

# **AGENDA**

**Regular Meeting of the**

## **CITY COUNCIL OF THE CITY OF TROY**

**JULY 12, 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.

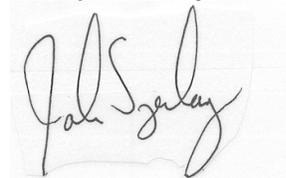
Identified below are 0goals for the City, which have been advanced by the governing body; and Agenda items submitted for your consideration is on course with these goals.

### 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 rectangular background.

John Szerlag, City Manager



## CITY COUNCIL

### AGENDA

July 12, 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: Rev. John Shearer – Central Woodward  
Christian Church** 1

**ROLL CALL:** 1

**CERTIFICATES OF RECOGNITION:** 1

**A-1** Introduction: Howard Wu – Student Representative Applicant for the Planning  
Commission 1

**CARRYOVER ITEMS:** 1

B-1 No Carryover Items brought forward. 1

**PUBLIC HEARINGS:** 1

C-1 No Public Hearings scheduled. 1

**POSTPONED ITEMS:** 1

D-1 No Postponed Items brought forward. 1

**CONSENT AGENDA:** 1

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**CALL TO ORDER:**

**INVOCATION & PLEDGE OF ALLEGIANCE:** Rev. John Shearer – Central Woodward Christian Church

**ROLL CALL:**

Mayor Louise E. Schilling  
Robin Beltramini  
Cristina Broomfield  
David Eisenbacher  
Martin F. Howrylak  
David A. Lambert  
Jeanne M. Stine

**CERTIFICATES OF RECOGNITION:**

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A-1 **Introduction:** Howard Wu – Student Representative Applicant for the Planning Commission

**CARRYOVER ITEMS:**

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B-1 No Carryover Items brought forward.

**PUBLIC HEARINGS:**

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C-1 No Public Hearings scheduled.

**POSTPONED ITEMS:**

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D-1 No Postponed Items brought forward.

**CONSENT AGENDA:**

*Public comment is limited to not more than twice nor longer than five (5) minutes on any item, unless so permitted by the Chair, in accordance with the Rules of Procedure of the City Council, Article 15, as amended May 3, 2004. City Council requests that if you do have a question or concern, to bring it to the attention of the appropriate department(s) whenever possible. If you feel that the matter has not been resolved satisfactorily, you are encouraged to bring it to the attention of the City Manager, and if still not resolved satisfactorily, to the Mayor and Council.*

**E-1a Approval of "E" Items NOT Removed for Discussion**Suggested Resolution

Resolution #2004-07-

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:

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

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**E-2 Minutes: Regular Meeting of June 21, 2004**Suggested Resolution

Resolution #2004-07-

RESOLVED, That the Minutes of the 7:30 PM Regular Meeting of June 21, 2004 be **APPROVED** as submitted.

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**E-3 Proposed City of Troy Proclamation(s): No City of Troy Proclamations proposed.**

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**E-4 Request for Recognition as a Nonprofit Organization Status from the Automotive Women's Alliance Foundation (AWAF), for the Purpose of Obtaining a Charitable Gaming License**Suggested Resolution

Resolution #2004-07-

RESOLVED, That the request from the Automotive Women's Alliance Foundation (AWAF), 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.

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**E-5 Application for New Class C (Quota) License by The Melting Pot**

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**NOTE:** The [Liquor Advisory Committee Minutes/Draft of June 14, 2004](#) are listed as an Agenda Item under J-1.

**(a) Request for New Quota License**Suggested Resolution

Resolution #2004-07-

RESOLVED, That the request from Babylon Restaurant Group, Inc., for a new Quota Class C licensed business with Sunday Sales and Official Permit (food), located at 888 W. Big Beaver Rd., Troy, MI 48084, Oakland County, be considered for **APPROVAL**; and it is the consensus of this legislative body that the application be **RECOMMENDED** "above all others" for issuance.

**AND**

**(b) Approval of Agreement**

Suggested Resolution

Resolution #2004-07-

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 with Babylon Restaurant Group, Inc., which shall become effective upon approval of the request for a new Quota Class C licensed business with Sunday Sales and Official Permit (food), "above all others", located at 888 W. Big Beaver Rd., Troy, MI; 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.

