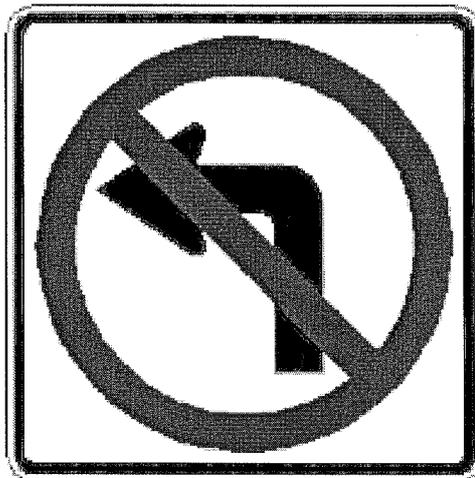
8. **Adjourn**

The meeting was adjourned at 8:17 p.m. The next meeting is scheduled for March 17, 2004.

SIGNED: _____
Jan Hubbell, Vice-Chair



	Left Turn -In	Left Turn-Out	Right Turn In	Right Turn Out
7:00 – 7:15	39	40	83	40
7:15 to 7:30	55	93	153	89
7:30 to 7:45	58	79	146	96
7:45 to 8:00	2	5	8	0
Total	154	217	390	225



7:15 to 7:45 AM
EXCEPT BUSES

R3-2 sign - 24" X 24"

<u>Budget Year</u>	<u>Sidewalk Replacement</u>	<u>Est. L.F Not Actual</u>
<u>2004/2005</u>	* <u>\$550,000</u>	
<u>2003/2004</u>	** <u>\$385,000</u>	
<u>2002/2003</u>	<u>\$299,990</u>	<u>13,333 L.F</u>
<u>2001/2002</u>	<u>\$425,750</u>	<u>17,777.L.F</u>
<u>2000/2001</u>	<u>\$202,990</u>	<u>9,022 L.F.</u>
<u>1999/2000</u>	<u>\$174,960</u>	<u>7,777 L.F</u>
<u>1998/1999</u>	<u>\$107,700</u>	<u>4,800.L.F</u>
<u>1997/1998</u>	<u>\$ 86,800</u>	<u>3,911 L.F</u>

* Amount Requested

** Amount Approved

Twelve Year Sidewalk Replacement Program for Subdivision

Year 1

Section # 1, and 12

Year 2

Section # 13, and 24

Year 3

Section # 25, and 36

Year 4

Section # 3, 2, and 11

Year 5

Section # ½ (16) E, 15, and 14

Year 6

Section # ½ (21) E, 22, and 23

Year 7

Section # 27, 26, 34, and 35

Year 8

Section # 4, 5, 6, and 9

Year 9

Section # 7, and 8

Year 10

Section # 17, 18, and ½ (16) W

Year 11

Section # ½ (16) E, 15, and 14

Year 12

Section # 28, 29, 30, 31, and 32

Six Year Sidewalk Replacement Program for the Mile Rd

Year 1

Section # 1,2,3,10,11, and 12

- 1- S. Side of South Blvd (Livernois & Dequindre)
- 2- S. & N. Side of Square Lake (Livernois & Dequindre)
- 3- N. Side of Long Lake (Livernois & Dequindre)
- 4- E. side Dequindre (South Blvd. & Long Lake)
- 5- E. & W. Side of John R (South Blvd. & Long Lake)
- 6- E. & W. Side of Rochester (South Blvd. & Long Lake)
- 7- E. Side of Livernois (South Blvd. & Long Lake)

Year 2

Section # 13,14,15, ½ (16) E, ½ (21) E, 22, 23, and 24

- 1- S. Side of Long Lake (Livernois & Freeway)
- 2- S. & N. Side of Wattles (Livernois & Freeway)
- 3- N. Side of Big Beaver (Livernois & Freeway)
- 4- E. Side Dequindre (Long Lake to Big Beaver)
- 5- E. & W. Side of John R (Long Lake to Big Beaver)
- 6- E. & W. Side of Rochester (Long Lake to Big Beaver)
- 7- E. & W. Side of Livernois (Long Lake to Big Beaver)
- 8- E. Side of Freeway (Long Lake to Big Beaver)

Year 3

Section # 25, 26, 27, 34, 35, and 36

- 1- S. Side of Big Beaver (Livernois & Dequindre)
- 2- S. & N. Side of Maple(Livernois & Dequindre)
- 3- N. Side of Fourteen (Stephenson Hwy & Dequindre)
- 4- E. Side Dequindre (Big Beaver & Fourteen)
- 5- E. & W. Side of John R (Big Beaver & Fourteen)
- 6- E. & W. Side of Rochester & Stephenson Hwy (Big Beaver & Fourteen)
- 7- E. Side of Livernois (Big Beaver & Elmwood)

Year 4

Section # 4, 5, 6, 7, 8, and 9

- 1- S. Side of South Blvd (Livernois & Adams)
- 2- S. & N. Side of Square Lake (Livernois & Adams)
- 3- N. Side of Long Lake (Livernois & Adams)
- 4- W. Side of Livernois (South Blvd. & Long Lake)
- 5- E. & W. Side of Crooks (South Blvd. & Long Lake)
- 6- E. & W. Side of Coolidge (South Blvd. & Long Lake)
- 7- E. Side of Adams (South Blvd. & Long Lake)

Year 5

Section # ½ (16) W, 17, 18, 19, 20, and ½ (21) W

- 1- S. Side of Long Lake (Adams & Freeway)
- 2- S. & N. Side of Wattles (Adams & Freeway)
- 3- N. Side of Big Beaver (Adams & Freeway)
- 4- E. Side of Freeway (Long Lake to Big Beaver)
- 5- E. & W. Side of Crooks (Long Lake to Big Beaver)
- 6- E. & W. Side of Coolidge (Long Lake to Big Beaver)
- 7- E. Side of Adams (Long Lake to Big Beaver)

Year 6

Section # 28, 29, 30, 31, and 32

- 1- S. Side of Big Beaver (Adams & Livernois)
- 2- N. Side of Maple (Coolidge & Livernois)
- 3- W. Side of Livernois (Big Beaver & Maple)
- 4- E. & W. Side of Crooks (Big Beaver & Mijer)
- 5- E. Side of Coolidge (Big beaver & Industrial Row)

TO: John Szerlag, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance and Administration
James A. Nash, Financial Services Director
Sandra L. Kasperek, City Treasurer

DATE: March 9, 2004

RE: Agenda Item - Establishment of a Service Fee for Returned Checks

In keeping with our goal of increasing the efficiency of City government and allocating costs to benefiting users, it is proposed that City Council consider establishing a charge for processing returned checks. On an annual basis, there are about 300 checks that are returned to the City from our bank due to non-sufficient funds (NSF) in customer accounts as well as closed accounts.

The process to collect funds on these returned checks requires a considerable amount of time and resources which is currently borne by the general fund. When a check is returned, a staff person attempts to verify fund availability with the payer's bank. However, recent developments in the banking industry regarding privacy issues are making this process more difficult. Many banks will only confirm that an account is open rather than verify if funds are available. If funds cannot be verified, a call is placed to the person or business who gave us the NSF check. When there is no response, a letter is generated and mailed which incurs paper and postage costs as well as time.

Additionally, the returned checks require special tracking when balancing the monthly bank statements. The timing of initial deposit to redeposit easily could affect three months of bank reconciliations.

A charge to individuals who write an NSF check is virtually universal in business and very common in government. A mini survey of some local communities was conducted and the results can be found in the following table.

SUMMARY

NSF Charges

Does your municipality apply a charge for returned checks? If so, how much?

<u>Community</u>	<u>Yes</u>	<u>No</u>	<u>NSF Fee</u>	
Auburn Hills	X		25.00	Attempt to redeposit first
Birmingham		X		Not at this time - in the process of changing charter
Clawson	X		20.00	Each time returned/if not pd, reduces water/tax paymt*
Farmington	X		35.00	require cash/money order to replace check and for the NSF fee
Farmington Hills	X		30.00	
Livonia	X		25.00	Also on returned EFTs
Madison Heights	X		15.00	Do not attempt to redeposit/back on tax/water
Novi	X		25.00	Attempt 1 redeposit first
Oak Park	X		30.00	
Pontiac	X		30.00	raising from \$15
Port Huron	X		20.00	
Rochester	X		15.00	automatic/no attempt to redeposit
Rochester Hills	X		30.00	
Royal Oak		X		
Southfield	X		25.00	
Sterling Heights	X		26.50	

*we could treat as an unpaid invoice

RECOMMENDATION

In an effort to match costs with services required, it is proposed that City Council approve the establishment of a returned check fee in the amount of \$25.00.

March 8, 2004

TO: John Szerlag, City Manager

FROM: Jeanette Bennett, Purchasing Director
William S. Nelson, Fire Chief

SUBJECT: **Agenda Item** – Standard Purchasing Resolution 1: Award To Low Bidder – Air Cylinders

RECOMMENDATION

On February 18, 2004, bid proposals were opened to purchase Air Cylinders for the Fire Department. City management is requesting approval to purchase thirty- (30) high-pressure air cylinders from the low bidder, Argus Supply Company of Chesterfield, MI for an estimated cost of \$18,876.00 at unit prices contained in the attached bid tabulation.

BACKGROUND

- The original bid proposal requested the vendor to furnish twenty- (20) air cylinders. However, due to the aggressive pricing received, the Fire Department has requested approval to purchase thirty- (30). Vendor has agreed to supply the additional quantity.
- The Fire Department utilizes over 150 pieces of self-contained breathing apparatus. Each of these units uses an air cylinder, which contains approximately 30 minutes of air at a pressure of 4500 psi.
- This purchase will provide additional spare cylinders, and replace those that have been damaged.

BUDGET

Funds are budgeted in the Fire Operations Account – Fire Equipment
#338.7740.115

26 Vendors Notified via MITN System

5 Bid Responses Rec'd

1 Bid Withdrawn

2 No Bids: (1) Company was not interested at this time.
(1) Company could not be competitive.

Opening Date -- 2-18-04
 Date Prepared -- 3/1/04

CITY OF TROY
 BID TABULATION
 AIR CYLINDERS

VENDOR NAME:

* Argus Supply	Alert Emergency	Grainger Ind'l	Flint Hydraulics	Accurate Safety
Company	Equipment Group	Supply		Distributors, Inc

PROPOSAL: Air Cylinders for the Fire Department based on specifications.

Withdrew Bid

QTY	DESCRIPTION	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE
20 ea	Air Cylinders, Survivair brand Model #917131, 30 minute Carbon fiber air cylinder to be used w/survivair air packs - NO EXCEPTIONS	\$ 629.20	-UNIT PRICE PREVAILS- \$ 670.00	\$ 700.00	-UNIT PRICE PREVAILS- \$ 739.00	Withdrew Bid (\$602.00)
			Bid Amt \$11,200.00 Corrected to:		Bid Amt \$14,784.00 Corrected to:	
	TOTAL *	\$12,584.00	\$ 13,400.00	\$ 14,000.00	\$ 14,780.00	(\$12,040.00)
TERMS:		Net 30 days	Net 30	Net 30 days	Net 45	
WARRANTY:		15 years	15 years	1 year	Manufacturer	
DELIVERY DATE(S)		14 days	15 days upon PO	10 business days	15 days from approval	
EXCEPTIONS:		Blank	Blank	Exact match - Model #917131	Delivery will be 15 days from date of approval	
ACKNOWLEDGEMENT: Completed - Y or N		Yes	Yes	Yes	Yes	

NO BIDS:

Safety Services Inc.
Eastman Fire Protection Inc.

* DENOTES LOW BIDDER

ATTEST:

Donald Mouch
Theresa Grafton
Linda Bockstanz

 Jeanette Bennett
 Purchasing Director



[Click Here to Return to the MITN Administration Main Menu](#)

Downloading History for ITB-COT 04-07 Cylinders

The report below shows all fax and e-mail vendors that matched this document when it was originally issued. It also shows all vendors that have downloaded or ordered the document and any subsequent amendments as of 2/26/2004.

Document Title:	Air Cylinders
Date Issued:	1/29/2004
Close Date:	2/18/2004

Click on the table headings for "Account Number" or "Company name" to re-sort this report by that column. You may also click on any vendor account number to view their account information.

<u>Acct #</u>	<u>Company Name</u>	<u>Service</u>	<u>Date Obtained Document</u>	<u>Date Obtained Amendments</u>
10640	Accurate Safety Distributors, Inc.	Free	1/29/2004	
12399	Alert Emergency Equipment Group, Inc	E-mail	1/29/2004	
15706	American Electric Motor Corporation	Fax	2/3/2004	
12040	Argus Supply Company	E-mail	2/18/2004	
14549	Bearing Service, Inc	E-mail	2/12/2004	
14466	Brighton Diesel Diagnostics, Inc.	E-mail		
12786	Circle K Service	E-mail		
14650	cmp distributors inc.	Free	2/15/2004	
15401	County Fire Protection	E-mail		
12287	Demko Inc.	E-mail	1/30/2004	
10669	Douglass Safety Systems	E-mail		
12428	East Jordan Iron Works, Inc.	E-mail		
10534	EASTMAN FIRE PROTECTION INC	Fax		
13082	Edwards Systems Technology, Inc.	E-mail		
14288	Elden Cylinder Testing, Inc.	E-mail	2/13/2004	
11234	Fire Control, Inc.	E-mail		
14211	Fire, Emergency And Safety Technology, Inc.	E-mail	2/11/2004	
15636	Fisher Safety	E-mail	1/29/2004	
11861				

	Grainger Industrial Supply	E-mail	2/16/2004	
15212	H & P Technologies	Free	2/10/2004	
11630	Mercer Equipment Rentals	E-mail		
11241	Michigan State Industries	Free	2/11/2004	
13352	Safety Services, Incorporated	E-mail	2/10/2004	
12294	Siemens Building Technologies, Inc.	E-mail		
13730	SMART Management Group, LLC	E-mail		
13610	TriCon Environmental, Inc.	Free	2/10/2004	

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March 5, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services *AS*
 Douglas J. Smith, Real Estate & Development Director *DS*
 Patricia A. Petitto, Senior Right of Way Representative *PA*

SUBJECT: AGENDA ITEM – STANDARD PURCHASING RESOLUTION 1 -
INDEPENDENT FEE APPRAISER FOR PROPOSED MAJOR ROAD
SIDEWALK PROJECTS
 South Boulevard/South Side, John R to Dequindre &
 Square Lake/North Side, John R to Dequindre

In accordance with previously established policies and procedures for hiring contract fee appraisers for appraisal work preceding acquisition in connection with a public improvement project, we requested proposals from several real estate appraisers that are on MDOT's approved list of appraisers. The proposals have been reviewed and we are requesting authorization to enter into a contract for real estate appraisals for the following projects:

PROJECT	NUMBER OF PARCELS
South Boulevard Sidewalk South Side, John R to Dequindre	9
Square Lake Sidewalk North Side, John R to Dequindre	14

Attached is a list of all of the proposals that were received. In order that we may proceed in a timely manner with the needed right-of-way acquisitions for these projects, we are requesting approval to enter into an appraisal contract with the low bidder, Andrew Reed & Associates, Incorporated for \$17,850. The money would come from the Capital Outlay New Sidewalk Construction 2003-2004 Budget.

Reviewed as to Form and Legality:

L. Grigg Bluhm
 Lori Grigg Bluhm, City Attorney

3.10.04
 Date

MAJOR ROAD SIDEWALK PROJECTS

NAME	SOUTH BLVD SOUTH SIDE JOHN R TO DEQUINDRE	SQUARE LAKE NORTH SIDE JOHN R TO DEQUINDRE	BID IF AWARDED BOTH PROJECTS	COMMENTS
Andrew Reed & Associates	\$8,000	\$13,000	\$17,850	Can complete in 30 days from authorization to proceed
Fred B. Phippeau & Associates	\$7,650	\$11,900	\$19,550	Can only complete one project within 30 days from authorization to proceed
Integra Dean	\$8,550	\$13,300	\$19,665	Can complete in 30 days from authorization to proceed
Colliers International	\$8,100	\$13,000	\$19,949.98	Can complete in 30 days from authorization to proceed
R.S. Thomas & Associates	\$9,300	\$18,800	-	Can complete in 30 days from authorization to proceed
Terzo & Bologna, Inc.	\$11,000	\$22,500	-	Can complete in 30 days from authorization to proceed
Fuller Appraisal Services	\$15,300	-	-	Can complete in 45 days from authorization to proceed
Stoppert Appraisal Service	\$16,200	\$24,600	-	Can complete in 45 days from authorization to proceed
Stout/Risius/Ross	\$22,500	\$35,000	-	Can complete in 30 days from authorization to proceed

APPRAISAL CONTRACT

Version
City of Troy
Real Estate & Development Department
Troy, Michigan
633P (9/87)

This information is required by City of
Troy to establish a binding contract.

CONTRACT NUMBER _____

IT IS MUTUALLY AGREED between the Real Estate & Development Department of the CITY OF TROY, referred to as the "CITY",
and Andrew M. Reed
of Andrew Reed & Associates, Inc. referred to as the "APPRAISER",
that:

1. The APPRAISER shall furnish to the CITY a professional appraisal of the fair market value of certain parcels of land, or designated parts, described on Form 633S, as follows:

23-Value of the Part Taken Plus Damages

TYPE OF APPRAISAL

Sidewalk Gap Projects

CONTROL SECTION JOB NO.

FEDERAL PROJECT NUMBER

ITEM NO.

South Boulevard Sidewalk/South Side, John R to Dequindre, Section 1 &
Square Lake Sidewalk/North Side, John R to Dequindre, Section 1

PARCEL NUMBERS

#88-20-01-101-021, #88-20-01-101-022, #88-20-01-101-023, #88-20-01-101-024, #88-20-01-101-025, #88-20-01-101-026, #88-20-01-101-027, #88-20-01-101-028, #88-20-01-126-002, #88-20-01-300-010, #88-20-01-300-011, #88-20-01-300-016, #88-20-01-476-025, #88-20-01-476-026, #88-20-01-476-036, #88-20-01-476-068, #88-20-01-476-028, #88-20-01-476-029, #88-20-01-476-030, #88-20-01-476-031, #88-20-01-476-087, #88-20-01-476-088 & #88-20-01-476-056

AND, as required by the CITY, appear in court as an expert witness for the City of Troy, in support of the appraisal(s).

2. For their services in furnishing the appraisals the appraiser shall be paid the sum of Seventeen Thousand, Eight Hundred, Fifty, and 00/100 (\$17,850.00) Dollars.

3. The APPRAISER agrees to fully complete the appraisals and furnish them to the CITY with 5 copies by 30 calendar days after notification of Approval, it being fully understood and agreed that in the event the APPRAISER shall fail to do so, the CITY may, without notice, terminate the services of the APPRAISER without liability for payment for appraisals submitted after the due date, or at the sole option of the CITY, the CITY shall deduct, as a liquidation of damages, a sum equal to one percent (1%) per calendar day of the total fee if the performance of the entire contract is delayed beyond the due date and the same may be done with respect to the individual parcels that have not been received by the due date. Upon written request by the APPRAISER, an extension of time may be granted by the CITY in writing, if the APPRAISER has not received from the CITY proper information needed to complete the appraisals or, at the sole option of the CITY, if other extenuating circumstances occur. It is further agreed that if a liquidation of damages is imposed pursuant to the above provisions, any money due and payable to the CITY may be retained out of any money earned by the APPRAISER under the terms of this contract.

4. For subsequent conferences regarding the appraisal, the APPRAISER shall be paid for rendering services, and payment shall include reimbursement for reasonable expenses incurred in rendering services unless otherwise specifically provided. Payment for these services (if any) shall be at the rate of \$0.00 per hour for one hour or less, and actual reasonable expenses in excess of one hour.

If payment is made for any service on an hourly rate pursuant to this contract, the APPRAISER shall adopt standard accounting practices and permit the CITY to inspect records and time sheets at any reasonable time.

The APPRAISER shall not directly or indirectly enter into any agreements, participate in any collusion or otherwise take any action in submitting an independent estimate of fees for this assignment.

The APPRAISER shall not accept appraisal assignments on other parcels within the City of Troy from any person, firm, or organization other than the CITY unless consent in writing is obtained from the CITY.

5. The APPRAISER shall consult with designated CITY personnel regarding the appraisal. The APPRAISER shall also prepare an updated appraisal of any of the parcels covered by this contract upon request by the CITY. Payment for work shall be at the rate of \$50.00 per hour, not to exceed 75% of the original appraisal proposal cost. Updated appraisals shall be completed within 30 days after the request for the work is received unless otherwise specified in writing by the CITY. The APPRAISER shall submit upon a form to be supplied by the CITY a statement detailing the hours and fee for updating each appraisal. This estimate will be submitted within 5 business days after it is requested.

In addition, the APPRAISER shall, if a condemnation damage trial takes place with regard to the parcels covered by this contract, appear in court at the CITY'S request and testify regarding the appraisal and its updating if accepted and approved by the CITY. The APPRAISER shall consult with the CITY'S attorneys regarding each parcel(s). The APPRAISER shall be paid at the rate of \$125.00 per hour plus reasonable expenses for testifying at trial.

If the APPRAISER believes that the CITY has not properly defined the appraisal problem, the APPRAISER must notify the CITY prior to signing this contract. If the APPRAISER feels that other specialized appraisals are needed, an outline of these recommended additional special appraisals and their estimated costs must be presented to the CITY prior to signing this contract.

6. The APPRAISER shall furnish appraisals and provide all work that complies with all laws, rules and guidelines of the Federal Highway Administration, the Michigan Department of Transportation, the Uniform Standards of Professional Appraisal Practice, as well as the guidelines established by the City of Troy.

7. The CITY may cancel this contract if the APPRAISER fails to comply with the terms, or the progress or quality of the work contracted for is unsatisfactory to the CITY, or if changes in CITY

plans obviate the necessity for the appraisal. Receipt of the APPRAISER in writing of notice of cancellation relieves the CITY of any liability for further services under this contract, and the work completed or partially completed by the APPRAISER becomes the property of the CITY. If this contract or a portion is cancelled by the CITY, the APPRAISER shall be compensated for satisfactory work actually performed to date of the cancellation on the basis of contractual estimates of fees for the parcel. Payment for services performed for consultation and testimony shall be as provided in Paragraph 4 of this contract.

8. If the CITY finds that a revision of the appraisal is necessary because of the APPRAISER'S error or oversight, the APPRAISER shall submit the revision to the CITY within ten days from receipt of the CITY'S request at no additional cost to the CITY. If revision becomes necessary because of revised plans or additional requirements of the CITY, a new contract covering the revisions shall be entered into at that time.

9. To the fullest extent permitted by law, the APPRAISER shall defend, pay in behalf of, indemnify and hold harmless the City of Troy, its elected and appointed officials, employees and volunteers and others working in behalf of the City of Troy against any and all claims, demands, suits or loss, including all costs connected therewith, and for any damages which may be asserted, claimed or recovered against or from the City of Troy, its elected and appointed officials, employees, volunteers or others working in behalf of the City of Troy, by reason of personal injury, including bodily injury and death and property damage, including loss of use, which arises out of or is in any way associated with this contract and the performance of this contract. The APPRAISER shall provide necessary worker's compensation insurance at APPRAISER'S own cost and expense.

10. The parties agree that the APPRAISER, and any agents and employees of APPRAISER, in the performance of this contract, act in an independent capacity and are not officers or employees or agents of the City of Troy.

11. This contract is not assignable by the APPRAISER either in whole or in part.

12. It is mutually understood and agreed that no alteration or variation of the terms of this contract shall be valid unless made in writing and signed by the parties, and there are no oral understandings or agreements not incorporated, and any alterations or variations of the terms must be made in writing between the parties to be binding on the parties.

13. Time is of the essence of all the provisions of this contract.

14. a. In connection with the performance of professional appraisal services under the contract, the APPRAISER shall comply with the State of Michigan provisions for "Prohibition of Discrimination in State Contracts," as set forth in Appendix "A," attached.

b. During the performance of this contract, the APPRAISER, for themselves, their assignees, and successors in interest shall comply with the Civil Rights Act of 1964 being P.L. 88-352, 78 Stat. 241, as amended, being Title 42 U.S.C. Sections 1971, 1975a - 1975d, and 2000a - 2000h - 6 and of the United States Department of Transportation (49 C.F.R. Part 21) issued pursuant to the Act.

15. The APPRAISER shall comply with all federal, state and local laws and ordinances applicable to the work. In addition, the APPRAISER shall be licensed and/or certified and professionally designated as an APPRAISER by the State of Michigan and that the licenses and/or certifications shall be maintained as active for no less than 3 years after completion of this assignment. (Copies of active Michigan Licenses and Designations must be attached to this Contract.)

16. The APPRAISER warrants that no company or person, other than a bona fide employee working solely for the APPRAISER, has solicited or secured this contract, and has not paid or agreed to pay any company or person, other than a bona fide employee working solely for the APPRAISER any fee, commission, percentage, brokerage fee, gifts, or any other consideration, contingent upon or resulting from the award or making of this contract. For breach or violation of this warranty, the CITY shall have the right to annul this contract without liability.

This contract shall not be binding on either party until all of the following have affixed their signature and approval is obtained by Resolution from Troy City Council.

WITNESS (SIGNATURE)	DATE	APPRAISER (SIGNATURE)	DATE
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CITY OF TROY, BY ITS REAL ESTATE & DEVELOPMENT DEPARTMENT, BY

SIGNATURE	TITLE	DAT
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March 9, 2004

To: John Szerlag, City Manager

From: Gary A. Shripka, Assistant City Manager/ Services
Jeanette Bennett, Purchasing Director
Timothy L. Richnak, Public Works Director

Subject: **Agenda Item** – Standard Purchasing Resolution 1: Award to Low Bidders – Water System Materials

RECOMMENDATION

On February 20, 2004, bid proposals were opened to furnish one-year requirements of Water System Materials. After reviewing these proposals, City management recommends awarding the contract to the low bidders, Vanderlind & Son, SLC Meter Service Inc., East Jordan Iron Works Inc., National Waterworks Inc., Cambridge Brass and Etna Supply Company for an estimated total cost of \$100,296.00. Vanderlind & Son allows an additional discount of 2%, if invoices are paid within 10 days.

VANDERLIND & SON

	Est. Qty	Description	Unit Price	2% Discount
<u>Item 2</u>				
<u>Corporation Stops</u>				
A.	500	1" Corp Stops w/nuts	11.84	11.60
B.	50	1 ½" Corp Stops w/nuts	32.44	31.79
C.	100	2" Corp Stops w/nuts	56.93	55.79
<u>Item 6</u>				
<u>Tapping Saddles</u>				
A.	50	2 x 8 Brass Dbl Band cc Thread for D.I.	49.33	48.34
B.	50	2 x 12 Brass Dbl Band cc Thread for D.I.	71.30	69.87
C.	25	1 ½ x 12 Brass Dbl Band cc Thread for A.C. pipe	70.04	68.64
D.	10	1 ½ x 6 Brass Dbl Band cc Thread for A.C. pipe	39.75	38.96
<u>Item 8</u>				
<u>Valve Box Parts</u>				
B.	20	18" D-Box Bottom	18.95	18.57
C.	20	24" D-Box Bottom	23.39	22.92
D.	20	30" D-Box Bottom	25.01	24.51
E.	40	D-Box Riser Screw Type	19.95	19.55
<u>Item 9</u>				
<u>Water Main Fittings</u>				
H.	4	6" D.I. Split Rings	5.00	4.90
N.	2	4" x 20' CLS 54 DI Pipe	8.73	8.56
O.	4	8" x 20' CLS 54 DI Pipe	12.40	12.15
P.	3	12" x 20' CLS 54 DI Pipe	20.24	19.84
Q.	1	16" x 20' CLS 54 DI Pipe	29.93	29.33
R.	1	20" x 20' CLS 54 DI Pipe	39.00	38.22
S.	1	24" x 20' CLS 54 DI Pipe	48.60	47.63
Estimated Total:			\$28,486.20	\$27,916.48

To: John Szerlag, City Manager
 Re: Bid Award – Water System Materials

SLC METER SERVICE INC

	Est. Qty	Description	Unit Price	Total
<u>Item 1</u>				
		<u>Curb Box Items</u>		
B.	30	2 x 1-1/2" Black Bushing	1.00	30.00
C.	400	2" Minneapolis Curb Box With Stems	16.00	6400.00
<u>Item 3</u>				
		<u>Curb Stops</u>		
A.	500	1" Curb Stops w/nuts	12.40	6200.00
B.	50	1-1/2" Curb Stops w/nuts	33.49	1674.50
C.	100	2" Curb Stops w/nuts	58.49	5849.00
<u>Item 5</u>				
		<u>Brass Fittings</u>		
D.	50	2" x 90° Bend w/nuts Non-Swivel	41.65	2082.50
F.	50	1" Brass Plug CC Tapered Threads	2.94	147.00
Estimated Total:				\$22,383.00

EAST JORDAN IRON WORKS

<u>Item 7</u>				
		<u>Concrete Adapters</u>		
A.	1	16" Concrete DI Adapter Complete W/accessories	2015.72	2015.72
<u>Item 8</u>				
		<u>Valve Box Parts</u>		
A.	50	D-Box Bell	22.80	1140.00
<u>Item 10</u>				
		<u>Rings & Covers</u>		
A.	40	1040 ZPT San M/H Frame	138.70	5548.00
B.	75	1040 APT San M/H Cover	92.96	6972.00
C.	85	1040 Z M/H Frame	121.45	10323.25
D.	85	1040 ZC M/H Cover	86.97	7392.45
Estimated Total:				\$33,391.42

CAMBRIDGE BRASS

<u>Item 5</u>				
		<u>Brass Fittings</u>		
A.	25	1-1/2 Copper to Copper Union w/nuts	18.85	471.25
B.	50	2" Copper to Copper Union w/nuts	30.75	1537.50
G.	50	3/4" Copper to Copper union w/nuts	3.92	196.00
I.	50	1" x 3/4" Copper to Copper union (m)	3.67	183.50
Estimated Total:				\$2,388.25

To: John Szerlag, City Manager
 Re: Bid Award – Water System Materials

ETNA SUPPLY COMPANY

	Est. Qty	Description	Unit Price	Total
<u>Item 4</u>				
<u>Full Circle Repair Clamps</u>				
A.	20	6" x 8" SS Repair Clamp	27.00	540.00
B.	10	6" x 12" SS Repair Clamp	38.00	380.00
C.	20	8" x 7" SS Repair Clamp	30.00	600.00
D.	10	12" x 12" SS Repair Clamp	70.00	700.00
E.	10	12" x 12 SS Repair Clamp Standard Range 13.10 – 13.50	70.00	700.00
F.	10	12" x 15" SS Repair Clamp	80.00	800.00
G.	10	12" x 15" SS Repair Clamp Standard Range 13.10 - 13.50	80.00	800.00
<u>Item 5</u>				
<u>Brass Fittings</u>				
C.	25	1-1/2" x 90° w/nuts non-swivel	23.85	596.25
E.	25	2" x 45° w/nuts non-swivel	38.25	956.25
H.	25	1-1/2" x 45° w/nuts non-swivel	20.70	517.50
<u>Item 9</u>				
<u>Water Main Fittings</u>				
G.	20	6" DI Gland Packs	7.25	145.00
K.	2	8" MJ DI x 8" Spigot 45°	57.00	114.00
M.	100/pk	5/8" x 3" T Bolts	.40	40.00
<u>Item 11</u>				
<u>Gate Valves</u>				
A.	10	6" Gate Resilient Wedge LH Open Epoxy coated Gate Valve MJ ends	215.00	2150.00

Estimated Total: \$9,039.00

NATIONAL WATERWORKS

<u>Item 1</u>				
<u>Curb Box Items</u>				
A.	100	1" Curb Box Lid	3.36	336.00
B.	30	2 x 1-1/2" Black Bushing	1.00	30.00
D.	40	2" Curb Box (Mueller #H-10304-99002)	59.08	2363.20
E.	10	3-1/2" x 3" Black Bushing	3.93	39.30
<u>Item 8</u>				
<u>Valve Box Parts</u>				
F.	35	D-Box Top Section 36"	30.27	1059.45
<u>Item 9</u>				
<u>Water Main Fittings</u>				
A.	6	4" Water main cap	10.15	60.90
B.	6	4" Water main plug	10.15	60.90
C.	4	12" MJ Cap	41.43	165.72
D.	4	12" MJ Plug	44.68	178.72
E.	4	6" MJ DI 22-1/2°	34.93	139.72
F.	4	6" MJ DI 90°	39.00	156.00
I.	10	6" x 7" MJ DI Solid Sleeve	26.40	264.00
J.	2	8" MJ DI 11-1/4°	54.84	109.68
L.	6	8" x 7" MJ DI Solid Sleeve	35.34	212.04

To: John Szerlag, City Manager
Re: Bid Award – Water System Materials

National Waterworks (continued)

<u>Item 12</u>	<u>Parts for Mueller Fire Hydrants</u>	
	Discount of: <u>5%</u>	
	Parts Price List: <u>Listed on 9-33 to 9-38</u>	
	Dated: <u>February 26, 2001</u>	
	Estimated Total:	\$5,175.63

ESTIMATED GRAND TOTAL - \$100,293.78

SUMMARY

Two vendors, SLC Meter Service and National Waterworks, tied bids on item 1(B) – 2 x 1 ½” Black Bushings. Both were awarded with half the bid quantity.

BUDGET

Funds are available in the Water Department Operating Budget.

53 Vendors Notified on MITN System
2 Vendor Walk-Ins
6 Bid Responses Rec'd
1 No Bid: Company not interested in bidding at this time.

Opening Date -- 2-20-04
 Date Prepared -- 2-26-04

CITY OF TROY
 BID TABULATION
 WATER SYSTEM MATERIALS

VENDOR NAME:

			East Jordan Iron Works		SLC Meter Service Inc	
ITEM #	EST QTY	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
<u>CURB BOX ITEMS</u>						
1A.	100	1" CURB BOX LID	\$ 3.74	\$ 374.00	\$ 5.50	\$ 550.00
1B.	30/30	2 X 1 1/2" BLACK BUSHING	\$ 4.69	\$ 281.40	\$ 1.00	\$ 30.00
1C.	400	2" MINNEAPOLIS CURB BOX W/STEMS	\$ 42.55	\$ 17,020.00	\$ 16.00	\$ 6,400.00
1D.	40	2" CURB BOX (Mueller #H-10304-99002)	\$ 90.06	\$ 3,602.40		No Bid
1E.	10	3 1/2 x 3 BLACK BUSHING		No Bid		No Bid
		MANUFACTURER	Mueller		General Foundries	
		MODEL	Blank		Blank	
<u>CORPORATION STOPS</u>						
2A.	500	1" CORPORATION STOPS with nuts	\$ 16.43	\$ 8,215.00	\$ 12.23	\$ 6,115.00
2B.	50	1 1/2" CORPORATION STOPS with nuts	\$ 42.81	\$ 2,140.50	\$ 33.49	\$ 1,674.50
2C.	100	2" CORPORATION STOPS with nuts	\$ 78.55	\$ 7,855.00	\$ 58.49	\$ 584.90
		MANUFACTURER	Mueller		Ford Meter Box	
		MODEL	H-15000		FB600	
<u>CURB STOPS</u>						
3A.	500	1" CURB STOPS with nuts	\$ 38.38	\$ 19,190.00	\$ 12.40	\$ 6,200.00
3B.	50	1 1/2" CURB STOPS with nuts	\$ 75.70	\$ 3,785.00	\$ 33.49	\$ 1,674.50
3C.	100	2" CURB STOPS with nuts	\$ 122.43	\$ 12,243.00	\$ 58.49	\$ 5,849.00
		MANUFACTURER	Mueller		Ford Meter Box	
		MODEL	H-15154		B22	
<u>FULL CIRCLE REPAIR CLAMPS</u>						
4A.	20	6" X 8" Stainless Steel Repair Clamp		No Bid	\$ 38.94	\$ 778.80
4B.	10	6" x 12" Stainless Steel Repair Clamp		No Bid	\$ 49.41	\$ 494.10
4C.	20	8" x 7" Stainless Steel Repair Clamp		No Bid	\$ 42.10	\$ 842.00
4D.	10	12" x 12" Stainless Steel Repair Clamp		No Bid	\$ 115.00	\$ 1,150.00
4E.	10	12" x 12" Stainless Steel Clamp standard range	\$ 239.85	\$ 2,398.50	\$ 81.47	\$ 814.70
4F.	10	12" x 15" Stainless Steel Repair Clamp		No Bid	\$ 117.83	\$ 1,178.30
4G.	10	12" x 15" Stainless Steel Clamp standard range	\$ 270.34	\$ 2,703.40	\$ 90.66	\$ 906.60
		MANUFACTURER	JCM Industries		Ford Meter Box	
		MODEL	JCM - 131		FS1 / FS2	
<u>BRASS FITTINGS</u>						
5A.	25	1 1/2" COPPER TO COPPER UNION w/nuts	\$ 28.54	\$ 713.50	\$ 21.25	\$ 531.25
5B.	50	2" COPPER TO COPPER UNION w/nuts	\$ 46.56	\$ 2,328.00	\$ 34.67	\$ 1,733.50
5C.	25	1 1/2 X 90 DEGREE BEND w/nuts-not swivel	\$ 41.28	\$ 1,032.00	\$ 30.22	\$ 755.50
5D.	50	2" X 90 DEGREE BEND w/nuts - not swivel	\$ 56.90	\$ 2,845.00	\$ 41.65	\$ 2,082.50
5E.	25	2" X 45 DEGREE BEND w/nuts - not swivel		No Bid	\$ 38.41	\$ 960.25
5F.	50	1" BRASS PLUG CC TAPERED THREADS	\$ 4.82	\$ 241.00	\$ 2.94	\$ 147.00
5G.	50	3/4" COPPER TO COPPER UNION w/nuts	\$ 5.94	\$ 297.00	\$ 4.43	\$ 221.50
5H.	25	1 1/2" x 45 DEGREE BEND w/nuts non-sw		No Bid	\$ 20.79	\$ 519.75
5I.	50	1" x 3/4" COPPER TO COPPER UNION (M)		No Bid	\$ 6.55	\$ 327.50
		MANUFACTURER	Mueller		Ford Meter Box	
		MODEL	Blank		Blank	

Opening Date -- 2/20/04
 Date Prepared -- 2/26/04

CITY OF TROY
 BID TABULATION
 WATER SYSTEM MATERIALS

VENDOR NAME:				East Jordan Iron Works		SLC Meter Service, Inc	
ITEM #	EST QTY	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	
<u>TAPPING SADDLES</u>							
6A.	50	2 X 8 BRASS DBL BAND CC THREAD	\$ 68.51	\$ 3,425.50	\$ 50.70	\$ 2,535.00	
6B.	50	2 X 12 BRASS DBL BAND CC THREAD	\$ 99.46	\$ 4,973.00	\$ 73.63	\$ 3,681.50	
6C.	25	1 1/2 X 12 BRASS DBL BAND CC THREAD	\$ 97.68	\$ 2,442.00	\$ 72.33	\$ 1,808.25	
6D.	10	1 1/2 X 6 BRASS DBL BAND CC THREAD	\$ 55.15	\$ 551.50	\$ 40.86	\$ 408.60	
		MANUFACTURER	Mueller		Ford Meter Box		
		MODEL	BR2B		202B		
<u>CONCRETE ADAPTERS</u>							
7A.	1 SET	16" CONCRETE D I ADAPTERS W/ACCES	\$2,015.72	\$ 2,015.72			No bid
		MANUFACTURER	Hanson Pipe/ EBBA		No bid		
		MODEL	Blank		No bid		
<u>VALVE BOX PARTS</u>							
8A.	50	D-BOX BELL	\$ 22.80	\$ 1,140.00			No bid
8B.	20	18" D-BOX BOTTOM	\$ 21.60	\$ 432.00			No bid
8C.	20	24" D-BOX BOTTOM	\$ 25.20	\$ 504.00			No bid
8D.	20	30" D-BOX BOTTOM	\$ 26.40	\$ 528.00			No bid
8E.	40	D-BOX RISER - SCREW IN TYPE	\$ 25.20	\$ 1,008.00			No bid
8F.	35	D-BOX TOP SECTION 36"	\$ 31.80	\$ 1,113.00			No bid
		MANUFACTURER	(Section 26") East Jordan Iron Works		No bid		
		MODEL	8560		No bid		
<u>WATER MAIN FITTINGS</u>							
9A.	6	4" WATER MAIN CAP	\$ 11.25	\$ 67.50			No bid
9B.	6	4" WATER MAIN PLUG	\$ 11.25	\$ 67.50			No bid
9C.	4	12" MJ CAP	\$ 45.90	\$ 183.60			No bid
9D.	4	12" MJ PLUG	\$ 49.50	\$ 198.00			No bid
9E.	4	6" MJ D.I. 22 1/2 DEG BEND	\$ 38.70	\$ 154.80			No bid
9F.	4	6" MJ D.I. 90 DEG BEND	\$ 43.20	\$ 172.80			No bid
9G.	20	6" D.I. GLAND PACKS	\$ 10.35	\$ 207.00			No bid
9H.	4	6" D.I. SPLIT RINGS	\$ 44.62	\$ 178.48			No bid
9I.	10	6 X 7 MJ D.I. SOLID SLEEVE	\$ 29.25	\$ 292.50			No bid
9J.	2	8" MJ D.I. 11 1/4 DEG BEND	\$ 60.75	\$ 121.50			No bid
9K.	2	8" MJ D.I. X 8" SPIGOT 45 DEG	\$ 65.70	\$ 131.40			No bid
9L.	6	8 X 7 MJ D.I. SOLID SLEEVE	\$ 39.15	\$ 234.90			No bid
9M.	1 CS	5/8" X 3" T BOLTS	\$ 318.85	\$ 318.85			No bid
9N.	2 LHTS	4" CLASS 54 D.I. PIPE	\$ 172.08	\$ 344.16			No bid
9O.	4 LHTS	8" CLASS 54 D.I. PIPE	\$ 271.60	\$ 1,086.40			No bid
9P.	3 LHTS	12" CLASS 54 D.I. PIPE	\$ 443.20	\$ 1,329.60			No bid
9Q.	1 LHTS	16" CLASS 54 D.I. PIPE	\$ 655.60	\$ 655.60			No bid
9R.	1 LHTS	20" CLASS 54 D.I. PIPE	\$ 854.20	\$ 854.20			No bid
9S.	1 LHTS	24" CLASS 54 D.I. PIPE	\$1,064.40	\$ 1,064.40			No bid
		MANUFACTURER	Tyler / Griffin		No bid		
		MODEL	Blank		No bid		

#69

Opening Date -- 2-20-04
 Date Prepared -- 2/26/04

CITY OF TROY
 BID TABULATION
 WATER SYSTEM MATERIALS

VENDOR NAME:

				East Jordan Iron Works		SLC Meter Service Inc	
ITEM #	EST QTY	DESCRIPTION		UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
<u>RINGS & COVERS</u>							
10A.	40	1040 ZPT SAN M/H FRAME		\$ 138.70	\$ 5,548.00		No bid
10B.	75	1040 APT SAN M/H COVER		\$ 92.96	\$ 6,972.00		No bid
10C.	85	1040Z M/H FRAME		\$ 121.45	\$ 10,323.25		No bid
10D.	85	1040ZC M/H COVER		\$ 86.97	\$ 7,392.45		No bid
		MANUFACTURER		EJIW		No bid	
		MODEL		EJIW		No bid	
<u>GATE VALVES</u>							
11A.	10	6" RESILIENT WEDGE LH OPEN EPOXY		\$ 234.78	\$ 2,347.80		No bid
		MANUFACTURER		EJIW		No bid	
		MODEL		6RW12 Flowmaster		No bid	
12		<u>PARTS FOR MUELLER FIRE HYDRANTS</u>		Blank		No bid	
		DISCOUNT	%	0		Blank	
		Parts Price List		Attached		Blank	
		Dated		2/26/01		Blank	
ESTIMATED TOTAL AWARDED ITEMS:				\$ 33,391.42		\$22,383.00	
TERMS:				Net 30 Days		Net 30 Days	
WARRANTY:				Blank		Standard Manufacturers	
DELIVERY DATE:				1 - 21 Days after Order		Stock to 4 weeks	
EXCEPTIONS:				Blank		Blank	
ACKNOWLEDGEMENT: Completed - Y OR N				Yes		Yes	

NO BIDS:
Gunners Meters & Parts

ATTEST:
Aileen Bittner
Emily Frontera
Linda Bockstanz

VENDOR NAME:

ITEM # EST QTY DESCRIPTION			Vanderlind & Son		National Water Works Inc	
			UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
CURB BOX ITEMS Alternate - Two Hole			\$ 3.45	\$ 345.00		
1A.	100	1" CURB BOX LID Plug Type	\$ 3.97	\$ 397.00	\$ 3.36	\$ 336.00
1B.	30/30	2 X 1 1/2" BLACK BUSHING	\$ 1.74	\$ 104.40	\$ 1.00	\$ 30.00
1C.	400	2" MINNEAPOLIS CURB BOX W/STEMS	\$ 19.76	\$ 7,904.00	\$ 19.77	\$ 7,908.00
1D.	40	2" CURB BOX (Mueller #H-10304-99002)		No Bid	\$ 59.08	\$ 2,363.20
1E.	10	3 1/2 x 3 BLACK BUSHING		No Bid	\$ 3.93	\$ 39.30
MANUFACTURER			AY McDonald		AY McDonald	
MODEL			5611-5613		5601L,5613,350-360	
CORPORATION STOPS					350-644,10304-99002	
2A.	500	1" CORPORATION STOPS with nuts	\$ 11.60	\$ 5,801.60	\$ 11.75	\$ 5,875.00
2B.	50	1 1/2" CORPORATION STOPS with nuts	\$ 31.79	\$ 1,589.56	\$ 32.20	\$ 1,610.00
2C.	100	2" CORPORATION STOPS with nuts	\$ 55.79	\$ 5,579.14	\$ 56.25	\$ 5,625.00
MANUFACTURER			AY McDonald		AY McDonald	
MODEL			4701-4701B		4701 & 4701B	
CURB STOPS Alternate - Inverted Key			\$ 22.50	\$ 11,250.00		
3A.	500	1" CURB STOPS with nuts Ball	\$ 24.64	\$ 12,320.00	\$ 22.34	\$ 11,170.00
3B.	50	1 1/2" CURB STOPS with nuts	\$ 53.05	\$ 2,652.50	\$ 52.41	\$ 2,620.50
3C.	100	2" CURB STOPS with nuts	\$ 85.41	\$ 8,541.00	\$ 84.80	\$ 8,480.00
MANUFACTURER			AY McDonald		AY McDonald	
MODEL			6104		6104 & 4713	
FULL CIRCLE REPAIR CLAMPS						
4A.	20	6" X 8" Stainless Steel Repair Clamp	\$ 40.77	\$ 815.40	\$ 40.38	\$ 807.60
4B.	10	6" x 12" Stainless Steel Repair Clamp	\$ 60.59	\$ 605.90	\$ 60.02	\$ 600.20
4C.	20	8" x 7" Stainless Steel Repair Clamp	\$ 46.49	\$ 929.80	\$ 46.05	\$ 921.00
4D.	10	12" x 12" Stainless Steel Repair Clamp	\$ 101.24	\$ 1,012.40	\$ 100.29	\$ 1,002.90
4E.	10	12" x 12" Stainless Steel Clamp standard range	\$ 76.91	\$ 769.10	\$ 76.19	\$ 761.90
4F.	10	12" x 15" Stainless Steel Repair Clamp	\$ 126.50	\$ 1,265.00	\$ 125.31	\$ 1,253.10
4G.	10	12" x 15" Stainless Steel Clamp standard range	\$ 87.49	\$ 874.90	\$ 86.67	\$ 866.70
MANUFACTURER			Smith - Blair		Smith - Blair	
MODEL			262		262 & 261	
BRASS FITTINGS						
5A.	25	1 1/2" COPPER TO COPPER UNION w/nuts	\$ 20.14	\$ 503.50	\$ 20.35	\$ 508.75
5B.	50	2" COPPER TO COPPER UNION w/nuts	\$ 32.86	\$ 1,643.00	\$ 33.21	\$ 1,660.50
5C.	25	1 1/2 X 90 DEGREE BEND w/nuts-not swivel		No bid	\$ 35.64	\$ 891.00
5D.	50	2" X 90 DEGREE BEND w/nuts - not swivel		No bid	\$ 49.12	\$ 2,456.00
5E.	25	2" X 45 DEGREE BEND w/nuts - not swivel		No bid	\$ 56.78	\$ 1,419.50
5F.	50	1" BRASS PLUG CC TAPERED THREADS	\$ 3.04	\$ 152.00	\$ 3.05	\$ 152.50
5G.	50	3/4" COPPER TO COPPER UNION w/nuts	\$ 4.22	\$ 211.00	\$ 4.23	\$ 211.50
5H.	25	1 1/2" x 45 DEGREE BEND w/nuts non-sw		No bid	\$ 30.77	\$ 769.25
5I.	50	1" x 3/4" COPPER TO COPPER UNION (M)	\$ 5.09	\$ 254.50	\$ 5.11	\$ 255.50
MANUFACTURER			AY McDonald		Mueller Ford	
MODEL			4758 - 3206 - 4753		AY McDonald	
					4758, 3206, 4753, H15525,	
					LA02-77, & LA02-66	