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**E-6 Standard Purchasing Resolution 2: Bid Award – Lowest Bidder Meeting Specifications – One (1) 35,000 GVW Chipper Truck**

Suggested Resolution

Resolution #2004-07-

RESOLVED, That a contract to purchase one (1) 35,000 GVW Chipper Truck is hereby **AWARDED** to the lowest acceptable bidder meeting specifications, Red Holman Pontiac GMC of Westland, Michigan for an estimated total cost of \$69,400.00, at prices contained in the bid tabulation opened May 4, 2004; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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**E-7 Medi-Go Service Agreement**

Suggested Resolution

Resolution #2004-07-

RESOLVED, That the request for funding in the amount of \$170,000.00 for Troy Medi-Go Plus for fiscal year 2004/2005, and the Funding Agreement between the City of Troy and Troy Medi-Go Plus covering July 1, 2004 through June 30, 2005, are 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.

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**E-8 Private Agreement for Wattles Ridge Site Condominiums – Project No. 03.944.3**Suggested Resolution

Resolution #2004-07-

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Brentwood Land Development, L.L.C. is hereby **APPROVED** for the installation of sanitary sewer, storm sewer, water main, sidewalk, 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.

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**E-9 Standard Purchasing Resolution 10 – Travel Authorization and Approval to Expend Funds for Troy City Council Members' Travel Expenses – National League of Cities 81<sup>st</sup> Congress of Cities and Exposition**Suggested Resolution

Resolution #2004-07-

RESOLVED, That the Mayor and City Council Members are **AUTHORIZED** to attend the National League of Cities 81<sup>st</sup> Congress of Cities and Exposition scheduled for November 30 – December 4, 2004 in Indianapolis, Indiana in accordance with accounting procedures of the City of Troy.

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**E-10 Standard Purchasing Resolution 5 – Approval to Expend Budgeted Funds – Avondale Youth Assistance**Suggested Resolution

Resolution #2004-07-

RESOLVED, That approval to expend funds budgeted in the 2004/2005 fiscal year to the Avondale Youth Assistance to provide counseling and community services to prevent youth offender recidivism to the residents of Troy who reside in the Avondale School District at a cost of \$2,210.00, paid in one installment is hereby **APPROVED**; and

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the agreements to fund these services.

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**E-11 Standard Purchasing Resolution 5 – Approval to Expend Budgeted Funds – Troy Youth Assistance**Suggested Resolution

Resolution #2004-07-

RESOLVED, That approval to expend funds budgeted in the 2004/2005 fiscal year to the Troy Youth Assistance to provide diversion programs and community services to the residents of the City of Troy at a cost of \$35,000.00, paid in quarterly installments is hereby **APPROVED**; and

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the agreements to fund these services.

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**E-12 Request for Acceptance of Permanent Easement for Watermain – Project No 04.907.3 – Kresge Foundation – Sidwell #88-20-30-226-001**

Suggested Resolution

Resolution #2004-07-

RESOLVED, That the permanent easement from Kresge Foundation, owners of property having Sidwell #88-20-30-226-001 is hereby **ACCEPTED** for the operation, maintenance and repair or replacement of water main; and

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

**PUBLIC COMMENT:** Limited to Items Not on the Agenda

*Public comment is limited to not more than twice nor longer than five (5) minutes on any item, unless so permitted by the Chair, in accordance with the Rules of Procedure of the City Council, Article 15, as amended May 3, 2004. City Council requests that if you do have a question or concern, to bring it to the attention of the appropriate department(s) whenever possible. If you feel that the matter has not been resolved satisfactorily, you are encouraged to bring it to the attention of the City Manager, and if still not resolved satisfactorily, to the Mayor and Council.*

**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 section under item 12. "F" of the agenda. Other than asking questions for the purposes of gaining insight or clarification, Council shall not interrupt or debate with members of the public during their comments. 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 item, unless so permitted by the Chair, in accordance with the Rules of Procedure of the City Council, Article 15, as amended May 3, 2004. 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: Brownfield Redevelopment Authority, Downtown Development Authority, Economic Development Corporation, Local Development Finance Authority, and Planning Commission; and (b) City Council Appointments: Advisory Committee for Persons with Disabilities, Advisory Committee for Senior Citizens, Historical Commission, Municipal Building Authority, and Parks & Recreation Board**

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 #2004-07-

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:

**Brownfield Redevelopment Authority**

**Mayor, Council Approval (7) – 3 years**

Victor Lenivov seeks reappointment

**Term expires 04-30-2007**

**CURRENT MEMBERS**

NAME	TERM EXPIRES
Cotsonika, Arthur	04/30/06
Wilberding, Bruce J	04/30/07
Lenivov, Victor	04/30/04
Goss, Laurence R	04/30/05
Swartz, Robert D	04/30/05
Lee, Katherine M	04/30/05
Ullmann, Lon M	04/30/06

**INTERESTED APPLICANTS**

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Baptista, Michael	05/21/03-05/2005	06/02/03
DeBacker, Deborah	05/20/02-05/2004	06/03/02
Dziurman, Theodore	06/10/03-05/2005	06/16/03

Hyun, Yul Woong (Jeff)	09/26/03-09/2005	10/06/03
Joseph, Luke	03/10/03-03/2005	03/17/03
Keisling, Laurence	04/29/04-04/2006	05/03/04
Pritzloff, Mark	04/17/03-04/2005	04/28/03
Shier, Frank	02/18/03-02/2005	03/03/03
Silver, Neil S	08/11/00-06/20/01-06/09/03-05/2005	08/21/00-07/09/01-06/16/03
Smits, Beatrice G	12/02/03-12/2005	12/15/03

**Downtown Development Authority**  
**Mayor, Council Approval (13) – 4 years**

Marc W. Rosenow resigned due to employment

**Unexpired term expires 09-30-2007**

**Term expires 07-01-2005 (Student)**

**CURRENT MEMBERS**

NAME	TERM EXPIRES
Culpepper, Michael W	09/30/04
Frankel, Stuart	09/30/07
Hodges, Michele	09/30/05
Kennis, William	09/30/06
Kiriluk, Alan M	09/30/04
York, Thomas	09/30/04
MacLeish, Daniel	09/30/05
Price, Carol	09/30/07
Reschke, Ernest C	09/30/06
Rosenow, Marc W (Resigned)	09/30/07
Schroeder, Douglas J	09/30/06
Weiss, Harvey	09/30/05
Schilling, Louise E	09/30/04
Wong, Fred (Student)	07/01/04

**INTERESTED APPLICANTS**

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Baughman, Deborah L	03/29/01-06/18/01-05/2003	04/09/01-07/09/01
Bloom, Jerry E	03/08/04-03/2006	04/12/04
Brodbine, Anju C	08/13/02-08/2004	08/19/02
Calice, Mark A	06/01/1997	
Elenbaum, Anita	04/17/02-04/2004	04/22/02
Howrylak, Frank J	04/05/01-06/11/03-05/2005	04/09/01-06/16/03
Hyun, Yul Woong (Jeff)	09/26/03-09/2005	10/06/03
Huber, Laurie G	06/18/01-05/2003	07/09/01
Keisling, Laurence G	04/29/04-04/2006	05/03/04
O'Brien, Michael	07/28/03-07/2005	08/04/03
Petrulis, Al	02/11/03-02/2005	02/17/03

Pritzloff, Mark	04/17/03-04/2005	04/28/03
Schultz, Robert M	06/19/01-06/2003	01/22/01-07/09/01
Shah, Jayshree	08/28/01-01/12/04-04/23/04-04/2006	09/17/01-02/02/04-05/03/04
Shier, Frank	02/18/03-02/2005	03/03/03
Shiner, Mary E	11/28/01-11/2003	12/09/01
Silver, Neil S	08/11/00-06/20/01-06/09/03-05/2005	08/21/00-07/09/01
Smits, Beatrice G	12/02/03-12/2005	12/15/03
Victor, Robert	06/03/03-05/2005	06/16/03
Wilberding, Bruce J	08/05/99-06/17/03-03/10/04-03/2006	04/12/04
Wright, Wayne C	01/07/99-06/18/03-06/2005	
Yousif, Gary	11/24/03-11/2005	01/05/04

**INTERESTED STUDENT APPLICANTS**

NAME	DATE APPLIED	DATE SENT TO COUNCIL
None on file		

**Economic Development Corporation**  
**Mayor, Council Approval (9) – 6 years**

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Term expires 04-30-2009

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Term expires 04-30-2009

**CURRENT MEMBERS**

NAME	TERM EXPIRES
Bluhm, Kenneth	04/30/06
Gigliotti, Robert S	04/30/08
Licari, Leger (Nino)	04/30/10
Parker, Michael	04/30/07
Redpath, Stuart F	04/30/03
Rocchio, James A.	04/30/03
Salgat, Charles	04/30/10
Sharp, John	04/30/09
Smith, Douglas	04/30/05