VENDOR NAME:

			Vanderlind & Son		National Water Works Inc	
ITEM #	EST QTY	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
<u>TAPPING SADDLES</u>						
6A.	50	2 X 8 BRASS DBL BAND CC THREAD	\$ 48.34	\$ 2,417.17	\$ 49.35	\$ 2,467.50
6B.	50	2 X 12 BRASS DBL BAND CC THREAD	\$ 69.87	\$ 3,493.70	\$ 71.69	\$ 3,584.50
6C.	25	1 1/2 X 12 BRASS DBL BAND CC THREAD	\$ 68.64	\$ 1,715.98	\$ 70.42	\$ 1,760.50
6D.	10	1 1/2 X 6 BRASS DBL BAND CC THREAD	\$ 38.96	\$ 389.55	\$ 39.77	\$ 397.70
			(w/terms)			
MANUFACTURER			AY McDonald		AY McDonald	
MODEL			3825		3825	
<u>CONCRETE ADAPTERS</u>						
7A.	1 SET	16" CONCRETE D I ADAPTERS W/ACCES		No bid		No Bid
MANUFACTURER			No bid		No bid	
MODEL			No bid		No bid	
<u>VALVE BOX PARTS</u>						
8A.	50	D-BOX BELL	\$ 24.01	\$ 1,200.50	\$ 26.25	\$ 1,312.50
8B.	20	18" D-BOX BOTTOM	\$ 18.57	\$ 371.42	\$ 20.18	\$ 403.60
8C.	20	24" D-BOX BOTTOM	\$ 22.92	\$ 458.44	\$ 23.53	\$ 470.60
8D.	20	30" D-BOX BOTTOM	\$ 24.51	\$ 490.20	\$ 25.57	\$ 511.40
8E.	40	D-BOX RISER - SCREW IN TYPE	\$ 19.55	\$ 782.04	\$ 23.53	\$ 941.20
			(w/terms)			
8F.	35	D-BOX TOP SECTION 36"		No bid	\$ 30.27	\$ 1,059.45
MANUFACTURER			Star		Tyler / Union	
MODEL			Import		6 base, 18B, 24B, 30B	
					#69, 6860	
<u>WATER MAIN FITTINGS</u>						
9A.	6	4" WATER MAIN CAP	\$ 11.22	\$ 67.32	\$ 10.15	\$ 60.90
9B.	6	4" WATER MAIN PLUG	\$ 11.22	\$ 67.32	\$ 10.15	\$ 60.90
9C.	4	12" MJ CAP	\$ 45.75	\$ 183.00	\$ 41.43	\$ 165.72
9D.	4	12" MJ PLUG	\$ 49.34	\$ 197.36	\$ 44.68	\$ 178.72
9E.	4	6" MJ D.I. 22 1/2 DEG BEND	\$ 38.58	\$ 154.32	\$ 34.93	\$ 139.72
9F.	4	6" MJ D.I.90 DEG BEND	\$ 43.06	\$ 172.24	\$ 39.00	\$ 156.00
9G.	20	6" D.I. GLAND PACKS	\$ 8.08	\$ 161.60	\$ 12.18	\$ 243.60
9H.	4	6" D.I. SPLIT RINGS	\$ 4.90	\$ 19.60	\$ 21.53	\$ 86.12
9I.	10	6 X 7 MJ D.I. SOLID SLEEVE	\$ 29.16	\$ 291.60	\$ 26.40	\$ 264.00
9J.	2	8" MJ D.I. 11 1/4 DEG BEND	\$ 60.55	\$ 121.10	\$ 54.84	\$ 109.68
9K.	2	8" MJ D.I. X 8" SPIGOT 45 DEG	\$ 65.49	\$ 130.98	\$ 59.31	\$ 118.62
9L.	6	8 X 7 MJ D.I. SOLID SLEEVE	\$ 39.02	\$ 234.12	\$ 35.34	\$ 212.04
9M.	1 CS	5/8" X 3" T BOLTS	\$ 1.20		\$ 0.69	\$2.76 a bag
9N.	2 LHTS	4" CLASS 54 D.I. PIPE	\$ 8.56	\$ 342.22	\$ 9.44	\$ 188.80
9O.	4 LHTS	8" CLASS 54 D.I. PIPE	\$ 12.15	\$ 972.16	\$ 13.42	\$ 979.66
9P.	3 LHTS	12" CLASS 54 D.I. PIPE	\$ 19.84	\$ 1,190.11	\$ 21.90	\$ 1,204.50
9Q.	1 LHTS	16" CLASS 54 D.I. PIPE	\$ 29.33	\$ 586.63	\$ 32.40	\$ 615.60
9R.	1 LHTS	20" CLASS 54 D.I. PIPE	\$ 38.22	\$ 764.40	\$ 42.22	\$ 802.18
9S.	1 LHTS	24" CLASS 54 D.I. PIPE	\$ 47.63	\$ 952.56	\$ 52.61	\$ 999.59
			(w/terms)			
MANUFACTURER			U.S. Pipe - Tyler		Tyler / Union & Clow	
MODEL			Blank		MJ, Accessories & DICL 54	

VENDOR NAME:			Vanderlind & Son		National Water Works Inc	
ITEM #	EST QTY	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
RINGS & COVERS						
10A.	40	1040 ZPT SAN M/H FRAME		No bid	\$ 138.90	\$ 5,556.00
10B.	75	1040 APT SAN M/H COVER		No bid	\$ 104.36	\$ 7,827.00
10C.	85	1040Z M/H FRAME		No bid	\$ 121.62	\$ 10,337.70
10D.	85	1040ZC M/H COVER		No bid	\$ 87.09	\$ 7,402.65
		MANUFACTURER	EJIW		EJIW	
		MODEL	EJIW		EJIW	
GATE VALVES						
11A.	10	6" RESILIENT WEDGE LH OPEN EPOXY	\$ 225.40	\$ 2,254.00	\$ 283.82	\$ 2,838.20
		MANUFACTURER	U.S. Pipe		Mueller Co.	
		MODEL	Blank		RWOL A2360-23	
12		PARTS FOR MUELLER FIRE HYDRANTS		No bid	Mueller Improved Hydrant	
		DISCOUNT		Blank	5% - Listed on	
		Parts Price List		Blank	9-33 thru 9-38	
		Dated		Blank	2/26/01	
ESTIMATED TOTAL AWARDED ITEMS:				\$ 27,916.48		\$ 5,175.63
		TERMS:	2% - 10 Net 30 Days		Net 30 Days	
		WARRANTY:	Manufacturers		Manufacturers	
		DELIVERY DATE:	Stock to 2 weeks		As Required	
		EXCEPTIONS:	Listed in Bid		Listed in Bid	
		ACKNOWLEDGEMENT: Completed - Y OR N	Yes		Yes	

VENDOR NAME:

VENDOR NAME:			Etna Supply Company		Cambridge Brass	
ITEM #	EST QTY	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
<u>CURB BOX ITEMS</u>						
1A.	100	1" CURB BOX LID	\$ 4.00	\$ 400.00		No Bid
1B.	60	2 X 1 1/2" BLACK BUSHING	\$ 1.25	\$ 75.00		No Bid
1C.	400	2" MINNEAPOLIS CURB BOX W/STEMS	\$ 20.50	\$ 8,200.00		No Bid
1D.	40	2" CURB BOX (Mueller #H-10304-99002)	\$ 71.90	\$ 2,876.00		No Bid
1E.	10	3 1/2 x 3 BLACK BUSHING	\$ 4.90	\$ 49.00		No Bid
		MANUFACTURER	McDonald / Ford		No Bid	
		MODEL	Blank			
<u>CORPORATION STOPS</u>						
2A.	500	1" CORPORATION STOPS with nuts	\$ 12.15	\$ 6,075.00	\$ 12.50	\$ 6,250.00
2B.	50	1 1/2" CORPORATION STOPS with nuts	\$ 33.30	\$ 1,665.00	\$ 34.55	\$ 1,727.50
2C.	100	2" CORPORATION STOPS with nuts	\$ 58.20	\$ 5,820.00	\$ 57.34	\$ 5,734.00
		MANUFACTURER	Ford		Cambridge Brass	
		MODEL	F600/FB600		302 & 301 series	
<u>CURB STOPS</u>						
3A.	500	1" CURB STOPS with nuts	\$ 24.65	\$ 12,325.00	\$ 24.24	\$ 12,120.00
3B.	50	1 1/2" CURB STOPS with nuts	\$ 54.25	\$ 2,712.50	\$ 52.09	\$ 2,604.50
3C.	100	2" CURB STOPS with nuts	\$ 87.75	\$ 8,775.00	\$ 82.00	\$ 8,200.00
		MANUFACTURER	Ford		Cambridge Brass	
		MODEL	Blank		262 / Ball valve	
<u>FULL CIRCLE REPAIR CLAMPS</u>						
4A.	20	6" X 8" Stainless Steel Repair Clamp	\$ 27.00	\$ 540.00		No Bid
4B.	10	6" x 12" Stainless Steel Repair Clamp	\$ 38.00	\$ 380.00		No Bid
4C.	20	8" x 7" Stainless Steel Repair Clamp	\$ 30.00	\$ 600.00		No Bid
4D.	10	12" x 12" Stainless Steel Repair Clamp	\$ 70.00	\$ 700.00		No Bid
4E.	10	12" x 12" Stainless Steel Clamp standard range	\$ 70.00	\$ 700.00		No Bid
4F.	10	12" x 15" Stainless Steel Repair Clamp	\$ 80.00	\$ 800.00		No Bid
4G.	10	12" x 15" Stainless Steel Clamp standard range	\$ 80.00	\$ 800.00		No Bid
		MANUFACTURER	Ford		No Bid	
		MODEL	FS1		No Bid	
<u>BRASS FITTINGS</u>						
5A.	25	1 1/2" COPPER TO COPPER UNION w/nuts	\$ 21.15	\$ 528.75	\$ 18.85	\$ 471.25
5B.	50	2" COPPER TO COPPER UNION w/nuts	\$ 34.50	\$ 1,725.00	\$ 30.75	\$ 1,537.50
5C.	25	1 1/2 X 90 DEGREE BEND w/nuts-not swivel	\$ 23.85	\$ 596.25	N/A	
5D.	50	2" X 90 DEGREE BEND w/nuts - not swivel	\$ 44.75	\$ 2,237.50	N/A	
5E.	25	2" X 45 DEGREE BEND w/nuts - not swivel	\$ 38.25	\$ 956.25	N/A	
5F.	50	1" BRASS PLUG CC TAPERED THREADS	\$ 3.10	\$ 155.00	\$ 3.03	\$ 151.50
5G.	50	3/4" COPPER TO COPPER UNION w/nuts	\$ 4.40	\$ 220.00	\$ 3.92	\$ 196.00
5H.	25	1 1/2" x 45 DEGREE BEND w/nuts non-sw	\$ 20.70	\$ 517.50	N/A	
5I.	50	1" x 3/4" COPPER TO COPPER UNION (M)	\$ 5.30	\$ 265.00	\$ 3.67	\$ 183.50
		MANUFACTURER	Ford		Cambridge Brass	
		MODEL	Blank		118 & 117 Series	

VENDOR NAME:

			Etna Supply Company		Cambridge Brass	
			UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
ITEM #	EST QTY	DESCRIPTION				
TAPPING SADDLES						
6A.	50	2 X 8 BRASS DBL BAND CC THREAD	\$ 50.45	\$ 2,522.50	\$ 50.32	\$ 2,516.00
6B.	50	2 X 12 BRASS DBL BAND CC THREAD	\$ 73.30	\$ 3,848.25	\$ 73.09	\$ 3,654.50
6C.	25	1 1/2 X 12 BRASS DBL BAND CC THREAD	\$ 72.00	\$ 1,800.00	\$ 71.79	\$ 1,794.75
6D.	10	1 1/2 X 6 BRASS DBL BAND CC THREAD	\$ 40.65	\$ 406.50	\$ 40.56	\$ 405.60
MANUFACTURER			Ford		Cambridge Brass	
MODEL			Blank		810 series	
CONCRETE ADAPTERS						
7A.	1 SET	16" CONCRETE D I ADAPTERS W/ACCES	No Bid		No Bid	
MANUFACTURER			No Bid		No Bid	
MODEL			No Bid		No Bid	
VALVE BOX PARTS						
8A.	50	D-BOX BELL	\$ 26.75	\$ 1,337.50	No Bid	
8B.	20	18" D-BOX BOTTOM	\$ 24.00	\$ 480.00	No Bid	
8C.	20	24" D-BOX BOTTOM	\$ 25.35	\$ 507.00	No Bid	
8D.	20	30" D-BOX BOTTOM	\$ 26.05	\$ 521.00	No Bid	
8E.	40	D-BOX RISER - SCREW IN TYPE	\$ 19.65	\$ 786.00	No Bid	
8F.	35	D-BOX TOP SECTION 36"	\$ 30.85	\$ 1,079.75	No Bid	
MANUFACTURER			Bibby / Tyler		No Bid	
MODEL			Blank		No Bid	
WATER MAIN FITTINGS						
9A.	6	4" WATER MAIN CAP	\$ 10.50	\$ 63.00	No Bid	
9B.	6	4" WATER MAIN PLUG	\$ 10.50	\$ 63.00	No Bid	
9C.	4	12" MJ CAP	\$ 42.80	\$ 171.20	No Bid	
9D.	4	12" MJ PLUG	\$ 46.15	\$ 184.60	No Bid	
9E.	4	6" MJ D.I. 22 1/2 DEG BEND	\$ 36.10	\$ 144.40	No Bid	
9F.	4	6" MJ D.I.90 DEG BEND	\$ 40.25	\$ 161.00	No Bid	
9G.	20	6" D.I. GLAND PACKS	\$ 7.25	\$ 145.00	No Bid	
9H.	4	6" D.I. SPLIT RINGS	\$ 21.00	\$ 84.00	No Bid	
9I.	10	6 X 7 MJ D.I. SOLID SLEEVE	\$ 38.20	\$ 382.00	No Bid	
9J.	2	8" MJ D.I. 11 1/4 DEG BEND	\$ 56.60	\$ 113.20	No Bid	
9K.	2	8" MJ D.I. X 8" SPIGOT 45 DEG	\$ 57.00	\$ 114.00	No Bid	
9L.	6	8 X 7 MJ D.I. SOLID SLEEVE	\$ 50.30	\$ 301.80	No Bid	
9M.	1 CS	5/8" X 3" T BOLTS	\$ 0.40	\$ 40.00	No Bid	
9N.	2 LHTS	4" CLASS 54 D.I. PIPE	\$ 172.00	\$ 344.00	No Bid	
9O.	4 LHTS	8" CLASS 54 D.I. PIPE	\$ 244.00	\$ 976.00	No Bid	
9P.	3 LHTS	12" CLASS 54 D.I. PIPE	\$ 398.00	\$ 1,194.00	No Bid	
9Q.	1 LHTS	16" CLASS 54 D.I. PIPE	\$ 588.00	\$ 588.00	No Bid	
9R.	1 LHTS	20" CLASS 54 D.I. PIPE	\$ 766.00	\$ 766.00	No Bid	
9S.	1 LHTS	24" CLASS 54 D.I. PIPE	\$ 955.00	\$ 955.00	No Bid	
MANUFACTURER			Union Tyler American		No Bid	
MODEL			Blank		No Bid	

(100/pk)

VENDOR NAME:			Etna Supply Company		Cambridge Brass	
ITEM #	EST QTY	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
RINGS & COVERS						
10A.	40	1040 ZPT SAN M/H FRAME		No Bid		No Bid
10B.	75	1040 APT SAN M/H COVER		No Bid		No Bid
10C.	85	1040Z M/H FRAME		No Bid		No Bid
10D.	85	1040ZC M/H COVER		No Bid		No Bid
		MANUFACTURER	EJIW			
		MODEL	EJIW			
GATE VALVES						
11A.	10	6" RESILIENT WEDGE LH OPEN EPOXY	\$ 215.00	\$ 2,150.00		No Bid
		MANUFACTURER	AFC		No Bid	
		MODEL	2506		No Bid	
12		PARTS FOR MUELLER FIRE HYDRANTS		No Bid		No Bid
		DISCOUNT %		Blank		Blank
		Parts Price List		Blank		Blank
		Dated		Blank		Blank
ESTIMATED TOTAL AWARDED ITEMS:				\$ 9,039.00		\$ 2,388.25
TERMS:			Net 30 Days		Net 30 Days	
WARRANTY:			Manufacturers		Lifetime of Product (40 Yrs)	
DELIVERY DATE:			Stock to 5 Weeks		7 Days	
EXCEPTIONS:			Blank		Listed in Bid	
ACKNOWLEDGEMENT: Completed - Y OR N			Yes		Yes	

BOLDFACE TYPE DENOTES LOW BIDDERS

PROPOSAL -- Furnish One (1) Year Requirements of Water System Materials, in accordance with the Specifications and Addendum 1

 Jeanette Bennett
 Purchasing Director



Downloading History for ITB-COT 04-02 WatSysMat

The report below shows all fax and e-mail vendors that matched this document when it was originally issued. It also shows all vendors that have downloaded or ordered the document and any subsequent amendments as of 3/9/2004.

Document Title:	One Year Requirements of Water System Materials
Date Issued:	2/3/2004
Close Date:	2/20/2004
Date Amendment #1 was Issued:	2/10/2004

Click on the table headings for "Account Number" or "Company name" to re-sort this report by that column. You may also click on any vendor account number to view their account information.

<u>Acct #</u>	<u>Company Name</u>	<u>Service</u>	<u>Date Obtained Document</u>	<u>Date Obtained Amendments</u>
12964	Ajax Materials Corporation	E-mail	2/11/2004	
15874	Applied Science, Inc.	E-mail	2/4/2004	
12040	Argus Supply Company	E-mail	2/3/2004	
11493	Audio Visual Equipment & Supplies, Inc.	E-mail		
13265	Balfrey & Johnston Inc.	E-mail	2/10/2004	#1 2/10/2004
14549	Bearing Service, Inc	E-mail	2/17/2004	#1 2/17/2004
13292	Best Plumbing Specialties, Inc.	E-mail		
12695	BOILERS, CONTROLS & EQUIPMENT, INC.	E-mail	2/5/2004	
14787	Cambridge Brass	E-mail	2/4/2004	
10869	CES	Free	2/9/2004	
13466	DE-CAL, Inc.	E-mail		
16004	Detroit Building Materials	Free	2/19/2004	
13317	DJG & Associates	E-mail		
12428	East Jordan Iron Works, Inc.	E-mail	2/10/2004	#1 2/10/2004
15427	Edwards Oil Service, Inc.	Free	2/11/2004	
12990	Etna Supply Company	E-mail	2/11/2004	#1 2/11/2004
11861	Grainger Industrial Supply	E-mail		
14593	Great Lakes Industrial Controls	E-mail		
14165	Gunners Meters & Parts	Free	2/4/2004	#1 2/17/2004
13552				

	H L CLAEYS AND CO.	E-mail		
15913	HAYES EXCAVATING CO INC.	Fax	2/6/2004	#1 2/10/2004
12235	J.G.M. VALVE CORP.	E-mail	2/10/2004	#1 2/10/2004
11425	Liberty Healthcare Corporation	E-mail	2/16/2004	
12011	LINWOOD PIPE & SUPPLY / A FERGUON ENTERPRISE	E-mail	2/3/2004	#1 2/10/2004
12569	Liquid Calcium C hloride Sales	Free	2/3/2004	
14749	MacGyver Supply	E-mail	2/10/2004	#1 2/10/2004
14205	METROL CO.	E-mail		
15976	Moore Wallace Inc	Free	2/11/2004	
13776	MPS Group, Inc.	E-mail		
13341	mrwhiteplumbing	E-mail		
13429	Multi-Source	E-mail	2/3/2004	
10155	National Waterworks Inc.	E-mail	2/4/2004	#1 2/13/2004
11936	Northside True Value Hardware	Fax		#1 2/10/2004
14089	Northview Custom Homes, LLC	E-mail		
11073	Oscar W. Larson Co.	E-mail	2/20/2004	
12916	Piping Components, Inc.	E-mail		
12691	Positive Plumbing & Heating Inc.	E-mail		
15935	Progressive Plumbing Supply	Free	2/19/2004	
14286	PVS Nolwood Chemicals	E-mail	2/4/2004	
15059	R. VanderLind & Son, Inc.	Fax	2/6/2004	#1 2/12/2004
12531	Rohr gasoline equipment inc.	Fax		#1 2/10/2004
12978	S.L.C. Meter Service, Inc	E-mail	2/5/2004	
12583	Sigma Associates, Inc.	Free	2/9/2004	
13730	SMART Management Group, LLC	E-mail		
13967	Strong Tool	Fax		#1 2/10/2004
10113	Sullivan Corporation	Free	2/16/2004	
10984	Sunset Excavating, Inc.	E-mail		
12352	T and T Enterprise Corporation	Free	2/10/2004	
15770	Tiger Technologies LLC	Fax	2/16/2004	#1 2/16/2004
12192	US Supply Company	E-mail		
10983	USA Bluebook	E-mail		
11360	Waldorf & Sons Inc.	Fax		#1 2/10/2004
14857	William E. Walter, Inc.	E-mail		

[Return to Main Menu](#)

[Return to Report Menu](#)

March 9, 2004

RECEIVED

MAR 09 2004

CITY OF TROY
CITY MANAGER'S OFFICE

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services
Steven Vandette, City Engineer 

SUBJECT: Agenda Item - Proposed McCulloch Drainage District Enlargement
Rochester Commons PUD, Project No. 03.914.3
Section 23

As a part of redeveloping the northwest corner of Big Beaver and Rochester Road for the Rochester Commons PUD project it was determined that the best storm sewer outlet would be the McCulloch Drain. These 4.86 acres are currently in the Boyd Drain drainage district. The redevelopment will make this area tributary to the McCulloch Drain, therefore requiring an enlargement of the McCulloch Drain drainage district. This enlargement requires the City's approval via a City Council Resolution.

Approval of this district enlargement is recommended.

Attachments



December 16, 2003

03-914
RECEIVED

DEC 18 2003

ENGINEERING

John P. McCulloch
DRAIN COMMISSIONER
OAKLAND COUNTY

City of Troy
500 West Big Beaver Road
Troy, Michigan 48084-5285

Attention: Mr. Matt Pryor, Mayor

Reference: McCulloch Drainage District Enlargement

Kevin R. Larsen
CHIEF DEPUTY
DRAIN COMMISSIONER

Dear Mr. Pryor:

This office has received a request from Professional Engineering Associates to add 4.86 acres to the existing McCulloch Drainage District to facilitate the development of their property in Section 22 and 23, City of Troy.

Section 433 of Chapter 18 of the Michigan Drain Code of 1956, as amended, requires that the Drain Commissioner apprise the affected public corporations or municipalities of the proposed agreement to enlarge the Drainage District.

Enclosed are copies of the "Notice of Proposed Agreement to Enlarge the McCulloch Drainage District" along with a sketch of those lands to be added.

If you have any questions concerning this matter, contact Rima Raouf (248-975-9520) of this office.

Very truly yours,

OAKLAND COUNTY DRAIN COMMISSIONER

By: Steven A. Korth
Steven Korth, P.E.
Assistant Chief Engineer

Enclosure

cc: Professional Engineering Associates, Inc., Attn. (Joseph M. Jarvis)

2/24/04 WOULD LIKE RESOLUTION FROM CC
ACCEPTING THE ENLARGEMENT
GSP

SKETCH OF SURVEY

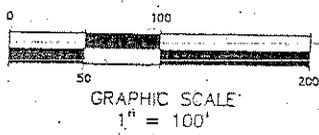
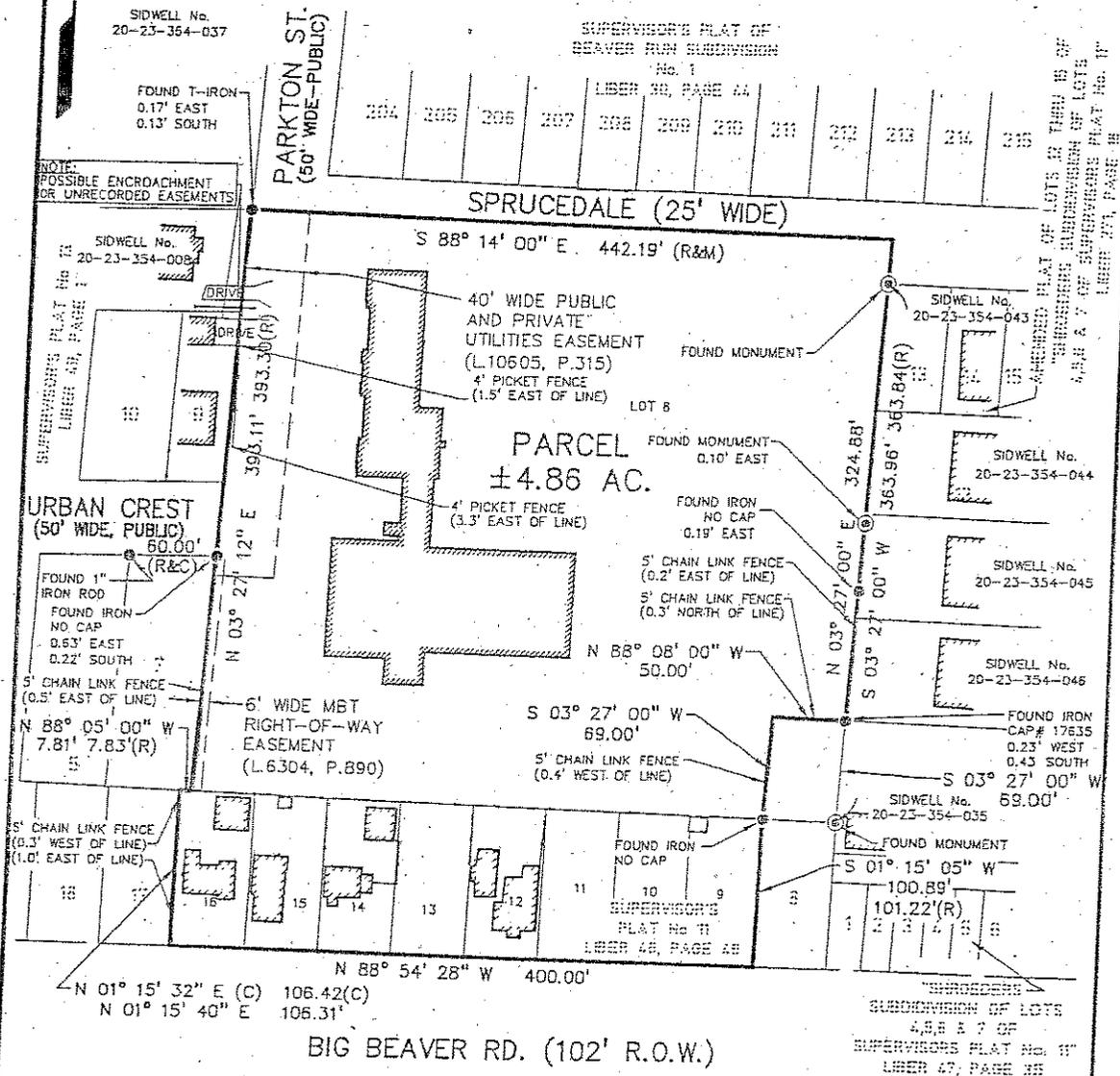
LEGAL DESCRIPTION:

All of Lot B, Except the South 89 feet of the East 50 feet, of "Supervisor's Plat No. 13", A Subdivision of Part of the Southeast 1/4 of Section 22 and Part of the Southwest 1/4 of Section 23, Town 2 North, Range 11 East, Troy Township, Oakland County, Michigan, As recorded in Liber 49 on Page 1, Oakland County Records, Together with Lots 9 through 16, except the southerly 89 feet taken for Big Beaver Road, of "Supervisors Plat No. 11" A Subdivision of Part of the Southwest 1/4 of the Southwest 1/4 of Section 23 and Part of the Northwest 1/4 of the Northwest 1/4 of Section 26, Town 2 North, Range 11 East, Troy Township, Oakland County, Michigan, As recorded in Liber 46 on Page 46, Oakland County Records.

NOTE:
Bearings are based on the Easterly line of Lot 8 of "Supervisors Plat No. 13" (Liber 49, Page 1)

LEGEND

- ⊗ IRON SET
- IRON FOUND
- ⊙ MONUMENT FOUND



PROFESSIONAL
ENGINEERING
ASSOCIATES

CLIENT: TADIAN DEVELOPMENTS 2038 W. BIG BEAVER, SUITE 200 TROY, MI 48063	SCALE: 1" = 100'	JOB No: 2002093	2430 Rochester Ct. Suite 100 Troy, MI 48083-1872 (248) 689-9090
	DATE: 8-30-02	DWG. No: 1 of 2	

OAKLAND COUNTY DRAIN COMMISSIONER

**NOTICE OF PROPOSED AGREEMENT
TO ENLARGE THE MCCULLOCH DRAINAGE DISTRICT**

JOHN P. MCCULLOCH, Drain Commissioner for the County of Oakland, Michigan, acting for and on behalf of the **MCCULLOCH DRAINAGE DISTRICT**, has received a request to add 4.86 acres to the existing **MCCULLOCH DRAINAGE DISTRICT**.

The **MCCULLOCH DRAINAGE DISTRICT** at present contains approximately 3,360 acres. There is capacity in the existing **MCCULLOCH DRAIN** to serve the lands to be added without detriment to or diminution of the drainage service provided.

Proceedings have been undertaken according to the provisions of Section 433, Chapter 18 of Act No. 40 the Michigan Drain Code of 1956, as amended, to enlarge **MCCULLOCH DRAINAGE DISTRICT**.

Now, therefore, notice is hereby given that it is the intention of **MCCULLOCH DRAINAGE DISTRICT** to enter into an agreement providing for the addition of the following described lands to the **MCCULLOCH DRAINAGE DISTRICT**:

All of Lot 8, Except the South 69 feet of the East 50 feet, of "Supervisor's Plat No. 13", A Subdivision of Part of the Southeast $\frac{1}{4}$ of Section 22 and Part of the Southwest $\frac{1}{4}$ of Section 23, Town 2 North, Range 11 East, Troy Township, Oakland County, Michigan, As recorded in Liber 49 on Page 1, Oakland County Records, Together with Lots 9 through 16, except the southerly 69 feet taken for Big Beaver Road, of "Supervisors Plat No. 11" A Subdivision of part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 23 and Part of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 26, Town 2 North, Range 11 East, Troy Township, Oakland County, Michigan, As recorded in Liber 46 on Page 46, Oakland County Records.

This notice is given by order of John P. McCulloch, Drain Commissioner for the County of Oakland, Michigan.



Memorandum

To: John Szerlag, City Manager

From: John M. Lamerato, Assistant City Manager/Finance and Administration
Tonni L. Bartholomew, City Clerk

Date: March 11, 2004

Subject: Motion to Confirm Prior Council Action of August 8, 2003

The following agenda item was submitted by the Traffic Engineer on the Regular City Council Meeting Agenda of September 8, 2003. The item was approved, as submitted, on the Consent Agenda. However, it was inadvertently stricken from both the draft and final version of the Minutes.

The original resolution was submitted and approved is as follows:

E-15 Proposal to Continue Replacing Incandescent Lamps with Light Emitting Diodes (LED) for Traffic Signals

RESOLVED, That the City of Troy hereby **SUPPORTS** the Road Commission for Oakland County's proposal to continue to replace incandescent lamps used in traffic signals with light-emitting diodes (LEDs) at intersections where the City and RCOC share maintenance participation, per the list identified in the memorandum dated July 25, 2003 from the Road Commission for Oakland County, which is **ATTACHED** hereto and made part of the original Council Minutes.

Since there is no resolution on record, it is asked that this discrepancy in the minutes be corrected by re-approving the item as it was originally submitted.

A memorandum from Traffic Engineer John Abraham regarding the project status has been included in addition to the paperwork of the original submittal.

March 11, 2004

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Steve Vandette, City Engineer
John Abraham, Traffic Engineer

SUBJECT: **PROJECT STATUS:** Proposal to Continue Replacing Incandescent Lamps with Light Emitting Diodes (LED) for Traffic Signals.

The Road Commission for Oakland County's contractor has started implementing the project that includes replacing lamps in Rochester Hills and Troy. At the moment, they have finished a number of traffic signals in Rochester Hills and at the fringes of Troy. They propose to start work in Troy in the next 3 weeks depending on the weather. On an average they complete 3-4 intersections in a week.

August 22, 2003

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Steve Vandette, City Engineer
John Abraham, Traffic Engineer

SUBJECT: Proposal to Continue Replacing Incandescent Lamps with
Light Emitting Diodes (LED) for Traffic Signals.

Enclosed please find a proposal from the Road Commission for Oakland County (RCOC) to replace incandescent lamps used in traffic signals with LEDs. RCOC research shows that LEDs have higher visibility and uniform brightness. The cost saving will be around 80% reduction in energy consumption and lower maintenance costs, since the LEDs last for eight to ten years, compared to incandescent lamps that have to be replaced within one or two years.

Staff research also shows that a number of agencies around the country are using LED traffic signals, and many more are converting to LEDs.

RCOC cost estimates also show that the energy saving alone will pay for Troy's portion of the installation costs within eight years. Staff recommends approval for this project.

Funds are available from the new traffic signal account, #401520.7989.600.

JKA/ln

RECEIVED

JUL 30 2003

ENGINEERING

July 25, 2003

John Abraham PE
Traffic Engineer
500 W. Big Beaver
Troy, MI 48084

RE: **FY 2004 LED Traffic Signal Program**

Dear Mr. Abraham:

In fiscal year 2004 that begins October 1st, the Road Commission for Oakland County (RCOC) will continue a program to upgrade traffic signals to the LED technology. This is similar to the project that was done along Maple Road in the City of Troy in the fall of 2002.

We will be doing intersections that both the City of Troy and RCOC have maintenance participation on. Attached is a summary of the locations and the estimated costs.

LEDs use about 80% less energy than the traditional incandescent bulbs. LEDs also last about 8 years compared to one year for a bulb. Combined this means that LEDs pay for themselves in about 5 years.

If in agreement, I will need a resolution from your City supporting the participation. An agreement will then be drawn up. The intent is to bid this project out in September.

If you have any questions or concerns, please feel free to contact me at 248 858-7250.

Sincerely,



Gary Piotrowicz, PE, PTOE
Signal Systems Engineer
FAST-TRAC Project Manager

Cc: D. Deneau, RCOC

Attachment



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



Board of Road Commissioners

Richard G. Skarritt
Chairman

Rudy D. Lozano
Vice-Chairman

Larry P. Crane
Commissioner

Brent O. Bair
Managing Director

Gerald M. Holmberg
Deputy Managing Director
County Highway Engineer

1200 N. Telegraph Road
Bldg. 49 West
Pontiac, MI 48341

248-858-7250

FAX
248-858-7251

TDD
248-645-9923

www.rcocweb.org

CO#	INTERSECTION	RCOC	Troy	Estimate	RCOC \$	Troy \$
45	Adams and Wattles	75	25	12000	9000	3000
135	16 Mile & Coolidge	50	50	15000	7500	7500
212	Wattles & John R	50	50	12000	6000	6000
253	Long Lake & Coolidge	50	50	12000	6000	6000
365	Livernois & Square Lake	50	50	12000	6000	6000
368	Big Beaver EB & Lake View	67	33	6000	4020	1980
392	Adams & Square Lake	75	25	10000	7500	2500
406	Crooks & Wattles	50	50	12000	6000	6000
411	John R @ Cumberland Troy	33.3	66.7	10000	3330	6670
441	John R & Square Lake	50	50	10000	5000	5000
480	Big Beaver WB & Troy Ctr Dr	50	50	6000	3000	3000
535	Crooks & Maplawn	67	33	10000	6700	3300
585	Rochester & Long Lake Road	50	50	9000	4500	4500
587	South Blvd & Rochester Road	75	25	12000	9000	3000
597	Big Beaver EB & Troy Center	67	33	6000	4020	1980
623	John R & Brinston	50	50	10000	5000	5000
625	Livernois & Kirts	67	33	10000	6700	3300
660	Crooks & Willshire Dr	50	50	10000	5000	5000
716	Crooks & Mc Manus	50	50	10000	5000	5000
727	Long Lake Road & Norhtfield Dr	50	50	9000	4500	4500
728	Long Lake EB & Corporate Dr.	50	50	9000	4500	4500
740	Long Lake WB & Corporate Dr.	67	33	9000	6030	2970
812	Big Beaver @ x/o W. Troy Center	67	33	6000	4020	1980
955	Big Beaver WB & Lakeview	66.7	33.3	6000	4002	1998
1007	Beach & Long Lake	50	50	9000	4500	4500

57.08 42.92 \$242,000 \$136,822 \$105,178

March 8, 2004

To: John Szerlag, City Manager

From: Gary A. Shripka, Assistant City Manager/Services
Jeanette Bennett, Purchasing Director
Carol K. Anderson, Parks and Recreation Director

Subject: Agenda Item - Concession Stand Operations

BACKGROUND

Staff recommended exercising the first of a three-year option to renew the contract to Sport Orion Express administratively, per council resolution 2003-04-219 on April 28, 2003. On February 2, 2004, council directed staff to re-bid the Concession Stand Operations. Subsequently, on March 3, 2004 bids were opened to provide five (5) seasonal requirements of concession stand operations with an option to renew the contract for five (5) additional seasons for the Troy Family Aquatic Center, Boulan Park, Firefighters Park, and Flynn Park. Two vendors – Russell Chavaux and Sport Orion Express – both submitted a bid for the concession stand operations.

Tentative opening day for the park concessions is April 19, 2004. Both bidders had the identical return to the city – 12% annual return or a minimum guarantee of \$12,000 per year. Listed below are some of the comparisons between the two vendors based on their bid proposal:

	<u>Russell Chavaux</u>	<u>Sport Orion Express</u>
Return Schedule -		
% of Gross Receipts to City	12%	12%
Guaranteed Minimum per year	\$12,000	\$12,000
Can meet insurance requirements	Yes	Yes
Review the sites	No	Yes
Menu Selections (attached)	Supplied sample	Supplied sample for parks and one for Aquatic Center
Anticipated Gross	\$130,000	\$150,000
Equipment List (attached)	Provided list	Provided list
Employee Uniform description	Provided description	Provided description

Food Certification of Staff

A requirement of the Oakland County Health Department is that each concession facility has at least one employee/staff member per food service business site that has successfully completed a Food Service Manager Certification Program. This is in accordance with Article IV (Revised), Section 4.1 of the Oakland County Sanitary Code established in 1999.

Russell Chavaux stated
“None presently –
will meet Health Dept.
requirement.”

Sport Orion Express
provided a list of five (5)
employees and a copy
their current certification.

Sample Contract Section #17

Both bidders expressed a concern with section #17 regarding liquidated damages when the concession was closed during a scheduled open time.

Russell Chavaux stated
“it is unreasonable and
should be deleted. This
clause is intended to
punish the vendor...”.

Sport Orion Express stated
to amend the liquidated
damages “for the parks
only” to \$25 per hour (from
\$100 per hour) and a
maximum amount of \$100
(from \$500 per day).

58 Vendors Notified on MITN System

2 Bid Rec'd

Prepared by: Stuart J. Alderman, Superintendent of Recreation

March 4, 2004

To: John Szerlag, City Manager

From: Gary A. Shripka, Assistant City Manager/Services
Carol K. Anderson, Parks and Recreation Director

Subject: Agenda Item - Troy Racquet Club Rates

Recommendation

City management is requesting approval of the proposed 2004-05 rates for the Troy Racquet Club.

The attached letter from Don Pierce, Troy Racquet Club, requests approval of membership rates and the hourly court time rates for the 2004-05 season. The rate schedule reflects an increase of \$1/hour for all hourly rates. Membership rates for residents are proposed to increase \$10 for junior members only. No increase is proposed for family or individual memberships.

Background

The lease between the City of Troy and the Troy Racquet Club, LLC requires City Manager or City Council approval of requests for rate changes. Council has historically approved rate change requests.

Troy Racquet Club
c/o 801 W. Big Beaver Road, Suite 500
Troy, Michigan 48084
Telephone: (248) 362-1300
Facsimile: (248) 362-1358
e-mail: dpierce@dflaw.com

March 4, 2004

Ms. Carol Anderson, Supervisor
Department of Parks & Recreation
City of Troy
500 West Big Beaver Road
Troy, Michigan 48084

Re: Troy Racquet Club Rates for 2004/2005 Season

Dear Ms. Anderson:

Pursuant to the Lease between the City of Troy and Troy Racquet Club, LLC, we are required to submit requests for rate changes to the City of Troy. Section 7 requires that such requests must be approved by the City Manager or the City Council. In accordance with past practice, I am, therefore, submitting the rate increase request to your office for processing in the manner you deem appropriate.

We plan to carve out an exception to the increases to our members who renew or book permanent court time for next year before our current season ends. For those members, there will not be an increase.

Monday through Friday

<u>Time</u>	<u>Current Hourly Rate</u>	<u>Proposed Hourly Rate</u>
7 - 8 a.m.	\$19.00	\$20.00
8 - 9 a.m.	19.00	20.00
9 a.m. - 3 p.m.	25.00	26.00
3 - 4 p.m.	22.00	23.00
4 - 5 p.m.	25.00	26.00
5 - 6 p.m.	26.00	27.00
6 - 9 p.m.	29.00 (Fri. 27.00)	30.00 (Fri. 27.00)
10 - 11 p.m.	19.00	20.00 (closed Fri.)

Saturday and Sunday

<u>Time</u>	<u>Current Hourly Rate</u>	<u>Proposed Hourly Rate</u>
7 - 8 a.m.	\$25.00	\$26.00
8 a.m. - 5 p.m.	28.00	29.00
5 p.m. to close	24.00	25.00

Membership Rates: Troy resident membership fees are:

	<u>Current Membership Rate</u>	<u>Proposed Membership Rate</u>
Individual	\$100.00	No change
Family	150.00	No change
Junior	30.00	\$ 40.00

Non-residents pay 50% more for memberships than Troy residents do.

Very truly yours,

TROY RACQUET CLUB

By: _____
Donald A. Pierce, Jr.
Its: President

DAP/jd

cc: Ms. Kathy DelDotto

**APPROVED
CITY OF TROY**

By: _____(sign)
_____(print)



Memorandum

To: Mayor Pryor and City Council

From: John Szerlag, City Manager
John M. Lamerato, Assistant City Manager/Finance & Management
Tonni L. Bartholomew, City Clerk

Date: February 26, 2004

Subject: Approved Minutes of February 18, 2004

As previously indicated in the attached memorandum dated February 26, 2004, regarding the Draft Minutes of February 18, 2004, City Management believes that the intent of City Council was not the actual action adopted by City Council. It is therefore the recommendation of City Management that the attached motions for reconsideration be acted upon by City Council.

City Management has attached amendments for Council Resolutions 2004-078, 080 and 081 for Council's consideration.

March 8, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services
Steven J. Vandette, City Engineer 

SUBJECT: Agenda Item – Change Order #1 for Water Main Abandonment on Crooks, Maple to Temple City, Contract 03-6

RECOMMENDATION

It is recommended that City Council approve Change Order #1 for additional work by Troelsen Excavating Company to abandon an existing 8" water main and transfer connections to an existing 16" water main on Crooks Road between Maple and Temple City Road. The estimated total cost is \$108,241.00.

In addition, we are requesting authorization to approve additional work, if needed, not to exceed 10% of the original project cost.

PROJECT INFORMATION

Troelsen Excavating Company was awarded Contract 03-6 on December 1, 2003 by Resolution # 2003-12-621-E-11 in the amount of \$265,010. Troelsen was the lowest bidder of the seven (7) bids received for Water Main Replacement on Heide & Lowry and Water Main Abandonment on Crooks, Maplelawn to Butterfield. Their bid amount was 14.32% below the engineers estimate.

The work included in change order #1 is additional abandonment work along the west side of Crooks Road, south of the work included in the current contract. The change order is necessitated by reconstruction plans for the reconstruction of the Crooks and Maple intersection by the Road Commission for Oakland County that will impact the existing water mains.

The total contract amount would increase from the approved \$265,010 to \$373,251.

FUNDING

Funds for this work are available in the 2003/04 Water Fund, account number 555.7972.015055.

AUTHORIZATION FOR CHANGE IN WORK

Owner: City of Troy
500 West Big Beaver
Troy, MI 48084

Name of Project: Crooks Road Water Main Change Order No. 1

Contractor: Troelsen Excavating Co. Date: 03-04-04

Address: 1395 Rochester Road Contract No. 03-6

Troy, MI 48083 Project No. 01.505.5

This Change Order, When Approved, Will Constitute Authorization for the Following Changes:

*** Additional work on Crooks Road to abandon existing 8" water main and transfer connections to existing 16" water main between Maple Road & Temple City:**

Item No.	Description of Work	Unit	Est. Qty.	Unit Price	Amount Increase	Amount Decrease
Increases to Contract Items						
2.	Remove Hydrant	Ea	2	200.00	400.00	
3.	Abandon Gate Valve in Well	Ea	6	250.00	1,500.00	
5.	Remove and Replace 4" Concrete Sidewalk	Sft	420	3.50	1,470.00	
6.	Remove and Replace Ex. Concrete Pavement	Syd	530	44.50	23,585.00	
7.	8" Diameter Ductile Iron Class 54 Water Main w/ Polywrap (Trench Detail G)	Lft	31	46.00	1,426.00	
10.	16" x 8" Tapping Sleeve, Valve & Well	Ea	2	5,000.00	10,000.00	
11.	Fire Hydrant Assembly, Type L or T	Ea	2	2,400.00	4,800.00	
12.	Water Main Connection	Ea	4	2,000.00	8,000.00	
13.	Cut and Cap Water Main	Ea	5	1,500.00	7,500.00	
17.	Concrete Pavement, 10", Non-Reinforced	SY	380	42.00	15,960.00	
18.	8" Uniform Conc. w/ Integral Curb & Detail M, MDOT Grade HE, w/ Type 1A Cement for Approach	SY	155	38.00	5,890.00	
21.	Concrete Curb & Gutter, Detail F5	Lft	260	25.00	6,500.00	
22.	Epoxy Coated Lane Ties, Grouted in Place	Ea	80	8.00	640.00	
24.	Traffic Maintenance & Control	Lsum	1	500.00	500.00	
SUB-TOTAL (Increases)					88,171.00	
Additional Contract Items						
	12" Diameter Ductile Iron Class 54 Water Main w/ Polywrap (Trench Detail G)	Lft	80	59.00	4,720.00	
	16" x 12" Tapping Sleeve, Valve & Well	Ea	2	6,900.00	13,800.00	
	Remove & Relay Existing 12" Storm Sewer, If Req'd	Lft	30	40.00	1,200.00	
	Reconstruct Drainage Structure	Ea	1	350.00	350.00	
SUB-TOTAL (Additions)					20,070.00	
Total					108,241.00	
Net Increase/Decrease					108,241.00	

* *Italics denote a new unit price*

RECEIVED

February 10, 2004

MAR 08 2004

CITY OF TROY
CITY MANAGER'S OFFICE

TO: John Szerlag, City Manager

FROM: Doug Smith, Real Estate and Development Director 

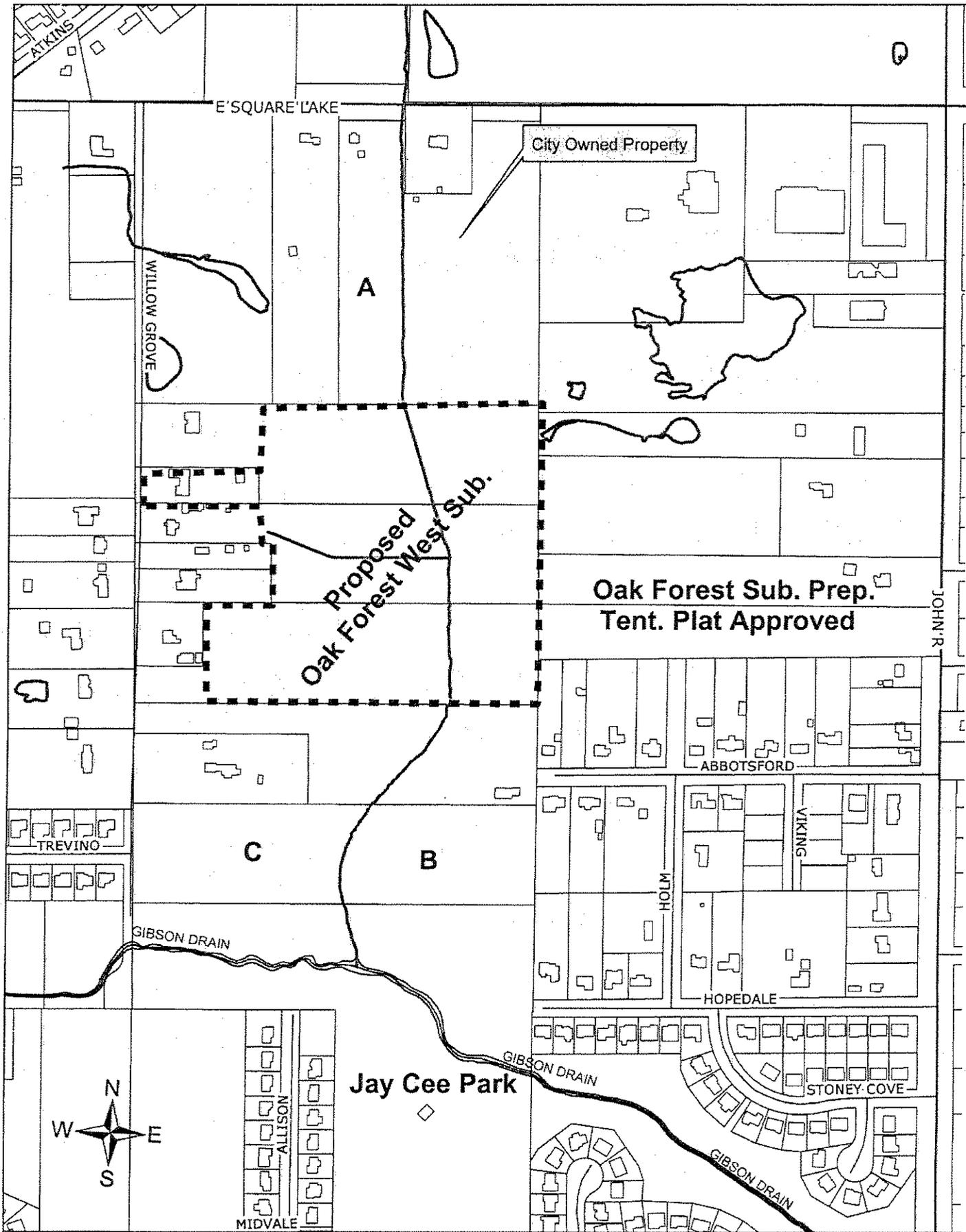
SUBJECT: AGENDA ITEM - Ladd's, Inc. 5-Acre Parcel Appraisal

City Council, at the regular meeting on Monday, October 20, 2003 adopted a resolution (2001-10-526), which permitted Ladd's, Inc. to get an appraisal on the 5-acre parcel south of Square Lake and west of the Fetterly Drain. The purpose of the appraisal would be to consider a trade of property with Ladd's, Inc. for property east of the Fetterly Drain just north of Jaycee Park or the potential consideration of sale of this property. No commitment was made by Council to pursue these transactions.

Per the resolution, Ladd's hired Integra Dean to appraise the property (see map Parcel A), which appraised at \$580,000. An earlier appraisal (by Integra Dean) of approximately 5-acres east of the Fetterly Drain just north of Jaycee Park appraised at \$540,000 (map Parcel B). Attached is the letter dated February 9, 2004 from Mr. Dale Garrett proposing that Ladd's, Inc. would either trade the 5-acre city owned parcel on Square Lake (A) for the eastern half (B) of Garrett's parcel (#20-11-201-012), or would purchase the 5-acre city owned parcel (A) outright for the appraised value of \$580,000.

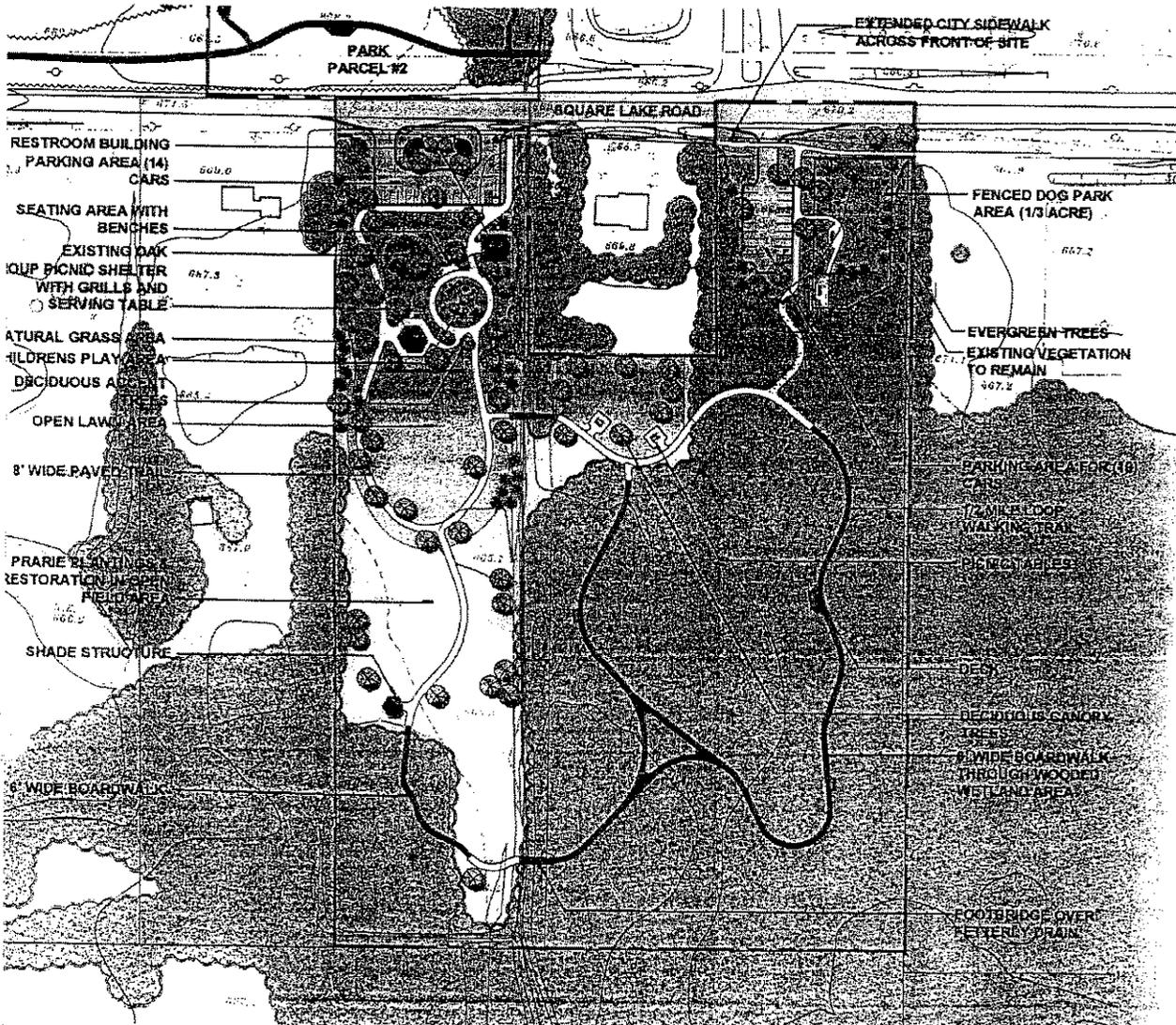
Management, after reviewing the appraisals and the properties in question, believe that Council has at least four options regarding these offers. First, would be not to sell the property and develop the park as proposed when funding becomes available (see Attachment 1). Secondly, to sell the property to Ladd's for the appraised value. Third, trade the 5-acre city owned parcel (A) for the eastern half of Ladd's property (B). Fourth, counter offer with a trade of the 5-acre parcel (A) for the approximately 5-acres west of the drain (C), which would provide an expansion of Jaycee Park.

F-7



1 inch equals 400.0 feet

ATTACHMENT 1



City of Troy
CONCEPT PLAN
PARKS MASTER PLANNING

PARCEL #3 - SECTION 11 - 11.99 AC.

0 25 50 100 150
 SCALE IN FEET

NORTH

M.C. SMITH ASSOCIATES AND ARCHITECTURAL GROUP, INC.
 10000 Woodloch Forest Dr., Troy, MI 48063
 313.487.1100

DATE: 4.22.08
 PROJECT NO.: 1528

LADD'S, Inc.

Real Estate & Development - SINCE 1906

5877 LIVERNOIS, SUITE 103, TROY, MI 48098
VOICE: 248-828-1726 • FAX: 248-828-3573

February 9, 2004

Doug Smith
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

Re: City-owned property, Tax Parcel # 20-11-201-003

Dear Mr. Smith:

I have provided you with appraisal that we commissioned for the above-referenced property. This appraisal was performed as part of a possible trade for the eastern part of our parcel # 20-11-201-012 that would help to establish the long-discussed linear park in Section 11.

We are still prepared to enter into this trade under the terms previously stated in my letter of October 1, 2003. We would also be willing to purchase outright the city-owned parcel for the price stated in the appraisal.

Please advise as to how the City would like to proceed.

Sincerely,



Dale E. Garrett

BACKGROUND INFORMATION

LADD'S, Inc.

Real Estate & Development - SINCE 1906

5877 LIVERNOIS, SUITE 103, TROY, MI 48098
VOICE: 248-828-1726 • FAX: 248-828-3573

October 1, 2003

John Szerlag
City Manager
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

Re: Property owned by City, Tax Parcel #20-11-201-003

Dear Mr. Szerlag:

Although the linear park concept in Section 11 has been rejected due to the lack of funds for the purchase of new property, there has been a continuing interest to explore whether some of the goals of the linear park can be accomplished at a reduced cost to the City.

We have examined the viability of a land trade involving only two parcels: the five acres owned by the City west of the Fetterly Drain (parcel # 11-201-003) and the portion of our parcel #11-201-012 that lies east of the Fetterly Drain, comprising approximately 4.77 acres. We concluded that this would be viable from the point of view of our development. The City would probably do an exchange only if it were cost neutral, i.e., did not involve any payments by the City. We would do an appraisal of the City's parcel and compare the value to the appraisal of our property that was done in 2002. Any shortfall in value could be compensated for by, for example, putting up money for the improvement of the future park, or for other improvements in the area.

If this trade were executed, then the regional detention facility would still be located on the east side of the drain, on what would then be City property. The wetlands mitigation areas for the development would also be located on the east side of the drain, but on private property. Although the City would not own all the land east of drain as in the linear park concept, there would still be a large contiguous area of open space, in part public and in part private. Also, an easement could be provided across the private property that would allow for a pedestrian link between the City-owned land to the north and the south.

This concept would accomplish many of the objectives of the linear park, but with no extra expenditures by the City for land acquisition. If this is something that the City would like to pursue, we will commission the appraisal work as soon as possible.

Sincerely,



Dale E. Garrett

Cc: Gary Shripka, Assistant City Manager
Steve Vandette, City Engineer
Doug Smith, Real Estate and Development Director

F-11 Modified Linear Park and Regional Detention Pond Concept for Oak Forest Subdivisions

Resolution #2003-10-
Moved by Lambert
Seconded by Pryor

RESOLVED, That the developer of the Oak Forest subdivisions should **PROCEED** with the selection and hiring of an appraiser; and

BE IT FURTHER RESOLVED, That the appraiser's credentials **SHALL BE SUBMITTED** to the City's Real Estate and Development Department for review and approval prior to proceeding with an appraisal of approximately five (5) acres of city owned property located west of the Fetterly Drain and being the westerly part of Parcel #88-20-11-201-024; and

BE IT FINALLY RESOLVED, That **NO PROPOSAL SHALL BE SUBMITTED** to City Council that includes any payment for land, regional detention, drain improvements, wetland mitigation or easements related to development of the Oak Forest subdivisions.

Proposed Amendment #1

Resolution #2003-10-
Moved by Beltramini
Seconded by Pryor

RESOLVED, That the Resolution be **AMENDED DIRECTING** the City Attorney to **PREPARE** a written opinion on all of the attendant legal questions in the proposal prior to Mr. Garrett or the City of Troy seeking an appraiser.

Vote on Amendment to Amendment #1

Resolution #2003-10-523
Moved by Beltramini
Seconded by Eisenbacher

RESOLVED, That the AMENDMENT be **AMENDED** by **STRIKING** "should" and **INSERTING** "may" in the first RESOLVED of the Resolution.

Yes: All-6
No: None
Absent: Stine

Vote on Amended Amendment #1

Resolution #2003-10-524

Moved by Beltramini

Seconded by Pryor

RESOLVED, That the Resolution be **AMENDED DIRECTING** the City Attorney to **PREPARE** a written opinion on all of the attendant legal questions in the proposal prior to Mr. Garrett or the City of seeking an appraisal.

RESOLVED, That the Resolution be **AMENDED** by **STRIKING** "should" and **INSERTING** "may" in the first RESOLVED of the Resolution.

Yes: All-6

No: None

Absent: Stine

Vote on Amendment #2

Resolution #2003-10-525

Moved by Pryor

Seconded by Broomfield

RESOLVED, That the Resolution be **AMENDED** by **INSERTING**, "RESOLVED, That both properties be evaluated by the same appraiser."

Yes: Lambert, Pryor, Beltramini, Broomfield, Eisenbacher

No: Howrylak

Absent: Stine

MOTION CARRIED

Vote on Resolution as Amended

Resolution #2003-10-526

Moved by Lambert

Seconded by Pryor

RESOLVED, That the developer of the Oak Forest subdivisions may **PROCEED** with the selection and hiring of an appraiser; and

RESOLVED, That the City Attorney **PREPARE** a written opinion on all of the attendant legal questions in the proposal prior to Mr. Garrett or the City seeking an appraisal; and

RESOLVED, That both properties be evaluated by the same appraiser; and

BE IT FURTHER RESOLVED, That the appraiser's credentials **SHALL BE SUBMITTED** to the City's Real Estate and Development Department for review and approval prior to proceeding with an appraisal of approximately five (5) acres of City owned property located west of the Fetterly Drain and being the westerly part of Parcel #88-20-11-201-024; and

BE IT FINALLY RESOLVED, That **NO PROPOSAL SHALL BE SUBMITTED** to City Council that includes any payment for land, regional detention, drain improvements, wetland mitigation or easements related to development of the Oak Forest subdivisions.

Yes: Lambert, Pryor, Beltramini, Broomfield

No: Eisenbacher, Howrylak

Absent: Stine

MOTION CARRIED

August 20, 2003

City Council
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

Re: Property owned by City, Tax Parcel #20-11-201-003

Honorable Mayor and Members of the Council:

During our discussions regarding the now-abandoned proposal for the linear park in Section 1.1, it was pointed out that there is currently not enough funding to develop the property intended for parks that is already owned by the City

We would propose to buy outright from the City the five-acre parcel west of the Fetterly Drain that was intended as part of the land trade for the park. This property would become part of our development, and the proceeds from the sale could be used by the City to develop other parcels intended to be parkland.

We appreciate your consideration of this proposal. Please have the City administration contact us if you would like to explore it further.

Sincerely,



Dale E. Garrett

**SUMMARY OF APPRAISAL
OF CITY OWNED 5-ACRES**

SUMMARY OF SALIENT FACTS AND CONCLUSIONS

INDUSTRIAL BUILDING	
Property	5 Acres of Vacant Land South side of Square Lake Road, West of John R Road8 Troy Oakland County, Michigan
Property Tax Identification Number	Part of 88-20-11-201-024
Effective Date of the Appraisal	December 10, 2003
Date of the Report	December 12, 2003
Owner of Record	City of Troy
Land Area	5 acres or 217,821 square feet
Current Occupancy	100% owner-occupied
Zoning Designation	R-1C, One-Family Residential
Highest and Best Use	Residential Development
Property Rights Appraised	Fee Simple interest
Estimated Exposure & Marketing Time	6 to 9 Months
Market Value Indications	
Sales Comparison Approach	\$580,000
Income Capitalization Approach	Not Applicable
Cost Approach	Not Applicable
Market Value Conclusion	\$580,000

**SUMMARY OF APPRAISAL
OF GARRETT PROPERTY
EAST OF FETTERLY DRAIN**

SUMMARY OF SALIENT FACTS

BEFORE ACQUISITION

LOCATION: East side of Willow Grove Road
South of Square Lake Road
Troy, Michigan

TYPE OF PROPERTY: Residentially zoned vacant land.

LAND SIZE: The land area equates to approximately 10 acres or 435,600 square feet. (only the 4.8 acres east of the drain was appraised)

PRESENT USE: Vacant Land.

HIGHEST AND BEST USE: Development consistent with Single-Family Residential zoning classification.

DATE OF VALUE: June 21, 2002

PROPOSED ACQUISITION

DESCRIPTION OF ACQUISITION: The proposed acquisition consists of the easterly portion of the property that lies east of the drain that traverses in a north/south direction through the property. For the most part, the area is basically rectangular in shape. Based on information provided, the proposed acquisition area contains approximately 207,660 square feet or 4.767 acres. The area is comprised entirely of vacant, undeveloped land.

PRESENT USE: Part of a larger tract of vacant, residentially zoned property.

VALUE INDICATED VIA COST APPROACH: Not Applicable

VALUE INDICATED VIA INCOME APPROACH: Not Applicable

VALUE INDICATED VIA MARKET APPROACH: \$540,300

INDICATED COMPENSATION FOR FEE SIMPLE ACQUISITION: \$540,300

March 8, 2004

TO: The Honorable Mayor and City Council Members

FROM: John Szerlag, City Manager

SUBJECT: Employment Agreement, Revisited

Most importantly, I wish to thank you for the productive evaluation session, and the subsequent salary increase. I will strive to achieve the goals you set for me, which cover the balance of this calendar year, and beyond. I also appreciate your willingness to provide a six-month severance package for an involuntary termination in lieu of an early retirement benefit, as I'm now eligible for a regular retirement pension at any time for any reason. Of course, the severance pay package is only applicable if I'm terminated without cause, and I hope that the governing body never feels compelled to initiate this action.

As you know, we discussed the above issues in a general sense during the course of my evaluation, and they were calibrated in further discussions with Mr. Lamerato. However, the agreement, and in particular a portion of the termination clause (Section 13), which was submitted to City Council on March 1, 2004 was modified without my knowledge or consent as I was on vacation at the time. Specifically, the operational definition of what constitutes being dismissed for "just cause" has been expanded to the point of incorporating just about any reason for being fired for just cause. The attached memorandum from Peggy Clifton delves into this matter and delineates some possible ramifications of this expanded definition; and candidly, it gives me a zone of discomfort. If I'm ever dismissed for cause, it should be real, not perceived.

Because of the above, I have provided optional resolutions for your consideration. The text of Resolution A is commensurate with the one you passed on March 1. However, the attached employment agreement incorporates the original contract language that was agreed to between Council and the Manager in 1999 with the exception that the severance benefit clause reflects what we have agreed to.

Resolution B is essentially a subset of Resolution A as my salary is delineated for 2004, and it indicates that I'll be included in the exempt classification; a class of employees of which I'm already a member. The resolution further indicates that an employment agreement is no longer applicable to the City Manager as he is a member of the exempt class of employees.

JS/mr\AGENDA ITEMS\2004\03.15.04 – Employment Agreement Revisited

c: Tonni L. Bartholomew, City Clerk
Lori Grigg Bluhm, City Attorney
Peggy E. Clifton, Human Resources Director
John M. Lamerato, Assistant City Manager/Finance & Administration



Human Resources Department

Date: March 8, 2004 PC04M.005

To: John Szerlag, City Manager

From: Peggy Clifton, Human Resources Director *PC*

Subject: Employment Agreement

I understand that the termination clause [Section 13] of the Employment Agreement between the City Manager and the City was modified without your knowledge, with the exception of the severance benefit [subsection 13(3)] which was amended pursuant to your request. I have reviewed both the former and the proposed Agreements for comparison purposes and confirm that the two are significantly different.

While there are several differences between the two sections, the most significant variance is in subsection 2(a) which states "... which has a material adverse impact on the public's perception of the City, its officials, and administrators or the Executive". The role of City Manager, not unlike that of Police Chief and Fire Chief, are for the most part inseparable from the person holding that position, at least as far as the general public is concerned. In other words, if the City Manager is seen playing a round of golf on the weekend, he is most likely seen as the 'City Manager', not as 'John Szerlag'. As such, the position is subject to public scrutiny 24 hours each day. While the Executive certainly is expected to act responsibly, what is perceived by one member of the public as misconduct may be entirely different than what another person might perceive. In other words, if the City Manager is seen drinking a beer while playing a round of golf, it is feasible that, whether reasonable or not, this could be viewed by a member of the public as misconduct. The reality of this makes the language of §2(a)(2) nebulous as well as not within the control of the Executive.

Additional variances in the termination clause between the two Agreements are found under subsection 13.2(b), which is completely new language, and subsection 13.2(c), which has been revised by replacing the verbiage "conviction of" with "arrest and binding over for trial".

It should be noted, however, that there are several other areas in which the Agreements differ. The proposed Agreement between the *City Manager* and the City is actually identical to the Agreement between the *City Attorney* and the City. Craig Lange, Labor Counsel for the City of Troy, confirmed that he drafted the current City Attorney's Employment Agreement. This Agreement was created at the request of City Council and specifically for City Attorney Lori Bluhm who was

new coming into this position. Mr. Lange indicates that he never intended that the contract be treated as a model Agreement for the City as a whole, nor that the language be transposed into the City Manager's Agreement. It was intended to address specific issues relevant at that point in time.

It appears that the wrong Agreement was inadvertently used as a template for the proposed Agreement for the City Manager. Had the only revision to the City Manager's Agreement been to the severance benefit, then §13. Termination, subsections (2) and (3) would have read as follows:

"2. In the event the City terminates the Executive's employment under provisions of this Agreement for "Cause" as defined below, all rights of the Executive to compensation and benefits pursuant to this Agreement shall cease as of the effective date of such termination. The term "Cause" shall mean any of the following events:

- (a) the Executive's conviction of or plea of guilty or nolo contendere to a crime providing for a term of imprisonment (other than traffic violations and crimes not requiring the knowing involvement of the Executive in the commission thereof.)*
- (b) the Executive's (i) neglect of duties involving his bad faith; (ii) willful failure to act with respect to duties previously communicated to the Executive in writing by the City Council; (iii) otherwise willful misconduct in connection with the performance of his duties hereunder, and in the case of any such neglect, failure or, to the extent curable, misconduct, only if it is not cured within 10 days from the receipt by the Executive of written notice from the City Council.*

If the City terminates the Executive's employment under the provisions of this clause 2, all rights of the Executive to compensation and benefits shall cease as of the effective date of such termination unless a final termination is thereafter made pursuant to the arbitration provisions hereof that the City did not have a right to terminate the Executive under this clause 2.

3. In the event that the City terminates the Executive's employment without Cause, as defined above, and the Executive is willing, able, and ready to perform the duties as City Manager, the City shall pay the Executive one half of his annual salary, not including fringe benefits, provided the Executive executes a release in a form acceptable to the City Attorney."

It should be noted that the language of Section 13. Termination as it appears in the City Manager's current Agreement is identical to the Termination clause

that was included in the Agreement between the City and the previous City Manager's Agreement (James Bacon).

Please advise if you wish to discuss this in further detail.

THE ATTACHED EMPLOYMENT AGREEMENT
REPRESENTS THE ORIGINAL AGREEMENT⁽¹⁾ BETWEEN
THE CITY MANAGER AND THE CITY DATED MARCH 20, 2000,
EXCEPT THAT THE LANGUAGE UNDER
§12. TERMINATION ⁽²⁾, REFLECTS THE MODIFIED
SEVERANCE PACKAGE

- (1) References to Exempt employee handbook reflect the most recent revision date
- (2) Section numbers in original agreement were incorrect; correcting the oversight results in §13 being renumbered to §12.

EMPLOYMENT AGREEMENT

THIS AGREEMENT, initially made on the 20th day of March, 2000, and amended on the _____ day of March, 2004, by and between the City of Troy, Michigan, a municipal corporation, hereinafter referred to as the "City" and John Szerlag, hereinafter referred to as the "Executive".

As the City desires to retain the Executive as its City Manager and as the Executive desires to serve the City as its City Manager, the City and the Executive agree as follows:

SECTION 1. PERIOD OF EMPLOYMENT

This Agreement shall be effective as of January 1, 2000, continue for an indefinite period, and may be terminated subject to the provisions of Section 12 of this Agreement.

SECTION 2. EXECUTIVE'S DUTIES

During the period of employment with the City, the Executive shall perform the duties of the City Manager as set out in the applicable statutes of the State of Michigan, the Charter of the City of Troy, all ordinances and resolutions lawfully enacted, and other such duties as the Council of the City of Troy may lawfully assign to the Executive.

SECTION 3. OTHER EMPLOYMENT

The Executive shall devote full-time attention, knowledge and skills in the interest of the City of Troy, and the City shall be entitled to full-time benefits arising from or incident to the full-time work, services, and advice of the Executive. The Executive may from time to time teach, lecture, or make presentations which will not conflict or interfere with his work for the City.

The Executive agrees to execute all oaths and provide all bonds with surety as required by law.

SECTION 4. HOURS OF WORK

The parties realize that the position of City Manager requires the Executive holding such position, to work weekends, evenings, and other irregular hours at locations other than the City's administrative offices and during hours which said offices are not open. It is understood and agreed that the Executive shall work whatever hours that may be necessary in order for him to fulfill the requirements of the position of Executive, as described herein and otherwise, but in any event, no less than forty (40) hours per week.

**SECTION 5.
EXECUTIVE'S SALARY**

The Executive shall receive a salary of an annual rate of \$133,786 for the period commencing January 1, 2004 and ending December 31, 2004, or until further adjustment by City Council, and that salary shall be payable in installments as per the pay plan generally applicable to other City exempt employees. From time to time, the City shall review the Executive's performance. The Executive's annual salary may be adjusted from time to time as determined by resolution of the City Council.

**SECTION 6.
DEFERRED COMPENSATION**

Prior to termination of this Agreement, and while the Executive remains in the employ of the City as its City Manager, the City of Troy shall contribute \$7,500 on or before January 15th of each year to the ICMA Retirement Corporation Deferred Compensation Plan on behalf of that Executive. This provision shall be effective for the calendar year of 2000 and thereafter.

**SECTION 7.
AUTOMOBILE ALLOWANCE**

The Executive shall receive an automobile allowance of \$425 per month during the time he is actively working during the term of this Agreement as City Manager for the City. This allowance shall be the total compensation to the Executive for use of his personal automobile in the

course of the City's business and shall be paid in lieu of mileage or any other method of reimbursement. The Executive shall use his vehicle for all City business that he performs. The Executive shall provide proof of insurance to the City and name the City as an additional insured on his automobile insurance policy.

SECTION 8. OTHER BUSINESS EXPENSE

The City shall reimburse the Executive for all other reasonable employment related expenses, subject to the administrative policies concerning such expenses, as currently exist in the Exempt Employee's Handbook, Revised 7/03, as may be amended and otherwise. Such expenses may include, but are not limited to, the following: air travel, taxi and automobile rental, lodging, meals, memberships and subscriptions to the publications of the International City Manager's Association only, registration fees for training programs offered by such organizations, and travel and incidental costs relating to attending such programs or conferences and meetings of such organizations. It is specifically understood that such activities are to be undertaken by the Executive as may be required by the City, and shall be considered part of the Executive's duties. The Executive shall be reimbursed for other such reasonable expenses as the City shall approve by resolution passed by the City Council.

**SECTION 9.
VACATION LEAVE**

Vacation benefits for the Executive shall be as provided to the City's exempt employees.

**SECTION 10.
SICK LEAVE**

The Executive shall accumulate sick leave as pursuant to the plan for exempt employees as is provided in the Exempt Employee's Handbook, revised 7/03, which may be modified from time to time during the course of this Agreement.

**SECTION 11.
PUBLIC OFFICIAL LIABILITY INSURANCE
AND REPRESENTATION BY LEGAL COUNSEL**

The City shall provide the Executive with public official liability insurance in accordance with that provided other officers of the City. In addition, the City shall provide the Executive legal representation as otherwise provided for other City officials and as provided by ordinance, except for malicious, wanton criminal conduct arising from the Executive's action or conduct and/or unless the City Council determines that the Executive was clearly acting outside of the scope of his duties when engaged in the actions or conduct which forms the basis of such charges or claims.

SECTION 12. TERMINATION

The City or the Executive may terminate this Agreement at any time with or without cause.

1. In the event the Executive terminates this Agreement, he shall give no less than thirty days prior written notice to the City Clerk and in said notice advise the City of the date of termination. If the Executive terminates this Agreement, all rights of the Executive to compensation and benefits pursuant to this Agreement shall cease as of the effective date of such termination.

2. In the event the City terminates the Executive's employment under provisions of this Agreement for "Cause" as defined below, all rights of the Executive to compensation and benefits pursuant to this Agreement shall cease as of the effective date of such termination. The term "Cause" shall mean any of the following events:

(a) the Executive's conviction of or plea of guilty or nolo contendere to a crime providing for a term of imprisonment (other than traffic violations and crimes not requiring the knowing involvement of the Executive in the commission thereof.)

(b) the Executive's (i) neglect of duties involving his bad faith; (ii) willful failure to act with respect to duties previously communicated to the Executive in writing by the City Council; (iii) otherwise willful misconduct

in connection with the performance of his duties hereunder, and in the case of any such neglect, failure or, to the extent curable, misconduct, only if it is not cured within 10 days from the receipt by the Executive of written notice from the City Council.

If the City terminates the Executive's employment under the provisions of this clause 2, all rights of the Executive to compensation and benefits shall cease as of the effective date of such termination unless a final termination is thereafter made pursuant to the arbitration provisions hereof that the City did not have a right to terminate the Executive under this clause 2.

3. In the event that the City terminates the Executive's employment without Cause, as defined above, and the Executive is willing, able, and ready to perform the duties as City Manager, the City shall pay the Executive one-half of his annual salary, not including fringe benefits, provided the executive executes a release in a form acceptable to the City Attorney.

4. In the event that the City terminates the Executive's employment without cause, as defined above, and the Executive is willing, able, and ready to perform the duties as City Manager, the Executive, in his sole discretion, may opt to convert the equivalent of one half of his annual salary to the equivalent years of service for his pension, and also receive

six months of healthcare coverage, in lieu of the lump sum severance benefit, as referenced in Section 12, paragraph 3.

**SECTION 13.
ELIGIBILITY FOR BENEFITS AFFORDED OTHER CITY OFFICIALS**

Except as otherwise provided in this Agreement, the Executive shall receive the same benefits as provided to the City's exempt employees including; compensatory time, vacation leave, sick leave, Municipal Retirement Fund Contributions, Group Medical Insurance Benefits, life and other insurance, holidays and disability as is described in the City of Troy Exempt Employee's Handbook, revised 7/03, and which may be modified from time to time during the course of this Agreement.

**SECTION 14.
ARBITRATION**

It is mutually agreed between the Executive and the City that arbitration shall be the sole and exclusive remedy to redress any dispute, claim or controversy ("grievance") involving the interpretation of this Agreement or the terms, conditions or termination of this Agreement. It is the intention of the parties that the arbitration decision will be final and binding and that any and all grievances shall be disposed of as follows:

1. Any and all grievances must be submitted in writing by the aggrieved party within 30 days from the date of termination of this Agreement;

2. Within 30 days following the submission of the written grievance, the party to whom the grievance is submitted shall respond in writing. If no written response is submitted within 30 days, the grievance shall be deemed denied;

3. If the grievance is denied, either party may, within 30 days of such denial, refer the grievance to arbitration in Troy, Michigan. The arbitrator shall be chosen in accordance with the Voluntary Labor Arbitration Rules of the American Arbitration Association then in effect, and the expense of the arbitration shall be shared equally by the City and the Executive;

4. Any grievance shall be deemed waived unless presented within the time limits specified above. The arbitrator shall not have jurisdiction or authority to change, add to or subtract from any of the provisions of this Agreement. The arbitrator's sole authority shall be to interpret or apply the provisions of this Agreement. The parties hereby acknowledge that since arbitration is the exclusive remedy with respect to any grievance hereunder, neither party has the right to resort to any federal, state or local court or administrative agency concerning breaches of this Agreement and that the decision of the arbitrator shall be a complete defense to any suit, action or proceeding instituted in any federal, state or local court or before any administrative agency with respect to any dispute

which is arbitrable as herein set forth. The arbitration provisions hereof shall, with respect to any grievance, survive the termination or expiration of this Agreement.

**SECTION 15.
COMPLETE AGREEMENT**

This written Agreement embodies the whole agreement between the parties and there are no inducements, promises, terms, conditions or other obligations in this Agreement. Any amendments to this Agreement shall be in writing and executed by both the City and the Executive.

Witnesses:

CITY OF TROY, a Michigan
Municipal corporation

By: _____
Matt Pryor, Mayor

By: _____
Tonni Bartholomew, City Clerk

Executive:

A. John Szerlag



Memorandum

To: John Szerlag, City Manager
 From: John M Lamerato, Assistant City Manager/Finance and Administration
 Tonni L. Bartholomew, City Clerk
 Date: March 2, 2004
 Subject: City Code Chapter 60, Fees and Bonds – Notary Fees

Notary Non-Resident Charges as referenced in City Code Chapter 60, Fees and Bonds, are not sufficiently addressed in relation to the Resident Charges. It was the intent of City Management to similarly calculate notary acts for residents and non-residents with non-resident service being provided at an elevated cost.

The State Statute regarding Notaries was recently amended and will become effective on April 1, 2004. The fee provision in the new Public Act allows for charges to be no more that \$10.00 per notary act.

The City Clerks Office requests that City Council amend Chapter 60 to provide for a per notary act charge for non-residents as similarly calculated for residents at an elevated rate of \$5.00 per notary act and that the ordinance be effective on April 1, 2004 to coincide with the effective date of the new Public Act governing notaries.

A redlined copy of the proposed City Code Chapter 60, Fees and Bonds is attached for your convenience.

Reviewed as to Form and Legality:

 Lori Grigg Bluhm, City Attorney

 Date

Chapter 60 – Fees and Bonds Required

CHAPTER 60 FEES AND BONDS REQUIRED

60.01 Schedule Established.

The fee required to be paid to obtain any license to engage in the operation, conduct or carrying on of any trade, profession, business or privilege for which a license is required by the provisions of this code shall be as hereinafter provided. No license shall be issued to any applicant unless he first pays to the City Clerk the fee and posts a bond or evidence of insurance coverage in the amount required for the type of license desired.

(Rev. 03-17-03)

60.02 Fees for Licenses and Other Transactions.

Fees for licenses and other transactions shall be prescribed in the following section of this Chapter. License fees shall be categorized under the business, trade, occupation or privilege to be license.

(Rev. 03-17-03)

60.03 Fee Schedule.

ITEM/SERVICE:	FEE:
Amusement Devices (Chapter 97)	
Application	\$100.00
Coin-Operated Amusement Device – 2 to 5 units	\$100.00 each
Coin-Operated Amusement Device – More than 5 units	\$50.00 each
Arcade	\$500.00 each
<i>Rides Mechanical</i>	
Per day	\$20.00
Annual Fee	\$100.00
Annual Fee: Amusement Place - Not otherwise specified	\$50.00
Animals (Chapter 68)	
<i>Rides</i>	
Per day	\$20.00
Annual Fee	\$100.00
Annual Fee: Riding Stables	\$10.00
Animal Permit (Chapter 90)	\$20.00

Chapter 60 – Fees and Bonds Required

Auction (Chapter 68)	\$100.00
Auction House (Chapter 68) – Annual Fee	\$100.00
Bowling Alley (Chapter 96)	
Annual Fee	\$50.00
Plus – Each alley over one – Annual Fee	\$2.00
Cemetery Fees (Chapter 29)	
Burial Space	\$525.00
Perpetual Care	\$200.00
Carnivals (Chapter 68)	
1 st day	\$100.00
Plus - Each Additional Day	\$20.00
Christmas Tree Sales (Chapter 69)	
Annual Fee: Each Location	\$100.00
Annual Deposit: Clean-up Deposit	\$100.00
Circus (Chapter 68)	
1 st day	\$100.00
Plus - Each additional day	\$20.00
COPIES	
<i>City Documents</i>	
First Copy	\$1.00
Additional Copies	\$0.50 each
Budget	\$30.00
Comprehensive Annual Financial Report	\$25.00
City Charter	\$10.00
City Code	\$50.00
Zoning Ordinance	\$20.00
Dances (Chapter 67)	
<i>Public Dance Hall</i>	
Annual Fee	\$100.00
Special Dance – Each Permit	\$50.00

Chapter 60 – Fees and Bonds Required

Dogs (Chapter 90)		
Monthly License for New Dogs 2004 Implementation:		
Each spayed or neutered dog		\$.50
Each un-spayed or un-neutered dog		\$1.00
One-Year License:		
Each spayed or neutered dog		\$6.00
Each un-spayed or un-neutered dog		\$12.00
Two-Year License:		
Each spayed or neutered dog		\$12.00
Each un-spayed or un-neutered dog		\$24.00
Three-Year License		
Each spayed or neutered dog		\$18.00
Each un-spayed or un-neutered dog		\$36.00
Leader/Hearing/Service Dog		No Charge
Senior Citizens (Age 62+)		50% of above
Duplicate Tag Fee		\$3.00
If a person makes application for a dog license that is not timely pursuant to Section 17 of Chapter 90, then a late charge of \$15.00 will be assessed.		
Pound Fees		
1 st Offense		\$25.00
Each Additional Offense		\$50.00
Current license fees and vaccination fees may also be due if not up to date		
License Fee Refund for Dogs which become deceased after license issuance will be prorated on complete year units and will be refunded to the dog owner as originally assessed/calculated. (Rev. 12-15-03)		
Drive-in Restaurants (Chapter 73)		\$100.00
Fence Permit (Chapter 83)		
300 linear feet or less		\$15.00
Over 300 linear feet		\$25.00
Going Out-of-Business Sales (State Statute MCL 442.211)		\$50.00
Gasoline Stations (Chapter 64 - Repealed 12-02-02)		
Private Filling Station (Chapter 64 - Repealed 12-02-02)		

Chapter 60 – Fees and Bonds Required

Landfill Operations: See Chapter 17	
Bulk Storage (Repealed 12-02-02)	
Laundries – Self Service (Chapter 70) - Annual Fee	\$100.00
Motor Vehicle Races (Chapter 66) - Annual Fee	\$100.00
Motorcycle & Motor Driven Rental Agency (Chapter 59)	
<i>Each Location</i>	
Annual Fee	\$100.00
Plus, each motorcycle/motor driven cycle Annual Fee	\$100.00
NOTARY SERVICE	
Required as part of official City business	No Charge
<i>Troy Resident</i>	
1 st Copy (<u>Notary act</u>)	No Charge
Fee Charged <u>per Notary act</u> after 1 st Copy (<u>Notary act</u>)	\$3.00
<i>Non-resident</i>	
Fee <u>per Notary act</u>	\$5.00
Peddlers & Solicitors (Chapter 74)	
Per week	\$20.00
Per month	\$40.00
Annual Fee	\$100.00
Pet Shop (Chapter 75): Annual Fee	\$50.00
Pool Room (Chapter 68)	
Annual Fee	\$50.00
Plus - Each table over one	\$5.00
Shows (Chapter 68): Tent per day	\$100.00
Sidewalk Sale (Chapter 69): Per day	\$20.00
Skating Rink (Chapter 68): Annual Fee	\$100.00
Solicitors - See Peddlers (Chapter 74)	
Special Events	
Event	\$25.00
Temporary Street Closing	\$25.00
Taxicabs (Chapter 65)	
Annual Fee: Each Vehicle	\$20.00
Annual Fee: Drivers License	\$10.00

Chapter 60 – Fees and Bonds Required

Tennis Courts – Indoor (Chapter 68): Annual Fee	\$100.00
Theaters (Chapter 68)	
Annual Fee – Indoor	\$100.00
Annual Fee – Outdoor	\$100.00
Transient Merchant (Chapter 61) – Per week	\$50.00
Vital Statistics	
<i>Birth Certificates</i>	
1 st Copy	\$10.00
Each additional copy	\$5.00 each
<i>Death Certificates</i>	
1 st Copy	\$10.00
Each additional copy	\$5.00 each
VOTER INFORMATION	
CD or Floppy Disk	\$5.00 /1,000 records \$5.00 minimum
Labels	\$0.02/label \$10.00 minimum
List	\$5.00/1,000 records
List: Absent Voter Daily Request	\$0.25/page
<i>Electronic Requests</i>	
Each Transfer	\$5.00 each
Electronic Absent Voter Daily Request (each transfer)	\$0.50 each
WEDDINGS AT THE GAZEBO	
Resident	\$50.00
Non-resident	\$75.00
Marriage Ceremony (Performed by the Mayor)	\$25.00

Chapter 60 – Fees and Bonds Required

FIRE DEPARTMENT FEES (Chapter 93)	
Permit Fee: Exhibit, Craft, Trade Show	\$50.00
Permit Fee: For public display and the retail display & sale of fireworks	\$100.00
<i>Hazardous Material Permit Fees</i>	
<i>Based on Quantity & Form</i>	
0-1,000 LBS.; 0-100 CU. FT; 0-330 GAL	\$150.00
1,001-20,000 LBS; 101-6,000 CU.FT; 331-990 GAL	\$300.00
20,001+ LBS.; 6,001 + CU. FT.; 991 + GAL	\$600.00
Permit Fees cover initial plan review and 2 inspections	
Note: Subsequent plan reviews and inspections of the same system shall apply to each inspector performing the re-inspection	\$50.00
<i>Sprinkler Systems</i>	
<i>Riser(s) & Sprinkler Heads</i>	
1-10 Heads	\$75.00
11-20 Heads	\$100.00
21-50 Heads	\$125.00
51-100 Heads	\$175.00
101-200 Heads	\$250.00
201-300 Heads	\$330.00
301-400 Heads	\$430.00
401-500 Heads	\$500.00
500 - > Heads	\$550.00*
*Plus \$0.50 per head over 500	
<i>Standpipes</i>	\$50.00**
**Base Fee plus \$5.00 per hose connection	
<i>Fire Pump</i>	
Dry or Wet Chemical Fire Suppression Systems – Per System	\$100.00
Each additional system reviewed at the same time	\$50.00
Alterations, additions, or modifications to existing system	\$35.00
<i>Total Flooding Agent Extinguishing System</i>	\$100.00***
***Plus Appropriate Detection System Fee	
Permit Fees: Subsequent Plan Reviews and Inspections of the Same System	\$50.00
Fire Alarm and Detection Systems	
<i>Device</i>	
Control Panel	\$50.00
Central Station Connection	\$25.00
Fire Initiating Device (Smoke Detector, Heat Detector, etc.)	\$15.00
Each Additional Initiating or Auxiliary Control Device	\$5.00

Chapter 60 – Fees and Bonds Required

First Auxiliary Control Device (Control Switch, Relay, etc.)	\$15.00
Each Additional Auxiliary Control Device	\$5.00
First Audio/Visual Device (Horn, Speaker, Bell Strobe, etc.)	\$15.00
Each Additional Audio/Visual Device	\$5.00
First Communication Device (Firefighter Phone, etc.)	\$15.00
Each Additional Communication Device	\$5.00
Exception: One and two family residential alarm systems must meet the requirements of the Troy Building Department	
Additional Fees	
Each Re-inspection: During Normal Working Hours	\$50.00 each
Each Re-inspection: During Non-working hours with a minimum assessment of three hours	\$75.00 per hour each
Cost Recovery – Hazardous Materials Cost Recovery – Fires	See Recovery Charges Fee Schedule in Section 60.04
Planning Department Fees (Chapter 41)	
Subdivision Tentative Preliminary Plat	\$500 plus \$10.00 per lot
Subdivision Final Preliminary Plat	\$100 plus \$10.00 per lot
Subdivision Final Plat	\$100 plus \$10.00 per lot

60.04	Recovery Charges Troy Fire Department: Apparatus, Equipment, and Personnel Cost	
<i>Apparatus</i>	<i>Charges for 1st Hour Not Including Personnel</i>	<i>Charges for Subsequent Hour Not Including Personnel</i>
Engine	\$441.00	\$294.00
Grass Truck	\$221.00	\$110.00
Ladder Truck	\$882.00	\$725.00
Air Tender	\$294.00	\$147.00
Mobile Command	\$294.00	\$147.00
Haz-Mat	\$294.00	\$147.00
Staff Vehicle	\$25.00	\$15.00
Personnel		
The cost of Firefighters and Officers are to be commensurate with their pay rate, fringe benefits, and time and one-half where applicable.		

Chapter 60 – Fees and Bonds Required

<i>Expendable Items</i>
Replacement cost for reasonable and customary items necessary in firefighting, Haz-Mat, and E.M.S. operations may be recovered. Examples of such items that can be recovered are extinguishing agents (Foam, A.F.F.F.), absorbent materials, chemical suits, etc.
<i>Non-Retrievable Items</i>
Items that are lost, stolen, or destroyed will be charged replacement value.

(Rev. 09-08-03)



TO: MAYOR AND MEMBERS OF CITY COUNCIL
FROM: LORI GRIGG BLUHM, CITY ATTORNEY
ALLAN T. MOTZNY, ASSISTANT CITY ATTORNEY
DATE: MARCH 10, 2004
SUBJECT: KAFTAN ENTERPRISES v CITY OF TROY

Kaftan Enterprises has sued the City of Troy, claiming an entitlement to funds deposited in connection with the Hidden Meadows Development Project located north of Maple Road west of Livernois. Specifically, Plaintiff is seeking return of the following:

The punch list of items remains incomplete, therefore, the \$10,000 has not been returned to Plaintiff. Specifically, the detention basin does not have established turf, the mylars and monuments and irons certifications have not been provided, and there is no landscaping and screen planting, as required by the development standards. Plaintiff acknowledges that the items remain incomplete, but argues that they attempted to landscape and establish turf, but these efforts failed due to circumstances beyond Plaintiff's control.

Plaintiff has submitted a settlement offer that proposes the following resolution:

1. Troy to return \$5,500 of the \$10,000 bond allowing \$4,500 to be used by the City for preparation of as built mylars and certification of monuments and irons.
2. Troy will retain all other funds deposited by Plaintiff to be used for establishment of turf at the detention basin and for landscaping.
3. Plaintiff's lawsuit against the City of Troy will be dismissed with prejudice and without costs to either party.

After consulting with City Engineer, Steven Vandette, and the City's Landscape Analyst, Ron Hynd, it is our recommendation to accept the settlement offer.

We have prepared a resolution, a release and a proposed order of dismissal for your review and approval.

RELEASE

This release is executed this _____ day of March 2004 by Kaftan Enterprises, Inc. (Plaintiff) regarding the City of Troy (Defendant).

RECITALS

A. Plaintiff filed a complaint against Defendant in the 52/4 District Court, Case No. 03-CO1103GC, seeking return of the following funds deposited with Defendant in connection with the Hidden Meadows Development Project:

1. \$10,000 deposited for the maintenance and cleaning of existing public streets for access.
2. \$4,638 deposited for landscaping and screen planting at the detention basin.
3. \$175 deposited for topsoil, fertilizer, seed and mulch at the detention basin.

B. Defendant has filed a responsive pleading denying Plaintiff is entitled to return of the funds on the basis Plaintiff has failed to meet required conditions.

C. The parties to the above-referenced civil action are desirous of avoiding future litigation and controversy, and accordingly enter into this settlement agreement and release for the sole express purpose of avoiding future controversy, wishing to avoid the resulting uncertainty of a verdict at trial and during any possible appeal.

D. It is expressly understood and agreed that this release and the settlement of the above-referenced litigation shall not be construed as an admission of liability on the part of any party mentioned in this release for the purpose of this action or for the purposes of any other action of whatever kind or nature.

RELEASE

1. Upon return of the sum of \$5,500, to Plaintiff from the sum already deposited with Defendant City of Troy, Plaintiff releases any claims it has or may have with respect to the above-referenced funds previously deposited with the City of Troy, and Plaintiff further releases and forever discharges the City of Troy, its agents, administrators, assigns, employees, officers, insurers, and

successors in interest, of and from any and all past, present, or future claims, demands, damages, actions, causes of action of whatever kind or nature, which were asserted, or which could have been asserted, or may in the future be asserted, in the 52/4 District Court Case No. 03-CO1103GC, or in any other court in which this action could have been brought.

2. The Plaintiff shall accept payment of the sums specified herein as a complete compromise of matters involving disputed issues of law and fact, and Plaintiff assumes the risk that the facts or the law may be otherwise than they believe.

3. The Plaintiff agrees and understands that this Release embodies a compromise of a disputed claim and that payment made and conditions stated herein are not to be construed as an admission of liability on the part of any of the parties being released by whom all liability is expressly denied.

4. The Plaintiff shall execute any and all supplementary documents and take all supplementary steps to give full force and effect to the basic terms of this agreement, specifically and including all appropriate stipulations for dismissal, with prejudice and without costs or attorney fees in all aspects of the 52/4 District Court Case, being case no. 03-CO-1103GC.

KAFTAN ENTERPRISES, INC.

By:_____

Its:_____

WITNESSES:

_____.

_____.

STATE OF MICHIGAN

52/4 DISTRICT COURT

KAFTAN ENTERPRISES, INC.,

Plaintiff,

v

Case No. 03-CO1103GC

CITY OF TROY,

Defendant.

_____ /

Eisenberg, Benson & Fields, PLLC
Alexander H. Benson (P43210)
Attorney for Plaintiff
2000 Town Center, Suite 1780
Southfield MI 48075
(248) 357-3550

City of Troy – City Attorney’s Office
Lori Grigg Bluhm (P46908)
Allan T. Motzny (P37580)
Attorneys for Defendant
500 W. Big Beaver Road
Troy, MI 48084
(248) 524-3320

_____ /

STIPULATED ORDER OF DISMISSAL

At a session of said Court held in the
Courthouse in the City of Troy,
Oakland County, Michigan,
on; _____

PRESENT: HONORABLE WILLIAM E. BOLLE, DISTRICT COURT JUDGE

Pursuant to the stipulation of the parties appearing above,

IT IS ORDERED:

1. Plaintiff’s complaint against Defendant City of Troy is hereby dismissed with prejudice and without the award of costs or attorney fees to any party.
2. This order resolves the last pending claim and closes the case.

District Court Judge

I stipulate to entry of the above order:

Alexander H. Benson (P43210)
Attorney for Plaintiff

Allan T. Motzny (P37580)
Attorney for Defendant

A special meeting of the Animal Control Appeal Board was held on Wednesday, November 19, 2003 in Conference Room D of Troy City Hall, 500 West Big Beaver Road. Chairperson Jayne Saeger called the Meeting to order at 8:06 p.m.

ROLL CALL:

PRESENT: Jayne Saeger, Chairperson
V. James Viola, Secretary
Al Petrulis
Robert Davisson, Assistant City Attorney
Sergeant Robert Kowalski
ACO Greg Latka
Pat Gladysz

ABSENT: Kathleen Melchert, Vice Chairperson
Harriet Barnard

DISCUSSION REGARDING ABSENT COMMITTEE MEMBERS:

Chairperson Saeger discussed the absence of committee members Melchert and Barnard. ACO Latka stated that he received a phone call from Barnard asking that she be excused from the meeting. A phone call was not received from Melchert.

AGENDA ITEMS:

1. Majid Mohamed, residing at 1135 Baker Court, appeals the decision of the animal control officer rejecting his permit for pigeons on his property.

The appellant was not present to answer questions from the committee. A review of the Ordinance determined that the appellant does not have to be present in order for a decision to be made. Sergeant Kowalski noted that Mr. Mohamed appeared at the October 22, 2003 meeting and the appeal was unable to be heard because a quorum was not present.

Chairperson Saeger read Mr. Mohamed's letter requesting the appeal. Sergeant Kowalski noted that one of Mr. Mohamed's neighbors stated he was opposed to the pigeons. This opposition was made at the inspection after the permit application was filed.

The discussion regarding this appeal focused on whether pigeons are considered to be domestic animals. If they are to be defined as domestic animals, Chapter 90, Sections 28 and 28.5 of the City Ordinance would apply:

- 28. Permit Required. Except as hereinafter provided, and effective with the adoption of this Ordinance, no person shall own, keep, maintain or have in his possession or under his control, within the City of Troy, any domestic animal without first applying to and receiving a permit from the City Clerk of the City of Troy to do so. Both the owner and the boarder/keeper must obtain permits if they do not share the same premises. (Rev. 08-06-73)

- 28.5. It is hereby declared to be a public nuisance and no permit shall be issued to any person, farm or corporation to keep or maintain any domestic animals within the corporate limits of the City of Troy, on any lot or acreage parcel smaller than three-quarters (3/4) of one (1) acre. No person, farm, or corporation shall keep or maintain any of the aforesaid animals on any lot or acreage parcel in such numbers as shall be detrimental to the public health, safety or welfare or the humane treatment of such animals. (Rev. 11-19-73)

If it is determined that pigeons are not domestic animals, there is no permit required and no action needs to be taken by this Committee.

A definition of “domestic animal” obtained from the Michigan Statutes was read and a discussion followed.

Chairperson Saeger confirmed that the 3/4 acre requirement cannot be waived by this committee.

Assistant City Attorney, Davisson, advised the Committee that Chapter 90 of the City Ordinance was in the process of being reviewed and revised. A draft should be completed within the next six to twelve months. At that time, the document will be given to the animal control officers and the committee members for their review. When a final draft is complete, it will be presented to City Council for adoption. He also stated that a decision on this appeal would most likely not set precedence.

Resolution #AC2003-11-001

Moved by Viola

Seconded by Petrulis

RESOLVED, that pigeons are considered to be domestic animals as it applies to Chapter 90 of the Troy City Ordinance.

Yes: All-3
No: None
Absent: Melchert, Barnard

Resolution #AC2003-11-002

Moved by Petrusis

Seconded by Viola

RESOLVED, that the decision of the animal control officer rejecting the permit application to allow pigeons on the property of Majid Mohamed, residing at 1135 Baker Court, be upheld.

Yes: All-3

No: None

Absent: Melchert, Barnard

The next regular meeting is scheduled for Wednesday, March 3, 2004 at 7:30 p.m. in Conference Room C.

The meeting adjourned at 8:26 p.m.

Jayne Saeger, Chairperson

Patricia A. Gladysz, Clerk-Typist

A meeting of the **Troy Local Development Finance Authority (LDFA)** was held on Monday, December 1, 2003 at 3:00 P.M., at City Hall in the Council Board Room. Councilmember Beltramini called the meeting to order at 3:03 p.m.

ROLL CALL

PRESENT:	Robin Beltramini, Councilmember
	Mike Adamczyk
	Keith Pretty
	Doug Smith, Real Estate & Development Director
	John Szerlag, City Manager
	Dennis Toffolo
ALSO PRESENT:	Lori Grigg-Bluhm, City Attorney
	Laura Fitzpatrick, Assistant to the City Manager
	Joe Hauska, Liberty Property Trust
	Dan Casey, Economic Development Division, City of Southfield

APPROVAL OF MINUTES FROM PREVIOUS MEETING

Resolution # LD-2003-12-007

Moved by Smith

Seconded by Pretty

RESOLVED, That the minutes of November 10, 2003 be approved with this change: List Toffolo as present.

Yes: All - 6

No: None

MOTION CARRIED

OLD BUSINESS

- A. Review of Developer Criterion for Smart Zone Investments – Joe Hauska, Liberty Property Trust
 - Future discussion and information gathering re: technology park name and signage

NEW BUSINESS

- A. SmartZone Annual Report to MEDC – Dan Casey, Economic Development Division, City of Southfield

PUBLIC COMMENT

The meeting adjourned at 3:36 p.m.

Robin Beltramini, Meeting Chair

Laura Fitzpatrick, Assistant to the City Manager

A meeting of the Employees' Retirement System Board of Trustees was held on Wednesday, December 10, 2003, at Troy City Hall, 500 W. Big Beaver Rd., Troy, MI. The meeting was called to order at 3:00 p.m.

TRUSTEES PRESENT: Mark Calice
Charles Campbell
Robert Crawford
Thomas Houghton, Chair
John M. Lamerato
John Szerlag (Departed 3:45 pm)

TRUSTEES ABSENT: David A. Lambert

ALSO PRESENT: Laura Fitzpatrick

EXCUSE ABSENT MEMBERS

Resolution # ER – 2003 – 12 - 044

Moved by Szerlag
Seconded by Houghton

RESOLVED, That David A. Lambert be excused.

Yeas: All 6
Absent: Lambert

MINUTES

Resolution # ER – 2003 – 12 - 045

Moved by Szerlag
Seconded by Campbell

RESOLVED, That the minutes of the November 12, 2003 meeting be approved.

Yeas: All 6
Absent: Lambert

RETIREMENT REQUEST***Resolution # ER – 2003 – 12- 046***

Moved by Houghton
Seconded by Campbell

RESOLVED, That the following retirement requests be approved:

Gregory C. Wieg, DB, 1/21/04, 25 years, 1 month
Susan M. Ellis, DB, 2/11/04, 25 years
Anthony P. Aguinaga, DB, 1/31/04, 13 years, 4 months
Nancy L. Aguinaga, DB, 1/31/04, 27 years, 10 months
Paul L. Lucas, DB 1/22/04, 25 years, 1 month

Yeas: All 6
Absent: Lambert

RESOLUTION # ER – 2003 – 047

Moved by Crawford
Seconded by Calice

RESOLVED, That the retirement request of Nancy Paulus, DB, 1/16/04, 18 years be approved.

Yeas: All 6
Absent: Lambert

RESOLUTION # ER – 2003 – 048

Moved by Lamerato
Seconded by Calice

RESOLVED, That the non-duty disability retirement request of Nancy J. Tamachaski, DB, 12/11/03, 12 years, 10 months be approved.

Yeas: All 6
Absent: Lambert

OTHER BUSINESS- PRIOR GOVERNMENTAL RETIREMENT SERVICE

The Board received and filed a listing of employees qualifying for prior governmental services, which will be attached to the original minutes of this meeting.

OTHER BUSINESS – OPTION AUTHORITY***Resolution # ER – 2003 - 12- 049***

Moved by Crawford
Seconded by Szerlag

RESOLVED, That if an option position has not been established by December 31, 2004, the authorization for that position will expire.

Yeas: All 6
Absent: Lambert

INVESTMENTS

Resolution # ER - 2003 - 12- 050

Moved by Campbell

Seconded by Crawford

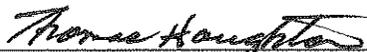
RESOLVED, That the following investments be purchased: Purchase \$500,000 Intl Lease Fin. 4.75% due 12/15/11.

Yeas: All 5

Absent: Lambert, Szerlag

The next meeting is January 14, 2004 at 3:00 p.m. at City Hall, 500 W Big Beaver, Troy, MI.

The meeting adjourned at 4:04 p.m.



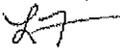
Thomas Houghton, Chairman



John M Lamerato, Secretary

December 5, 2003

TO: The Employee Retirement System Board of Trustees

FROM: Laura Fitzpatrick, Assistant to the City Manager 

SUBJECT: Prior Government Service Credit for Eligibility

Here is a list of employees eligible for prior government service credits. Note this impacts only eligibility to retire from the City of Troy. Pension calculations and health care coverage is based on Troy service only.

Last Name	First Name	# Years	# Months	Troy Full- Time Start Date
*Anderson Rochester-Avon Recreation Authority	Carol	5	4	6/89
Russ White Lake Twp	Charles	2	7	3/27/81
Barnes Berrien County, MI	Charles	5	9	7/7/81
Daniel Bloomfield Twp Oakland County	Dan	3 9 <i>Total:</i> 12	5 3 8	1/21/91
Kocenda Grosse Pointe Woods Beverly Hills	David	1 2 <i>Total:</i> 3	6 2 8	8/97
Phillips Independence Twp	Don	6	4	5/4/94

*re-submittal - previous submittal
had one extra month

FINAL
Meeting Minutes

A meeting of the Downtown Development Authority was held on Wednesday, January 21, 2004 in the Lower Level Conference Room of Troy City Hall, 500 W. Big Beaver Troy, Michigan. Alan Kiriluk called the meeting to order at 7:35 a.m.

PRESENT: Michael Culpepper
Michele Hodges
Alan Kiriluk
Carol Price
Ernest Reschke
Marc Rosenow
Douglas Schroeder
Fred Wong
G. Thomas York

ABSENT: William Kennis
Daniel MacLeish
Matt Pryor
Stuart Frankel
Harvey Weiss

ALSO PRESENT: John Szerlag
John M. Lamerato
Gary A. Shripka
Lori Grigg Bluhm
Mark Miller
Doug Smith

APPROVAL OF MINUTES

Resolution: DD-04-01
Moved by: Hodges
Seconded by: York

RESOLVED, that the minutes of the December 17, 2003 regular meeting be approved.

Yeas: All (8)
Absent: Kennis, MacLeish, Pryor

OLD BUSINESS

Urban Design Plan

Board reviewed the scope of work and bidders list and directed staff to select 5-6 firms and give consideration to Hamilton/Anderson Associates.

Replacement Trees on Big Beaver

Jeff Biegler and Ron Hynd reviewed possible species of trees. The Board would like to look at additional Species.

City of Troy Gateway Project

After discussion and review of possible Gateway designs, the Board referred this project to the Urban Design Plan Project.

Approved Ballot Language for Proposed Civic Center

The Board reviewed the ballot language adopted by City Council.

Update on Civic Center Priority Task Force (CCPTF)

The update will take place at the February 16, 2004 City Council meeting.

NEW BUSINESS

None

EXCUSE ABSENT MEMBERS

Resolution: DD-04-02

Moved by: Culpepper

Seconded by: Rosenow

RESOLVED, That Kennis, MacLeish and Pryor be excused.

Yeas: All (8)

Absent: Kennis, MacLeish, Pryor

PUBLIC COMMENT

Several members present addressed the Board.

The meeting was adjourned at 8:35 a.m.

Next Meeting: February 18 2004 @ 7:30 a.m.

Alan Kiriluk, Chairman

John M. Lamerato, Secretary/Treasurer

JL/pg

A meeting of the **Troy Youth Council (TYC)** was held on Wednesday, January 21, 2004 at 7:00 PM at the Community Center (Room 503), 3179 Livernois Road. Christina Krokosky called the meeting to order at 7:04 p.m.

MEMBERS PRESENT: Emily Burns
Chris Cheng (arrived 7:05 PM)
Min Chong
Juliana D'Amico (arrived 7:35 PM)
Monika Govindaraj
Eric Gregory
Catherine Herzog
Maniesh Joshi
Christina Krokosky
Manessa Shaw (arrived 7:07 PM)
YuJing Wang (arrived 7:15 PM)

MEMBERS ABSENT: Allister Chang
Raymond Deng
Andrew Kalinowski (excused)
Matthew Michrina (excused)
David Vennettilli (excused)

ALSO PRESENT: Laura Fitzpatrick, Assistant to the City Manager

1. **Roll Call**
2. **Approval of Minutes**

Resolution # TY-2004-01- 001

Moved by Herzog
Seconded by Shaw

RESOLVED, That the minutes of 12/17/03 be approved.

Yes: All - 9
No: None
Absent: Chang, D'Amico, Deng, Kalinowski, Michrina, Vennettilli, Wang
MOTION CARRIED

3. **Attendance Report:** Noted and Filed
This meeting: 11 present, 5 absent – 3 gave prior notification.
4. **Motion to Excuse Absent Members**

Resolution # TY-2004-01- 002

Moved by Herzog
Seconded by Shaw

RESOLVED, That Kalinowski, Michrina, and Vennettilli shall be excused.

Yes: All – 9

No: None

Absent: Chang, D'Amico, Deng, Kalinowski, Michrina, Vennettilli, Wang

MOTION CARRIED

5. **Visitor:** Barbara Holmes, Deputy City Clerk, speaking about Student Election Inspector jobs: employment opportunity and government work experience
6. **Civic Center Priority Task Force** – update from Herzog and Shaw: Report to be presented to City Council at their regular meeting on 2/16/04
7. **The World Café Forum** – Report from Attendee Monika Govindaraj; held Thurs, 12/18 6-9 PM
8. **Intent to Reduce Size of TYC to 13** – agenda item for 2/2/04 or 2/16/04 City Council Meeting; Fitzpatrick to advise TYC of date by email.
9. **Troy's 50th Anniversary in 2005:** Youth Involvement & Research Project opportunities; speaker from museum for February Meeting – start thinking about it now!
Flyer re: research project – more info next month

10. Youth Council Comments

11. Miscellaneous Announcements:

- *Next Meeting:* Wed, 2/25/04 at City Hall, Lower Level Conference Room 7:00 PM
- *Boards & Committees Appreciation Banquet Sat, 2/14/04, 6:30 PM:* Invites sent in mail. RSVP by 2/6/04. Bring a guest (friend, parent, sibling, date, etc.) – it is a good time!
- *Internships* – submit resumes to Fitzpatrick and she will pass them along to the Chamber of Commerce Human Resources Council. The Chamber is taking the internship suggestion under advisement.
- *February Meeting:* Troy's 50th Anniversary
- *February or March Meeting:* Finalize Selection Process of new TYC members
- *Old Poster:* Does anyone want the old poster? YuJing?

12. PUBLIC COMMENT

Reminder Next Meeting: **2/25/04** 7:00 P.M.

Location: **CITY HALL**

The meeting adjourned at 7:44 p.m.

Christina Krokosky, Co-chair

Laura Fitzpatrick, Assistant to the City Manager

A Meeting of the Civil Service Commission (Act 78) was held Thursday, January 22, 2004, at Troy City Hall, 500 W. Big Beaver Road in the Lower Level Conference Room. Chairman McGinnis called the meeting to order at 7:42 AM.

ROLL CALL

PRESENT: Chairman Donald E. McGinnis, Jr.
Commissioner Patrick Daugherty
Commissioner David Cannon

ALSO PRESENT: Lori Bluhm - City Attorney, Peggy Clifton - Human Resources Director, Police Chief Charles Craft, Captain Dane Slater, Captain Edward Murphy, Barbara A. Holmes - Deputy City Clerk, Jeanette Menig - Human Resources Specialist

Approval of Minutes of September 25, 2003:

Resolution #CSC-2004-01-001
Moved by Daugherty
Seconded by Cannon

RESOLVED, That the Minutes of the meeting of September 25, 2003 be **APPROVED** as presented.

Yes: All-3

Petitions and Communications:

(a) Approval of Eligible List – Police Officer

Resolution #CSC-2004-01-002
Moved by Cannon
Seconded by Daugherty

RESOLVED, That the Eligible List for Classification: Police Officer established on January 22, 2004 be **APPROVED** as presented.

Yes: All-3

(b) Approval of Eligible List – Police Sergeant

Resolution #CSC-2004-01-003
Moved by Cannon
Seconded by Daugherty

RESOLVED, That the Eligible List for Classification: Police Sergeant established on December 29, 2003 be **APPROVED** as presented.

Yes: All-3

(c) Approval of Eligible List – Police Lieutenant

Resolution #CSC-2004-01-004

Moved by Daugherty

Seconded by Cannon

RESOLVED, That the Eligible List for Classification: Police Lieutenant established on December 18, 2003 be **APPROVED** as presented.

Yes: All-3

New Business: None presented.

Old Business: None presented.

Adjournment: The meeting was adjourned at 7:46 AM.

Donald E. McGinnis, Jr., Chairman

Barbara A. Holmes, CMC - Deputy City Clerk

TROY DAZE ADVISORY COMMITTEE

A regular meeting of the Troy Daze Advisory Committee was held Tuesday, January 27, 2004, at the Troy Community Center. Bob Berk called the meeting to order at 7:34 p.m.

Present: Bob Berk
Cheryl Whitton-Kaszubski
Mike Gonda
Robert Preston
Cecile Dilley
Bill Hall
Jim Cyrulewski

Absent: Kessie Kaltsounis, Jeff Stewart, Jessica Zablocki

ADDITIONAL CITY STAFF PRESENT:

Cindy Stewart	Gerry Scherlinck
Bob Matlick	Jeff Biegler
Tonya Perry	

Visitors: Bill Kennis from Troy Chamber of Commerce

Resolution # TD-2004-01-01
Moved by Jim Cyrulewski
Seconded by Whitton Kaszubski

RESOLVED, that the minutes of November 25, 2003 be approved by amending page 2, Resolution # TD-2003-11-16 under NEW BUSINESS by inserting **Yes: 7**

Yeas: All
Nays: None
MOTION CARRIED

Resolution # TD-2004-01-02
Moved by Cyrulewski
Seconded by Whitton Kaszubski

RESOLVED, that Kessie Kaltsounis be excused.

Yeas: All
Nays: None
MOTION CARRIED

NEW BUSINESS

A. Bill Kennis-Troy Chamber of Commerce - Mr. Kennis spoke to the Troy Daze Advisory Committee regarding the proposed hotel and convention center on the civic center site.

OLD BUSINESS

A. Troy Daze Advisory Committee vacancies - Bob Berk reviewed the proposal for new Troy Daze Committee members.

Resolution # TD-2004-03
Moved by Cyrulewski
Seconded by Gonda

RESOLVED, that the process for Troy Daze Committee members is acceptable upon condition of acceptance by the Troy City Attorney.

Yeas: All
Nays: None
MOTION CARRIED

B. Budget - Cheryl Kaszubski reviewed the proposed budget and the changes to it.

Resolution # TD-2004-01-04
Moved by Cyrulewski
Seconded by Bill Hall

RESOLVED, that the budget is approved as proposed.

Yeas: All
Nays: None
MOTION CARRIED

C. Appointment of Festival Activity Chairperson

Resolution # TD-2004-01-05
Moved by Whitton Kaszubski
Seconded by Preston

RESOLVED, that Mike Gonda be appointed Operations Chairman.

Yeas: All
Nays: None

Meeting adjourned at 8:18 p.m.

Bob Berk, Committee Chairman

Mary Williams, recording secretary

A meeting of the Troy Election Commission was held Thursday, January 29, 2004, at City Hall, 500 W. Big Beaver Road. Member Bartholomew called the Meeting to order at 7:00 P.M.

Roll Call:

PRESENT: David Anderson, Timothy Dewan, City Clerk Tonni Bartholomew

ABSENT: None

Minutes: Regular Meeting of December 4, 2003

Resolution # EC-2004-01-01

Motion by Anderson

Seconded by Dewan

RESOLVED, That the Minutes of Thursday, December 4, 2003 are approved as corrected.

Yes: All-3

Approval of Ballot Language:

City Clerk Bartholomew presented the proposed ballot to the Commission.

Resolution # EC-2004-01-02

Motion by Dewan

Seconded by Anderson

RESOLVED, That the ballot language for the April 5, 2004 City General Election, as submitted by the City Clerk, is hereby **APPROVED**.

Yes: All-3

Adjournment:

The meeting was adjourned at 7:05 PM.

Tonni L. Bartholomew, MMC
City Clerk

ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES – DRAFT – FEB 2004

A Regular Meeting of the Troy Advisory Committee for Persons with Disabilities was held Wednesday, February 4, 2004, at the lower level conference room at City Hall. Leonard Bertin called the Meeting to order at 7:08 P.M.

Present: L Bertin, member C. Buchanan, member
K. Gauri, member P. Manetta, member
D. Pietron, member G. Yau, Student

Present: M. Grusnick, staff
K. Jearls, staff

Absent: S. Burt, member A. Done, member
T. House, member N. Johnson,
D. Kuschinsky, member M. Pritzlaff, alternate
J. Shah, alternate

ITEM B – APPROVAL OF MINUTES OF MEETING OF January 7, 2004

Bertin made a motion that the Minutes of January 7, 2004 be approved. Supported by Gauri. All voted in favor.

ITEM C – VISITORS, DELEGATIONS AND GENERAL PUBLIC

Steve Redmon, Executive Director, On My Own Of Michigan, is scheduled to attend the March meeting.

ITEM D – NEW BUSINESS

Discussion was held regarding providing incentives to builders on permit fees in the form of cash rebates for following visitability standards such as wider doors, accessible entrances, and larger bathrooms on new single family house construction. The City of Escanaba, MI has adopted a visitability ordinance which can be reviewed at their website, www.escanaba.org. The committee unanimously agreed to pass on the information to City Council and ask that it be investigated for implementation in Troy.

Buchanan wants to request a joint meeting with City Council regarding sensitivity training and disability issues. She will follow up with a letter asking to meet with City Council for scheduling.

ITEM E – REGULAR BUSINESS

Bertin will attend City Council Meeting on 2/16 and Pietron will attend the 3/1 meeting.

ITEM F – OLD BUSINESS

ITEM G – INFORMATIONAL ITEMS

ITEM H - ADJOURN

Buchanan made a motion to adjourn at 8:03 p.m. Manetta seconded. All voted in favor.

Leonard Bertin, Chair

Kathy Jearls, Recording Secretary

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D. Pietron, member G. Yau, Student

Present: M. Grusnick, staff
K. Jearls, staff

Absent: S. Burt, member A. Done, member
T. House, member N. Johnson,
D. Kuschinsky, member M. Pritzlaff, alternate
J. Shah, alternate

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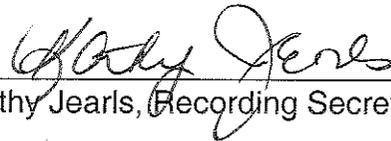
ITEM G – INFORMATIONAL ITEMS

ITEM H - ADJOURN

Buchanan made a motion to adjourn at 8:03 p.m. Manetta seconded. All voted in favor.



Leonard Bertin, Chair



Kathy Jearls, Recording Secretary

Advisory Committee for Senior Citizens

A Regular meeting of the Advisory Committee for Senior Citizens was held on Thursday, February 4 2004 at the Troy Community Center. Chairman David Ogg called the meeting to order at 10 AM.

Present: David Ogg, Chairman
Ed Forst, Vice-Chairman
Bill Weisgerber, Member
Steven Banch, Member
Jo Rhoads – Member

JoAnn Thompson, Member
Jane Crowe, Member
Merrill Dixon, Member
Marie Hoag, Member
Carla Vaughan, Staff

Absent: None

Visitors: Mary Kerwin, Mary Beth Halushka, Paula Fleming, Carol Pochodylo, Paul Kennedy

Approval of Minutes

Resolution # SC-2004-2-001
Moved by Jo Rhoads
Seconded by Merrill Dixon

RESOLVED, That the Minutes of Jan. 8, 2004 be approved as submitted.

Yes: 9
No: 0

MOTION CARRIED

Addition of Program Fees item to agenda

Resolution # SC-2004-2-002
Moved by Bill Weisgerber
Seconded by Merrill Dixon

RESOLVED, That an item about Program Fees be added under new business.

Yes: 9
No: 0

MOTION CARRIED

Visitor Comments

Mary Kerwin discussed the Troy School District's "report card" and handed out information about the grading system.

Old Business:

Civic Center Task Force: David Ogg reported that the task force has completed its report and will present it to City Council on February 16. The task force focused on what community members said they wanted and not on the financial aspect.

Menu Situation in Senior Lunchroom: David Ogg reported that the menu is in the February newsletter and the situation seems to be okay now. Carla has received the March menu in time for publication.

Program Fees: Bill Weisgerber reported on information he received from Carol Anderson regarding program fees. He suggested a \$25 fee for gardens with that fee being reduced to \$20 for those who attend a water conservation seminar. Carla will investigate the feasibility of the two fees, and try to get information on the speaker. A discussion was held about the \$4 fee for the senior newsletter and whether or not to charge Oakland Park Towers since their newsletters are delivered by a volunteer rather than through the mail. Since the newsletters will be available for free pick-up at the Community Center and since most Towers residents are low income, the Committee felt that there should be no charge for Towers residents.

New Business

None

Reports

Park Board: Merrill Dixon reported that the Sports Illustrated Sportstown award was discussed at the January meeting.

Medi-Go: Jo Rhoads reported that Medi-Go was featured in a national transportation magazine. She has proposed that Medi-Go offer transportation to support groups.

Lunch Attendance: There were **1356** meals served on **22** days at the Community Center in **September**. The average donation was **\$1.73**. **1993** homebound meals were delivered. There were **1511** meals served on **21** days at the Community Center in **October**. The average donation was **\$1.83**. **2251** homebound meals were delivered. There were **1215** meals served on **20** days at the Community Center in **November**. The average donation was **\$1.83**. **1689** homebound meals were delivered. There were **1160** meals served on **21** days at the Community Center in **December**. The average donation was **\$1.80**. **1953** homebound meals were delivered. There were **1202** meals served on **20** days at the Community Center in **January**. The average donation was **\$1.82**. **2251** homebound meals were delivered.

Senior Program Report: Carla reported that the monthly theme lunches are going well and that they have helped to increase attendance at the lunches. Creative Endeavors just completed an annual inventory with only \$15 worth of merchandise unaccounted for.

OLHSA: JoAnn Thompson reported that they had a speaker from the Visiting Physicians Association. This association makes house calls, and the house calls are covered by Medicare for qualifying individuals.

Member Comments

Bill Weisgerber reported that in Rochester they require that seniors make a reservation for lunch by 11 a.m. the previous business day.

Bill Weisgerber reported on the Troy AARP tax program and that the number of participants and volunteers are increasing.

Merrill Dixon reported that he uses the indoor walking track at OPC free of charge, and that it has a soft surface which is nice.

Ed Forst asked about the requested \$1 donation for the Area Agency on Aging speaker. Carla reported that due to budget cuts, the Area Agency is now requesting some compensation for speakers and all of the donation money will go to the AAA.

The meeting was adjourned at 11:40 a.m.

Respectfully submitted,

David Ogg, Chairman

Carla Vaughan, Secretary

A regular meeting of the Liquor Advisory Committee was held on Monday, February 9, 2004 in Conference Room C of Troy City Hall, 500 West Big Beaver Road. Chairman Max K. Ehlert called the meeting to order at 7:00 p.m.

ROLL CALL:

PRESENT: Max K. Ehlert, Chairman
Henry W. Allemon
Alex Bennett
Anita Elenbaum
W. Stan Godlewski
James C. Moseley
Emily Polet, Student Representative
Carolyn Glosby, Assistant City Attorney
Sergeant Thomas J. Gordon
Pat Gladysz

ABSENT: James R. Peard

Resolution to Excuse Committee Member Peard

Resolution #LC2004-02-003
Moved by Allemon
Seconded by Elenbaum

RESOLVED, that the absence of Committee member Peard at the Liquor Advisory Committee meeting of February 9, 2004 BE EXCUSED.

Yes: All-6
No: None
Absent: Peard

Resolution to Approve Minutes of January 12, 2004 Meeting

Resolution #LC2004-02-004
Moved by Allemon
Seconded by Ehlert

RESOLVED, that the Minutes of the January 12, 2004 meeting of the Liquor Advisory Committee be approved.

Yes: All-6
No: None
Absent: Peard

Agenda Items:

1. **7-ELEVEN, INC. (A TEXAS CORPORATION)**, requests to **drop** Nisar A. Siddiqui as co-licensee on 2003 **SDM** licensed business, 2891 Crooks, Troy, MI 48084 in Oakland County, and **add** Nazish, Inc. as co-licensee. [MLCC REQ ID# 231697]

Present to answer questions from the Committee was Nisar Siddiqui. This is merely a change of name to include his wife who is now part of his corporation. His wife has always been involved in the operation of his business.

Resolution #LC2004-02-005

Moved by Allemon

Seconded by Moseley

RESOLVED, that 7-ELEVEN, INC. be allowed to drop Nisar A. Siddiqui as co-licensee on 2003 SDM licensed business, 2891 Crooks, Troy, MI 48084 in Oakland County, and add Nazish, Inc. as co-licensee.

Yes: All-6
No: None
Absent: Peard

2. **HAN MI ORIENTAL MART, INC.**, requests a New Specially Designated Distributor - New Specially Designated Merchant License located at 5060 Rochester Rd, Troy, MI, 48085, Oakland County. [MLCC REQ ID# 235659]

Present to answer questions from the Committee were James Simasko, Jason Bang, Hyun Bang, and Soo Hee Bang. Acting as spokesman for the Bang family, Mr. Simasko informed the Committee that Han Mi Oriental Mart, a family-owned and operated Korean specialty store, has been in Troy for nearly 13 years and they recently expanded their store to 4,275 square feet. The family is very active in the community. Mr. Jason Bang stated that they frequently receive requests from their customers for specialty liquor, wine, and beer. The store is configured to shelve the liquor behind the sales counter. The family members are the only employees that act as salespeople and they will attend TIPS/TAMS training. The hours of operation of the store are

Tuesday through Saturday from 10:00 a.m. to 9:00 p.m. and Sunday from 10:00 a.m. to 7:00 p.m. The store is closed on Monday.

Resolution #LC2004-02-006

Moved by Allemon

Seconded by Ehlert

RESOLVED, that HAN MI ORIENTAL MART, INC., located at 5060 Rochester Rd, Troy, MI, 48085, Oakland County, be granted New Specially Designated Distributor - New Specially Designated Merchant License. [MLCC REQ ID# 235659]

Yes: Allemon, Bennett, Ehlert, Elenbaum, Godlewski

No: Moseley

Absent: Peard

Carolyn Glosby, assistant City Attorney, informed the Committee that there are two dates scheduled for due process Hearings on liquor violations. These dates are Wednesday, February 18, 2004 and Wednesday, March 3, 2004.

Sgt. Gordon discussed Informational Items from the Agenda.

1. AMERICAN POLISH CULTURAL CENTER, requests to Add Space and Two (2) New Additional bar Permits (for a total of 3 Bars) in a 2003 12 Months Resort Class C licensed business with Dance-Entertainment Permit located at 2975 E. Maple, Troy, MI, Oakland County. [MLCC REQ ID# 220326]

Final inspection approvals obtained from the Building Department.

2. SUPER STEAK BUFFET, INC. requests a new full year (quota) Class C license with Sunday Sales and Official Permit (Food) to be located at 336 John R, Troy, MI 48083, Oakland County.

No new information on this item.

3. PIDGEON RIVER IMPORTS, LLC, requests a new Outstate Seller of Wine license, to be located at 3250 W. Big Beaver Rd., Troy, MI 48084, Oakland County. [MLCC REQ ID #232608] *Office use only, no storage of alcoholic beverages on site*

No new information on this item.

4. CHEVY'S INC. (A CALIFORNIA CORPORATION), DBA RIO BRAVO, located at 2085 W. Big Beaver Rd., has requested that its 2003 Class C license be placed into escrow. [MLCC REQ ID# 233140]

An Italian restaurant will most likely open at this location.

5. KNIGHTS OF COLUMBUS, ST. JOSEPH CHALDEAN COUNCIL NO. 9154, requests to transfer location (governmental unit) of 2003 Club licensed business from 35220 Mound, Sterling Heights, MI 48310, Macomb County, to 36949 Dequindre, Troy, MI 48084, Oakland County. [MLCC REQ ID# 233780] *Current site of Asia Mart market*

The transfer location does not have the proper zoning that would be required. Also, it has been determined that the Knights of Columbus are applying in conjunction with a former applicant that had been denied.

The Flemings Steak House will open in the future at 3001 West Big Beaver and make application for a quota license.

The meeting adjourned at 7:29 p.m.

Max K. Ehlert, Chairman

Patricia A. Gladysz, Clerk-Typist

The Regular Meeting of the Troy City Planning Commission was called to order by Chair Waller at 7:32 p.m. on February 10, 2004, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:

Gary Chamberlain
Lynn Drake-Batts
Lawrence Littman
Robert Schultz
Walter Storrs
Thomas Strat
David T. Waller
Wayne Wright

Absent:

Mark J. Vleck

Also Present:

Brent Savidant, Principal Planner
Allan Motzny, Assistant City Attorney
Kathy Czarnecki, Recording Secretary

Resolution # PC-2004-02-014

Moved by: Chamberlain
Seconded by: Schultz

RESOLVED, that Mr. Vleck be excused from attendance at this meeting.

Yes: All present (8)
No: None
Absent: Vleck

MOTION CARRIED

2. MINUTES

Resolution # PC-2004-02-015

Moved by: Chamberlain
Seconded by: Schultz

RESOLVED, to approve the January 27, 2004 Special/Study Meeting minutes and February 3, 2004 Special/Study Meeting minutes as published.

Yes: Chamberlain, Drake-Batts, Littman (2-3-04 minutes), Schultz, Storrs, Strat
No: None
Abstain: Littman (1-27-04 minutes), Waller, Wright
Absent: Vleck

MOTION CARRIED

Chair Waller announced that the Preliminary Site Plan Review of the proposed Custer Estates Site Condominium for which Public Hearing notices were mailed has been removed from the agenda to give the petitioner more time to complete his application.

3. PUBLIC COMMENTS

There was no one present who wished to speak.

TABLED ITEM

4. PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT (ZOTA 202) – Outdoor Storage of Commercial and Recreational Vehicles in M-1 Light Industrial District

PUBLIC HEARING OPENED

No one was present to speak.

Mr. Savidant reported that this item was discussed at the February 3, 2004 Special/Study Meeting and it was the determination of the Planning Commission to table the item to the February 24, 2004 Special/Study Meeting.

Resolution # PC-2004-02-016

Moved by: Littman
Seconded by: Chamberlain

RESOLVED, that this item be tabled until the March 9, 2004 Planning Commission Regular Meeting and that the Public Hearing remain open.

Yes: All present (8)
No: None
Absent: Vleck

MOTION CARRIED

SITE PLAN

5. SITE PLAN REVIEW (SP 817 B) – Foot Specialty Clinic, Proposed Medical Office Building, South of Big Beaver, West side of Dequindre, Section 25 – B-1

Mr. Savidant presented a summary of the Planning Department report for the proposed Foot Specialty Clinic. Mr. Savidant reported that the site plan meets all Zoning Ordinance requirements and it is the recommendation of the Planning Department to approve the site plan as submitted.

Mr. Chamberlain recommended that a dumpster location be designated on the site plan. Mr. Chamberlain recommended also that the site plan provide for only two trees on the Dequindre frontage to allow enough space for growth.

Mr. Savidant reported that the Zoning Ordinance does not require the petitioner to provide a dumpster, and it requires the petitioner to provide three trees.

Mr. Wright requested clarification on the required width of the two-way drive in the back of the building.

Mr. Savidant said 24 feet is required for an aisle way between parking spaces; the site plan designation of 22 feet is permissible because there is no parking involved.

Mr. Strat recommended that the trees be set back a good distance to avoid potential sight distance problems. Mr. Strat had concerns for potential drainage problems for the residents to the south. He also suggested that a dumpster location could be configured utilizing the additional parking space.

Mr. Savidant agreed that a dumpster enclosure could be configured by utilizing the excess parking space. He informed the Commission that it could place a condition on site plan approval that would require a dumpster to be screened per the Zoning Ordinance should one be placed on the site after this date.

Mr. Strat suggested a landscape buffer for the residents to the south. He also asked if the County has reviewed the site plan as it relates to the 30-foot approach onto Dequindre Road.

Mr. Savidant replied that the Planning Department has not received any response from the Oakland County Road Commission.

Mr. Savidant confirmed that any landscaping within the landscaped greenbelt would be undertaken with the supervision of the City's landscape analyst, and suggested that the Commission consider the landscaping as a design recommendation as part of plan approval.

Mr. Schultz expressed concern with the proposed outdoor lighting as relates to the adjacent residents.

The petitioner, Sabah Hermiz of Summa Engineering, 28580 Orchard Lake Road, Suite 107, Farmington Hills, was present. Mr. Hermiz provided the Commission detailed specifications on the proposed outdoor lighting and noted that the lights shine down. Mr. Hermiz said that through the design process, it was discovered that placement of the storm water detention pipe may be too near the pavement. Mr. Hermiz and the Engineering Department are working together to arrive at the best solution for drainage and to ascertain if the requirement for the underground detention should be waived.

Mr. Hermiz said he would be amenable to providing landscaping to the south as a buffer for the residents, but noted that by doing so the aisle width will be reduced and therefore the maneuverability of vehicles in the parking area would be reduced. He said that he would also be amenable to the configuration of the parking space to provide for a dumpster enclosure. Mr. Hermiz explained that the one-foot setback on the north side is provided for construction purposes.

Mr. Littman asked how any medical waste would be disposed.

Dr. Nasin Oveys of 2899 E. Big Beaver Road, #289, Troy, was present. Dr. Oveys said a dumpster is not pleasing to the eye and confirmed her small practice would not have a need for a big dumpster. Dr. Oveys said that all medical waste must be picked up from inside the building.

A lengthy discussion continued addressing concerns with respect to (1) storm water detention, (2) dumpster provision and location, (3) landscape buffer to the south, (4) exterior lighting, and (5) building elevations.

Mr. Motzny referenced Section 39.70.09 of the Zoning Ordinance. His interpretation of the Zoning Ordinance is that a provision for a dumpster is not required, nor does it give the Planning Commission authority to impose that requirement.

Mr. Savidant affirmed that the petitioner has had conversations with the Engineering Department with respect to the storm water detention and drainage issues.

Resolution # PC-2004-02-017

Moved by: Chamberlain

Seconded by: Strat

RESOLVED, that the Preliminary Site Plan Approval, as requested for the proposed Foot Specialty Clinic, located south of Big Beaver on the west side of Dequindre, Section 25, within the B-1 Zoning District be granted, subject to the following conditions:

1. That the aisle width to the west of the building of the parking lot be reduced to 24 feet as required by ordinance and that that space currently being used be used at the south lot line in the southwest side of the parking lot for green space for neighbors.
2. That only two trees are required on the Dequindre frontage and both of them will be Canopy trees -- not be Evergreens. If the petitioner so desires that another tree be in there, that it be towards the building at the extreme west end of the green area on the north side of the entrance way.
3. That there will be no light trespass to the neighbors to the west or to the south of the property.
4. That the dumpster site be proposed for this property to be located to the rear of the building on the north property line next to the HVAC.

Discussion on the motion on the floor.

Mr. Savidant cited a fairly important technicality to the motion. Mr. Savidant reminded the Commission that it is a zoning ordinance requirement to provide three trees. He said that by reducing the number of required trees in the greenbelt, the Commission is placing a condition that basically is giving a variance on the approval. Mr. Savidant suggested that the Commission give consideration to a design consideration rather than a condition to site plan approval.

Mr. Chamberlain said no. He said that even planting two Canopy trees, neither tree would survive because they are planted too close together.

Mr. Savidant referenced Section 39.70.02 of the Zoning Ordinance, as clarification to the placement of the trees.

Mr. Motzny agreed with Mr. Savidant. He said that the appropriate body to grant a variance to a Zoning Ordinance requirement would be the Board of Zoning Appeals.

Mr. Chamberlain said the petitioner has no interest in going in front of the Board of Zoning Appeals, and that the trees will be planted and eventually die. Mr. Chamberlain said it costs the petitioner money to petition something that he doesn't care about and, in this case, the Commission should be caring about it. Mr. Chamberlain said the Zoning Ordinance is miswritten and it's being misinterpreted.

Mr. Chamberlain gave clarification on the motion with respect to the dumpster and landscape buffer.

Vote on the motion on the floor.

Yes: Chamberlain, Storrs, Strat, Waller
No: Drake-Batts, Littman, Schultz, Wright
Absent: Vleck

MOTION DENIED

Mr. Wright said he does not think the Commission can legally approve the site plan with a motion that is in violation of the Zoning Ordinance. He said he agrees with Mr. Chamberlain that the three trees will not thrive; but in order to fix that, the Zoning Ordinance must be changed first.

Ms. Drake-Batts said she does not see a reason to put an enclosure for a dumpster or require a dumpster.

Mr. Littman echoed not passing a motion that violates the Zoning Ordinance. Mr. Littman thinks that, while it might be prettier, having three extra feet of grass would not mean much for the residents on the other side of the wall and it creates an additional financial requirement on the petitioner that, in his opinion, is not warranted.

Mr. Schultz said although he is in vehement agreement with Mr. Chamberlain's statements about the trees, he thinks the Commission would be overstepping its authority if it granted a variance to the City ordinance.

Mr. Strat suggested moving the entire driveway to the south an additional 5 feet, which would result in a 30-foot distance for the trees.

Mr. Hermiz said that would encroach on the adjacent property owner, but he would be amenable to the suggestion if the property owner and County were agreeable.

Chair Waller proposed that the Zoning Ordinance be reviewed as relates to trees along the front yards as it poses a potential problem for narrow lots. It was noted that the matter is listed on the Commission's futures list under tree preservation.

Resolution # PC-2004-02--- (No roll call vote taken)

Moved by: Wright
Seconded by: Littman

RESOLVED, that the Preliminary Site Plan Approval, as requested for the proposed Foot Specialty Clinic, located south of Big Beaver on the west side of Dequindre, Section 25, within the B-1 Zoning District be granted, subject to the following conditions:

1. That the aisle width to the west of the building of the parking lot be reduced to 24 feet as required by ordinance and that that space currently being used be used at the south lot line in the southwest side of the parking lot for green space for neighbors.
2. That there will be no light trespass to the neighbors to the west or to the south of the property.
3. That the dumpster site be proposed for this property to be located to the rear of the building on the north property line next to the HVAC.
4. That he driveway off of Dequindre be moved 5 feet to the south so that the green area north of the driveway would be 30 feet rather than 25 feet.

(No roll call vote taken)

Resolution # PC-2004-02-018

Moved by: Storrs
 Seconded by: Littman

RESOLVED, that the Preliminary Site Plan Approval, as requested for the proposed Foot Specialty Clinic, located south of Big Beaver on the west side of Dequindre, Section 25, within the B-1 Zoning District be tabled for two weeks to the February 24, 2004 Special/Study Meeting to allow the petitioner and the Planning Department to review further all concerns discussed tonight; i.e., dumpster designation, tree requirement, storm water detention and exterior lighting.

Yes: All present (8)
 No: None
 Absent: Vleck

MOTION CARRIED

ZONING ORDINANCE TEXT AMENDMENTS

6. PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT (ZOTA 199) – Article 03.40.00 Site Plan Approval

Mr. Savidant presented a summary of the Planning Department report for the proposed Zoning Ordinance Text Amendment.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2004-02-019

Moved by: Chamberlain
 Seconded by: Schultz

RESOLVED, that the Planning Commission hereby recommends to the City Council that ARTICLE III (APPLICATIONS AND PROCEDURES) of the Zoning Ordinance, be amended as printed on the updated version, dated 12/09/03.

Yes: All present (8)
 No: None
 Absent: Vleck

MOTION CARRIED

- 7. PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT (ZOTA 182) – Articles 12.00.00 and 30.10.08 R-1T One Family Attached Residential

Mr. Savidant presented a summary of the Planning Department report for the proposed Zoning Ordinance Text Amendment.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2004-02-020

Moved by: Littman
 Seconded by: Wright

RESOLVED, that the Planning Commission hereby recommends to the City Council that ARTICLE XII (R-1T ONE FAMILY ATTACHED RESIDENTIAL DISTRICT) of the Zoning Ordinance, be amended as printed on the updated version, dated 12/09/03.

Yes: All present (8)
 No: None
 Absent: Vleck

MOTION CARRIED

GOOD OF THE ORDER

Mr. Littman asked if the Legal Department has issued an opinion on the definition of a standing committee.

Mr. Motzny replied that the draft opinion is pending approval by the City Attorney. He indicated he would speak with the City Attorney to try to hurry the process along.

Chair Waller requested that the legal opinion be emailed to the Commission once it is available.

Mr. Schultz, referencing the site plan discussed tonight, said that although he agreed with Mr. Chamberlain in his initial motion, he felt it would set a precedent if the Commission started offering variances.

Mr. Strat, referencing the site plan discussed tonight, emphasized the importance of photometrics so that assurances can be provided to the Commission on certain site plan aspects. He also addressed the value of viewing elevations as part of site plan process.

Mr. Chamberlain asked to chat with everyone after the meeting with respect to a farewell party for Mr. Kramer.

Chair Waller said he has a request from Mr. Strat to attend the American Planning Association Annual Conference to be held April 24-28, 2004, in Washington, D.C. He said the Commission should discuss the request and vote on Mr. Strat's attendance. Chair Waller said that the activity of Mr. Strat attending the conference would be very much to the benefit of the City and Planning Commission. Chair Waller cited his two years of attendance [Chicago in 2002 and Denver in 2003] offered an amount of information that is almost overwhelming. Chair Waller opened the floor to entertain a motion for Mr. Strat to attend the conference.

Resolution # PC-2004-02-021

Moved by: Chamberlain
Seconded by: Schultz

RESOLVED, that the Planning Commission recommend that Mr. Strat be our representative at the Washington conference; and

FURTHER BE IT RESOLVED, That at the conclusion of the conference that he attends that at the earliest possible date of one of our study meetings, that he gives us a report back on what he learned at that conference, so thereby we also learn something.

Yes: All present (8)
No: None
Absent: Vleck

MOTION CARRIED

ADJOURN

The Regular Meeting of the Planning Commission was adjourned at 8:45 p.m.

Respectfully submitted,

David T. Waller, Chair-Elect

Kathy L. Czarnecki, Recording Secretary

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The Special/Study Meeting of the Troy City Planning Commission was called to order by Chair Waller at 7:30 p.m. on February 24, 2004, in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:

Gary Chamberlain
Lynn Drake-Batts
Robert Schultz
Thomas Strat (arrived 9:25 p.m.)
Mark J. Vleck
David T. Waller

Absent:

Lawrence Littman
Walter Storrs
Wayne Wright

Also Present:

Mark F. Miller, Planning Director
Brent Savidant, Principal Planner
Allan Motzny, Assistant City Attorney
Amalfi Parker, Student Representative
Kathy Czarnecki, Recording Secretary

Mr. Miller announced that Fazal Khan was appointed to the Planning Commission at the February 23, 2004 City Council meeting and must be sworn into office prior to attending any meetings.

Resolution # PC-2004-02-022

Moved by: Chamberlain
Seconded by: Schultz

RESOLVED, That Messrs. Littman, Storrs, Strat and Wright be excused from attendance at this meeting

Yes: All present (5)
No: None
Absent: Littman, Storrs, Strat, Wright

MOTION CARRIED

2. MINUTES

Resolution # PC-2004-02-023

Moved by: Chamberlain

Seconded by: Schultz

RESOLVED, To approve the February 10, 2004 Regular Meeting minutes as published.

Yes: Chamberlain, Drake-Batts, Schultz, Waller

No: None

Abstain: Vleck

Absent: Littman, Storrs, Strat, Wright

MOTION CARRIED

3. PUBLIC COMMENTS

There was no one present who wished to speak.

4. PLANNING AND ZONING REPORT

- Council Action Item – February 23, 2004 Regular Meeting

Article II (Changes, Amendments and Approvals) Zoning Ordinance Amendments and Repeal of Chapter 40 (ZOTA #203) (Public Hearing) – Tabled

Mr. Miller indicated that it was the recommendation of the City Attorney to further review the proposed language.

- Kwan Office Building, Southeast corner of Dequindre and Wattles

Mr. Savidant displayed the approved preliminary, amended preliminary and final site plans for the project and noted the designated dumpster location is currently in the middle of an easement for an underground gas main. A brief discussion followed. The Planning Department will provide status reports on the project.

5. BOARD OF ZONING APPEALS REPORT

There was no report available.

6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT

Mr. Miller reported on the February 18, 2004 Downtown Development Authority meeting.

- *Update on Civic Center Priority Task Force (CCPTF)*

Mr. Brian Wattles gave a presentation on the CCPTF's findings and recommendations. The same presentation will be given to the Planning Commission at its March 2, 2004 Special/Study Meeting.

- *Request for Proposals for Big Beaver Corridor Study*

7. SUB-COMMITTEE REPORTS

There was a brief discussion. It was the consensus of the Commission that all the sub-committees, except Tree Preservation/Landscaping/Walls, have achieved their objectives.

Chair Waller said that future sub-committees would be established as the needs are identified, and that intent statements would be developed for each sub-committee.

8. SUB-COMMITTEE APPOINTMENTS

Appointments to sub-committees were not necessary. Refer to Agenda item #7.

9. NEW LAND USE LAW LEGISLATION

Mr. Miller reported on signed legislative bills that relate to land use issues. He highlighted and provided copies of the laws related to Joint Planning Commissions and Planned Unit Developments, and noted that the laws focus on Planning Commission responsibilities and duties.

A brief discussion followed.

10. RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT OF 2000 (RLUIPA)

Mr. Motzny reported on the Meridian Township case wherein the constitutionality of the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA) is being challenged.

Chair Waller cited religious land use challenges that are cropping up throughout the United States.

Mr. Chamberlain requested that the Legal Department provide the Commission with status reports on the Meridian Township case.

11. SITE PLAN REVIEW (SP 817 B – Tabled Item) – Foot Specialty Clinic, Proposed Medical Office Building, South of Big Beaver, West side of Dequindre, Section 25 – B-1

Mr. Miller reported that the petitioner submitted a written request to table the Foot Specialty Clinic site plan review to the March 2, 2004 Special/Study Meeting. Mr. Miller noted that Mr. Motzny provided a memorandum that relates to the site plan approval process.

Resolution # PC-2004-02-024

Moved by: Chamberlain

Seconded by: Vleck

RESOLVED, That Site Plan Review (SP 817B) for the proposed Foot Specialty Clinic located south of Big Beaver and on the west side of Dequindre, Section 25, B-1 zoning district, be tabled to the March 2, 2004 Special/Study Meeting.

Yes: All present (5)

No: None

Absent: Littman, Storrs, Strat, Wright

MOTION CARRIED

Mr. Chamberlain referenced the concern of the zoning ordinance requirement to provide three trees on the frontage of the proposed project, which was one of the reasons the site plan was tabled at the February 10, 2004 Regular Meeting. Mr. Chamberlain proposed the following revisions to Sections 39.70.02 and 39.80.02 of the zoning ordinance. Mr. Chamberlain said he would like to see the proposed revisions go to a public hearing at the regular April meeting.

Section 39.70.02, 2nd paragraph, to read:

...the minimum number of trees required. For those frontages less than 125 feet, the approving body for the site plan will determine the minimum number of trees.

Section 39.80.02, 2nd paragraph, to read:

Necessary access ways from public rights of way through required landscape strips shall be permitted and such access ways shall be subtracted from the lineal dimension used to determine the minimum number of trees required.

After a brief discussion, it was the consensus of the Commission to move forward with the proposed zoning ordinance revisions and to advertise the Public Hearing at the April 13, 2004 Regular Meeting.

12. ZONING ORDINANCE TEXT AMENDMENT (ZOTA #202) – Article 28.30.02
Outside Storage of Commercial and Recreational Vehicles in Self Storage Facilities

- and -
13. ZONING ORDINANCE TEXT AMENDMENT (ZOTA #204) – Article 28.00.00
Outside Storage of Commercial and Recreational Vehicles in Required Off Street
Parking in the M-1 District

Mr. Miller reported that the Planning Department revised the language with respect to ZOTA #202 that in effect reduces the parking requirements and frees up some land area. With respect to screening, Mr. Miller noted proposed language was added to Section 28.30.02 D.2: “The Planning Commission has the authority under Article 03.31.06 to modify the buffering requirements based on the specific characteristics of the proposed use and the abutting uses.” Mr. Miller also read Section 03.31.06 that relates to the Special Use Approval and noted that the Planning Commission has the discretion to apply increased standards to insure compatibility.

Mr. Miller reported on the request of City Council to provide 500 parking spaces for storage within the M-1 zoning district. The Planning Department conducted an analysis of existing mini warehouse areas to determine excess parking and unused areas for potential outdoor storage. It was determined that there are presently 124 potential storage spaces (assuming 10' x 20' size). The Planning Department took the analysis one step further and applied the proposed parking reduction. It was determined that there are 408 potential storage spaces with the proposed parking space reduction. Mr. Miller said that the Planning Department is continuing to work on identifying existing outdoor storage areas in the City.

Mr. Miller spoke with respect to the Special Use Approval requirement for outdoor storage in the M-1 zoning district. Mr. Miller said it is necessary for the Commission to review, discuss and determine whether Special Use Approval should or should not be a requirement for outdoor storage in the M-1 zoning district and/or should the zoning ordinance be amended.

Discussion followed relating to the Special Use Approval requirement, screening material, standards for outside storage, negative impact of outdoor storage, City Council's intent of acquiring 500 parking spaces, types of storage, and security provisions.

Ms. Drake-Batts suggested to research private parking structures that provide 24-hour security. It was noted that parking structures might inhibit some vehicle storage because of height limitations.

Mr. Miller asked the Assistant City Attorney to provide the Commission with his interpretation of the added language to Section 28.30.02 D.2 as it relates to providing authority to the Planning Commission to eliminate the wall and/or berm requirement and to apply other requirements for screening. If the legal interpretation is that the Commission would not have the authority to eliminate the wall and/or berm screening requirement, then the Planning Department would

prepare ordinance language to provide an alternative to the landscaping requirement of a wall.

14. ZONING ORDINANCE TEXT AMENDMENT (ZOTA #200) – Article 11.00.00 CR-1 One Family Cluster

Mr. Miller reported that comments from the Commission's earlier discussion were incorporated into the ordinance draft, and noted that the document does not include language that gives the Commission or City Council the authority to require a bond to ensure that all open space improvements are constructed as approved. He stated that the Planning Department is moving forward with that language. Mr. Miller said he would like to insure that the document gets full review by the City Attorney's office.

Mr. Miller referenced Mr. Motzny's memorandum dated February 10, 2004 and noted that the Planning Department did include specific language to Section 37.70.07 (G).

Mr. Motzny opined that a deed restriction or any restricted covenant is sufficient to guarantee the open space. He referred to the last meeting in which there was discussion to limit the instrument that would create the open space to conservation agreements. After review, Mr. Motzny said he thinks it would be best to provide developers with as many options available for the open space.

Mr. Chamberlain asked that the proposed zoning ordinance text amendment be advertised for Public Hearing at the April 13, 2004 Regular Meeting. He further suggested that City Management give its approval to the proposed language at the time of the Planning Commission Public Hearing.

Mr. Miller reported that a working draft of the proposed zoning ordinance text amendment was submitted to City Management three months ago for review and comment. Mr. Miller agreed that concerns identified by other people or bodies should be reviewed and hammered out at the Planning Commission level.

Mr. Miller will move forward with advertising the Public Hearing for ZOTA #200 for the April 13, 2004 Regular Meeting.

15. JOINT COMMITTEE SELECTION

Chair Waller reported that he and City Manager John Szerlag discussed various aspects of the Joint Committee. Chair Waller offered to put in writing some of the rules and goals of the Joint Committee as well as state its purpose, its plan of action, its reporting method, etc. Mr. Szerlag expressed that he would like to engage his interest based bargaining skills and offered to make a presentation to the Commission on the effectiveness of interest based bargaining. Chair Waller acknowledged that Mr. Strat has shown an interest in being a participant of the Joint Committee, and requested other members to contact him if they also have an interest in participating.

Chair Waller said that the selection process would factor in the meeting schedule and availability of members as relates to working schedules.

(Mr. Strat arrived at 9:25 p.m.)

16. PLANNING COMMISSION WORK PROGRAM

There was discussion on the Commission's determination as to whether or not it would like to review and/or revise the Future Land Use Plan.

Mr. Miller said if so directed by the Commission, he would provide support for the Commission's decision to revise the Future Land Use Plan.

The discussion related to hiring an outside consultant, doing the work in-house, tweaking the current plan, manpower, outline and time line of revising the plan, reasons and justification for revising the plan, defining problem areas, and necessary materials to have on hand during the review.

Chair Waller asked the Commission to review the work program and provide him with any suggested changes, deletions, additions and edits.

17. PLANNING COMMISSION BUDGET REVIEW

Chair Waller reported that he requested Mr. Miller to increase the Planning Commission budget line for education and training from \$5,000 to \$15,000, and asked for the support of the Commission in the form of a motion. The budget monies would cover the cost of attendance at local and national conferences or training courses.

Mr. Miller said the \$15,000 would cover the cost of sending all nine members to the Michigan Society of Planning annual conference (estimated at \$1,000 per member). However, Mr. Miller noted that historically only four or five members attend the Michigan Society of Planning conference each year.

Resolution # PC-2004-02-025

Moved by: Chamberlain

Seconded by: Schultz

RESOLVED, That the budget for the fiscal year 2004-05 show \$15,000 in line item 405-7960 for Education and Training and be approved as presented tonight.

Discussion on the motion.

Mr. Strat said it would be advantageous for the Planning Department to provide in its backup information to City Management how the \$15,000 figure was

approached, and further suggested that the budget monies would also cover the cost of in-house educational and training presentations.

Mr. Schultz asked if the motion should read that the \$10,000 increase to the Education and Training budget line item not be taken from another budget line item.

It was determined that the intent of the motion is clear.

Yes: Chamberlain, Schultz, Strat, Vleck, Waller
No: Drake-Batts
Absent: Littman, Storrs, Wright

MOTION CARRIED

Ms. Drake-Batts said that she does not see the need for the budget increase.

18. PUBLIC COMMENT – Items on Current Agenda

There was no one present who wished to speak.

GOOD OF THE ORDER

Ms. Drake-Batts announced that she has changed employers and her contact information has been provided to the Planning Department for distribution.

Mr. Vleck asked if the Planning Commission reviews the site plans for sports fields in the City.

Mr. Miller said that the Commission would review site plans for projects in the Community Facilities (C-F) zoning district. He noted that the review of plans for fields specifically would be dependent upon the level of improvement involved for the project; i.e., field, buildings, parking lots.

Mr. Chamberlain addressed the titling and purpose of the Commission's Study and Special meetings and presented the following motion.

Resolution # PC-2004-02-026

Moved by: Chamberlain
Seconded by: Schultz

RESOLVED, That the text of the Planning Commission Bylaws be changed to call the 1st Tuesday meeting and the 4th Tuesday meeting of the month "Study" meetings and that the Commission be given the authority to vote at the "Study" meetings, and that the 2nd Tuesday meeting of the month continue to be called "Regular" meetings, and that all other meetings such as site visits be called "Special" meetings.

BE IT FURTHER RESOLVED, That the proper language be brought forth at the March 2, 2004 Special/Study Meeting for review and approval.

Discussion on the motion.

Mr. Schultz said he seconded the motion on the premise that the intent of the motion be reviewed by the Legal Department with respect to State legislation.

Mr. Motzny said that the definition of a "Special" meeting is a meeting that is not required to be published in advance and can be called at an 18-hour minimum notice. He said the Commission has the authority to write its rules and procedure and it can define its "Study" meetings as it determines. Mr. Motzny said he would provide a memo to clarify the State law definitions of "Special" meetings and "Study" meetings should there be any clarification.

Mr. Miller confirmed that the intent of the motion on the floor is to authorize the Commission to vote on items at its "Study" meetings.

Vote on the motion on the floor.

Yes: All present (6)
No: None
Absent: Littman, Storrs, Wright

MOTION CARRIED

Mr. Chamberlain addressed and requested follow-up on three items: (1) documentation that the Civic Center is a park; (2) ordinance that says parkland, if it is to be sold, requires the vote of the City residents; and (3) explanation why there was no discussion on having a vote of the City residents with respect to the negotiations on the same property footprint for an IMAX theater and children's theater, approximately 4 or 5 years ago. Mr. Chamberlain stated that he has read the City Attorney's memorandum with respect to the proposed Civic Center site and noted it does not answer his questions.

Mr. Miller addressed the potential revision of the Future Land Use Plan and demonstrated some "friction" areas; for example, where Community Service Areas are adjacent to Low Density Residential areas. He said the current Future Land Use Plan is too "black and white" and does not offer any flexibility to allow transition uses in these areas. Mr. Miller suggested that a policy be developed to allow when and where transitional uses can be used. Mr. Miller reported that there are projects coming into the Planning Department that are good land uses but cannot be supported by the current zoning.

Discussion followed. Mr. Miller was commended for his insight and encouraged to draft language to provide for transitional zoning, as discussed. Mr. Miller explained that the revision procedure could take up to 6 or 7 months.

Mr. Miller announced the City's intent to monitor the green initiative improvements on the Kresge Foundation site for future learning. A brief discussion followed.

As new members have been appointed to the Commission, Mr. Miller alerted the Commission of potential conflicts of interest with future development in the City.

Chair Waller recommended that the Commission review and approve a procedure to follow should future conflicts of interest arise and provide appropriate language in the Bylaws.

ADJOURN

The Special/Study Meeting of the Planning Commission was adjourned at 9:55 p.m.

Respectfully submitted,

David T. Waller, Chair

Kathy L. Czarnecki, Recording Secretary

G:\MINUTES\2004 PC Minutes\Draft\02-24-04 Special Study Meeting_Draft.doc

A meeting of the **Troy Youth Council (TYC)** was held on Wednesday, February 25, 2004 at 7:00 PM at the Community Center (Room 503), 3179 Livernois Road. Manessa Shaw called the meeting to order at 7:06 p.m.

MEMBERS PRESENT: Min Chong
 Juliana D'Amico
 Monika Govindaraj
 Eric Gregory
 Catherine Herzog
 Maniesh Joshi
 Andrew Kalinowski
 Christina Krokosky (arrived 7:28 PM)
 Matthew Michrina
 Manessa Shaw
 David Vennettilli

MEMBERS ABSENT: Emily Burns (excused)
 Allister Chang (excused)
 Chris Cheng (excused)
 Raymond Deng
 YuJing Wang

ALSO PRESENT: Laura Fitzpatrick, Assistant to the City Manager
 Lorraine Campbell, Manager Troy Museum & Historic Village

1. Roll Call
2. Approval of Minutes

Resolution # TY-2004-02- 003

Moved by Chong
 Seconded by Herzog

RESOLVED, That the minutes of 1/21/04 be approved.

Yes: All - 10
 No: None
 Absent: Burns, Chang, Cheng, Deng, Krokosky, Wang
 MOTION CARRIED

3. **Attendance Report:** Noted and Filed
 This meeting: 11 present, 5 absent – 3 gave prior notification.

4. **Motion to Excuse Absent Members**

Resolution # TY-2004-02- 004

Moved by Shaw
 Seconded by Joshi

RESOLVED, That Burns, Chang and Cheng shall be excused.

Yes: All – 11
No: None
Absent: Burns, Chang, Cheng, Deng, Wang
MOTION CARRIED

5. **Visitor:** Loraine Campbell, Manager Troy Museum and Historic Village

Topic: Troy's 50th Anniversary and other opportunities at the museum

50th Anniversary

2005 Marks the 50th anniversary of Troy as a city. There will be a yearlong celebration in 2005. There are opportunities for youth involvement.

Oral History Project

There are 25 to 50 Troy residents who have been here for many decades, since the 1920s and 1930s. The Museum will be collecting oral histories from these residents. Students will be given the opportunity to participate by being interviewers. Interviewers will get training. This is a way to contribute to Troy's 50th Anniversary celebration, to capture a piece of history and also to gain valuable work experience. Conducting oral interviews would be good experience for those interested in writing, history, public relations and media. Campbell will keep the TYC informed as this project is organized. Currently the Museum is working with the School District to delineate opportunities for school credit, etc.

Input into 50th Anniversary Activities

Advise Loraine or Laura if you want to be involved with planning activities for the 50th Anniversary.

Other Opportunities

A play of historical significance will be co-produced by the Birmingham Village Players and Troy Museum and Historical Society. There are opportunities for students to be involved in the production (actors, lighting, sound, etc.) The play will run 6/14 to 6/19/04. On 6/19/04 there will be a gala and silent auction. There are opportunities for volunteers at this event (ticket sales, ushers, auction administration, etc.).

Contact Loraine Campbell if you are interested in participating.

campbelm@ci.troy.mi.us or 248/524.3570

6. **Civic Center Priority Task Force** – update from Herzog: Report presented to City Council at their regular meeting on 2/16/04. Staff will review feasibility of the recommendations contained in the report. The TYC expressed an interest in hearing an abridged version of the report at their March meeting. Fitzpatrick to contact CCPTF Chair Brian Wattles.

7. **Youth Council Comments**

8. **Miscellaneous Announcements:**

- *Next Meeting:* Wed, 3/24/04 at City Hall, Lower Level Conference Room 7:00 PM

- **ELECTION:** The Last day to register to vote and be able to vote in the upcoming City Election (4/5/2004) is **MARCH 8**. The City election is April 5th.
- **Internships:** Though the Chamber of Commerce does not have a youth internship program with local businesses, Executive Director Michele Hodges says she will pass along resumes [of interested students] to the Human Resources committee.

9. PUBLIC COMMENT

The meeting adjourned at 7:44 p.m.

Manessa Shaw, Co-chair

Laura Fitzpatrick, Assistant to the City Manager

A meeting of the Troy Election Commission was held Monday, March 1, 2004, at City Hall, 500 W. Big Beaver Road. Member Bartholomew called the Meeting to order at 7:01 P.M.

Roll Call:

PRESENT: David Anderson, Timothy Dewan, City Clerk Tonni Bartholomew
ABSENT: None

Minutes: Regular Meeting of January 29, 2004

Resolution # EC-2004-02-03

Motion by Anderson,
Seconded by Dewan,

RESOLVED, That the Minutes of January 29 2004 are approved as submitted.

YES: All-3

Approval of Election Inspector Appointment for April 5, 2004 Election:

City Clerk Bartholomew presented the proposed listing of Election Inspectors for appointment for the City General Election of April 5, 2004.

Resolution # EC-2004-02-04

Motion by Dewan,
Seconded by Anderson,

RESOLVED, That Election Inspectors be appointed for the April 5, 2005 City General Election, as submitted by the City Clerk, is hereby **APPROVED**.

YES: All-3

Adjournment:

The meeting was adjourned at 7:04 PM.

Tonni L. Bartholomew, MMC
City Clerk

Advisory Committee for Senior Citizens

A Regular meeting of the Advisory Committee for Senior Citizens was held on Thursday, March 4 2004 at the Troy Community Center. Chairman David Ogg called the meeting to order at 10 AM.

Present: David Ogg, Chairman
Ed Forst, Vice-Chairman
Bill Weisgerber, Member
Steven Banch, Member
Carla Vaughan, Staff

JoAnn Thompson, Member
Jo Rhoads – Member
Merrill Dixon, Member
Marie Hoag, Member

Absent: Jane Crowe, Excused

Visitors: Mary Kerwin, Alfred Benedetti, Joanne Benedetti

Approval of Minutes

Resolution # SC-2004-3-001
Moved by Jo Rhoads
Seconded by Ed Forst

RESOLVED, That the Minutes of March 4, 2004 be approved as submitted.

Yes: 8
No: 0

MOTION CARRIED

Addition of AED item to agenda

Resolution # SC-2004-3-002
Moved by JoAnn Thompson
Seconded by Marie Hoag

RESOLVED, That an item about AEDs be added under new business.

Yes: 8
No: 0

MOTION CARRIED

Visitor Comments

Mary Kerwin announced the senior discount rates for upcoming plays and band concerts at Troy and Athens High Schools.

Old Business

None

New Business

Automated External Defibrillators: JoAnn Thompson suggested that the AED at the Community Center be labeled and stored in a visible and accessible place and that staff training be provided. The front desk staff, when asked, did not know where the AED was stored or how to use it. She also has a video that could be shown to the seniors.

Resolution #SC-2004-3-003
Moved by bill Weisgerber
Seconded by JoAnn Thompson

RESOLVED That the above suggestions be passed on to the Community Center supervisor and that JoAnn contact Lynn about setting up a presentation about AEDs for seniors and that Carla announce in the senior newsletter that this equipment is available at the Community Center.

Yes: 8
No: 0

MOTION CARRIED

Reports

Park Board: Merrill Dixon reported that fees for the aquatic center and Sylvan Glen were reviewed. The City Council is discussing having an area at the Civic Center for religious and cultural displays. Bill Weisgerber asked about the status of Larry Jose’s park board appointment. Merrill will find out.

Medi-Go: Jo Rhoads reported that Medi-Go is getting a new van from SMART. She would like to make it known to seniors that the Medi-Go office is at the Community Center so they could speak to the staff in person if they wanted to. Carla will discuss this with the Medi-Go staff and proceed from there.

Lunch Attendance: No report.

Senior Program Report: Carla reported that *Creative Endeavors* is now selling postage stamps as a service to seniors and to bring more customers into the store. The Rotary Club donated \$500 to the store for marketing – the money was used to purchase shopping bags and custom labels for the bags. One section of water aerobics has been added this spring. Three new computer classes are being offered this spring – photoshop, genealogy and scrapbooking.

OLHSA: JoAnn Thompson reported that they had a speaker from Hear Clear, a company that sells hearing aids and makes house calls.

Member Comments

David Ogg announced the upcoming ***Aging Successfully*** seminar sponsored by the Wayne State Institute of Gerontology.

JoAnn Thompson announced that she attended the recent prescription drug seminar at the Community Center and it was well attended. The Area Agency on Aging is looking for volunteers to counsel seniors about Medicare.

Bill Weisgerber initiated a discussion about caller ID “unknown” calls.

The meeting was adjourned at 11:10 a.m.

Respectfully submitted,

David Ogg, Chairman

Carla Vaughan, Secretary

DATE: March 1, 2004

TO: John Szerlag, City Manager

FROM: Mark Stimac, Director of Building & Zoning

SUBJECT: Permits issued during the Month of February 2004

	NO.	VALUATION	PERMIT FEE
<u>INDUSTRIAL</u>			
Add/Alter	8	\$2,931,620.00	\$20,466.00
Sub Total	8	\$2,931,620.00	\$20,466.00
<u>COMMERCIAL</u>			
Tenant Completion	9	\$913,651.00	\$11,890.25
Add/Alter	17	\$2,456,226.00	\$20,853.75
Sub Total	26	\$3,369,877.00	\$32,744.00
<u>RESIDENTIAL</u>			
New	5	\$942,086.00	\$9,786.75
Add/Alter	9	\$129,250.00	\$1,765.00
Pool/Spa/Hot Tub	1	\$38,770.00	\$355.00
Ent. Wall/Masonry Fence	1	\$5,000.00	\$85.00
Repair	4	\$130,327.00	\$1,156.50
Fire Repair	1	\$68,000.00	\$504.00
Wreck	4	\$500.00	\$600.00
Sub Total	25	\$1,313,933.00	\$14,252.25
<u>TOWN HOUSE/CONDO</u>			
New	6	\$550,308.00	\$4,448.50
Sub Total	6	\$550,308.00	\$4,448.50
<u>MULTIPLE</u>			
Add/Alter	1	\$8,000.00	\$130.00
Sub Total	1	\$8,000.00	\$130.00
<u>RELIGIOUS</u>			
New	1	\$13,000,000.00	\$22,786.50
Sub Total	1	\$13,000,000.00	\$22,786.50
<u>MISCELLANEOUS</u>			
Satellite/Antennas	3	\$180,758.00	\$1,511.50
Signs	58	\$0.00	\$6,735.00
Fences	2	\$0.00	\$30.00
Sub Total	63	\$180,758.00	\$8,276.50

TOTAL

130

\$21,354,496.00

\$103,103.75

PERMITS ISSUED DURING THE MONTH OF FEBRUARY 2004

	NO.	PERMIT FEE
Mul. Dwel. Insp.	122	\$1,220.00
Cert. of Occupancy	42	\$3,066.25
Plan Review	96	\$8,239.50
Microfilm	39	\$817.00
Building Permits	130	\$103,103.75
Electrical Permits	158	\$12,471.00
Heating Permits	108	\$5,325.00
Air Cond. Permits	28	\$1,295.00
Refrigeration Permits	0	\$0.00
Plumbing Permits	126	\$6,475.00
Storm Sewer Permits	8	\$713.00
Sanitary Sewer Permits	15	\$527.00
Sewer Taps	21	\$12,556.00
TOTAL	893	\$155,808.50

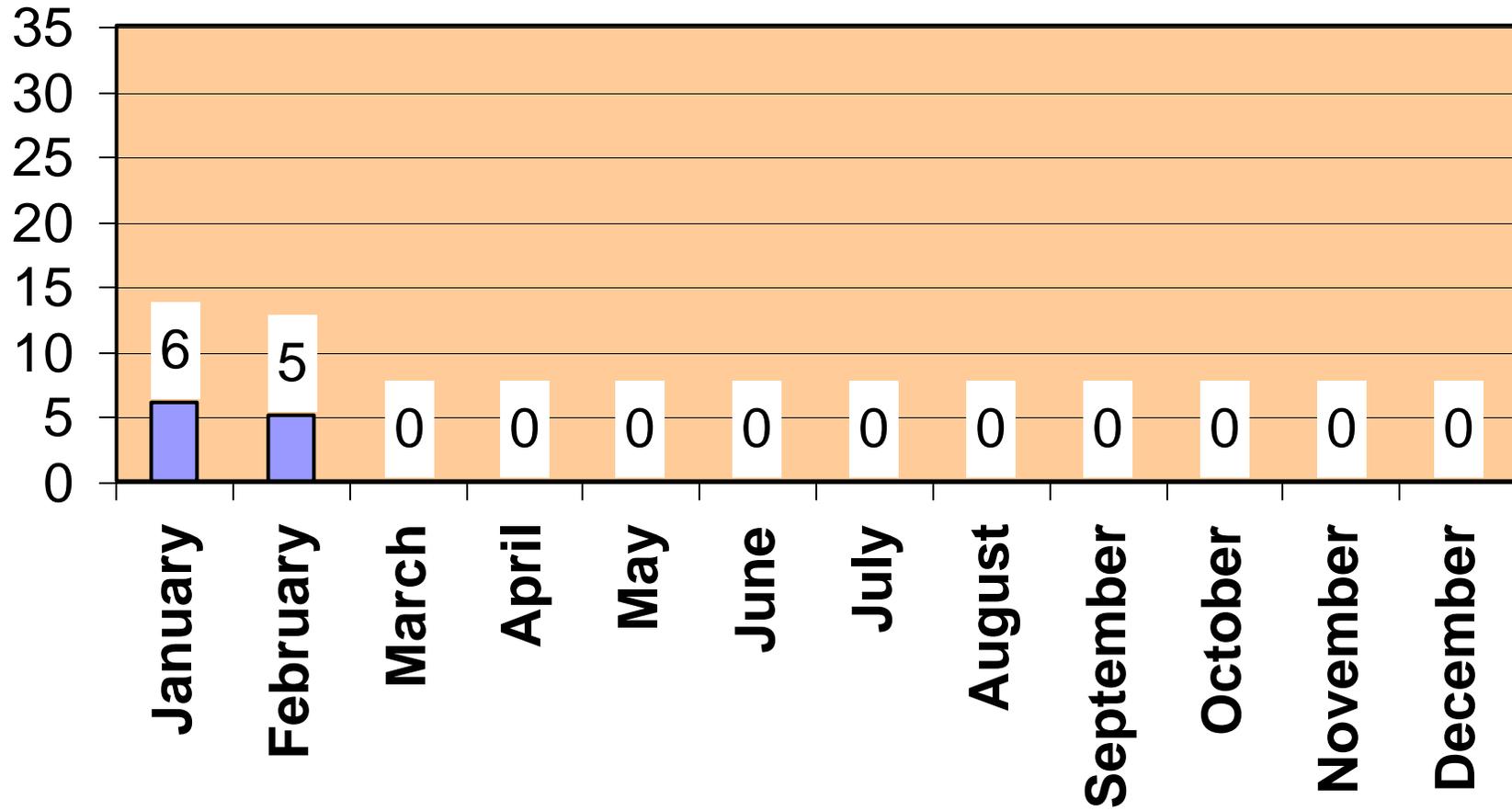
LICENSES & REGISTRATIONS ISSUED DURING THE MONTH OF FEBRUARY 2004

	NO.	LICENSE FEE
Mech. Contr.-Reg.	27	\$135.00
Elec. Contr.-Reg.	43	\$645.00
Master Plmb.-Reg.	10	\$10.00
Sewer Inst.-Reg.	1	\$50.00
Sign Inst. - Reg.	2	\$20.00
E. Sign Contr-Reg.	4	\$60.00
Fence Inst.-Reg.	1	\$10.00
Bldg. Contr.-Reg.	13	\$130.00
F.Alarm Contr.-Reg.	5	\$75.00
TOTAL	106	\$1,135.00

BUILDING PERMITS ISSUED

	BUILDING PERMITS 2003	PERMIT VALUATION 2003	BUILDING PERMITS 2004	PERMIT VALUATION 2004
JANUARY	83	\$3,349,579.00	100	\$5,235,481.00
FEBRUARY	98	\$6,941,418.00	130	\$21,354,496.00
MARCH	106	\$10,102,093.00	0	\$0.00
APRIL	150	\$7,185,781.00	0	\$0.00
MAY	269	\$13,984,618.00	0	\$0.00
JUNE	209	\$20,116,880.00	0	\$0.00
JULY	196	\$17,222,754.00	0	\$0.00
AUGUST	179	\$7,971,188.00	0	\$0.00
SEPTEMBER	181	\$13,656,695.00	0	\$0.00
OCTOBER	195	\$11,302,769.00	0	\$0.00
NOVEMBER	136	\$5,897,752.00	0	\$0.00
DECEMBER	182	\$18,153,988.00	0	\$0.00
TOTAL	1984	\$135,885,515.00	230	\$26,589,977.00

SINGLE FAMILY DWELLING PERMITS 2004



BRIEF BREAKDOWN OF NON-RESIDENTIAL BUILDING PERMITS
ISSUED DURING THE MONTH OF FEBRUARY 2004

Type of Construction	Builder or Company	Address of Job	Valuation
Commercial, Add/Alter	OMNI CONSTRUCTION	452 W FOURTEEN MILE	300,000.00
Commercial, Add/Alter	MARCO CONSTRUCTION	2800 W BIG BEAVER t-247	119,000.00
Commercial, Add/Alter	BILL DESANTO	2370 ROCHESTER CT BLDG A	264,725.00
Commercial, Add/Alter	BILL DESANTO	2370 ROCHESTER CT BLDG B	264,725.00
Commercial, Add/Alter	J.S. VIG CONSTRUCTION	1960 TECHNOLOGY	250,000.00
Commercial, Add/Alter	CROWN COMMERCIAL BUILDERS	1965 W MAPLE	757,678.00
Total Commercial, Add/Alter			1,956,128.00
Commercial, Tenant Completion	GEORGE W. AUCH	4550 INVESTMENT 2A	173,977.00
Commercial, Tenant Completion	GEORGE W. AUCH	4550 INVESTMENT 2B	157,823.00
Commercial, Tenant Completion	GEORGE W. AUCH	4550 INVESTMENT 2G	103,116.00
Commercial, Tenant Completion	GEORGE W. AUCH	4550 INVESTMENT 2H	104,621.00
Commercial, Tenant Completion	GEORGE W. AUCH	4550 INVESTMENT 2I	121,000.00
Total Commercial, Tenant Completion			660,537.00
Industrial, Add/Alter	DAVE MC CATTY	1902 NORTHWOOD	168,969.00
Industrial, Add/Alter	L & R CONSTRUCTION SERVICES	1305 STEPHENSON	130,000.00
Industrial, Add/Alter	SKANSKA USA DESIGN BUILD INC	1911 RING	2,500,000.00
Total Industrial, Add/Alter			2,798,969.00
Religious, New Construction	BOB SELLMAN/ADAM GUT	6600 ROCHESTER	13,000,000.00
Total Religious, New Construction			13,000,000.00
Records 16			Total Valuation: 18,415,634.00

CITY OF TROY
MONTHLY FINANCIAL REPORT
29-Feb-04

CITY OF TROY
 Monthly Financial Report
 General Fund
 For the Period Ending February 28, 2004

CITY OF TROY GENERAL FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
GENERAL FUND REVENUES					
TAXES	30,399,278	31,065,440	50,045	32,088,364	103.29
BUSINESS LICENSES & PERMITS	39,234	44,000	1,735	30,524	69.37
NON-BUS. LICENSES & PERMITS	1,409,770	1,524,500	134,193	1,031,947	67.69
FEDERAL GRANTS	213,137	50,000	3,100	17,108	34.22
STATE AGENCIES	7,749,165	7,637,000	0	4,058,689	53.15
CONTRIBUTIONS-LOCAL	142,450	120,000	252	42,884	35.74
CHARGES FOR SERVICES - FEES	1,037,337	1,109,500	107,705	444,462	40.06
CHARGES FOR SERVICES - REND.	2,386,758	1,719,100	21,468	531,036	30.89
CHARGES FOR SERVICES - SALES	47,490	159,000	27,852	191,719	120.58
CHARGES FOR SERVICES - REC	2,190,857	2,694,160	114,639	1,531,539	56.85
FINES & FORFEITS	896,833	1,027,000	78,788	611,700	59.56
INTEREST AND RENTS	696,307	1,040,700	43,507	385,320	37.03
OTHER REVENUE	367,207	350,940	5,657	215,030	61.27
OTHER FINANCING SOURCES	7,899,144	9,378,040	0	6,402,510	68.27
TOTAL GENERAL FUND REVENUE	55,474,967	57,919,380	582,741	47,582,832	82.15
EXPENDITURES					
LEGISLATIVE	1,853,599	1,956,950	136,598	1,186,427	60.63
FINANCE	4,168,062	4,642,530	347,333	2,836,704	61.10
OTHER GEN GOVERNMENT	2,157,616	2,555,680	158,622	1,425,759	55.79
POLICE	19,837,794	21,426,110	1,444,500	13,520,169	63.10
FIRE	3,579,858	3,683,410	172,190	2,436,447	66.15
BUILDING INSPECTION	1,811,704	1,978,860	154,748	1,286,017	64.99
STREETS	4,930,824	5,324,500	341,621	3,005,642	56.45
ENGINEERING	2,600,192	3,018,400	176,850	1,725,391	57.16
RECREATION	7,247,260	7,910,940	382,090	4,799,952	60.67
LIBRARY	4,474,276	4,744,000	281,907	2,817,295	59.39
TRANSFERS OUT	10,000	678,000	0	678,000	100.00
TOTAL GEN FUND EXPENDITURES	52,671,185	57,919,380	3,596,459	35,717,803	61.67

CITY OF TROY
 Monthly Financial Report
 Refuse Fund
 For the Period Ending February 28, 2004

REFUSE FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
REVENUES					
TAXES	3,800,178	3,870,000	0	3,904,162	100.88
CHARGES FOR SERVICES - REND.	205,650	0	0	152,700	.00
CHARGES FOR SERVICES - SALES	723	500	137	821	164.20
INTEREST AND RENTS	61,289	60,000	9,845	29,825	49.71
OTHER FINANCING SOURCES	280,340	455,230	0	455,230	100.00
TOTAL REVENUE	4,348,180	4,385,730	9,982	4,542,738	103.58
EXPENDITURES					
CONTRACTORS SERVICE	4,031,670	4,200,000	322,292	2,646,767	63.02
OTHER REFUSE EXPENSE	46,522	50,380	891	21,643	42.96
RECYCLING	119,948	135,350	4,340	41,492	30.66
TOTAL EXPENDITURES	4,198,140	4,385,730	327,523	2,709,902	61.79

CITY OF TROY
 Monthly Financial Report
 Capital Fund
 For the Period Ending February 28, 2004

CAPITAL FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
REVENUES					
TAXES	7,417,214	7,594,000	0	7,620,171	100.34
FEDERAL GRANTS	78,805	0	1,010	1,010	.00
STATE AGENCIES	6,157,117	7,533,300	470,763	647,021	8.59
CHARGES FOR SERVICES - REND.	168,206	160,000	105,469	130,689	81.68
INTEREST AND RENTS	454,612	400,000	82,985	240,986	60.25
OTHER REVENUE	287,882	0	300	117,967	.00
OTHER FINANCING SOURCES	47,050,522	24,869,520	0	11,858,910	47.68
TOTAL REVENUE	61,614,358	40,556,820	660,527	20,616,754	50.83
EXPENDITURES					
FINANCE	20,805	168,900	0	4,926	2.92
OTHER GEN GOVERNMENT	222,101	2,526,990	0	839,387	33.22
POLICE	307,687	1,803,310	22,897	103,212	5.72
FIRE	451,731	1,436,860	6,075	6,675	.46
BUILDING INSPECTION	20,871	76,220	374	120,985	158.73
STREETS	14,879,320	23,456,650	338,187	4,296,681	18.32
ENGINEERING	18,835	47,160	0	0	.00
RECREATION	10,486,899	5,131,895	0	1,610,727	31.39
LIBRARY	249,018	595,010	0	130,217	21.88
MUSEUM	244,196	1,756,170	145,883	863,124	49.15
STORM DRAINS & RET PONDS	411,374	1,918,720	25,929	291,163	15.17
INFORMATION TECHNOLOGY	152,996	1,638,935	8,037	73,968	4.51
TOTAL EXPENDITURES	27,465,833	40,556,820	547,382	8,341,065	20.57

CITY OF TROY
 Monthly Financial Report
 Sanctuary Lake Golf Course
 For the Period Ending February 28, 2004

SANCTUARY LK GOLF COURSE FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - SALES	0	2,000	0	229	11.45
CHARGES FOR SERVICES - REC	0	100,000	0	22,125	22.13
INTEREST AND RENTS	0	1,000	15	47	4.70
OTHER REVENUE	0	0	0	73	.00
OTHER FINANCING SOURCES	0	0	0	0	.00
TOTAL REVENUE	0	103,000	15	22,474	21.82
EXPENDITURES					
SANCTUARY LAKE GREENS	0	0	0	332	.00
SANCTUARY LAKE PRO SHOP	0	58,910	278	12,033	20.43
SANCTUARY LAKE CAPITAL	0	0	0	0	.00
TOTAL EXPENDITURES	0	58,910	278	12,365	20.99

CITY OF TROY
 Monthly Financial Report
 Sylvan Glen Golf Course
 For the Period Ending February 28, 2004

SYLVAN GLEN GOLF COURSE FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - SALES	58,910	48,000	0	24,437	50.91
CHARGES FOR SERVICES - REC	1,142,907	1,241,530	0	624,138	50.27
INTEREST AND RENTS	112,639	90,000	5,756	61,476	68.31
OTHER REVENUE	16,057	0	0	489-	.00
OTHER FINANCING SOURCES	180,690	11,530	0	11,530	100.00
TOTAL REVENUE	1,511,203	1,391,060	5,756	721,092	51.84
EXPENDITURES					
SYLVAN GLEN GREENS	912,507	892,090	45,112	535,472	60.02
SYLVAN GLEN PRO SHOP	333,980	353,970	14,303	202,087	57.09
SYLVAN GLEN CAPITAL	217,552	145,000	0	30,946	21.34
TOTAL EXPENDITURES	1,464,039	1,391,060	59,415	768,505	55.25

CITY OF TROY
 Monthly Financial Report
 Aquatic Center
 For the Period Ending February 28, 2004

AQUATIC CENTER FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - REC	383,390	431,620	0	122,946	28.48
INTEREST AND RENTS	33,848	28,000	7,812	21,820	77.93
OTHER REVENUE	7	0	0	7-	.00
TOTAL REVENUE	417,245	459,620	7,812	144,759	31.50
EXPENDITURES					
AQUATIC CENTER	475,739	578,120	18,333	320,101	55.37
CAPITAL	11,684	50,000	0	0	.00
TOTAL EXPENDITURES	487,423	628,120	18,333	320,101	50.96

CITY OF TROY
 Monthly Financial Report
 Sewer Fund
 For the Period Ending February 28, 2004

SEWER FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - FEES	210,191	200,000	10,818	119,120	59.56
CHARGES FOR SERVICES - REND	8,973,121	9,430,000	633,830	5,348,958	56.72
INTEREST AND RENTS	334,579	300,000	50,769	137,612	45.87
OTHER REVENUE	0	0	0	0	.00
TOTAL REVENUE	9,517,891	9,930,000	695,417	5,605,690	56.45
EXPENDITURES					
ADMINISTRATION	8,216,629	8,185,750	507,070	5,704,787	69.69
MAINTENANCE	1,412,032	1,734,630	42,157	826,481	47.65
CAPITAL	1,812,800	3,379,600	67	432,911	12.81
TOTAL EXPENDITURES	11,441,461	13,299,980	549,294	6,964,179	52.36

CITY OF TROY
 Monthly Financial Report
 Water Fund
 For the Period Ending February 28, 2004

WATER FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - FEES	1,025,368	830,000	79,794	660,824	79.62
CHARGES FOR SERVICES - SALES	10,270,198	9,465,500	638,387	5,291,580	55.90
INTEREST AND RENTS	404,796	448,000	31,546	105,707	23.60
OTHER REVENUE	0	0	0	0	.00
TOTAL REVENUE	11,700,362	10,743,500	749,727	6,058,111	56.39
EXPENDITURES					
ADMINISTRATION	8,457,741	8,277,780	134,520	5,450,926	65.85
TRANS AND DISTRIBUTION	173,842	246,330	34,874	123,838	50.27
CUSTOMER INSTALLATION	0	108,370	0	0	.00
CONTRACTORS SERVICE	156,818	200,260	9,988	108,485	54.17
MAIN TESTING	60,822	187,610	3,637	33,176	17.68
MAINTENANCE OF MAINS	397,601	335,420	21,794	205,343	61.22
MAINTENANCE OF SERVICES	191,824	197,190	7,621	137,622	69.79
MAINTENANCE OF METERS	189,104	250,480	11,801	115,032	45.92
MAINTENANCE OF HYDRANTS	252,574	336,530	11,577	181,888	54.05
METERS AND TAP-INS	152,435	346,930	8,234	127,074	36.63
WATER METER READING	121,940	83,270	55,853	44,549	53.50
ACCOUNTING AND COLLECTING	59,813	72,140	25,220	14,783	20.49
CAPITAL	3,285,483	8,911,000	258,064	764,135	8.58
TOTAL EXPENDITURES	13,499,997	19,553,310	421,037	7,306,851	37.37

CITY OF TROY
 Monthly Financial Report
 Motor Pool
 For the Period Ending February 28, 2004

MOTOR POOL FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - REND	0	5,000	0	0	.00
INTEREST AND RENTS	3,582,909	3,559,040	253,823	2,400,385	67.44
OTHER REVENUE	351,740	147,400	9,186	187,947	127.51
OTHER FINANCING SOURCES	1,760,280	1,422,810	0	1,422,810	100.00
TOTAL REVENUE	5,694,929	5,134,250	263,009	4,011,142	78.13
EXPENDITURES					
ADMINISTRATION	472,753	488,890	32,848	305,172	62.42
OPERATION AND MAINTENANCE	2,772,608	2,937,310	255,255	1,866,743	63.55
DPW FACILITY MAINTENANCE	334,450	347,650	15,696	178,863	51.45
CAPITAL	1,353,989	1,360,400	81,331	126,619	9.31
TOTAL EXPENDITURES	4,933,800	5,134,250	385,130	2,477,397	48.25

Fund	Mat Yr.	Mat Mo.	Mat Day	Type	Loc	Pur Yr.	Pur Mo.	Pur Day	Rate	Name	Face	Accrue 6/30	Book
101	2004	6	30	7	REPUBLIC	2004	1	26	1.250	CD	260,362		260,362.18
TOTAL												260,362.18	
112	2004	3	4	7	MW GTY	2003	9	4	1.400	CD	1,000,000		1,000,000.00
	2004	3	4	9	ML	2003	10	3	.970	TBILL	2,826,000		2,814,529.97
	2004	3	5	7	HUNT BANK	2003	10	15	1.170	CD	4,000,000		4,000,000.00
	2004	3	11	9	ML	2003	10	9	.960	TBILL	2,124,000		2,115,459.16
	2004	3	12	7	FLAGSTAR	2003	10	24	1.200	CD	2,038,734		2,038,734.27
	2004	3	12	7	FLAGSTAR	2003	12	19	1.210	CD	1,000,000		1,000,000.00
	2004	3	15	8	FITB	2003	7	30	3.600	FHR03 2640	1,308,938		1,229,800.28
	2004	3	18	9	ML	2003	10	16	.960	TBILL	2,165,000		2,156,294.29
	2004	3	19	7	REPUBLIC	2003	11	26	1.200	CD	2,005,133		2,005,133.33
	2004	3	19	7	FLAGSTAR	2003	12	23	1.210	CD	1,019,947		1,019,946.56
	2004	3	25	9	ML	2003	10	23	.960	TBILL	2,115,000		2,106,495.35
	2004	3	25	7	MIDW QUART	2004	1	7	1.340	CD	2,119,142		2,119,142.19
	2004	4	1	9	ML	2003	10	31	.960	TBILL	3,668,000		3,652,878.67
	2004	4	1	9	ML	2003	11	6	1.000	TBILL	2,505,000		2,494,975.83
	2004	4	1	9	ML	2003	11	13	.980	TBILL	2,439,000		2,429,894.40
	2004	4	1	7	FLAGSTAR	2004	1	9	1.180	CD	2,008,487		2,008,486.67
	2004	4	2	7	FLAGSTAR	2004	1	30	1.260	CD	2,010,050		2,010,050.00
	2004	4	5	7	MW GTY	2003	12	23	1.310	CD	2,008,147		2,008,146.66
	2004	4	6	7	MIDW	2004	2	3	1.320	CD	1,021,188		1,021,187.98
	2004	4	8	9	ML	2003	11	20	.910	TBILL	2,493,000		2,484,274.50
	2004	4	9	7	FLAGSTAR	2004	1	16	1.340	CD	2,009,008		2,009,007.78
	2004	4	15	9	ML	2003	12	4	.950	TBILL	2,118,000		2,110,644.66
	2004	4	16	7	FLAGSTAR	2004	1	23	1.160	CD	3,010,952		3,010,952.22
	2004	4	16	7	FLAGSTAR	2004	2	4	1.270	CD	2,010,914		2,010,914.27
	2004	4	22	9	ML	2003	12	12	.910	TBILL	2,092,000		2,085,096.40
	2004	4	23	7	FLAGSTAR	2004	2	6	1.270	CD	3,032,490		3,032,490.44
	2004	4	28	8	ML	2004	2	19	1.040	G WST	3,500,000		3,493,023.33
	2004	4	29	9	ML	2003	12	18	.890	TBILL	2,959,000		2,949,379.96
	2004	4	30	7	FLAGSTAR	2004	2	13	1.260	CD	2,042,993		2,042,992.59
	2004	4	30	7	FLAGSTAR	2004	2	18	1.260	CD	3,024,540		3,024,539.55
	2004	5	6	9	ML	2004	1	15	.870	TBILL	2,489,000		2,482,400.00
	2004	5	13	9	ML	2004	1	22	.840	TBILL	2,231,000		2,225,239.06
	2004	5	20	9	ML	2004	2	6	.890	TBILL	2,878,000		2,870,683.48
	2004	5	21	7	REPUBLIC	2004	2	20	1.250	CD	1,035,626		1,035,626.16
	2004	5	27	9	ML	2004	2	13	.970	TBILL	3,084,000		3,076,427.07
	2004	5	28	7	FLAGSTAR	2004	2	27	1.270	CD	4,017,700		4,017,700.00
	2004	6	4	7	REPUBLIC	2004	1	30	1.250	CD	2,009,633		2,009,633.37
	2004	6	30	8	FITB	1998	12	4	.550	LUG/INV	1,416,966		1,416,966.29
	2004	6	30	8	HUNT BANK	2001	11	20	.620	LUG	515,602		515,602.29
	2004	6	30	8	FITB	2003	2	27	1.000	MAX SAVER	5,096,964		5,096,964.23
	2004	6	30	8	STAND FED	2003	3	27	.750	MM	4,676,037		4,676,037.49
	2004	6	30	8	FITB	2003	4	29	5.250	FHR03 2596	2,997,656		10,961.13
	2004	6	30	8	FITB	2003	5	15	4.500	FHR02 2517	998,362		1,093.17

Fund	Mat Yr.	Mat Mo.	Mat Day	Type	Loc	Pur Yr.	Pur Mo.	Pur Day	Rate	Name	Face	Accrue 6/30	Book
112	2004	6	30	8	FITB	2003	5	19	5.000	FHLMC95237	1,031,323		882,518.00
	2004	6	30	8	FITB	2003	6	30	5.000	FHRWI2632A	847,000		838,862.51
	2004	6	30	8	FITB	2003	6	30	5.000	FHR 2627JK	2,000,000		643,118.62
	2004	6	30	8	FITB	2003	7	30	5.000	FNRO3 79WE	1,500,000		1,130,887.45
	2004	6	30	8	FITB	2003	10	30	5.000	FNRO3 97CB	1,862,727		1,360,522.33
	2004	12	30	8	NATL CITY	2003	6	30	1.050	FHLB	1,000,000		1,000,000.00
	2004	12	30	8	FITB	2004	1	27	5.500	FNR 55YA	465,156		457,311.63
	2004	12	30	8	FITB	2004	1	30	4.250	FHR 2537LA	1,172,380		1,140,280.34
	2004	12	30	8	FITB	2004	1	30	4.000	FHR 2535LK	3,535,000		3,534,611.12
	2004	12	30	8	FITB	2004	2	3	4.000	FNRO3 24MN	2,350,000		2,344,125.00
	2004	12	30	8	FITB	2004	2	25	2.000	FHRO3 2602	800,000		748,060.65
	2005	3	1	8	FITB	2002	10	9		KENT DTAN	209,000		209,000.00
	2005	3	18	8	NATL CITY	2003	9	18	1.820	FHLB	1,000,000		1,000,000.00
	2005	8	26	8	NATL CITY	2003	7	31	2.050	FHLB	1,025,000		1,025,000.00
	2009	4	23	8	FITB	2003	7	23	2.140	FHLB	1,700,000		1,700,000.00
										TOTAL			114,934,102.70
591	2004	3	25	7	NATL CITY	2003	3	27	1.200	FHLM	1,500,000		1,482,298.75
	2004	6	30	7	COMERICA	1997	7	1	.860	GOV'T POOL	1,831,638		1,831,638.85
	2004	6	30	8	HUNT BANK	2001	11	21	.580	LUG	150,336		150,336.13
	2004	6	30	8	STAND FED	2003	2	20	1.200	M MKT	2,672,274		2,672,274.36
	2004	6	30	8	FITB	2003	11	25	1.000	GOVT M MKT	818		818.38
	2004	6	30	7	REPUBLIC	2004	1	26	1.250	CD	137,427		137,426.81
	2027	1	25	8	FITB	2004	2	2	3.750	FNRO3 24MN	1,015,000	112.78	1,020,075.00
										TOTAL		112.78	7,294,868.28
688	2004	6	30	7	BANK ONE	1997	7	1	.690	GOV'T POOL	1,297,543		1,297,543.95
	2004	6	30	8	STAND FED	2003	3	5	1.200	MM	2,212,195		2,212,195.07
										TOTAL			3,509,739.02
701	2004	2	23	7	MIDW QUART	2003	11	24	1.360	CD	528,873		528,872.57
										TOTAL			528,872.57
										TOTAL	112.78		126,527,944.75

*** END OF REPORT ***

January 30, 2004 to
February 27, 2004

Fifth Third Securities, Inc.

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Internet Address: *www.53.com*

CITY OF TROY - GENERAL ACCOUNT

YOUR ACCOUNT NUMBER

30707214

Your investments — cash account

	Quantity	Price on 2/27/04 (\$)	Value on 2/27/04 (\$)	Est. annual income (\$)	Est. yield (%)
Cash and equivalents					
5/3 INSTL GOVT MM PREF CLASS			160,502.20		0.72
Total cash and equivalents			160,502.20		
Fixed income — taxable					
Government and agency bonds					
FEDERAL HOME LOAN BANK CONS BD CPN RATE 2 1/4% TO 7/05;THEREAF CALLABLE dDtd 07/23/03 CPN/MATY 2.25% 07/23/09 FC 01/23/04 @ 100 MOODYS Aaa S&P AAA 31339YJ52	1,700,000	100.0000	1,700,000.00	38,250.00	2.25
Total government and agency bonds			1,700,000.00		
Mortgage & asset-backed securities					
FHLMC PARTN CTF POOL E95237 dDtd 03/01/03 CPN/MATY 5% 03/01/13 FACTOR IS 0.85857 FHLMC E95237	1,000,000	102.8970	883,446.05	42,928.65	4.85
FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF REMIC 2002 CL 25 dDtd 10/01/02 CPN/MATY 4.5% 10/15/17 FACTOR IS 0.00071 FHR02 2517JH	1,540,000	100.5970	1,104.12	49.39	4.47
FEDERAL NATL MTG ASSN GTD PASS THRU CTF REMIC 2003 CL 24MN dDtd 03/01/03 CPN/MATY 4% 01/25/27 FACTOR IS 1.00000 FNR03 24MN	2,350,000	100.5260	2,362,361.00	94,000.00	3.97
FEDERAL NATL MTG ASSN GTD PASS THRU CTF REMIC 2003 CL 55 YA dDtd 05/01/03 CPN/MATY 5.5% 11/25/31 FACTOR IS 0.90941 FNR03 55YA	500,000	101.3410	460,807.41	25,009.03	5.42
FEDERAL NATL MTG ASSN MULTICLA MTG PARTN CTF REMIC 2003 CL 79 dDtd 07/01/03 CPN/MATY 5% 11/25/32 FACTOR IS 0.76999 FNR03 79WE	1,500,000	97.9550	1,131,379.32	57,749.95	5.10
FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF SER 2002 CL 2537 dDtd 12/01/02 CPN/MATY 4.25% 05/15/30 FACTOR IS 0.56032 FHR02 2537LA	2,000,000	100.9340	1,131,114.48	47,627.52	4.21
FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF SER 2002 CL 2535 dDtd 12/01/02 CPN/MATY 4% 08/15/26 FACTOR IS 1.00000 FHR02 2535LK	3,500,000	100.9380	3,532,830.00	140,000.00	3.96
FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF REMIC 2003 CL 25 dDtd 04/01/03 CPN/MATY 5.25% 08/15/31 FACTOR IS 0.00365 FHR03 2596TD	3,000,000	99.9270	10,953.12	575.45	5.25
FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF SER 2003 CL 2602 dDtd 04/01/03 CPN/MATY 5.5% 09/15/32 FACTOR IS 0.93274 FHR03 2602JA	800,000	100.2970	748,411.35	41,040.73	5.48
FEDERAL NATL MTG ASSN GTD PASSTHRU CTF REMIC 2003 CL 97 dDtd 09/01/03 CPN/MATY 5% 05/25/18 FACTOR IS 0.68239 FNR03 97CB	2,000,000	100.1260	1,366,502.30	68,239.13	4.99
FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF REMIC 2003 CL 26 dDtd 06/01/03 CPN/MATY 5% 07/15/31 FACTOR IS 0.32627 FHR03 2627JK	2,000,000	100.6050	656,495.41	32,627.37	4.96
FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF REMIC 2003 CL 26 dDtd 06/01/03 CPN/MATY 5% 06/15/31 FACTOR IS 1.00000 FHR03 2632AA	847,000	99.1810	840,063.07	42,350.00	5.04



Fifth Third Securities, Inc.

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YOUR BROKERAGE ACCOUNT STATEMENT

January 30, 2004 to
February 27, 2004

CITY OF TROY - GENERAL ACCOUNT

YOUR ACCOUNT NUMBER
30707214

Your investments — cash account cont'd

	Quantity	Price on 2/27/04 (\$)	Value on 2/27/04 (\$)	Est. annual income (\$)	Est. yield (%)
Mortgage & asset-backed securities cont'd					
FEDERAL HOME LN MTG CORP MUTLI MTG PARTN CTF REMIC 2003 CL 26 dDtd 07/01/03 CPN/MATY 3.5% 03/15/33 FACTOR IS 0.94845 FHR03 2640WA	1,300,000	99.1630	1,222,548.80	43,154.72	3.52
Total mortgage & asset-backed securities			14,348,016.43		
Municipal bonds					
KENT CNTY MICH VAR RATE TAXABL TAX NTS BOOK ENTRY ONLY OPT PU 05/16/02 100.000 & EA DAY NOTIF DATES 7 DAYS B4 PUT dDtd 05/10/02 CPN/MATY 0% 03/01/05 FC 07/01/02 @ 100 PRE-REF N MOODYS MIG1 S&P SP1+ 490278P93	209,000	100.0000	209,000.00		
Total municipal bonds			209,000.00		
Total taxable fixed income			16,257,016.43		
Total fixed income			16,257,016.43		
Value of your cash account			16,417,518.63		

Total value of your account

\$16,417,518.63

Activities in your account — cash account

Date	Activity	Details	Quantity	Price (\$)	Amount added to (deducted from) your account(\$)
02/03/04	SELL	FEDERAL HOME LN MTG CORP MUTLI MTG PARTN CTF REMIC 2003 CL 25 CPN/MATY 4% 12/15/27	(3,700,000)	100.5000	1,755,057.37
02/03/04	BUY	FEDERAL NATL MTG ASSN GTD PASS THRU CTF REMIC 2003 CL 24MN CPN/MATY 4% 01/25/27	2,350,000	99.7500	(2,344,647.22)
02/03/04	TAXABLE BND INT	KENT CNTY MICH VAR RATE TAXABL TAX NTS BOOK ENTRY ONLY OPT PU CPN/MATY 0% 03/01/05			204.20
02/03/04	SWEEP	SWEPT FR 5/3 INSTL GOVT MM PR			589,589.85
02/04/04	SWEEP	SWEPT TO 5/3 INSTL GOVT MM PR AUTOMATIC PURCHASE			(204.20)
02/09/04	SELL	FEDERAL HOME LN MTG CORP MUTLI MTG PARTN CTF REMIC 2003 CL 25 CPN/MATY 4% 12/15/27	(3,700,000)	100.5000	1,633,750.67
02/09/04	CANCEL	FEDERAL HOME LN MTG CORP MUTLI MTG PARTN CTF REMIC 2003 CL 25 4% 12/15/27 CPN/MATY 4% 12/15/27	3,700,000	100.5000	(1,755,057.37)
02/10/04	TAXABLE MNY DIV	5/3 INSTL GOVT MM PREF CLASS MTD EARNINGS, FULL LIQUIDATION			24.15
02/10/04	TAXABLE MNY DIV	EARNINGS REINVESTED			(24.15)
02/10/04	SWEEP	SWEPT FR 5/3 INSTL GOVT MM PR			2,496.04
02/17/04	SELL	FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF REMIC 2003 CL 26 CPN/MATY 5% 06/15/31	(74,000)	100.0000	74,000.00
02/17/04	TAXABLE BND INT	FHLMC PARTN CTF POOL E95237 ON 1000000 CPN/MATY 5% 03/01/13			3,606.62
02/17/04	TAXABLE BND INT	FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF SER 2002 CL 2535 ON 3500000 CPN/MATY 4% 08/15/26			11,666.66
02/17/04	TAXABLE BND INT	FEDERAL HOME LN MTG CORP MUTLI MTG PARTN CTF REMIC 2003 CL 25 ON 3700000 CPN/MATY 4% 12/15/27			5,819.77

Current Portfolio

Quantity	Security Description	Date Acquired	Adjust/Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Accrued Interest	Estimated Annual Income	Current Yield %
A change in tier assignment will automatically convert the class of WCMA money fund shares held in your account. The WCMA Agreement and Program Description and the WCMA Fund Prospectus contain more details.										
Government Securities										
2,826,000	US TREASURY BILL ZERO% MAR 04 2004	10/03/03	99.59	2,814,529	99.98	2,825,576	N/A			
2,124,000	U.S. TREASURY BILL ZERO% MAR 11 2004	10/09/03	99.59	2,115,459	99.96	2,123,277	N/A			
2,165,000	U.S. TREASURY BILL ZERO% MAR 18 2004	10/16/03	99.59	2,156,294	99.94	2,163,874	N/A			
2,115,000	U.S. TREASURY BILL ZERO% MAR 25 2004	10/23/03	99.59	2,106,495	99.92	2,113,498	N/A			
3,668,000	U.S. TREASURY BILL ZERO% APR 01 2004	10/31/03	99.58	3,652,878	99.91	3,664,772	N/A			
2,505,000	U.S. TREASURY BILL ZERO% APR 01 2004	11/06/03	99.59	2,494,975	99.91	2,502,795	N/A			
2,439,000	U.S. TREASURY BILL ZERO% APR 01 2004	11/13/03	99.62	2,429,894	99.91	2,436,853	N/A			
8,612,000	Security Sub-Total			8,577,748		8,604,421				
2,493,000	U.S. TREASURY BILL ZERO% APR 08 2004	11/20/03	99.65	2,484,274	99.89	2,490,432	N/A			
2,118,000	U.S. TREASURY BILL ZERO% APR 15 2004	12/04/03	99.65	2,110,644	99.87	2,115,394	N/A			
2,092,000	U.S. TREASURY BILL ZERO% APR 22 2004	12/12/03	99.67	2,085,096	99.85	2,089,050	N/A			
2,959,000	U.S. TREASURY BILL ZERO% APR 29 2004	12/18/03	99.67	2,949,379	99.84	2,954,324	N/A			
2,489,000	U.S. TREASURY BILL ZERO% MAY 06 2004	01/15/04	99.73	2,482,400	99.82	2,484,569	N/A			
2,231,000	U.S. TREASURY BILL ZERO% MAY 13 2004	01/22/04	99.74	2,225,239	99.80	2,226,582	N/A			
2,878,000	U.S. TREASURY BILL ZERO% MAY 20 2004	02/06/04	99.74	2,870,683	99.78	2,871,754	N/A			
3,084,000	U.S. TREASURY BILL	02/12/04	99.75	3,076,427	99.76	3,076,752	N/A			



CITY OF TROY



Current Portfolio

Quantity	Security Description	Date Acquired	Adjust/Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Accrued Interest	Estimated Annual Income	Current Yield %
	ZERO% MAY 27 2004									
Total Government Securities				38,054,672		38,139,509				

Current Portfolio

Quantity	Security Description	Symbol	Sector	Date Acquired	Adjust/Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Annual Income	Current Yield %
Other											
500,000	CP G.WST LF ANN BE 29JAN04 00.000%28APR2004			02/19/04	99.80	3,493,023	99.81	3,493,455	N/A		
Total Other						3,493,023		3,493,455			
Total of Long Portfolio						41,548,928		41,634,196	*	4	.35
* - Excludes N/A Items											

Statement Activity

Date	Transaction	Quantity	Description	Price	Debit	Credit
Security Transactions						
02/05	Redeemed	-2,871,000	U.S. TREASURY BILL ZERO% FEB 05 2004			2,871,000.00
02/06	Purchase	2,878,000	U.S. TREASURY BILL ZERO% MAY 20 2004 FACE VALUE 2878000.0000 CASH TRADE PRICE 99.745777	99.745	2,870,683.48	
02/12	Redeemed	-3,076,000	U.S. TREASURY BILL ZERO% FEB 12 2004			3,076,000.00
02/13	Purchase	3,084,000	U.S. TREASURY BILL ZERO% MAY 27 2004 FACE VALUE 3084000.0000 PRICE 99.754444	99.754	3,076,427.07	
02/19	Redeemed	-3,494,000	U.S. TREASURY BILL ZERO% FEB 19 2004			3,494,000.00

+ CITY OF TROY

DATE: February 26, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services
Mark Stimac, Director of Building & Zoning

SUBJECT: Agenda Item - Announcement of Public Hearing
Commercial Vehicle Appeal
2803 Rhodes

On February 16, 2004, information was sent to Mr. Doug Brown that identified restrictions related to a commercial vehicle located on residential property. As part of that information, he was advised that the box truck parked on the property did not comply with the exceptions found in Chapter 39, Section 40.66.00. He was given the option to remove the vehicle or appeal to City Council for relief of the Ordinance.

In response to our letters, Mr. Brown has filed an appeal. The appeal requests that a public hearing date be held in accordance with the ordinance. A public hearing has been scheduled for your meeting of March 22, 2004.

Should you have any questions or require additional information, kindly advise.

MS/pr

Attachments

COMMERCIAL VEHICLE
APPEAL APPLICATION

RECEIVED

FEB 25 2004

BUILDING DEPARTMENT

Request is hereby made for permission to keep a commercial vehicle(s) as described below, on the following residential zoned site:

NAME: DOUG BROWN

ADDRESS: 2803 RHODES DR

CITY: TROY MI. ZIP: 48083 PHONE: 248-765-2086 CELL
" 619-0695 HOME

ADDRESS OF SITE: 2803 RHODES DR

NUMBER OF VEHICLES: 1

VEHICLE IDENTIFICATION NUMBER(S)
1GBJG314031143004

LICENSE PLATE NUMBER(S) ZL-0829

DESCRIPTION OF VEHICLE(S) 2003 CHEVY CUBEVAN

REASON FOR APPEAL (see A - D below) B+C+D I DO NOT FEEL SAFE

LEAVING THIS TRUCK WITH THOUSANDS OF DOLLARS WORTH OF

TOOLS FOR MY WORK IN A PARKING LOT SOMEWHERE. IF THE TRUCK
HAS TO GO THEN SO DO I AND MY FAMILY, ITS MY WORK

THE APPLICANT IS AWARE OF THE REQUIRED FINDINGS WHICH ARE STATED IN THE FOLLOWING:

44.02.01 ACTIONS TO GRANT APPEALS ... SHALL BE BASED UPON AT LEAST ONE OF THE FOLLOWING FINDINGS BY THE CITY COUNCIL:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined there are no reasonable or feasible alternative locations for parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject site cannot accommodate, or cannot reasonably be constructed or modified to accommodate the subject commercial vehicle
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner that will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s).

COMMERCIAL VEHICLE APPEAL APPLICATION

40.02.2. The City Council may grant appeals in relation to the type, character or number of commercial vehicles to be parked outdoors in Residential Districts for an initial period not to exceed two (2) years, and may thereafter extend such actions for a similar period.

Supporting data, attached to the application, shall include: a plot plan, drawn to scale, a description and location of the vehicle(s) and a photo of the vehicle on-site.. SEE PICTURES

Joseph P. Brown

(signature of applicant)

STATE OF MICHIGAN
COUNTY OF Macomb

On this 23 day of February, 2004 before me personally appeared the above named person who depose and sayeth that he/she signed this application with full knowledge of its contents and that all matters stated therein are true.

ROSE EDWARDS
Notary Public, Wayne County, Michigan
My Commission Expires April 10, 2007
Acting in Macomb County

Rose Edwards

Notary Public, County, Michigan

My Commission Expires: April 10, 2007



MORTGAGE SURVEY



RECEIVED

FEB 25 2004

BUILDING DEPARTMENT

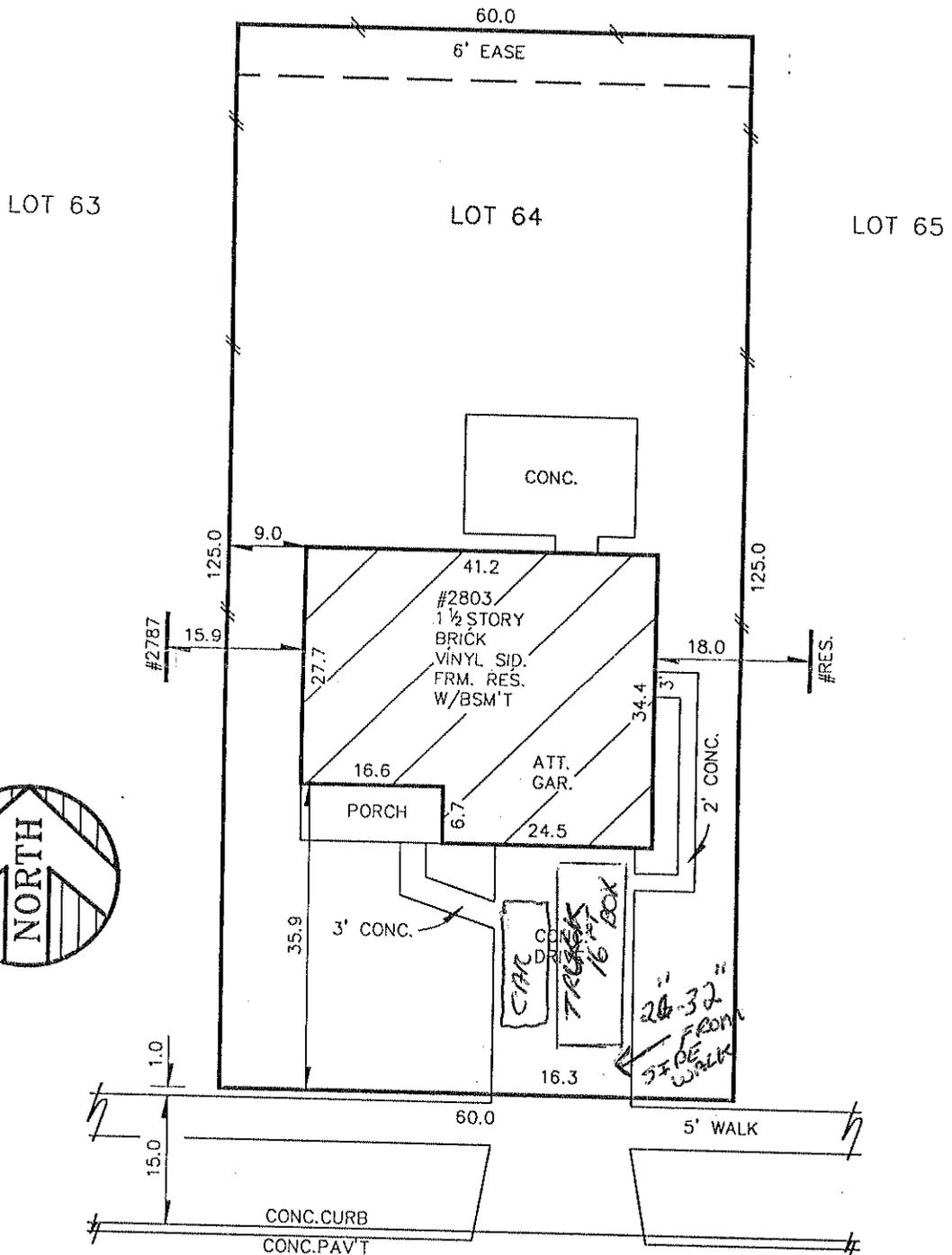
Certified to:

Applicant: DOUGLAS AND JENNIFER BROWN

Property Description:

Lot 64; EVA HAUS SUB., part of the N.E. 1/4 and S.E. 1/4 of Section 25, T.2 N., R.11 E., City of Troy, Oakland County, Michigan, as recorded in Liber 116 of Plats, Pages 10, 11 and 12 of Oakland County Records.

FLOOD PLAIN Comm. No. 260180 Map No. 0006 E Date: 09-16-88
 Flood Zone C. Areas of minimal flooding.



RHODES DR. 60' WD.

CERTIFICATE: We hereby certify that we have surveyed the above-described property in accordance with the description furnished for the purpose of a mortgage loan to be made by the forementioned applicants, mortgagor, and that the buildings located thereon do not encroach on the adjoining property, nor do the buildings on the adjoining property encroach upon the property heretofore described, except as shown. This survey is not to be used for the purpose of establishing property lines, nor for construction purposes, no stakes having been set at any of the boundary corners.



Shane P. Azbell

JOB NO: 01-26643 SCALE: 1"=20'
 DATE: 08/23/01 DR BY: DD

KEM-TEC
 LAND SURVEYORS

22556 Gratiot Avenue
 Eastpointe, MI 48021-2312
 (810) 772-2222
 FAX: (810) 772-4048

KEM-TEC WEST
 LAND SURVEYORS

800 E. STADIUM
 Ann Arbor, MI 48104-1412
 (734) 994-0888 * (800) 433-6133
 FAX: (734) 994-0667



DATE: March 2, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services
Mark Stimac, Director of Building & Zoning

SUBJECT: Agenda Item - Announcement of Public Hearing
Commercial Vehicle Appeal
6640 John R

On February 23 2004, information was sent to Mr. Kirk Stender that identified restrictions related to the commercial vehicle located on residential property. As part of that information, he was advised that the Freightliner tractor/trailer parked on that property did not comply with the exceptions found in Chapter 39, Section 40.66.00. He was given the option to remove the vehicle or appeal to City Council for relief of the Ordinance.

In response to our letters, Mr. Stender has filed an appeal. The appeal requests that a public hearing date be held in accordance with the ordinance. A public hearing has been scheduled for your meeting of March 22, 2004.

Should you have any questions or require additional information, kindly advise.

MS/pr

Attachments

COMMERCIAL VEHICLE
APPEAL APPLICATION

Request is hereby made for permission to keep a commercial vehicle(s) as described below, on the following residential zoned site:

NAME: Life Line Baptist Church Rev. Jerry V. Stender /

ADDRESS: 6640 John R Kirk A. Stender

CITY: Froy MI. ZIP: 48085 PHONE: 248 879 0710

ADDRESS OF SITE: 6640 John R

NUMBER OF VEHICLES: 1

VEHICLE IDENTIFICATION NUMBER(S)
1FUYS DZ B 5 W P 94 6693

LICENSE PLATE NUMBER(S) Indiana 288-437

DESCRIPTION OF VEHICLE(S) 1998 Blue Freight Liner Century class

RECEIVED

MAR 01 2004

BUILDING DEPARTMENT

REASON FOR APPEAL (see A - D below) The truck is only here 1 or 2 weekends
a month. This is our son and this is his residence.

Looking for a 2 year Variance.

THE APPLICANT IS AWARE OF THE REQUIRED FINDINGS WHICH ARE STATED IN THE FOLLOWING:

44.02.01 ACTIONS TO GRANT APPEALS ... SHALL BE BASED UPON AT LEAST ONE OF THE FOLLOWING FINDINGS BY THE CITY COUNCIL:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined there are no reasonable or feasible alternative locations for parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject site cannot accommodate, or cannot reasonably be constructed or modified to accommodate the subject commercial vehicle
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner that will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s).

COMMERCIAL VEHICLE APPEAL APPLICATION

40.02.2. The City Council may grant appeals in relation to the type, character or number of commercial vehicles to be parked outdoors in Residential Districts for an initial period not to exceed two (2) years, and may thereafter extend such actions for a similar period.

Supporting data, attached to the application, shall include: a plot plan, drawn to scale, a description and location of the vehicle(s) and a photo of the vehicle on-site..

Renee Lynn v. Stevens
(signature of applicant)

STATE OF MICHIGAN
COUNTY OF Oakland

On this 1st day of March, 2004 before me personally appeared the above named person who depose and sayeth that he/she signed this application with full knowledge of its contents and that all matters stated therein are true.

Pamela R. Pastorek Macomb
Notary Public, County, Michigan acting in Oakland
My Commission Expires: 09-01-07

Commercial Vehicle Appeal
February 24, 2004

RECEIVED

MAR 01 2004

BUILDING DEPARTMENT

Rev. Jerry V. Stender, Kirk Stender, Life Line Baptist Church Board of Directors.

We recently were informed by Marlene Stuckman of the building Department, that we are in violation of a zoning ordinance. We apologize and hereby state that we were un-aware of such ordinance.

The reason for the freightliner semi-tractor/trailer being here is that it belongs to our youngest son and this is his home. In the past Kirk was driving for PAM and now he is an owner/operator for Schanno/Herschbock trucking out of Sioux city Nebraska. Kirk has been parking a freightliner in our lot since May of 2001.

I am at a loss as to why it is important to cite us with a violation after these many months? Kirk is on the road for two or three weeks at a time and then home for the week end. He would be parked in our lot for one or two weekends a month. Kirks road trips take him from Iowa to Maine, so we never know when he will return.

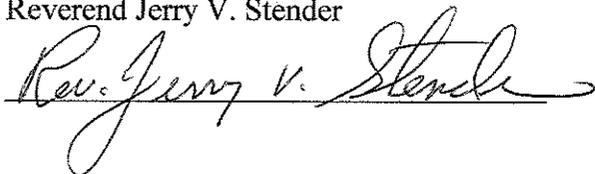
The truck is parked on the far northern end of the Church parking lot and the front bumper is 53 to 63 feet back from the white line on John R. Road. This makes it 11 to 21 feet behind the front of the Church.

I have enclosed two pictures showing the truck as you look south on John R and as you look north. From these pictures you can see that the truck is parked far enough back as to not draw attention to itself. **It certainly is not another item up for sale along John R.** Also, it is not a piece of construction equipment that shall soon line John R as they reconstruct our street.

I am not sure where Ms. Struckman got the idea that we had a garage? The house and garage on the north side of our property is not ours. I do not know of any garage in the area big enough to house this semi, with the exception of the local fire station.

We the people of Life Line Baptist Church ask that you grant a variance to park the freightliner on our property without restrictions.

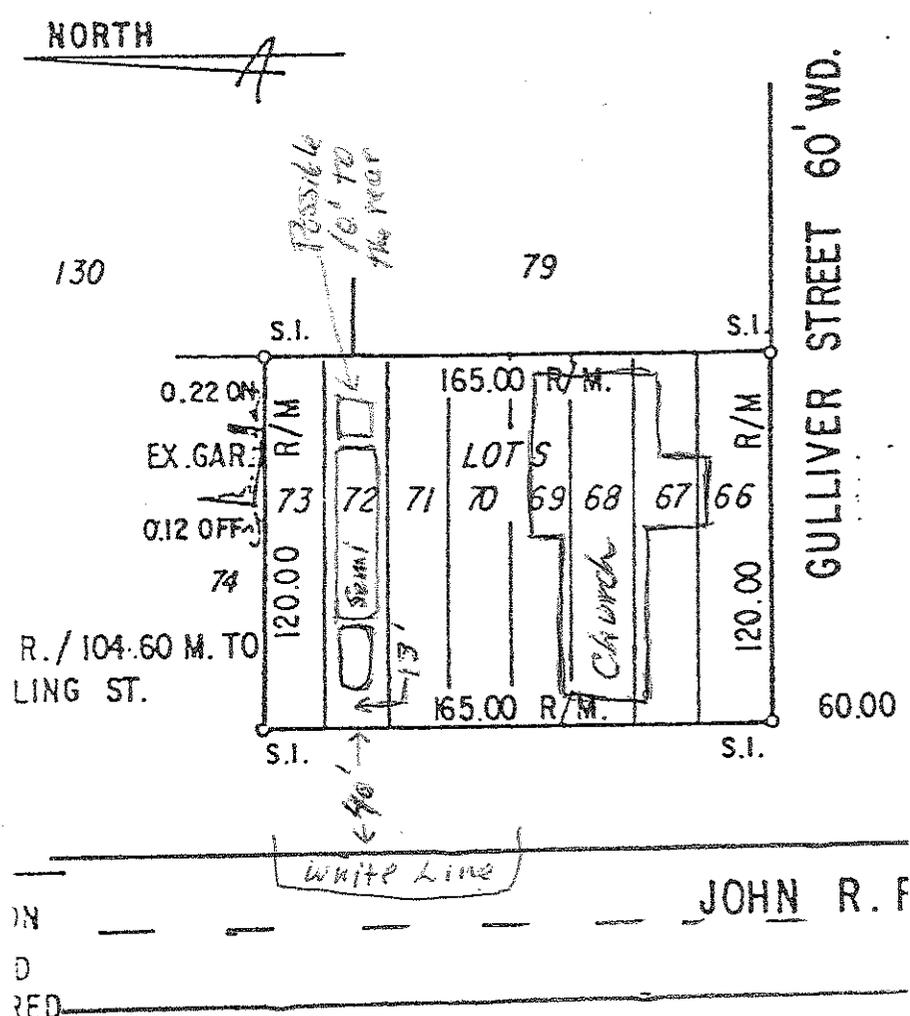
Sincerely,
Reverend Jerry V. Stender



RECEIVED

MAR 01 2004

BUILDING DEPARTMENT



66-73

DESCRIPTION: Lots ~~66-73~~ including SUPERVISOR'S PLAT of part of the NW 1, Oakland Co., Mich.



Looking North on John R
9 AM 2-23-04 53' from white line
11' back of Church Front



Looking South on John R
53' from white line 2-23-04
11' back of church front. 9 AM



Trustee Meeting and Determination
Sunday, February 29, 2003

It is hereby noted that we have addressed the issue of the city ordinance violation and hereby request the city to grant us a variance that would allow Kirk Stender, our member and trustee, the free access to park his truck in our parking lot.

Pastor/President: Rev. Jerry V. Stender. Rev. Jerry V. Stender

Trustee: Douglas Arnold. Douglas Arnold

Trustee: Scott Stender. Scott Stender

Trustee: Kirk Stender. out of town

RECEIVED
MAR 01 2004
BUILDING DEPARTMENT

RECEIVED

MAR 01 2004

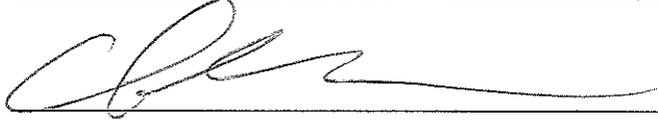
BUILDING DEPARTMENT

Neighborhood signatures in favor of
One Semi-tractor/trailer parked at 6640 John R..

James W Munchianro 6675 John R 2-27-04

Jan W Munchianro

CHARLES BEACH 6655 John R 2-28-04



6660 John R

Not Home this weekend

DATE: March 1, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services
Mark Stimac, Director of Building and Zoning

SUBJECT: Revisions to Chapter 97 Troy City Code
Coin Operated Amusement Devices and Arcades

Staff has been working with a resident that is interested in opening up a business in the city that would be, as he calls it, an “edutainment” facility. Because of the amount of income of the facility that would be generated by coin operated amusement devices it would be defined as an arcade by the provisions of Chapter 97 of the Troy City Code. As such, the facility would have to be located a minimum of 300 feet from any residentially zoned property. The proponent sees this requirement as a significant hardship in finding a suitable location for his facility.

The basic definition for an arcade in the Ordinance is *“any place, premises or establishment or room open to the public set aside in a commercial establishment where the income from coin-operated amusement devices exceeds five (5%) percent of the income of the principal business conducted at the place, premises, room or establishment”*. Once meeting that definition, all arcades are required to meet the same licensing, location, and operational standards.

What the proponent is asking it to differentiate between arcades and his form of business that is commonly referred to as a “family entertainment center”. While Staff believes that the restrictions relating to arcades are still applicable and warranted due to the secondary impacts, we agree that the same concerns are not appropriate when dealing with these “family entertainment centers”.

Staff has reviewed the requirements of the ordinance and recommends that the ordinance be revised to create two different levels of arcade facilities. The first would be facilities that generate between 5% and 33% of their income from coin operated amusement devices. Based upon our research this category would encompass most of the facilities that a commonly referred to as “family entertainment centers”. This includes facilities such as Chucky Cheese, Major Magic, Ceasarland, as well as the one proposed in this request. It is proposed that these facilities, although still subject to the

requirements for licensure as an arcade, would not be subject to the 300-foot setback from residential.

The second class of arcades would be ones that generate more than 33% of their income from coin operated amusement devices. This would include the pure arcade, such as the existing one at Oakland Mall, as well as facilities such as Dave and Buster's and Jillian's that typically generate about 40% - 50% of their income from the devices. These facilities would still require the residential setback.

In order to implement this change the attached proposed language, revising Section 4 of the Ordinance, is submitted for your consideration. In addition to adopting the two step requirements in part B, we are also proposing to revise part D of this section to bring it up to date with the referenced building code standard.

We will be happy to provide any additional information that you require on this matter.

Reviewed as to form and legality: _____

4. Location.

- A. No arcade is permitted on any property unless the property is zoned B-3 (Commercial) as defined in the Zoning Ordinance for the City of Troy.
- B. No arcade where the income from coin-operated amusement devices exceeds thirty three (33%) percent of the income of the principal business is permitted in any part of a building when the building is within three hundred (300) feet of a residential zoning district.
- C. No arcade is permitted on any part of a lot which is within fifteen hundred (1500) feet of a building containing another arcade.
- D. No license for an arcade or coin-operated amusement device shall be issued for any place, premises, establishment or room unless located within a building in which persons assemble for amusement, entertainment, or recreation, as classified in the 1981 B.O.C.A. Code, Sections 302.3 and 302.4 current edition of the Michigan Building Code as an Assembly Use Group as adopted in Chapter 79, Section 8-1 of the City of Troy Ordinance.

At a Regular Meeting of the Royal Oak City Commission held on Monday, February 23, 2004, in City Hall, 211 Williams Street, the following Resolution was adopted:

WHEREAS, the Huron Clinton Metropark Authority has developed a conceptual plan to place a Metropark at the Michigan State Fairgrounds; and

WHEREAS, there is an obvious lack of park and recreational space and opportunities for urban and suburban residents in our area; and

WHEREAS, a Metropark located at the Fairgrounds would serve many Michigan residents who are now unable to access the existing Metroparks because of distance and lack of access to transportation and would provide those residents with an opportunity to utilize the Metropark system for which they currently pay taxes; and

WHEREAS, a Metropark would wisely preclude the use of the Fairgrounds for development that would be detrimental to the area, such as another horse race track, or the intermodal railroad freight terminal and/or other such proposals that would adversely impact the surrounding community; and

WHEREAS, a Metropark would greatly enhance the quality of life and the value of property in the surrounding area; so

THEREFORE, BE IT RESOLVED, the Royal Oak City Commission endorses the continued exploration of the feasibility of a Metropark at the Michigan State Fairgrounds, and should feasibility be proven, the construction of such a Metropark in order to provide enhanced recreational opportunities for all residents of the Metropolitan Detroit Area.

I hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Royal Oak City Commission at a meeting held on February 23, 2004.

Mary Ellen Weaver
City Clerk



City of Walled Lake

1499 E. West Maple • P.O. Box 0099
 Walled Lake, Michigan 48390-0099
 (248) 624-4847 • Fax (248) 624-1616

www.walledlake.com

RESOLUTION MORATORIUM ON DETROIT WATER AND SEWER RATE INCREASES

WHEREAS, the City of Detroit, through its Water and Sewage Department (DWSD), supplies water and wastewater services to much of southeastern Michigan; and

WHEREAS, the proficient and efficient provisions of service by DWSD is essential to the health and welfare of the citizens of southeastern Michigan; and

WHEREAS, DWSD is a regional system that must be accountable to the regional customers; and

WHEREAS, the communities served by the regional system have been paying ever increasing water and sewer rates for several years; and

WHEREAS, the current process for setting and determination of rates for water and sewer services has caused continued concern among its customers because of an inability to determine with specificity the reasons for rate increases; and

WHEREAS, the rate formulation process must begin at such time as to allow full disclosure permitting stakeholders to engage in meaningful review and evaluation and make constructive suggestions; and

WHEREAS, the Mayor of Detroit and the Detroit City Council must permit an evaluation of the efficiency of the DWSD operations by an independent, outside consultant; and

WHEREAS, such evaluation should be conducted in a public forum to provide assurances that DWSD is operated efficiently and cost effectively;

Pride in our past — Faith in our future



City of Walled Lake

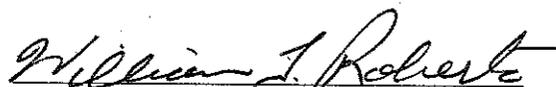
1499 E. West Maple • P.O. Box 0099
Walled Lake, Michigan 48390-0099
(248) 624-4847 • Fax (248) 624-1616

www.walledlake.com

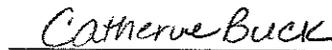
NOW THEREFORE BE IT RESOLVED:

1. The City Council of the City of Walled Lake requests:
 - a. That the Detroit Water Board and the Detroit City Council place a moratorium on Water and Sewer rate increases for the Fiscal Year 2004-05.
 - b. That the copies of this resolution be directed to the Governor, the State Senator, the State Representative, the County Commissioner, the County Drain Commissioner, and all communities serviced by Detroit Water and Sewer.

Adopted the 17th day of February, 2004


William T. Roberts

I, Catherine Buck, the duly authorized City Clerk of the City of Walled Lake, Oakland County, Michigan, do hereby certify that the foregoing is a true copy of a resolution adopted by the City Council of the City of Walled Lake on February 17, 2004.


Catherine Buck

At a Regular Meeting of the Royal Oak City Commission held on Monday, March 1, 2004, in City Hall, 211 Williams Street, the following Resolution was adopted:

BE IT RESOLVED that the City of Royal Oak requests that before the proposed M.D.O.T. I-75 Widening Project between 8 Mile Road and M-59 is started, the collapsing and badly deteriorated sound walls caused by a defective sound wall expansion joint design on the north side of westbound 10 Mile Road adjacent to Royal Oak be properly repaired under the current "Preserve First" M.D.O.T. Road Improvement Program.

BE IT FURTHER RESOLVED that the "Draft Environmental Impact Statement for the Proposed I-75 Widening Project" include a more in-depth study of the impacts of Mass Transit in the Woodward Corridor between Detroit and Pontiac including the reduction in air pollution in the metropolitan area, and increased job growth in Oakland and Wayne Counties.

BE IT FURTHER RESOLVED that the proposed I-75 Widening Project not remove the east/west I-696 exit to Eleven Mile Road at I-75 because of increased traffic and public safety concerns in Royal Oak on Mohawk area residential streets north of I-696, on southbound Stephenson Highway south of Lincoln, and on westbound Lincoln west of I-75 caused by the proposed freeway changes.

BE IT FURTHER RESOLVED that the proposed I-75 Widening Project not remove the 11 Mile Rd. exit from northbound I-696 because this exit could increase emergency vehicle response time to southbound I-75 life safety problems.

BE IT FURTHER RESOLVED that the proposed I-75 Widening Project not remove the 11 Mile Rd. exit from northbound I-696 because of detrimental economic impacts on Royal Oak Eleven Mile business.

BE IT FURTHER RESOLVED that the proposed I-75 Widening Project not relocate the eastbound Fourth Street entrance ramp to southbound I-75 because of increased traffic and public safety concerns on the following Royal Oak residential streets; Helene north of Fourth; Minerva north of Fourth; and Edgeworth north of Fourth caused by the freeway change.

BE IT FURTHER RESOLVED that the eastbound Fourth Street entrance ramp to southbound I-75 not be relocated north because of increasing emergency vehicle response times to life safety problems on the freeway.

BE IT FURTHER RESOLVED that the Dallas Bridge over I-75 not be removed as it will increase Police Department and Fire Department emergency vehicle response times between Royal Oak and Madison Heights and to I-696/I-75 interchange life safety problems.

BE IT FURTHER RESOLVED that the proposed I-75 Widening improvement problems addressed in this resolution be eliminated to mitigate additional Royal Oak Police Department costs created by the proposed freeway changes.

BE IT FURTHER RESOLVED that the City of Royal Oak be allowed to provide meaningful input into the construction detours selected for the proposed I-75 Widening Project to reduce the impact of detour traffic on Royal Oak residents and provide for proper public safety.

I hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Royal Oak City Commission at a meeting held on March 1, 2004.

Thany Ellen Weaver

City Clerk

March 2004

March 2004							April 2004						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
	1	2	3	4	5	6					1	2	3
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28	29	30	

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
<p>March 1</p> <p>7:00pm Election Commission (Conference Room D)</p> <p>7:30pm City Council-Regular (Council Chambers)</p> <p>7:30pm Tentative Study Session (Council Boardroom)</p>	<p>2</p> <p>1:00pm Bd of Review (Conference Room D)</p> <p>7:00pm Ethnic Issues Advisory Board (Conference Room C)</p> <p>7:30pm Planning - Study (Council Boardroom)</p>	<p>3</p> <p>7:00pm Persons w/Dis (Conference Room Lower Level)</p> <p>7:30pm City Council-Liquor Violation Hearing (Council Chambers)</p>	<p>4</p> <p>10:00am Senior Advisory (Community Center)</p>	<p>5</p>	<p>6</p>
<p>8</p> <p>9:00am Bd of Review (Conference Room D)</p>	<p>9</p> <p>1:00pm Bd of Review (Conference Room D)</p> <p>7:30pm Planning Commission - Reg (Council Chambers)</p>	<p>10</p> <p>3:00pm ERS Meeting - Conf Room C (room has already been booked) (agenda)</p>	<p>11</p> <p>7:30pm Library Adv (Library Conference Room)</p> <p>7:30pm Parks and Recreation Bd (Community Center)</p>	<p>12</p>	<p>13</p>
<p>15</p> <p>7:30pm City Council-Regular (Council Chambers)</p> <p>7:30pm Tentative Study Session (Council Boardroom)</p>	<p>16</p> <p>7:30pm Historic District (Conference Room C)</p>	<p>17</p> <p>7:30am DDA Meeting (Conference Room Lower Level)</p>	<p>18</p>	<p>19</p>	<p>20</p>
<p>22</p> <p>7:30pm City Council-Regular (Council Chambers)</p>	<p>23</p> <p>7:30pm Planning-Study (Council Boardroom)</p> <p>7:30pm Historical Commission (Troy Museum)</p> <p>7:30pm Troy Daze (Community Center)</p>	<p>24</p> <p>7:00pm Troy Youth (Conference Room Lower Level)</p>	<p>25</p>	<p>26</p>	<p>27</p>
<p>29</p> <p>7:30pm City Council (Conference Room Lower Level)</p>	<p>30</p>	<p>31</p>			

April 2004

April 2004						
S	M	T	W	T	F	S
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May 2004						
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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
			April 1 10:00am Senior Advisory (Community Center)	2	3
					4
5	6	7	8	9	10
Election - City General	7:00pm Ethnic Issues Advisory Board (Conference Room C) 7:30pm Planning - Study (Council Boardroom)	7:00pm Persons w/Dis (Conference Room Lower Level)	7:30pm Library Adv (Library Conference Room) 7:30pm Parks and Recreation Bd (Community Center)		11
12	13	14	15	16	17
7:30pm City Council-Regular (Council Chambers) 7:30pm Tentative Study Session (Council Boardroom)	7:30pm Planning Commission - Reg (Council Chambers)	3:00pm ERS Meeting - Conf Room C (room has already been booked) (agenda)			18
19	20	21	22	23	24
7:30pm City Council-Regular (Council Chambers) 7:30pm Tentative Study Session (Council Boardroom)	7:30pm Historic District (Conference Room C)	7:30am DDA Meeting (Conference Room Lower Level)	7:00pm Cable Adv (Conference Room C)		25
26	27	28	29	30	
	7:30pm Planning-Study (Council Boardroom) 7:30pm Historical Commission (Troy Museum) 7:30pm Troy Daze (Community Center)	7:00pm Troy Youth (Conference Room Lower Level)			

May 2004

May 2004							June 2004						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
2	3	4	5	6	7	1	6	7	1	2	3	4	5
9	10	11	12	13	14	8	13	14	8	9	10	11	12
16	17	18	19	20	21	15	20	21	22	23	24	25	26
23	24	25	26	27	28	22	27	28	29	30			
30	31					29							

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
					May 1
					2
					3
7:30pm City Council-Regular (Council Chambers) 7:30pm Tentative Study Session (Council Boardroom)	7:00pm Ethnic Issues Advisory Board (Conference Room C) 7:30pm Planning - Study (Council Boardroom)	Precinct Delegate Filing Deadline- 7:00pm Persons w/Dis (Conference Room Lower Level)	10:00am Senior Advisory (Community Center)		7
					8
					9
					10
7:30pm City Council-Regular (Council Chambers) 7:30pm Tentative Study Session (Council Boardroom)	7:30pm Planning Commission - Reg (Council Chambers)	3:00pm ERS Meeting - Conf Room C (room has already been booked) (agenda)	7:30pm Library Adv (Library Conference Room) 7:30pm Parks and Recreation Bd (Community Center)		14
					15
					16
					17
	7:30pm Historic District (Conference Room C)	7:30am DDA Meeting (Conference Room Lower Level)			21
					22
					23
					24
7:30pm City Council-Regular (Council Chambers)	7:30pm Planning-Study (Council Boardroom) 7:30pm Historical Commission (Troy Museum) 7:30pm Troy Daze (Community Center)	7:00pm Troy Youth (Conference Room Lower Level)			28
					29
					30
					31



D E P A R T M E N T O F P U B L I C S E R V I C E S

February 13, 2004

Mr. Samuel P. Lamerato
City of Troy Fleet Maintenance Division
4693 Rochester Road
Troy MI 48085

Dear Mr. Lamerato:

The weather conditions certainly played a major role in our department over the past few weeks. It is especially under those circumstances, every effort is made to provide services on demand. We depend on truck #5 to deliver and were hampered by its untimely need for repair.

It is with that in mind, we thank you for facilitating the prompt attention to our vehicle as required. If you should need anything in the future, please let us know.

Sincerely,

Larry Harworth
Operations Manager

Larry Feld
Chief Mechanic

LJH/jeb

cc Alex Allie, City Manager

Judy Williams
5627 Havens
Dryden, Michigan 48428

February 24, 2004

Charles Craft, Chief of Police
Troy Police
500 W. Big Beaver
Troy, Michigan 48084

Dear Chief Craft,

I would like to express my appreciation for the help and services of Officer Josh Jones. Today I had a flat tire on Rochester Road, between 15 and 16 Mile Road, at 3:00 a.m., on my way to work to Beaumont Hospital. I called Allstate for road service and they tried for 40 minutes to get service for me. They said they contacted 8 service stations and no one would answer their phone. They left one message on a answering machine. I also tried calling service stations with no avail. Officer Josh Jones came by and asked if I needed help. I was so grateful just to see him, especially at that time in the morning. I told him what had occurred and he said if he called the towing service there would be a charge and at that time I had no cash, or a credit card. He said he would try to help me out, but couldn't guarantee if he could get the tire off. He worked out in the cold and snow to fix my flat tire.

After fixing the flat, because my car had the hazard lights going for over an hour or so, my battery went dead. Again Officer Josh Jones called for assistance to get a battery to jump my car. I can't thank him enough for his help and assistance in my time of need. He was so kind and helpful and I can't thank him enough for his help. He is a credit to your police department and to Troy. I wish I could do something for him for his kindness and helping me out.

Please thank him for me and thank you too from the bottom of my heart for the Troy Police Department!

Sincerely,

Judy Williams

cc: City Mgr.
OFFICER JONES
CAPT. SATER
OFFICER JONES/DEPT FILE
CORRESPONDENCE FILE
BB

RECEIVED
Chief of Police
2/26/04 GC

CHRIS AND I WANT TO THANK THE
TROY POLICE DEPARTMENT FOR ITS G-07c
CONTRIBUTION TO THE SUCCESSFUL
APPREHENSION AND CONVICTION OF ALL
THOSE RESPONSIBLE FOR THE HOLIDAY
INN SHOOTING. WE GREATLY APPRECIATE
EVERYONE'S DILIGENCE AND HARD WORK
IN SEEING THAT JUSTICE WAS SERVED.
YOUR HOSPITALITY MADE US FEEL WELCOM
AND WILL NEVER BE FORGOTTEN.

RECEIVED
Chief of Police

B/1/04 CTC

Thanks for doing such a good job.

SINCERELY,
CHRIS & RACHEL JOOST

ORIGINAL TO Com Wgr

COPIES TO: Correspondence File, Capt. MURPHY, Sgt. Post,
Sgt. Clark, Sgt. HARPER, Lt. PAPPAS

Charles Carst
Chief of Police
City of Troy
500 W. Big Beaver
Troy, Mi. 48084

Dear Chief Carst

I just wanted to take a couple of minutes to express my sincere and heartfelt appreciation relative to one of your officers. On February 27, 2004, my elderly sister Arlene Monache experienced car trouble in your city.

The officer to arrive on the scene was Russell Barrows, Badge # 101. While his actions and efforts on behalf of my sister may seem "routine" to your department, they are considered anything but that to me. He was extraordinary in his kindness, support, and overall attention to my sister's problem.

There is much that I could say about his professionalism and wonderfully positive attitude. But then I suspect that you expect this of your officers. Suffice to say that he met and exceeded your expectations, the City of Troy's and that of my family.

While I did have the opportunity to thank him in person, once again extend my deepest thanks to him.



Sincerely
Ronald P. Monache
[REDACTED]
Rochester Hills, Michigan 48309



ORIGINAL TO CITY MGR.

COPIES TO:
OFFICE BUREAU
CAPT. SUTER
DEPT. FILE
BULLETIN BOARD
CORRESPONDENCE FILE

TROY

SCHOOL DISTRICT

Janet H. Jopke, Ed.D., *Superintendent of Schools*

Athens High School
4333 John R
Troy, Michigan 48085
248.823.2900
248.823.2913 Fax

Dr. Catherine Cost, *Principal*
Marcia Decker, *Assistant Principal*
Bettie Goss, *Assistant Principal*
Bob Dowd, *Assistant Principal*
Mark Dziatczak, *Assistant Principal*

RECEIVED

MAR 08 2003

CITY OF TROY
CITY MANAGER'S OFFICE

Dear Tom Rosewarne,

On behalf of the Troy Athens Student Congress, we would like to thank you for lending us all of the City of Troy construction equipment. It embellished the conference's theme of "Constructing Leaders" and left a lasting impression of those students who attended. We received a lot of compliments about the decorations. We appreciate your generosity and availability.

Thanks once again, the conference would not have been as successful and memorable without your help!

Sincerely,
Troy Athens Student Congress

The **100** Best Fleets in North America

Following are the top 100 state, county, municipal, university, contractor and utility fleets in North America, as selected by Fleet Counselor Services Inc. and based on its 18-part examination. Numbers one through 10 are listed in rank order, followed by three "honorable mentions" that are notable for exceptional fleet programs. The remaining 87 fleets are listed in alphabetical order.

Adams County, Colo.
Adams County Five Star School Dist., Colo.
Alyeska Pipeline Service Co., Alaska.
Anaheim, Calif.
Ann Arbor, Mich.
Antelope Valley Transit Authority, Calif.
Archuleta County, Colo.
Aurora, Colo.
Avondale, Ariz.
Beverly Hills, Calif.
Boulder, Colo.
Boulder County, Colo.
Brighton, Colo.
Chandler, Ariz.
Charlotte, N.C.
Collier County Sheriff's Department, Fla.
Collier County, Fla.
Colorado, Motor Pool
Commerce City, Colo.
Contra Costa, Calif.
Culver City Transportation Dept., Calif.
Dallas County, Texas
Davey Expert Tree Service
Denver, DIA
Denver, Fire Dept.
Denver, Police Dept.
Durango, Colo.
El Paso County, Colo.
Everett, Wash.
Galveston, Texas
Gila County, Ariz.

Glendale, Calif.
Indianapolis
Inglewood, Calif.
Irving Oil of Canada
Josephine County, Ariz.
Josephine County, Ore.
King County, Wash.
Laplata County, Colo.
Littleton, Colo.
Longmont, Colo.
Loudoun County, Va.
Louisville, Colo.
Loveland, Colo.
Manatee County, Fla.
Maritime Tire, Canada
Mesa, Ariz.
Miami
Miami Beach, Fla.
Montgomery County Sheriff's Dept., Md.
Montgomery County, Md.
Nevada, Motor Pool
North West Natural Utility, Ore.
Ohio State University
Oklahoma City, Airport Operations
Oklahoma City, Fire and Rescue
Oklahoma City, Parks Dept.
Oklahoma City, Public Works
Oklahoma City, Water and Waste Water
Palm Beach, Fla.
Palm Springs, Calif.
Pasadena, Calif.

The Top 10

- 1) Lee County, Fla.
- 2) Salt Lake County, Utah
- 3) Greeley, Colo.
- 4) Fresno, Calif.
- 5) Fort Collins, Colo.
- 6) Denver Public Works Dept., Denver
- 7) Loveland, Colo.
- 8) Thornton, Colo.
- 9) Cincinnati
- 10) Grapevine, Texas

Honorable Mentions

Denver Water Board, Denver

(Honorable Mention City)

Regina, Saskatchewan, Canada

(Most Professional and Most Likely to Succeed)

Summit County, Colo.

(Honorable Mention County)

Peoria, Ariz.
Pima County, Ariz.
Provo, Utah
Richardson, Texas
Rochester, N.Y.
Salt Lake City
Salt River Project Utility, Ariz.
San Antonio, Public Service
San Diego
San Diego County, Calif.
San Jose, Calif.
San Luis Obispo County, Calif.
San Rafael, Calif.
Santa Monica Transit, Calif.
Tempe, Ariz.
Travis County, Texas
→ Troy, Mich. ←
Tucson Electric, Tucson, Ariz.
Tucson, Ariz.
Tyler, Texas.
University of California at Davis
University of Nebraska
Vail, Colo.
West Valley City, Utah
Wyoming

February 27, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager\Services
Timothy L. Richnak, Public Works Director
Jeanette Bennett, Purchasing Director

SUBJECT: Agenda Item - Report and Communication
Auction – Vehicle Sale
On January 17, 2004 in St. Clair Michigan

SUMMARY

In compliance with Resolution #2002-12-644-E-9 which requires that final auction reporting be submitted to City Council, miscellaneous vehicles were taken by the awarded City auctioneer, Mid-Thumb Auctioneering Service, LLC, to an auction held in St. Clair Michigan. The auction was held on Saturday, January 17, 2004. A list of the vehicles auctioned and the amount received is attached. The contract contains a provision that the auctioneer produces final accounting and the funds settlement within 30 days after the auction takes place. He has met the criteria.

The income from the sale is as follows:

Total gross sales	\$4,100.00
Costs: Auction Fee (6%)	\$ 246.00
Net Income	\$3,854.00

The two vehicles (#291 & #292) as reported to Council, did not sell in the auction held on December 6, 2003, and were to be placed in a future auction. This was the next available auction date to dispose of these vehicles.

BACKGROUND

Included in the specifications for the auction contract is the ability of our auctioneer to take the City's auction items to other auction locations. Mid-Thumb Auctioneering, LLC suggested using the St. Clair auction, which has been successfully used in the past. All transportation, reporting, and advertising is included in the auction fee.

VEHICLE AUCTION REPORT

<i>NUMBER</i>	<i>MAKE</i>	<i>MODEL</i>	<i>YEAR</i>	<i>AUCTION FEE</i>	<i>AUCTION PRICE</i>
291	FORD	F-150 PICKUP	95	\$126.00	\$2,100.00
292	FORD	F-150 PICKUP	95	\$120.00	\$2,000.00
			TOTALS	\$246.00	\$4,100.00

MID-THUMB AUCTIONEERING SERVICE, L.L.C.
8769 MORRIS ROAD
GOODELLS, MI 48027
810-325-9595

Settlement
 Seller: 9

CITY OF TROY

Page: 1

Item	Description	Price	Qty	Total
291	1995 FORD PICKUP SKY BLUE VIN# 1FTDF15Y9SNB20731		1	2,100.00
292	1995 FORD PICKUP SKY BLUE VIN# DF15YOSNB20732		1	2,000.00
		Items: 2	Amount:	4,100.00

THANK-YOU !!
MID-THUMB AUCTION



**MID-THUMB AUCTIONEERING
 SERVICE, L.L.C.**
 AUCTION PROCEEDS TRUST ACCOUNT
 8769 MORRIS RD.
 GOODELLS, MI 48027
 PHONE: (810) 325-9595

EXPLANATION	AMOUNT

74-497/724

7711

CHECK
 AMOUNT

PAY Three Thousand Eight Hundred Fifty Four DOLLARS

DATE	TO THE ORDER OF	DESCRIPTION	CHECK NO.	AMOUNT
2-6-04	City of Troy	Net Proceeds for Pickups sold	7711	\$ 3854.00

JOHN TOMASCHKO

Tri-County Bank

John Tomaschko

⑈007711⑈ ⑆072404977⑆ 20548008⑈

SECURITY FEATURES: MICRO PRINT BORDERS - COLORED BRICK PATTERN - WATERMARK ON REVERSE SIDE - MISSING FEATURE INDICATES A COPY


Planning an Auction (810) 325-9595
MID-THUMB AUCTIONEERING SERVICE, L.L.C.
8769 MORRIS RD.
GOODDELS, MI 48027
AUCTION FINAL SETTLEMENT

AUCTION HELD FOR: St Clair Co Sheriff + E+A Gr Uw
 PROPRIETOR OF SALE: City of Troy
 LOCATION OF SALE: St Clair Co. Park
GOODDELS

DATE AUCTION WAS HELD: Saturday - January 17, 2004

TOTAL PROCEEDS OF SALE ***** \$ 4,100.00
 (LESS CONSIGNMENTS)

EXPENSES:

AUCTIONEERS FEE 6% ***** \$ 246.00
 CLERKING FEE ***** \$ —
 ADVERTISING COST ***** \$ —
 REPAIR CHARGES _____ \$ —

HIRED _____ \$ —
 SET UP _____ \$ —
 RENTALS BUILDING _____ \$ 240.00
CARLS SEPTIC _____ \$ 65.00

TOTAL EXPENSES \$ 246.00

NET PROCEEDS ***** \$ 3,854.00

ADVERTISING BREAKDOWN:

<u>Staples</u>	\$ <u>38.00</u>	<u>Postage</u>	\$ <u>74.00</u>
<u>Detroit Newspapers</u>	\$ <u>190.00</u>	<u>Yale Expositor</u>	\$ <u>56.00</u>
<u>The Shopper</u>	\$ <u>190.00</u>	<u>Auction Exchange</u>	\$ <u>252.17</u>
<u>Savilac Co. Buyers Guide</u>	\$ <u>82.00</u>	<u>Lapeer Co. Buyers Guide</u>	\$ <u>92.88</u>
		TOTAL Adver.	\$ <u>976.53</u>

FINANCE CO. OR LIENHOLDERS NONE

PROPRIETOR APPROVAL & RELEASE SIGNATURE _____

DATE Feb 6, 04 CHECK# 7711

CONSTRUCTION CODE COMMISSION
DEPARTMENT OF LABOR & ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES AND FIRE SAFETY
 Conference Room 3, First Floor
 2501 Woodlake Circle
 Okemos, Michigan 48864

MINUTES

January 7, 2004

9:30 a.m.

MEMBERS PRESENT

Mr. Esteban Cabello
 Mr. Steven East
 Mr. Jack Edington
 Ms. Sondra Houlton
 Mr. Ronald Krochmalny
 Mr. David Lather
 Mr. Don Pratt
 Mr. Gary Shripka
 Mr. Kevin Varner
 Mrs. Cheryl Whitton

MEMBERS ABSENT

Mr. William Blumhardt
 Mr. Duane Branch
 Mr. David Bushouse
 Mr. Thomas Lisowski
 Mr. Frank Mamat
 Mrs. Joyce Rogers

MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH'S
PERSONNEL ATTENDING

Mr. Henry L. Green, Director
 Mr. Mark Sisco, Deputy Director
 Mr. Anthony Sanfilippo, Deputy Director
 Mrs. LeeAnn Allaire, Secretary to Mr. Green
 Ms. Margie Hebden, Secretary to Mr. Sisco
 Mrs. Beth Aben, Director, Office of Administrative Services
 Mr. David Vigas, Director, Office of Management Services
 Mr. Larry Lehman, Chief, Building Division
 Mr. Charles Curtis, Assistant Chief, Building Division
 Mr. Irvin Poke, Chief, Plan Review Division
 Mr. Todd Cordill, Assistant Chief, Plan Review Division
 Mr. Tennison Barry, Chief, Mechanical Division
 Mr. David Adams, Assistant Chief, Mechanical Division
 Mr. Robert Konyndyk, Chief, Plumbing Division
 Mr. Mike Evans, Assistant Chief, Plumbing Division

OTHERS IN ATTENDANCE

Mr. Bert Gale, Associated Government Services
Mr. Lee Schwartz, Michigan Home Builders Association
Mr. Greg Savoie, Capitol City Home Improvement

1. **CALL TO ORDER AND DETERMINATION OF QUORUM**

Vice-Chairperson Pratt called the meeting to order at approximately 9:32 a.m. A quorum was determined present at that time.

2. **ELECTION OF OFFICERS**

A **MOTION** was made by Commissioner Edington and supported by Commissioner Varner to elect Commissioner Donald Pratt as Chairperson. **MOTION CARRIED.**

A **MOTION** was made by Commissioner Whitton and supported by Commissioner Varner to elect Commissioner Gary Shripka as Vice-Chairperson. **MOTION CARRIED.**

3. **APPROVAL OF AGENDA**

Mr. Henry Green requested that the agenda be amended to add Document 04-10 (Alger County rescinding mechanical code ordinance) as Agenda Item #7a.

A **MOTION** was made by Commissioner Whitton and supported by Commissioner Edington to approve the amended agenda. **MOTION CARRIED.**

4. **APPROVAL OF MINUTES**

A **MOTION** was made by Commissioner Varner and supported by Commissioner Edington to approve the minutes of the September 24, 2003, meeting. **MOTION CARRIED.**

5. **DIRECTOR'S REPORT**

Mr. Henry Green reported on the following:

Welcome Back – Mr. Green welcomed Commissioner Lather back and extended best wishes for Pauline's continued good health. Commissioner Lather expressed his heartfelt gratitude for all of the prayers, cards, and words of encouragement received during this difficult time.



TO: MAYOR AND MEMBERS OF CITY COUNCIL
FROM: LORI GRIGG BLUHM, CITY ATTORNEY
ALLAN T. MOTZNY, ASSISTANT CITY ATTORNEY
DATE: MARCH 1, 2004
SUBJECT: INERGY AUTOMOTIVE SYSTEMS v CITY OF TROY

Enclosed please find a dismissal of the lawsuit filed by Inergy Automotive Systems (Inergy). Our office had conversations with Plaintiff's counsel immediately after the filing of the complaint, encouraging a dismissal based on the lack of merits of Plaintiff's claims. With the pursuit of some discovery, our office was able to persuade the Plaintiff to re-examine the merits of its claims, and eventually agree to voluntarily dismiss the case.

As you may recall, Inergy acquired and occupied two adjacent buildings in the year 2000, which located at 2565 and 2585 W. Maple Road, Troy. The first building, 2565 W. Maple Road, is a 15,000 square foot two story office building that was constructed in 1954. The second building (28,000 square feet) was constructed in 1983, and has been used for research and development. In September 2002, Inergy consolidated some of its operation, and moved to the Big Beaver Business Park. Inergy vacated the building at 2565 W. Maple Road in mid- July 2003. Upon information and belief, Inergy has been unsuccessful in its subsequent attempts to sell the property.

Plaintiff argued in its complaint that the building at 2565 W. Maple Road was unmarketable, due to Troy's zoning regulations. Specifically, since the property is located in an industrial area, any office use is limited to those that support a manufacturing or research and development main use. (Chapter 39, Section 28 of the Troy zoning ordinances). Inergy was previously compliant with the M-1 zoning ordinance, since the office building supported the permissible uses. However, Inergy asserts in its complaint that the enforcement of the Troy ordinances is arbitrary, capricious, and an unreasonable exercise of police power that rises to the level of an unconstitutional taking of property. As an alternative, Inergy asserts that the construction of the building at 2565 W. Maple Road was completed prior to Troy's adoption of the zoning ordinances. As such, they argue that there is a right to continue to use the building as an office, without the required connection to other permitted M-1 uses (permitted non-conforming use).

Inergy decided not to pursue these claims, and stipulated to an order of dismissal. Thus, the case was dismissed on February 23, 2004. A copy of the dismissal order is attached.

Please let us know if you have any questions.



Final - Court copy - Applicant or copies - All appearing parties

JUDGE RAE LEE CHABOT INERGY AUTOMO V TROY CITY

Approved, SCAO

STATE OF MICHIGAN

JUDICIAL DISTRICT 6th JUDICIAL CIRCUIT COUNTY PROBATE

DISMISSAL

CASE NO.

03-052607-AW

Court address

1200 N. Telegraph Rd., Pontiac, MI 48342

Court telephone no.

(248) 858-1000

Plaintiff name(s) and address(es) INERGY AUTOMOTIVE SYSTEMS (USA), LLC, a Delaware limited liability company.

Defendant name(s) and address(es) CITY OF TROY, a Michigan municipal corporation.

Plaintiff's attorney, bar no., address, and telephone no. BORIS K. YAKIMA (P22607) 40700 Woodward Ave. Ste. A, Bloomfield Hills, MI 48304 (248) 642-5770

Defendant's attorney, bar no., address, and telephone no. CITY OF TROY ATTORNEY'S OFFICE ALLAN T. MOTZNY (P37580) 500 West Big Beaver Rd., Troy, MI 48084, (248) 524-3320

RECEIVED BY OAKLAND COUNTY CLERK FEB 26 04 08:30

NOTICE OF DISMISSAL BY PLAINTIFF

- 1. Plaintiff/Attorney for plaintiff files this notice of dismissal of this case with/without prejudice as to: all defendants/the following defendant(s):
2. I certify, under penalty of contempt, that:
a. This notice is the first dismissal filed by the plaintiff based upon or including the same claim against the defendant.
b. All costs of filing and service have been paid.
c. No answer or motion has been served upon the plaintiff by the defendant as of the date of this notice.
d. A copy of this notice has been provided to the appearing defendant/attorney by mail/personal service.

Date

Plaintiff/Attorney signature

STIPULATION TO DISMISS

I stipulate to the dismissal of this case with/without prejudice as to: all parties/the following parties:

Date 2/19/04

Plaintiff/Attorney signature

Date 2/3/04

Defendant/Attorney signature

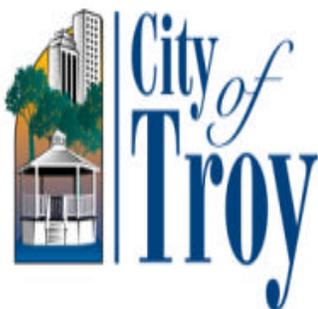
ORDER TO DISMISS

IT IS ORDERED this case is dismissed with/without prejudice. Conditions, if any:

FEB 23 2004 A TRUE COPY G. WILLIAM CADDELL JUDGE RAE LEE CHABOT CIRCUIT JUDGE

Date Oakland County Clerk - Register of Deeds Bar no.

MC 09 (6/97) DISMISSAL By: Deputy



TO: MAYOR AND MEMBERS OF TROY CITY COUNCIL
MEMBERS OF THE TROY PLANNING COMMISSION
FROM: LORI GRIGG BLUHM, CITY ATTORNEY
ALLAN T. MOTZNY, ASSISTANT CITY ATTORNEY
DATE: MARCH 2, 2004
SUBJECT: AD HOC JOINT COMMITTEE

On January 9, 2004, our office submitted an opinion on the validity of a joint committee comprised of members of City Council, the Planning Commission, and City Staff. Based on representations that the committee would be permanent, and established for the purpose of setting priorities and making recommendations to work on projects beneficial to the community, we opined members of City Council could not serve on such committee. Section 4.7(e) of the City of Troy Charter prohibits Council from having standing committees. As noted in our previous opinion, a "standing committee" is defined as a permanent body established by the legislative body.

Since that time, some members of the Troy Planning Commission have asked whether a joint committee of the City Council and Planning Commission could be formulated if the committee was defined as a temporary committee that has a definite ending date.

Although our previous opinion focused on Section 4.7(e) of the City of Troy Charter, there is another relevant Charter provision limiting the authority to appoint a sub-committee. Section 3.20 of the Charter provides:

The Council may not create any board or commission, other than those provided for in this charter, to administer any activity, department or agency of the city government except (a) a municipal hospital (b) recreation or (c) any activity that by statute is required to be so administered. The Council may, however, establish (a) quasi-judicial appeal boards and (b) boards or commissions to serve solely in an advisory capacity.

There is no explicit authority in City Charter, ordinances, or state law authorizing the creation of a joint committee of City Council, Planning Commission and City Staff members. Therefore, any created sub-committee would need to serve in an advisory capacity only. All deliberations and final decisions must be made before the full City Council or Planning Commission. Since deliberations are best when all parties have full knowledge of the pertinent information, the creation of a sub-committee may thwart these purposes, since the information is filtered through sub-committees or through individual representatives that may have unique perspectives not necessarily shared by the majority of the board. It is perhaps for this reason that Troy's Charter discourages standing committees and sub-committees.

Some court decisions have discussed the municipal creation of sub-committees without explicit authority. In *Recreational Vehicle United Citizen Assoc v City of Sterling Heights*, 165 Mich. App 130; 418 NW2d 702 (1987), the Sterling Heights Planning Commission analyzed the recreational vehicle parking and storage ordinance. After the public hearing

process, the Planning Commission made its recommendation to the City Council. At the Council meeting, there was opposition to the recommendation. As a result, the Sterling Heights City Council created a new ad hoc committee, comprised of five recreational vehicle owners and five persons who did not own recreational vehicles. This ad hoc committee was directed to try and reach consensus, and they eventually made a recommendation to the City Council. The initial recommendation was rejected, and remanded back to the ad hoc committee. The ad hoc committee then proposed revisions, which were ultimately adopted by the City Council. The Michigan Court of Appeals held that since the Planning Commission had an opportunity to make its recommendation to the City Council, and since the ad hoc committee was not the final decision maker, the City complied with the state statute. Similarly, in *Morrison v City of East Lansing*, 255 Mich. App. 505; 660 NW2d 395 (2003), the East Lansing City Council was challenged on their appointment of a committee to make recommendations on the development of a community center. The appointment of the committee was challenged as an unlawful delegation of authority. The court denied the challenge that Council had unlawfully delegated their authority, and held that the City Council's retention of the ultimate decision making authority was dispositive to the case. *Morrison*, 522-523. However, the mere fact that there are two published decisions where the creation of a sub-committee was challenged should be considered.

If the Troy City Council and Troy City Planning Commission determine it is in the best interest of the City to formulate a temporary, joint ad-hoc committee, it is our recommendation both bodies adopt a joint resolution containing the following provisions:

1. A statement identifying the specific purpose and charge of the joint committee.
2. A statement identifying the number of individuals from City Council as well as the number of individuals from the Planning Commission to serve on the joint committee. Additionally, the resolution should provide whether any members of City staff will serve on the joint committee. As noted in our previous opinion, Chapter 4, Section 1.134(4) of the City Code, provides that staff appointed to membership on an advisory committee shall serve as ex-officio members only, and shall not vote on any matter considered by that committee.
3. A statement limiting the duration of the committee. To insure the committee does not violate the city charter's prohibition against standing committees, the statement regarding duration should provide for dissolution by a specified date.

Once the joint committee is established, its rules of procedures should be determined and adopted at its first meeting. Additionally, all meetings of the joint committee should comply with the Open Meetings Act, MCL 15.261, et seq., for reasons stated in our opinion of January 9, 2004.

If we can provide further assistance, please let us know.

cc: John Szerlag, City Manager
Gary Shripka, Assistant City Manager/ Services
Mark Miller, Planning Director

March 8, 2004

To: Mr. John Szerlag, City Manager

From: Charles T. Craft, Chief of Police
Gary Mayer, Police Captain
Tom Gordon, Police Sergeant

Re: Agenda Item - Authorized Server Training for Liquor Licensee's

At the March 3, 2004, Liquor Violation show cause hearings in front of Council, a question arose as to whether "BarCode" server training would be considered an approved program. Specifically, Hooters of Troy has trained their servers in this program, which is popular in other parts of the country. The City has traditionally recommended server training from "TIPS" or "TAMS". The BarCode certification program is sponsored by the National Restaurant Association, and is offered locally by the Michigan Restaurant Association. A review of the program shows that its outline is substantially similar to the TIPS/TAMS type training that has been required in the past.

Additionally, the Michigan Liquor Control Commission recognizes BarCode, along with TIPS, TAMS, and C.A.R.E. (Controlling Alcohol Risks Effectively), as approved programs for satisfying the requirements of MCL 436.1906 (mandatory server training for on-premises licensee's).

March 5, 2004

TO: John Szerlag, City Manager

FROM: John Lamerato, Assistant City Manager/Finance
Gary A. Shripka, Assistant City Manager/Services
Carol Anderson, Parks and Recreation Director

SUBJECT: Agenda Item-Report and Communication
Payment Method for Recreation Pass

At the February 23, 2004 City Council meeting, there was discussion regarding options for Community Center pass payments. A resident indicated that cash was not accepted as payment for monthly fees. In fact, cash is accepted for monthly, daily, and annual payments. However, as of February 1, 2004, pass holders wishing to purchase an on-going /annual pass (and pay monthly installments), at the reduced annual rate, are required to pay by electronic transfer through a credit card or checking/savings account.

Background

The ability to pay for a Recreation Pass by making monthly payments by cash had been an option for payment from May 1, 2003 to February 1, 2004. However, there were several factors that made this a very inefficient and costly form of payment:

- It takes three times more staff time to process and maintain this type of payment than it does a lump sum payment or an electronic transfer from a bank or credit card. When monthly installments were due, it would take time to process each payment thereby slowing down the check in process for other pass holders.
- A majority of pass holders did not make their monthly payment by the first of the month. This would require staff to suspend their account, send out a past due letter and then unsuspend their account if payment was collected at a later time.
- Pass holders who were not going to use the pass for the upcoming month would refuse to pay for it and then assume they could start up again whenever they wanted. In essence, they were getting the single month recreation pass (which sells for \$33 to residents) while paying the discounted monthly rate that exists for annual and ongoing recreation passes (which sells for \$16.50/month).
- Pass holders who wanted to cancel their recreation pass (which can also be done by pass holders enrolled in the EFT service) did not notify the department 30 days in advance as required. They would just stop making the monthly payments.
- It was difficult to estimate future revenue from recreation pass sales because expected monthly payments were not being made in a timely manner.

In response to the problems and inefficiencies associated with this method of payment, it was discontinued on February 1 as part of the new recreation fee plan that was adopted by City Council on January 13 (G-04A). All current pass holders were immediately notified of the discontinuation of the installment payment plan and were instructed to switch to the monthly EFT or annual payment plan. In addition, all literature (brochures, web site, and Troy Today) that explains the pass payment options has been changed to reflect this new information.

However, the Parks and Recreation department is prepared to reinstate this plan to accommodate the residents of Troy who do not want to participate in the EFT service or unable to make a lump sum annual payment. The date for this policy to be reinstated will be April 1, 2004.

The Parks and Recreation Department will now accept monthly payments for the annual Community Center Recreation Pass by residents. This installment billing plan will require the pass holder to make twelve payments by cash, check or credit card in person at the Recreation Control Desk by the first of the month for the upcoming month of usage. If a payment is late, the recreation pass will be automatically suspended and a \$10 late fee will be applied to the account. If the pass holder does not make the full twelve payments, the unpaid pass fees will then be assessed along with their property taxes.

DATE: March 5, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services
Mark Stimac, Director of Building and Zoning

SUBJECT: Results of Court Action
Code Enforcement Activities January 2003 to Date

Per your request I have attached a copy of a summary of the final results of court action regarding code enforcement activities conducted by the Building Department. This includes results of all cases whose final disposition was resolved between January 1, 2004, and February 27, 2004. As you will note, a vast majority of the cases result in a guilty plea by the defendant. It is my belief that this is due in no small part to the fact that before any ticket is written the defendant has been given multiple opportunities to correct the violations after they have been identified.

We will be happy to provide you with any additional information that you require.

Final Court Dispositions

January, 2003, through February, 2004

Note: Some of the summonses were written prior to 2003 and there are currently some outstanding cases where summonses were written, but the court cases are not yet resolved.

1905 E. Maple – Richard Jones – On January 13, 2003, Mr. Jones pled guilty to storing contractor's equipment on his property. The Court fined him \$50. Mr. Jones removed the equipment.

2875 Troy Center – Seymour Hundley – On January 14, 2003, Mr. Hundley was found guilty of storing an unlicensed car on site. The Court fined him \$100. Staff inspected the site on May 28, 2002, and confirmed Mr. Hundley has corrected the violation.

5960 Cliffside – George Abdaal – On January 15, 2003, Mr. Abdaal pled guilty to parking a commercial vehicle on his site. The Court fined him \$200. Staff inspected the site on January 3, 2003, and confirmed that Mr. Abdaal corrected the violation.

3870 Root – Patrice McNairy – On January 21, 2003, Ms. McNairy pled guilty to storing an unlicensed vehicle at her residence. The Court fined her \$50. Ms. McNairy has corrected the violation.

145 Miracle – Tsai Tsung – On January 28, 2003, Mr. Tsung pled guilty to storing an unlicensed vehicle on his property. The Court fined him \$100. Staff inspected the site and confirmed Mr. Tsung has corrected the violation.

267 Stalwart – John Little – On February 12, 2003, Mr. Little pled guilty to unapproved storage of his commercial vehicle. The Court fined him \$100. Staff inspected the site on February 11, 2003 and confirmed Mr. Little had corrected the violation.

6455 Anslow – Lidiya Senic – On March 6, 2003, Ms. Senic pled guilty to charges of storing an inoperable/unlicensed car on her property and failing to remove a discarded refrigerator. The Court fined her \$25 on each charge. Staff inspected the site on March 19, 2003 and confirmed Ms. Senic had corrected both violations.

1256 Boyd – Korey M. Frost – On March 7, 2003, Mr. Frost pled guilty to storing an unlicensed/inoperable vehicle on his property. The Court fined him \$50. As of March 5, 2003, Mr. Frost had corrected the violation.

716 Ottawa – Joseph F. Charron – On March 19, 2003, the Court dismissed charges against Mr. Charron for failing to obtain required inspections related to his building project.

On March 14, 2003, he allowed Building Department staff to inspect the project and they approved the work.

2155 Lovington – Meesha Breitshtus – On March 20, 2003, Mr. Breitshtus pled guilty to storing an unlicensed vehicle on site. The Court fined him \$50. Staff inspected the site on January 28, 2003 and confirmed Mr. Breitshtus had corrected the violation.

430-432 East Wattles- Hernan Pablo Saavedra – On March 25, 2003, the Court found Mr. Saavedra guilty of failing to remove litter from his rental property and failing to repair an accessory building. The Court sentenced Mr. Saavedra as follows:

1. \$500 fine on the litter charge.
2. \$300 fine on the accessory building charge.
3. Non-reporting probation for a 2-year period.
4. Deposit the monthly rental payment, paid by his tenants, into an escrow account at the Court, until the Building Department inspects the site and confirms compliance with all ordinances.
5. Inspect his rental property 2 times each week to ensure continuing compliance with all ordinances.

38145 Dequindre – John Szyprowski – On April 1, 2003, Mr. Szyprowski pled guilty to charges of failing to remove debris, junk vehicles and contractor's equipment from the property, and to cut weeds on the site. At sentencing on May 27, 2003, the Court fined Mr. Szyprowski \$50. As of May 23, 2003, Mr. Szyprowski had corrected the violations.

52736 Charter – Kenneth Hernandez – On April 3, 2003, Mr. Hernandez pled guilty to storing an unlicensed vehicle on the site. At sentencing on June 3, 2003, the Court fined him \$100. Since Mr. Hernandez had not corrected the violation, the City Attorney obtained an impound order for removal of the vehicle.

607 New King – Ed Progar – On April 4, 2003, Mr. Progar pled guilty to charges of failing to renew a sign permit. The Court fined him \$75. Mr. Progar corrected the violation on April 3, 2003.

1621 Oakcrest – Bruce Simpson – On May 8, 2003, Mr. Simpson pled guilty to storing a vehicle with an expired license on his property. The Court fined him \$25. Staff confirmed that Mr. Simpson corrected the violation shortly after he received the summons in, January 2003.

3050 Daley – Thomas Keith Hoerle – On May 8, 2003, Mr. Hoerle pled guilty to altering a roof without the required permit. The Court fined him \$25. As of March 17, 2003, Mr. Hoerle had corrected the violation.

NW corner Dequindre & E. Wattles – Kenneth L. Wilson III – On May 14, 2003, Mr. Wilson pled guilty to offering a vehicle for sale on residential property not owned by him. The Court fined him \$25. On May 15, 2003, Mr. Wilson corrected the violation.

2890 E. Maple- Jim Ghanem – On May 14, 2003, Mr. Ghanem pled guilty to erecting a sign in the City right of way. The Court fined him \$150. As of June 4, 2003, Mr. Ghanem had corrected the violation.

1729 E. Fourteen Mile – Charles Baer – On May 15, 2003, Mr. Baer pled guilty to renovating his Light Industrial zoned tenant space without a permit. The Court fined him \$50. Mr. Baer obtained a Building Permit on May 12, 2003

1481 Muer – Ralph Pawlak – On May 15, 2003, the Court dismissed charges against Mr. Pawlak for failing to replace structural support, repair porches and remove debris. They were dismissed as Mr. Pawlak demolished the house on May 14, 2003.

1071 Rochester – Paul Hankin – On May 20, 2003, Mr. Hankin pled guilty to storing an unlicensed vehicle on site. The Court fined him \$50. Staff inspected the site prior to the court date and confirmed that Mr. Hankin corrected the violation.

2883 –2999 East Big Beaver – Aiman Jarjis – On May 21, 2003, Mr. Jarjis pled guilty to offering a vehicle for sale on private property, without the owner's permission. The Court fined him \$25. Mr. Jarjis corrected the violation prior to the arraignment date.

6678 Livernois – David Hill – On May 28, 2003, Mr. Hill pled guilty to storing an unlicensed vehicle on site. On June 26, 2003, the Court waived fines and costs; however, did sentence him to do community service. Mr. Hill corrected the violation prior to the sentencing date.

Jeff Conlon – 2855 Coolidge – On May 28, 2003, Mr. Conlon pled guilty to installing a sign without a permit. The Court fined him \$50. Mr. Conlon has not obtained the permit, and staff will take appropriate follow-up enforcement action.

2755 Orchard Trail – Michelle Glazier – On June 2, 2003, Mrs. Glazier, homeowner, pled guilty to placing several real estate signs in the City right of way. The Court fined her \$100. Staff inspected the sites on April 22, 2003, and confirmed Mrs. Glazier had corrected the violation.

2755 Orchard Trail – Douglas Glazier – On June 2, 2003, Mr. Glazier, homeowner, pled guilty to placing several real estate signs in the City right of way. The Court fined him \$100.

Staff inspected the sites on April 22, 2003, and confirmed Mr. Glazier had corrected the violation.

4159 Vassar – Raed Jabberi – On June 2, 2003, Mr. Jabberi pled guilty to failing to obtain required inspections for completed construction work. The Court fined him \$75. As of May 9, 2003, Mr. Jabberi had corrected the violation.

NW corner Rochester and Boyd – Roger Walter Rock – On June 16, 2003, Mr. Rock pled guilty to offering a vehicle for sale on City owned property. The Court fined him \$25. As of May 15, 2003, Mr. Rock had corrected the violation.

NW corner Dequindre & E. Wattles – Norman Felton – On June 23, 2003, Mr. Felton pled guilty to parking a vehicle for sale on residential property not owned by him. The Court fined him \$50. As of May 5, 2003, Mr. Felton had corrected the violation.

NW corner Dequindre & E. Wattles – Melody Ann Baranski – On June 24, 2003, Ms. Baranski pled guilty to offering a vehicle for sale on residential property not owned by her. The Court fined her \$25. Ms. Baranski corrected the violation on June 5, 2003.

2883-2999 E Big Beaver – Kingston Enterprises, Inc. – On June 30, 2003, a representative from the company pled guilty to offering a vehicle for sale on commercial property without the owner's permission. The Court waived fines and costs. As of June 9, 2003, the company corrected the violation.

1177 Coolidge – Home Depot – On June 30, 2003, the attorney representing Home Depot entered a guilty plea for unapproved outdoor storage of plants and garden products. The Court fined the company \$100. Home Depot corrected the violation.

Mark

City Right of Way – Tadian Homes - On July 7, 2003, a representative of Tadian Homes pled guilty to 3 charges of installing off-site, directional real estate signs in the City right of ways, advertising various residential developments. The Court fined the company \$225 and dismissed several other charges for the same offense. Tadian Homes corrected the violations.

5940 John R – Joannie Morris – On July 8, 2003, Ms. Morris pled guilty to erecting signs without the required permits. The Court fined her \$100. Ms. Morris recently corrected the violation.

2196 Orpington – Destiny Building – On July 9, 2003, a company representative pled guilty to failing to complete demolition site work. The Court fined the company \$100. Destiny Building has completed the demolition site work.

5903 John R – Allen Rostam - On August 5, 2003, Mr. Rostam pled guilty to erecting a sign without a permit. The Court fined him \$50. As of June 14, 2003, Mr. Rostam had corrected the violation.

311 Sheffield – Keith Buvia – On August 13, 2003, Mr. Buvia pled guilty to storing an unlicensed vehicle on his property. The Court fined him \$100. Mr. Buvia corrected the violation prior to the court date.

689 W. South Blvd – Kurt Wagner - On August 18, 2003, Mr. Wagner pled guilty to storing an unapproved commercial vehicle on site. The court fined him \$50. Mr. Wagner removed the vehicle prior to the court date; however, he recently brought the vehicle back. We will take additional enforcement action.

5075 Rochester – Waide Namu – On August 28, 2003, at the recommendation of the Assistant City Attorney, the Court dismissed charges against Mr. Namu for offering a vehicle for sale on City property without written consent displayed on the vehicle. The vehicle was parked there without Mr. Namu's knowledge. The vehicle was removed prior to the court date.

1045 Arthur – Ronald Ardnt - On September 3, 2003, Mr. Ardnt pled guilty to storing an inoperable vehicle on his property. The Court fined him \$100. Mr. Ardnt corrected the violation prior to the court date.

1855 Fleetwood – Safaa Altattan – On September 6, 2003, Mrs. Altattan pled guilty to placing trash at the curb for pick-up prior to the approved time. The Court fined her \$50. As of July 8, 2003, Mrs. Altattan had corrected the violation.

110 Wendleton – Donald Cross – On September 10, 2003, Mr. Cross pled guilty to storing a boat in the front setback for a period exceeding 48 hours. The Court waived fines and costs, as Mr. Cross corrected the violation prior to the court date.

1481 Muer – Ralph Pawlak – On September 11, 2002, Mr. Pawlak pled guilty to charges of failing to install weatherproof siding to the exterior walls of his residence. At sentencing on May 16, 2003, the Court fined him \$25. Mr. Pawlak demolished the house on May 14, 2003.

6049 Rochester - Dave Pellecchia - On September 18, 2003, Mr. Pellecchia admitted responsibility to storing an unlicensed vehicle on his property. The Court reduced the charge to a parking violation and fined him \$50. Mr. Pellecchia corrected the violation prior to the court date.

1752 W. Maple –Marsee Enterprises (Buzz Off Auto) – On September 18, 2003, Mr. Marsee, representing the business, pled guilty to installing a sign without a permit. The Court fined the business \$50. Mr. Marsee corrected the violation prior to the court date.

197 Vermont – Thomas Potrzuski – On September 22, 2003 Mr. Potrzuski (unlicensed contractor) pled guilty to completing plumbing work without the required permit. The Court fined him \$100. The homeowner recently hired a licensed contractor to obtain a permit and correct the violations created by Mr. Potrzuski.

5345 Churchill- Dorothea Rutley – At a bench trial on September 29, 2003, the Court found Ms. Rutley guilty of failing to maintain the weeds and grass on her property at 10” in height or less. The Court suspended fines and costs. Ms. Rutley corrected the violation prior to the court date.

2601 Rochester – Robert Mantua – On September 30, 2003, Mr. Mantua pled guilty to charges he failed to remove litter from his property and failing to license a vehicle. The Court fined him \$200. Mr. Mantua corrected the violations in November 2002, shortly after the summonses were issued.

1148 Rochester – CNI – On October 21, 2003, a representative of the company pled guilty to failing to cut grass and weeds on the property. The Court fined the company \$100. CNI corrected the violation in early September.

1937 W. Maple – Mark Makato – On October 21, 2003, Mr. Makato, business owner, pled guilty to installing a coin-operated amusement device without a license. The Court fined him \$100. Mr. Makato corrected the violation prior to the court date.

2883-2999 E. Big Beaver – Dennis Herzog, Jr. – On October 21, 2003, the Court dismissed charges against Mr. Herzog for offering a vehicle for sale on property without the owner’s permission. The reason for the dismissal was because Mr. Herzog sold the vehicle to another party prior to the date the summons was written.

1320 E. Long Lake – Kevin Coppock – On October 27, 2003, Mr. Coppock pled guilty to failing to maintain his grass and weeds at less than 10 inches. The Court fined him \$75. Staff inspected the site on October 6, 2003 and confirmed Mr. Coppock corrected the violation.

1201 Woodside Ct. – John Austin - On November 3, 2003, Mr. Austin pled guilty to storing a vehicle with an expired license on site. The Court fined him \$50. Mr. Austin corrected the violation prior to the court date.

311 Sheffield – Keith Buvia – On November 3, 2003, Mr. Buvia was found guilty of storing an unlicensed vehicle on his property. The Court fined him \$50. Mr. Buvia corrected the violation prior to the court date.

1600 Rochester – Grand Chateau Restaurant – On November 3, 2003, Fadel Charaf, representing the restaurant, pled guilty to erecting a fence without the required permit. The Court fined the business \$25. Mr. Charaf corrected the violation prior to the court date.

863 Sylvanwood – John Peck – On November 14, 2003, Mr. Peck pled guilty to failing to license a vehicle on his property. The Court fined him \$100 and gave him 7 days to correct the violation. Mr. Peck corrected the violation.

3870 Root – Mattie McNairy – On November 18, 2003, Ms. McNairy pled guilty to failing to remove an oily substance from her driveway and from the public sidewalk. The substance had leaked from her vehicle and caused slippery conditions. The Court fined Ms. McNairy \$50. As she has not corrected the violation, staff will take appropriate follow-up enforcement action.

822 E. Big Beaver –Nordstrom Rack - On November 24, 2003, a representative from Nordstrom Rack pled guilty to charges of unapproved outside storage of goods for sale. The Court fined the business \$100 and the case was taken under advisement. The Court scheduled a review of the case for May 1, 2004. The business corrected the violation prior to the court date.

1700 Kirts – Dustin Weiner – On November 25, 2003, Mr. Weiner pled guilty to charges of storing a vehicle with an expired license plate. The Court fined him \$50 and the case was taken under advisement for a six-month period. Mr. Weiner recently corrected the violation.

2039 E. Big Beaver – Sam Askar – On December 8, 2003, Mr. Askar, business owner, pled guilty to installing signs without permits. The Court fined him \$100. Mr. Askar corrected the violations.

4101 Livernois – Kathy Corkum – On December 9, 2003, Ms. Corkum pled guilty to charges of failing to provide an emergency egress in the basement area of her rental home, which she rented to tenants for sleeping quarters. The Court fined her \$100. Ms. Corkum corrected the violation.

6774 Barabeau – Christopher Przybyl (unlicensed contractor) – On December 9, 2003, Mr. Przybyl pled guilty to charges of installing a lawn sprinkler without a permit. The Court fined him \$50. On September 26, 2003, a licensed plumber obtained the required permit.

6036 Herbmoor – Thomas Martin – On December 17, 2003, Mr. Martin pled guilty to storing an unlicensed vehicle on site. The Court fined him \$75. Mr. Martin corrected the violation prior to the court date.

3848 Finch – Irene Pawlak – On December 17, 2003, Ms. Pawlak pled guilty to storing an unlicensed vehicle on site. The Court fined her \$50. Ms. Pawlak corrected the violation prior to the court date.

2970 E. Long Lake – Sam Askar – On December 18, 2003, Mr. Askar, business owner, pled guilty to erecting a sign without a permit. The Court fined him \$100. M. Askar corrected the violation prior to the court date.

700 Lamplighter – Alida Begaj – On January 5, 2004, Ms. Begaj pled guilty to storing an unlicensed vehicle on site. The Court took the case under advisement and will review it in 6 months. Ms. Begaj corrected the violation prior to the arraignment.

3810 Bristol – Ronald Sherman – On January 6, 2004, Mr. Sherman pled guilty to an amended charge of improper display of a license plate on his vehicle. The original charge was for failing to obtain a current license plate for the vehicle stored on site. The Court fined him \$100. Mr. Sherman corrected the violation prior to the court date.

3182 McClure Peter Knappmann – On January 6, 2004, Mr. Knappmann pled guilty to two amended charges of improper display of license plates on his vehicles. The original charges were for failing to obtain current license tabs for the vehicles. The Court fined Mr. Knappmann \$100 on each charge. Mr. Knappmann corrected the violations prior to the court date.

1105 E. Maple – Douglas Morgan – On January 7, 2004, Mr. Morgan pled guilty to storing an unlicensed vehicle on site. The Court fined him \$65. Mr. Morgan corrected the violation prior to the court date.

5960 Cliffside – George Abdaal – On January 7, 2004, Mr. Abdaal pled guilty to parking an unapproved commercial vehicle on site, The Court fined him \$200. Mr. Abdaal corrected the violation prior to the court date.

2785 W. Maple - Scott McGregor - On January 8, 2004, Mr. McGregor pled guilty to storing a boat and trailers without Special Use Approval. The Court fined him \$200. Mr. McGregor corrected the violation prior to the court date.

Lamb Street – vacant lot- Peter Ciccone – On January 12, 2004, Mr. Ciccone pled guilty to charges of failing to remove litter from the site and failing to license and repair a vehicle. The Court fined him \$150. Mr. Ciccone corrected the violations prior to the court date.

1404 E. Big Beaver – Sean Bentley – On January 12, 2004, Mr. Bentley, manager of Public Storage, pled guilty to installing a sign without a permit. The Court took the plea under advisement for a six-month period. Mr. Bentley corrected the violation prior to the court date.

6864 Norton – Maria Munte – On January 20, 2004, Ms. Munte pled guilty to failing to cut grass and weeds on her property. The Court fined her \$50. Ms. Munte corrected the violation in December 2003.

2017 Livernois – Rifaat Ouro – On January 26, 2004, Mr. Ouro, business owner, was found guilty of erecting a sign without a permit. The Court waived fines and costs. Mr. Ouro corrected the violation prior to the court date.

1087 Byron – Dorothy Dellas – On February 3, 2004, the Court dismissed charges against Ms. Dellas for several property maintenance violations (exterior trim not weatherproofed, hole in exterior wall, etc.) as she recently corrected them.

2738 Charter – Judith Tyndorf - On February 4, 2004, Ms. Tyndorf pled guilty to storing an unlicensed vehicle on the property. The Court fined her \$75. Ms. Tyndorf corrected the violation prior to the court date.

31 East Long Lake – Tom Kelly (Kroger’s Manager) – On February 4, 2004, Mr. Kelly pled guilty to displaying merchandise outside. The Court fined him \$100. Mr. Kelly corrected the violation prior to the court date.

589 W. South Blvd. Kurt Wagner – On February 9, 2004, Mr. Wagner was found guilty of storing a commercial vehicle on residential property without City Council approval (second offense). The Court fined Mr. Wagner \$100. Mr. Wagner corrected the violation prior to the court date.

98 Woodslee – Angela Younger – On February 11, 2004, Ms. Younger pled guilty to storing 4 unlicensed vehicles on the property. The Court fined her \$200. Ms. Younger has not corrected the violations; therefore, staff issued additional summonses.

3221 Helena – Arthur Moross – On February 12, 2004, Mr. Moross pled guilty to storing 2 unlicensed vehicles on the property. The Court fined him \$50. Mr. Moross corrected the violations prior to the court date.

1180 Ashley – Christopher Malysz – On February 12, 2004, Mr. Malysz, unlicensed contractor, pled guilty to installing mechanical and electrical equipment without permits. The Court fined him \$50. Mr. Malysz is not qualified to obtain the required permits; however, staff recently inspected the equipment and found it was installed according to code.

636 Creston – Mohammed Abu-Ghusson - On February 17, 2004, Mr. Abu-Ghusson pled guilty to charges of failing to license a vehicle. The Court fined him \$50. Mr. Abu-Ghusson corrected the violation prior to the court date.

1736 Brentwood – Erik Staton – On February 18, 2004, Mr. Staton pled guilty to storing an unlicensed vehicle on site. The Court fined him \$50. Mr. Staton recently corrected the violation.

1350 Piedmont – David Parks – On February 25, 2004, Mr. Parks pled guilty to storing contractor’s equipment in an M-1 zoned district, without Special Use Approval. The Court waived fines and costs. Mr. Parks has not corrected the violation; however, he is attempting to purchase property that will accommodate his landscaping equipment. Subsequent to the purchase, Mr. Parks indicated he intends to apply for Special Use Approval.

5701 Livernois – Jimmie Wilkins – On February 25, 2004, Mr. Wilkins pled guilty to storing a camper in the front yard setback. The Court waived fines and costs. Mr. Wilkins corrected the violation prior to the court date.

March 10, 2004

TO: John Szerlag, City Manager

FROM: John M. Lamerato, Assistant City Manager/ Finance and Administration
Jeanette Bennett, Purchasing Director

SUBJECT: Agenda Item – Report and Communication
Bidcorp On-Line Auction – Test Computer Sale – Final Reporting

Summary:

In compliance with Resolution #2004-02-075, final reporting is being presented for a “test” computer sale through Bidcorp that closed February 1, 2004. Final auction reporting/invoicing was received March 8, 2004. Purchasing attempted this sale in order to establish a baseline for future auctions since the auction was intentionally completed before advertising had occurred. The auction was deemed successful since we netted more income than in past transactions (under \$50) although it is difficult to make comparisons due to differing equipment age and type. This auction also gave staff experience that will be beneficial in establishing auction preparation and closeout procedures. The following is a summary of the sale:

Lot #5744	1 EA. Computer with monitor and keyboard	\$202.50
	Note: Due to licensing issues, computers are striped of all software prior to auctioning.	
	Sales Tax (plus 6% on winning amount):	+12.15
	Bidcorp Auction Fee (- 4% fee)	- 8.10
	Net Income:	\$206.55

Pending Research:

Purchasing staff is reviewing the parameters of auctioning on EBAY and will submit a future report with our findings.



[RFP's](#) | [Auctions](#) | [Contracts](#) | [Members](#)

Closed Auctions sorted by End Date						
Show auctions closed in the last <input type="text" value="7"/> days <input type="button" value="Go"/>				View auctions closed up to 180 days ago. If you need information on auctions closed prior to this, please contact Customer Support .		
Lot#	Title	High Bid	Reserve Price	Bids Received	Start Date	End Date
5744	Computer Equipment - One Lot	\$202.50	\$1.00	22	1/27/2004 1:47:32 PM	2/1/2004 1:47:31 PM

[Home](#) [Register](#) [Search](#) [Help](#) [Contact](#)
    

Copyright © 2004 BidCorp.com, Inc., All Rights Reserved
 Phone (888)525-7971 Support@bidcorp.com

Bidder	Bid Date	Bid Amount
Nermal	2/1/2004	\$202.50
nettactix	1/30/2004	\$200.00
Nermal	2/1/2004	\$200.00
Nermal	2/1/2004	\$170.00
Nermal	2/1/2004	\$160.01
Nermal	2/1/2004	\$155.01
ojedra	1/31/2004	\$150.00
ojedra	1/31/2004	\$145.00
ojedra	1/31/2004	\$140.00
ojedra	1/31/2004	\$135.00
ojedra	1/31/2004	\$130.00
ojedra	1/31/2004	\$125.00
ojedra	1/31/2004	\$120.00
ojedra	1/31/2004	\$115.00
2811kenp	1/27/2004	\$110.00
nettactix	1/30/2004	\$100.00
nettactix	1/30/2004	\$60.00
joebidder	1/30/2004	\$54.01
joebidder	1/30/2004	\$47.55
Nermal	1/30/2004	\$40.00
Nermal	1/30/2004	\$20.66
monroe	1/29/2004	\$10.01

All bids are proxy bids. Earlier bids of the same amount take precedence.



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 Phone (888)525-7971 Support@bidcorp.com

Auction Details for Lot# 5744 (Auction Closed)

Title: Computer Equipment - One Lot
Category: [Computers and Supplies](#)
Currently: **\$202.50** (Reserve Met) **First bid:** **\$1.00**
of bids: **22** [Bid History](#) [Place a Bid](#) **Location:** **Troy, Michigan**
Time left: **Auction closed at 2/1/2004 1:47:31 PM**

Started: **1/27/2004 1:47:32 PM (EST)**
Ends: **2/1/2004 1:47:31 PM (EST)**

Seller: **City of Troy (troy)**
[view comments in seller's Feedback Profile](#) | [view seller's other auctions](#) | [ask seller a question](#)

High Bidder: **Nermal**

Payment Methods: The Seller Accepts: Money Order COD

Shipping Methods: The Seller Will: will not ship to any location; item must be picked up.

Description
FOR SALE:

1 Each Dell GX100 Pentium 3 system with 128 MB memory

-With Dell 17 inch Monitor
 -With Dell Keyboard
 -Computers have been stripped of all operating software

TERMS OF SALE:

LIABILITY: All items are sold "as is" and "where is" without warranty either expressed or implied. All sales will be final. The City may withdraw an item at any time from the auction sale.

The City of Troy assumes no liability for inaccurate or erroneous descriptions contained in any descriptive material pertaining to the auctioned equipment.

PICK-UP: The equipment can be picked up at the Troy City Hall, 500 West Big Beaver, Troy, MI 48084 between the hours of 7:00 am and 4:00 pm. - report to the Purchasing Department.

All equipment is to be removed at the risk and expense of the purchaser. Items must be picked up in person from the City storage area. Mailing / delivery service cannot be provided. The equipment must be removed without City staff participation.

TIME LIMIT: If equipment and/or items are not picked up within 5 working days after the auction expiration date and time, the City of Troy reserves the right to retain the equipment and re-list the equipment for auction.

PAYMENT: All equipment and/or items purchased must be paid in full. The receipt must be presented to the assigned City of Troy staff (Purchasing or IT) before the equipment and/or items can be removed

from City premises.

The Treasurer's Office is located at 500 West Big Beaver Rd., Troy, MI 48084 (upper level). Sales tax will be charged on the sale. The City Treasurer accepts cash, certified or cashier's check, or money orders with a valid picture I.D. An ATM is available in the Police Department reception area.

NO PERSONAL CHECKS, OUT-OF-STATE OR CANADIAN CHECKS WILL BE ACCEPTED.

GOVERNMENTAL ENTITY / SCHOOL: If a governmental entity or school is the successful bidder, a tax exemption form will be required before the equipment can be removed from the premises. If the successful bidder is another governmental entity including schools, that entity's check will be adequate form of payment.

FUTURE SALES: If interested in lots consisting of a larger quantity of equipment, please contact the Purchasing Department at (248) 524-3576.

Images and Attachments

Click an image to view a full size version



Place a Bid!

Auction is Closed.

Bids Received for this Auction to Date

March 10, 2004

TO: The Honorable Mayor and City Council Members

FROM: John Szerlag, City Manager

SUBJECT: Licensed Liquor Establishment Compliance Investigations

At the liquor violation hearings held on March 25, 2004 I was asked to research whether we have a policy which indicates that under aged "decoys" are allowed to role-play by verbally indicating that they are old enough to buy alcoholic beverages. The answer is yes, and attached is a report from Police Chief Charles Craft which further delves into this issue. Also attached are communications I received from former City Manager Frank Gerstenecker, former City Attorney Peter Letzmann, and former Councilman Tony Pallotta, all of whom have memories in concurrence with our policy.

JS/bt\AGENDA ITEMS\2004\03.15.04 – Licensed Liquor Establishment Compliance Investigations

c: Charles Craft, Chief of Police
Lori Bluhm, City Attorney
Captain Ed Murphy
Seargent Robert Redmond
Frank Gerstenecker
Peter Letzmann
Tony Pallotta
Council Candidates

March 9, 2004

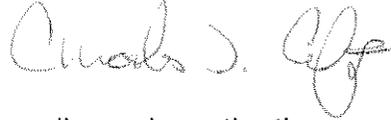
RECEIVED

MAR 09 2004

CITY OF TROY
CITY MANAGER'S OFFICE

TO: John Szerlag, City Manager

FROM: Charles T. Craft, Chief of Police



SUBJECT: Licensed Liquor Establishment Compliance Investigations

Per your direction I have researched department policy regarding the manner liquor establishment compliance inspections are conducted, and have obtained input from current and former employees who were involved in those inspections. As I understand it, the question is; what should an operative say if the clerk/server asks if the operative is 21 years old?

I have determined the following:

General Order #23 - INSPECTION OF LICENSED LIQUOR ESTABLISHMENTS AND UNDERCOVER LIQUOR LICENSE COMPLIANCE INVESTIGATIONS,

states: "At no time is an operative who is under 21 years old to misrepresent his or her age with any type of document. If asked if he or she is 21, the operative may initially reply in the affirmative, but may do so only in simple and direct terms. The operative may not attempt to mislead an employee of a licensee who is making a diligent inquiry about the operative's age."

General Order #23 was first issued on December 8, 1989, and has been updated several times, the most recent update occurring on October 27, 1998. The cited clause was contained in the initial issue of the order and has appeared in each revision.

Sergeant Robert Redmond, who participated in the first compliance inspections, which occurred in 1984 or 1985, advises that he was involved in the policy development and that operatives could give false statements when asked their age, their name, or if they were a police decoy (he states operatives have been asked this many times). Sergeant Redmond reports that operatives were not allowed to make up elaborate stories. He stated that he has never told anyone that operatives were not allowed to make false a statement about their age, and that he is quite sure that he testified numerous times that operatives could make such false statements.

Captain Mayer contacted Chief Lawrence Carey and asked him if he recalled any conversations he engaged in regarding operatives making such false statements during compliance investigations. Chief Carey advised Captain Mayer that he

had no specific recall of any such conversation, and indicated that it was standard operating procedure to make such false statements under certain circumstances. He also stated that had he engaged in any discussions regarding compliance inspections he would have reinforced standard operating procedure.

Although I have never directly supervised a compliance inspection operation, I am aware of department policy, and authorized the issuance of the most recent revision. To my knowledge, operatives have been provided with directions that comply with General Order #23, and the cited clause has been part of those directions.

Please advise me if you require additional information.

John Szerlag

From: Peter A. Letzmann [letzmann@voyager.net]
Sent: Wednesday, March 10, 2004 10:02 AM
To: John Szerlag; Frank Gerstenecker
Subject: RE: Role Playing By Decoys

John and Frank, that is essentially what I remember.

Peter

Peter A. Letzmann, Attorney
Peter Letzmann Associates
4303 Terpening Road
Harbor Springs, MI 49740-9777
Voice 231.526.7629; Cell 248.705.9901; Fax 231.526.0363
Email: letzmann@voyager.net
Web: Letzmann.com

-----Original Message-----

From: Frank Gerstenecker [mailto:fgerstenecker@wideopenwest.com]
Sent: Tuesday, March 09, 2004 1:44 PM
To: John Szerlag
Cc: Peter Letzmann
Subject: Role Playing By Decoys

John:

From what I remember about Police Department testing of licensed establishments, the use of under aged "decoys" required role playing by them in efforts to buy alcoholic beverages. This role playing required decoys to act as under aged persons trying to make a purchase. This included verbal representations that they were old enough to buy.

However, they were not permitted to carry identification to indicate their age. If asked to provide proof of age, they were to indicate that they "left it hime" or

This message scanned for viruses by [Corecomm](#)

John Szerlag

From: Peter A. Letzmann [letzmann@voyager.net]
Sent: Wednesday, March 10, 2004 10:03 AM
To: John Szerlag; Frank Gerstenecker
Subject: RE: Role Playing By Decoys

Ditto.

Peter

Peter A. Letzmann, Attorney
Peter Letzmann Associates
4303 Terpening Road
Harbor Springs, MI 49740-9777
Voice 231.526.7629; Cell 248.705.9901; Fax 231.526.0363
Email: letzmann@voyager.net
Web: Letzmann.com

-----Original Message-----

From: Frank Gerstenecker [mailto:fgerstenecker@wideopenwest.com]
Sent: Tuesday, March 09, 2004 8:34 PM
To: John Szerlag
Cc: Peter Letzmann
Subject: Role Playing By Decoys

John:

Inquiry has been made to me as to past Police Department practices in the use of under age "decoys" in the examination of liquor sales practices of licensees.

From what I remember about Police Department testing of licensed establishments, the use of under aged "decoys" required role playing by them in efforts to buy alcoholic beverages. This role playing required decoys to dress and act as under aged persons trying to make a purchase. If necessary, this included verbal representations that they were old enough to buy.

However, they were not permitted to carry identification to indicate their age. If asked to provide proof of age, they were to indicate that they "left it home", they "left it in the car" or somewhere else to further test the seller/licensee.

If a sale to an underage decoy occurred under these role-playing guidelines, then the licensee was cited with a violation.

I hope this adequately responds to the inquiry. If not please feel free to inquire again. Frank G.

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3/10/2004

Mary F Redden

From: Cynthia A Stewart
Sent: Monday, March 08, 2004 7:53 AM
To: John Szerlag
Cc: Charles T Craft
Subject: FW: Role Of Decoys

-----Original Message-----

From: pallottaan [mailto:pallottaan@sbcglobal.net]
Sent: Friday, March 05, 2004 11:26 PM
To: matt@mattpryor.org; dave@lambert.net; Robin Beltramini; talk2cristina@aol.com; david@eisenbacher.org; Mfhowryl@umich.edu; Jeanne M Stine
Cc: council@ci.troy.mi.us
Subject: Role Of Decoys

I thought I might be able to correct the confusion that apparently happened at the last liquor violations revue concerning the role of the decoys. In all the years that I served on City Council it was the role of the decoy to attempt to purchase alcohol at SDD/SDM or Class C establishments. The decoys never and I reiterate never carried any form of ID. When attempting to purchase and if ask their age they would say 21- can you imagine a decoy saying he or she was under 21. At this point it would be up to the clerk or bar-tender to exercise due diligence and check for ID. At this point if asked the decoy would say it was out in the car and never return. The idea of suggesting that this is a form of entrapment is certainly reaching for straws. I believe that our Police Dept. is doing their job in enforcing our liquor laws. It certainly is strange, but it seems it's always the same violators that cry everytime their caught. I would hope that most of you will hang tough for the sake of the community.

Best Regards,
Tony Pallotta

March 11, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services
Steven J. Vandette, City Engineer 

SUBJECT: **Agenda Item – Report on Water System Feasibility Study**

Oakland County Drain Commissioner John McCullough was contacted, as requested by Council, regarding activities by his office on the issue of alternative water sources for Troy and surrounding communities.

As you may know, last fall the Oakland County Board of Commissions approved Mr. McCulloch's proposal to fund a countywide Water and Sewer Master Plan that will evaluate alternatives to address the County's water and sewer needs while managing user rates and charges. Since that approval, several communities led by Warren and St. Clair Shores have joined together and prepared a request for proposal (RFP) to perform a Water System Feasibility Study. This RFP (copy attached) is for selection of a consultant to study the feasibility and costs of establishing a water authority (or authorities), establishing water consortiums and constructing a water treatment plant(s) and storage facilities to deliver water to the proposed service areas, represented by the communities participating in the study.

The Oakland County Drain Commission is participating in the RFP process in an advisory capacity; their interest being how this study relates to their own master planning efforts and in particular what benefits Oakland County communities might derive from a new water authority in terms of service and rates. During my discussion with Mr. McCulloch I expressed our interest in participating in the study and became aware that the Southeast Oakland County Water Authority (SOCWA), consisting of seven (7) Oakland County communities (Beverly Hills, Birmingham, Bingham Farms, Lathrup Village, Pleasant Ridge, Royal Oak and Southfield), has also done so and become a confirmed member of the RFP communities. Furthermore, Troy and SOCWA's cost to participate in the study can be covered by the Drain Office through a grant they received for a portion of the cost of their Water and Sewer Master Plan.

On Wednesday, March 10th, I attended a meeting of the RFP members and indicated Troy's interest in becoming a member. At present the confirmed members are Center Line, Grosse Pointe Shores, St. Clair Shores, Warren, SOCWA and Fraser. The list of potential members includes Eastpointe, Grosse Pointe Woods, Harper Woods and Roseville. The group will contact other Oakland and Macomb County communities in an effort to assemble a logical, contiguous service area. The actual study area limits will not be known until mid to late April at which time all potential members will be asked

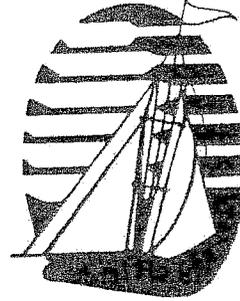
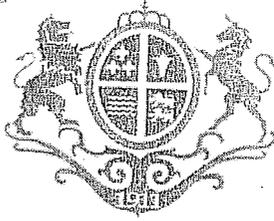
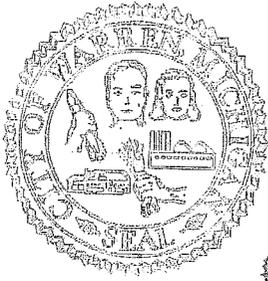
to confirm their participation. This will need to be done by Council Resolution. Based on the confirmed list of participating communities, the study scope will be revised and cost proposals will be requested. It has been determined by member communities that the apportionment of study costs will be based on population. Excluding SOCWA communities and Troy, the total confirmed member population is 341,534 so a community the size of Warren, for example, would have approximately 40% of the cost or approximately \$80,000 based on a very rough estimate of \$200,000 for the study. The final cost to each community will vary depending on the number of confirmed communities, final population and cost of the study.

Given the current progression of events towards our participation in the proposed Water System Feasibility Study, with the help already received from Mr. McCulloch, it would appear that there is no need for him to address City Council on this issue at this time.

On a related matter, it has been announced that Mayor Kwame Kilpatrick will attend the Oakland County Commissioners Meeting on March 25, 2004 at 7 pm in the Commissioners Auditorium, 1200 N. Telegraph Road, Pontiac. The meeting's purpose is a presentation on water rates charged to suburban communities by Detroit. It is the first time any Detroit mayor has attended a county commission meeting in Oakland County.

SOUTH MACOMB AND NORTHEAST WAYNE WATER SYSTEM

City	Population	Percentage of Total
Warren	138,247	40.48
St. Clair Shores	63,096	18.47
Roseville	48,129	14.09
Harper Woods	14,254	4.17
Grosse Pointe Woods	17,080	5.00
Grosse Pointe Shores	2,823	0.83
Eastpointe	34,077	9.98
Center Line	8,531	2.50
Fraser	15,297	4.48
TOTAL	341,534	100%



Grosse Pointe Shores

St. Clair Shores

RFP-WSFS-01-2004

SEALED REQUESTS FOR PROPOSALS FOR A WATER SYSTEM FEASIBILITY STUDY FOR THE WATER SYSTEM (WS) REVIEW COMMITTEE, CONSISTING OF:

THE FOLLOWING CONFIRMED MEMBERS:

- CENTER LINE
- GROSSE POINTE SHORES
- ST. CLAIR SHORES
- WARREN
- SOUTHEAST OAKLAND COUNTY WATER AUTHORITY,
- FRASER (Joined Confirmed Members as of 2/12/04)

THE FOLLOWING POTENTIAL MEMBERS:

- EASTPOINTE
- FRASER (Joined Confirmed Members as of 2/12/04)
- GROSSE POINTE WOODS
- HARPER WOODS
- ROSEVILLE, AND

THE FOLLOWING ADVISORY PUBLIC AGENCIES:

- MACOMB COUNTY PUBLIC WORKS OFFICE
- OAKLAND COUNTY DRAIN COMMISSION

THE CONSULTANT:

ANDERSON, ECKSTEIN & WESTRICK, INC.

COMPETITIVE SEALED PROPOSALS MUST BE DELIVERED TO:

THE CITY OF ST. CLAIR SHORES – CITY CLERK’S OFFICE
27600 JEFFERSON CIRCLE DRIVE
ST. CLAIR SHORES, MI 48081-2093
ON OR BEFORE, MARCH 31, 2004

NO LATER THAN 12:30 P.M.

PROPOSALS RECEIVED AFTER 12:30 PM OF THE DATE THEY ARE DUE WILL NOT BE ACCEPTED OR WILL BE MARKED LATE, AND RETAINED UNOPENED. PROPOSALS WILL BE OPENED AND PUBLICLY READ ALOUD AT 1:00 PM IN THE CITY OF ST. CLAIR SHORES COUNCIL CHAMBERS.

Ten (10) copies of the proposal for the feasibility study, including the cost estimate to perform this feasibility study, shall be included with your submittal. A write-protected Word document formatted copy of the proposal shall be delivered on a readable CD with the ten hard copies of the proposal.

THIS INQUIRY IMPLIES NO OBLIGATION ON THE PART OF THE BUYER, UNLESS OTHERWISE SPECIFIED.

REQUEST FOR PROPOSAL DOCUMENTS IN ELECTRONIC FORM, CAN BE OBTAINED BY REGISTERING FOR THE MITN SYSTEM AS FOLLOWS: GO TO www.govbids.com SELECT The Michigan MITN System, SELECT VENDOR REGISTRATION AT THE TOP OF THE PAGE. CHECK OUT THE VENDOR REGISTRATION OPTIONS THAT ARE AVAILABLE TO YOU, AND THEN SELECT VENDOR REGISTRATION AT THE BOTTOM OF THE PAGE TO REGISTER. YOU CAN REGISTER FOR FREE.

A MANDATORY PRE-PROPOSAL MEETING WILL BE HELD ON:

WEDNESDAY, MARCH 17, 2004 AT 10:00 A.M.
AT THE CITY OF ST. CLAIR SHORES
CITY HALL COUNCIL CHAMBERS
27600 JEFFERSON CIRCLE DRIVE
(SE Corner of 11 Mile Rd. & Jefferson Ave.)
ST. CLAIR SHORES, MI 48081

THE INTENT OF THIS MEETING IS TO REVIEW THE SCOPE OF WORK, INTRODUCE THE WS REVIEW COMMITTEE, REITERATE THE INTENT OF THIS FEASIBILITY STUDY, AND ADDRESS ANY QUESTIONS.

Sincerely,

Mark Wollenweber
City Manager
City of St. Clair Shores
(586) 447-3311
markw@scsmi.net

Richard T. Doherty, P.E.
City Engineer
City of Warren
(586) 759-9300
rdoherly@cityofwarren.org

PROPOSAL FORM – PAGE 1
RFP-WSFS-01-2004
WATER SYSTEM FEASIBILITY STUDY

The undersigned proposes ALL SERVICES TO PERFORM A WATER SYSTEM FEASIBILITY STUDY in accordance with the attached specifications and requirements to be considered an integral part of this proposal, at the following prices:

PHASE I - FEASIBILITY STUDY

SERVICE AREA A

SERVICE AREA B

PROPOSED TOTAL PRICE:

\$ _____

\$ _____

PROPOSED COMPLETION DATE:

PHASE II – AUTHORITY DEVELOPMENT/BALLOT LANGUAGE

SERVICE AREA A

SERVICE AREA B

PROPOSED TOTAL PRICE:

\$ _____

\$ _____

PROPOSED COMPLETION DATE:

The above prices and the requested breakdown in prices as noted on the following pages constitutes the respondents committed price to perform services as outlined in their proposal. The WS review committee reserves the right to award a contract based on a variety of factors, including price, based on negotiated terms of service and price as defined by a final scope of services developed through the review process.

SCOPE OF WORK

The WS Review Committee is requesting proposals for a feasibility study. The study will determine options and costs to establish a water authority (or authorities), establish water consortiums and construct a water treatment plant(s) and storage facilities to deliver an adequate, dependable water supply for the proposed service areas, represented by the communities and agencies participating in this study process.

The following shall be considered:

The study will consider Service Area A to include: Center Line, Grosse Pointe Shores, St. Clair Shores, Warren and the Southeast Oakland County Water Authority. Service Area B should include: Area A communities plus Eastpointe, Fraser, Grosse Pointe Woods, Harper Woods and Roseville.

PHASE I – Feasibility Study

1. Constructing a new water treatment plant (or plants) with on site and/or off site storage to service the new water districts. Include potential sites, intake piping and looped transmission piping system. Clearwell (reservoir) storage is intended to meet maximum hour demand required of the proposed service area, and during emergency periods of redundant equipment outages the raw water source is to be Lake St. Clair requiring filtration or MDEQ approved equal. Back wash disposal method, facilities and disposal costs are to be included in the study.
2. Partnering with existing water treatment plants (such as Mount Clemens, Highland Park and/or Grosse Pointe Farms) shall be investigated. Include with this option any cost for up sizing of the existing intake piping, clearwell, plants, storage, and transmission piping system, as well as the cost for use rights. Each facility shall be contacted regarding their interest in participating in an authority within the proposed service area or cooperating through a consortium with the proposed authority to share resources. An assessment of the physical assets of each facility and the ability to expand to meet the service area needs shall be performed.
3. An assessment of other regional studies shall be performed to assess this group's efforts in conjunction with other regional efforts. Genesee County, for example, is investigating the development of a Water Treatment Plant and service area. The City of Flint, is similarly, investigating the feasibility of re-activating its moth-balled water treatment plant. Grosse Pointe Park has investigated constructing its own facility. This effort needs to be coordinated with these other initiatives to identify potential overlaps of service areas, areas of no services, as well as partnering potential with the proposed service area contemplated under this study.
4. An assessment of potential client service areas beyond the defined members of the proposed water district(s) needs to be investigated. Facility siting and sizing, including expandability, needs to be considered for potential client communities that are not participating in the study group.

5. The mitigation of water system vulnerability for the proposed service districts needs to be assessed. Currently, the study communities receive water from a single source. Developing a new source, partnering with neighboring systems to ensure multiple independent sources that provide redundancy and the inherent reduction in risk of multiple intake points and treatment facilities is an important focus and consideration of this study.

Phase II - AUTHORITY DEVELOPMENT/BALLOT LANGUAGE

1. The instruments required to establish a water authority (or authorities) and any proposed consortium will be investigated including the development of any ballot language necessary to formalize the development, financing and capital programs of such agencies.

The above items and other potential study issues not contemplated above should be discussed in the submitted proposal with its related cost clearly delineated.

DELIVERABLES

The feasibility study shall include the following:

- the projected cost for each option considered;
- a recommended option with capital finance budget and all potential funding options;
- the projected annual operation, maintenance and repair cost for the recommended option;
- a recommended operating structure(s);
- a description of all federal, state and local permit requirements and the challenges with gaining approval to proceed with the recommended option;
- a matrix of projected wholesale water rates for each impacted community or agency;
- Phase I feasibility report including the above points; and
- Phase II services including instruments to establish agencies required to implement the proposed program and all the necessary ballot language for each community and agency to promulgate the agencies and capital programs.

The following information is provided with this "Request for Proposals":

- A map indicating the communities planning to be serviced by a new Water District; and
- A chart indicating water usage and population for the communities planning to be in this new Water District (selected firm shall verify this information as part of the feasibility study).

The following information will be available to the selected respondent:

- Oakland County Water Master Plan;
- Each community's and agency's current contracts for water service with an executive summary by that organization's legal counsel outline the contract terms; and
- A list of points of contacts for each community or agency within the proposed service area.

Your proposal should include in detail the following:

1. Specific experience of your firm on similar projects since 1993. Your listing of experience should include the names of clients, a brief description of the project and your involvement in the project. Include with the proposal a sample document of a previously completed similar feasibility study.
2. A complete organizational chart for the project team including the planned use of sub-consultants. Provide names and resumes of team members who will work on this study including their qualifications, experience and number of years with the lead firm and sub-consultants.
3. Your understanding of the scope of work involved in this project. Provide a comprehensive narrative description detailing the various tasks to complete this feasibility study. Explain how the feasibility study will progress and what timetable benchmarks will be used to track the progress.
4. Demonstration of your ability to introduce innovative ideas into the study for evaluation.
5. A project management plan to complete the feasibility study satisfactorily within an approximate nine-month schedule. Provide a draft project schedule with benchmarks that can be tracked.
6. Additional information you would like to present that would be valuable in the evaluation and selection process.
7. This proposal shall be limited to fifty pages excluding resumes of team members, firms' brochures and sample feasibility studies.
8. A list of information needed from each community and a list of information to be gathered by the consultant.
9. A listing of other communities or agencies currently serviced by your project team, including a record of years of service to that agency, total cost of services performed and an analysis of those fees as a percent of the total revenue generated by the consultant. Such an assessment will aid the WS Review Committee in gauging potential conflicts of interest with other regional agencies.
10. Along with the cost, provide an hourly rate table and any reimbursable unit charges, if additional services are required or changes to the scope are made once the study begins.

Be advised, the firm chosen to enter into a contract for this feasibility study is not automatically guaranteed, or precluded from bidding or being awarded any of the future work that may be generated by this study.

WATER TREATMENT PROJECTIONS

City/Agency (Service Area)	Estimated 2004 Population*	MGD Avg.	Max. Day Factor	Max Day MGD	Peak Hr Factor	Peak Hr Flow (MGD)	Ann. Water Purchased (1000 C.F.)
Warren (A)	137,034	25.60	1.8	46.10	2.6	66.60	1,220,000
St. Clair Shores (A)	61,883	7.27	1.6	11.63	2.3	16.72	290,000
Roseville (B)	47,717	5.87	1.5	8.81	2.2	12.91	240,000
Harper Woods (B)	14,024	1.77	2.0	3.54	3.0	5.31	75,000
Grosse Pointe Woods (B)	16,702	1.99	1.2	2.39	1.8	3.58	105,000
Grosse Pointe Shores (A)	2,681	0.60	2.9	1.74	4.3	2.58	34,000
Fraser (B) (A) (changed to A 2/12/04)	15,201	2.53	1.8	4.55	2.4	6.07	92,300
Eastpointe (B)	33,865	3.62	1.6	5.79	1.6	5.79	150,000
Center Line (A)	8,470	1.17	1.8	2.11	2.3	2.69	60,000
South East Oakland County Water Authority (A)	217,000^	29.9	1.9	56.8	1.9	56.8	1,456,700
TOTAL	554,577	80.32		143.46		179.05	3,723,000

* Communities populations estimated by SEMCOG, ^SOCWA population estimated by SOCWA

The proposals will be reviewed and evaluated on their technical merit only. Therefore, we request that you refrain from providing photographs, graphics, and miscellaneous art, which are not directly related to the content of your proposal. A WS Review Committee comprised of members of the proposed service area will evaluate the proposals submitted in response to this request. At a minimum your proposal must conform to the items listed below:

1. COMPLY WITH ALL GENERAL CONDITIONS
2. INCLUDE A PROJECT APPROACH SUMMARY
3. INCLUDE A WORK PLAN
4. INCLUDE A PROJECT SCHEDULE
5. INCLUDE EXECUTED REQUEST FOR PROPOSAL FORMS

SELECTION CRITERIA AND CONTENTS OF PROPOSAL

The proposals submitted in response to this request will be evaluated by the WS Review Committee. The Committee will initially evaluate the qualifications of firms submitting proposals based on but not limited to the following criteria. The selection process will be based on the sealed responses to the RFP and each response will be judged by their ability to meet the following criteria and conditions:

PROJECT APPROACH:

Please indicate how you would approach this project in detail.

PROPOSED WORK PLAN:

The Work Plan should be a task-specific plan consisting of:

- a specific objective or objectives,
- detailed descriptions of activities required for each objective,
- a list of deliverables,
- a listing of person-hours for each major activity,
- a clear delineation of project understanding and assumptions,
- a meeting schedule, and
- a list of information requested to be provided by each community or agency included in the service area.

PROJECT SCHEDULE:

A proposed project schedule in the form of a Gantt or other relevant chart should be included.

QUALIFICATIONS OF FIRM:

To be seriously considered for this project, all prospective respondents shall:

- Be actively engaged in providing the services requested.

- Have a proven track record of having provided services of this nature over the past ten years.
- Utilize identified personnel that are knowledgeable in their designated areas and guarantee the availability of identified personnel to perform the project.
- Include a cover letter executed by an authorized corporate officer.
- Have no conflicts of interest with any other regional agencies, which would impede the ability to respond to the services required by this project.
- Interested firms must submit, for itself and all sub-consultants, a description of the firm, its organization, including detailed information on the size, and nature, and credentials of Technical staff, including a representative list of current projects and projects completed in the last five years, project descriptions, contract amounts, scheduling data, types of services performed, etc.

DIRECT EXPERIENCE WITH SIMILAR PROJECTS:

Provide a description of similar projects undertaken in the past ten years, including applicable client references. Client references shall include the name and address of the client, names and telephone numbers of contracting and technical representatives, and a written description of the project. In addition, respondent shall include a detailed list of all past work that was performed within the last 5 years.

PERSONNEL QUALIFICATIONS:

Describe the project team that will be assigned to the work, including their names, credentials, and a project Table of Organization. Detailed resumes, including past projects of each person who will be assigned to work on the project, should also be included as an appendix.

COST ESTIMATES:

Provide cost estimates for the proposed work, along with expected person-hours and unit prices for personnel to be utilized on the project. The costs should be summarized in a lump sum proposal and entered in the appropriate place in the bid proposal form.

SELECTION PROCESS

On the date and time noted on the cover of this RFP, proposals will be opened and summary prices as requested on the Proposal Form will be publicly read. Proposals will be distributed to members of the WS Review Committee for their review. Generally the committee will follow a Qualification Based Selection Process. Price will be considered along with the other criteria listed above, including project approach, proposed work plan, project schedule, qualifications of the firm, direct project experience and personnel qualifications.

In step one of the selection process, it is anticipated that three to five firms will be short - listed based on the overall approach to the project, experience on similar projects, understanding of the goals of the project, and ability to meeting the WS Review Committee's cost, scheduling, and functional requirements.

Interviews will be scheduled with the short listed firms. Those firms will make presentations to the WS Review Committee. A question and answer session will be a part of the interview process. Upon completion of the interviews the WS Review Committee may select one firm to negotiate a final contract and to set final work scope requirements.

The Committee will not pay for any costs incurred in the submission of a proposal or in making necessary studies or designs for the preparation thereof nor to procure or contract for services or material. In the event negotiations between the firm or team selected and the WS Review Committee cannot be completed (as a result of an inability to reach agreement on the fee for services, or the scope of work to be performed) then, at the option of the Committee, the second most qualified proponent will be contacted for negotiations. Negotiations will continue in this sequence until a contract is finalized or all proposals are rejected.

The selected successful respondent will be required to assume responsibility for all services offered in their proposal, whether or not such services are provided by a subcontractor or joint venture arrangement. The selected respondent will be considered the sole point of contact with regard to contractual matters, including payment of any and all charges resulting from the contract.

Once an agreement is negotiated between the selected firm or team and the WS Review Committee, the agreement will be forwarded to each community and agency for acceptance. No work under the contract will be performed until all public bodies have had an opportunity to act on the agreement and have authorized its execution.

POINT OF CONTACT

The WS Review Committee comprises representatives from a variety of communities, agencies and Anderson, Eckstein and Westrick. In order to maintain control over the flow of information and to minimize confusion, a single point of contact has been designated for all respondents to request information and direct questions. Roy Rose, President of Anderson, Eckstein and Westrick, is the point of contact for the WS Review Committee. All respondents shall direct inquiries to him. AEW serves as the municipal engineer for several communities on the committee. AEW will not be responding to this RFP.

Inquiries shall not be made after close of business on Wednesday, March 24, 2004. AEW will collect all inquiries and publish a list of responses to be shared with all RFP holders, as determined from the receipts collected by St. Clair Shores for the release of the RFP. After consultation with the committee, those responses will be disseminated to all RFP holders. Any required addenda will be issued with the responses to allow sufficient time to meet the Proposal due date of March 31, 2004.

You can reach the WS Review Committee designated point of contact at:

Roy Rose, P.E.
Anderson, Eckstein & Westrick, Inc.
51301 Schoenherr Rd.
Shelby Twp., MI 48315
(586) 726-1234
fax - (586) 726-8780 rrose@awinc.com

AWARD CLAUSE

The WS Review Committee reserves the right to accept or reject any and all proposals and to waive any and all irregularities or split the award by item and to accept the proposal that will serve its best interest. The evaluation factors and award of the proposals shall be based upon a combination of factors, including but not limited to item price, adherence to specifications, specific experience, references and any other factors that may be in the committee's best interest. The WS Review Committee reserves the right to reject low proposals that have major deviations from our specifications; to accept a higher proposal that has only minor deviations; and/or to negotiate a price that reflects the final agreed work scope.

Authorized signature _____

PRICE CLAUSE

The WS Review Committee requires that prices be held firm for 120 days or proposal award, whichever comes first, except for the successful respondent whose prices shall remain firm for the duration of the contract period.

Authorized signature _____

INSURANCE

The awarded proposal will be required to provide the WS Review Committee with certificates of insurance naming all participating communities and agencies separately, all elected and appointed officials, employees and volunteers as individuals acting within the scope of their authority, AS AN ADDITIONAL INSURED: and providing the following coverages and limits. Sub-contractors utilized by the awarded bidder shall be subject to these same conditions:

COMMERCIAL GENERAL LIABILITY:

The following coverages are part of the General Liability policy:

Policy should be on an **OCCURANCE BASIS WITH COMBINED SINGLE LIMITS.**

General Aggregate	\$1,000,000
Products/Completed Operations Aggregate	\$ 500,000
Personal & Advertising Injury	\$ 500,000
Each Occurrence	\$ 500,000
Fire Damage-Any one fire	\$ 50,000
Medical Expense-Any one person	\$ 5,000
Per project aggregate limit, Independent contractors coverage, Broad form property damage	
Blanket contractual liability coverage	

AUTOMOBILE LIABILITY: Automobile liability insurance coverage shall be \$500,000 combined single limit for any auto and include hired autos and non-owned autos.

WORKERS' COMPENSATION INSURANCE: Workers' compensation insurance shall be statutory under the State of Michigan Workers' Compensation Act.

PROFESSIONAL LIABILITY COVERAGE Consultant's Errors and Omissions Insurance \$1,000,000

Insurance certificates shall contain a provision to the effect that the insurance company **SHALL NOTIFY** all Communities at least **thirty (30)** days prior to **CANCELLATION OR MATERIAL CHANGE** of the insurance.

Can meet insurance as indicated.

Cannot meet but offer the following: _____

INDEMNITY CLAUSE

To the fullest extent permitted by law, Consultant expressly agrees to indemnify and hold the WS Review Committee harmless against all losses and liabilities arising out of bodily injury or property damages based upon any act or omission, negligent or otherwise, of Consultant or anyone acting on Consultant's behalf in connection with or incident to this Contract or the work to be performed

hereunder, except that Consultants shall not be responsible to indemnify the Communities for losses or damages caused by or resulting from the Communities' sole negligence.

For the purposes of this indemnity clause, "WS Review Committee" shall mean all communities and agencies participating and represented by the WS Review Committee process, its elected and appointed officials, employees, and volunteers working on behalf of the Committee; "losses and liabilities" shall mean loss, cost, expense, damage, liability or claims, whether groundless or not; "personal injury" shall mean false arrest, erroneous service of civil papers, false imprisonment, malicious prosecution, assault and battery, libel, slander, defamation of character, discrimination, mental anguish, wrongful entry or eviction, violation of property or deprivation of rights, privileges or immunities secured by the constitution and laws of the United States of America or the State of Michigan, for which Vendor may be held liable to the injured party in any action at law, suit in equity or other proceedings for redress; "bodily injury" shall mean bodily injury, sickness or disease (including death resulting at any time therefrom) mental anguish and mental injury which may be sustained or claimed by any person or persons; and "property damage" shall mean the damage or destruction of any property, including the loss of use thereof.

The Consultant's obligation to indemnify and hold the WS Review Committee harmless shall include, but not be limited to (1) the obligation to defend the agencies and communities participating in the WS Review Committee from any such suit, action or proceeding, and (2) the obligation to pay any and all judgements which may be recovered in any such suit, action or proceeding, and/or any and all expenses, including but not limited to costs, attorney fees and settlement expenses which may be incurred.

Authorized signature for _____
Insurance and indemnity clause

REFERENCES

List at least three (3) clients for whom your company has performed projects of comparable scope, design, and complexity, preferably municipal governments.

1. AGENCY: _____ Year _____
ADDRESS: _____
PHONE: _____ CONTACT PERSON: _____
DESCRIPTION OF SERVICES _____

2. AGENCY: _____ Year _____
ADDRESS: _____
PHONE: _____ CONTACT PERSON: _____
DESCRIPTION OF SERVICES _____

3. AGENCY: _____ Year _____
ADDRESS: _____
PHONE: _____ CONTACT PERSON: _____
DESCRIPTION OF SERVICES _____

4. AGENCY: _____ Year _____
ADDRESS: _____
PHONE: _____ CONTACT PERSON: _____
DESCRIPTION OF SERVICES _____

GENERAL CONDITIONS - SEALED PROPOSALS

Proposals and all information requested of the vendor shall be entered in the appropriate space on the enclosed "Request for Proposal" form and signature page. Failure to do so may disqualify your proposal.

Proposals must be submitted by the date specified and at or prior to the time specified to be considered. NO LATE BIDS, FAX, EMAIL, OR TELEPHONE BIDS WILL BE ACCEPTED.

All proposals shall be signed by an authorized officer or employee of the bidder.

Corrections and/or modifications received after the closing time specified will not be accepted.

All information shall be entered in ink or typewritten. Mistakes may be crossed out and corrections inserted before submission of your proposal. Corrections shall be initialed in ink by the person signing the proposal.

An authorized officer or employee of the bidder shall sign all proposals.

Vendor changes or alterations to the proposal or contract documents including the specification may result in the bid being considered non-responsive and/or the bidder being debarred. The only authorized vendor changes will be in the areas provided for the bidder's response including the "Exceptions" section of the proposal and additional separate attached sheets provided by the vendor and clearly identified in the Exceptions section. If a change or alteration to the bid document is undetected, and the bidder is awarded the contract, the original terms, conditions, and specification in the authorized version of the bid document will be applicable during the terms of the contract.

ALL PRICES WILL BE BID F.O.B. DESTINATION, INCLUDE ANY AND ALL ADDITIONAL CHARGES, and remain in effect for at least 120 days unless otherwise specified.

THE ABOVE GENERAL CONDITIONS ARE CONSIDERED IN FORCE UNLESS SPECIFICALLY ADDRESSED IN ANOTHER SECTION OF THE RFP DOCUMENT.

CHECK LIST FOR RESPONDENTS

All information required by the terms of the Request for Proposal must be furnished.

MISTAKES OR OMISSIONS CAN RESULT IN THE REJECTION OF YOUR PROPOSAL.

Important items for you to check are included in but not limited to, those listed below. This checklist is furnished only to assist you in submitting a proper proposal. Check as you read.

- _____ Is your proposal properly signed? (Refer to Request for Proposal documents)
- _____ Is the envelope containing your proposal properly identified that it is a sealed proposal and does it contain the correct project name and proposal opening date?
- _____ Will your proposal arrive on time? Late proposals will not be considered.