**INTERESTED APPLICANTS**

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Almassian, Carolyn	04/22/02-04/2004	05/06/02
Baptista, Michael	05/02/03-05/2005	06/02/03
Baughman, Deborah L	06/18/01-05/2003	07/09/01
Chang, Jouky	10/02/01-10/2003	10/15/01
Courtney, Kenneth	03/12/04-03/2006	03/15/04
Hoef, Paul V	09/12/01-08/14/02-08/2004	09/17/01
Hyun, Yul Woong (Jeff)	09/26/03-09/2005	10/06/03

Lang, Victoria	06/16/03-06/2005	07/07/03
Pritzloff, Mark	04/17/03-04/2003	04/28/03
Shah, Jayshree	08/28/01-04/16/04-04/2006	09/17/01-05/03/04
Silver, Neil S	08/11/00-06/20/01-05/2003	08/21/00-07/09/01
Smits, Beatrice	12/02/03-12/2005	12/15/03
Victor, Robert	06/03/03-05/2005	06/16/03
Wilberding, Bruce	06/17/03-06/2005	07/07/03
Wright, Wayne	06/18/03-06/2005	07/07/03

**Local Development Finance Authority****Mayor, Council Approval (5)**


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Term expires 06-30-05

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Term expires 06-30-05

Resolution #2003-05-231-3 established the LDFA and does not address specific lengths of terms except for stating they are staggered.

**CURRENT MEMBERS**

NAME	TERM EXPIRES
Szerlag, John	06/30/04
Smith, Douglas	06/30/04
Pretty, Keith	06/30/05
Adamczyk, Michael	06/30/05
Beltramini, Robin	06/30/06
Eisenbacher, David (Alternate)	Term expires w/term of office
Broomfield, Cristina (Alternate)	Term expires w/term of office

**Planning Commission****Mayor, Council Approval (9) – 3 years**


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Term expires 07-01-2005 (Student)

**CURRENT MEMBERS**

NAME	TERM EXPIRES
Chamberlain, Gary	12/31/05
Drake-Batts, Lynn	12/31/06
Littman, Larry	12/31/04
Parker, Amalfi (Student)	07/01/04
Schultz, Robert M	12/31/05
Khan, Fazlullah M	12/31/06
Strat, Thomas	12/31/05
Vleck, Mark J	12/31/04
Wright, Wayne C.	12/31/04

**INTERESTED STUDENT APPLICANTS**

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Wu, Howard	10/03	07/12/04

Yes:

No:

**(b) City Council Appointments**Suggested Resolution

Resolution #2004-07-

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 07-01-2005 (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
Adam Fuhrman	11/01/06

**INTERESTED STUDENT APPLICANTS**

NAME	DATE APPLIED	DATE SENT TO COUNCIL
None on file		

**Advisory Committee for Senior Citizens****Appointed by Council (9) – 3 years****Pending Nominations: James Berar & Burdette Black, Jr. Term expires 04-30-2007**

**CURRENT MEMBERS**

NAME	TERM EXPIRES
Banch, Steven M	04/30/07
Dixon, Merrill W	04/30/06
Forst, Ed	04/30/04
Hoag, Marie	04/30/06
Noce, Pauline	04/30/07
Ogg, David S	04/30/05
Rhoads, Josephine	04/30/05
Thompson, JoAnn	04/30/06
Weisgerber, William	04/30/05

**INTERESTED APPLICANTS**

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Berar, James	05/05/05-05/2006	05/10/04
Black, Burdette L (Bud) Jr.	05/18/04-05/2006	05/24/06
Buchanan, Cynthia	06/07/00	06/19/00
Burt, Susan	09/24/01	10/01/01
Connor, Kathleen Ann	02/25/04-02/2006	03/01/04
Freliga, Mary E	11/25/02-11/2004	12/02/02
Freliga, Victor	04/19/04-04/2006	05/03/04
Lang, Victoria	06/16/03-06/2005	07/07/03
Pietron, Dorothy A	12/21/98-07/10/01	07/23/01
Pritzloff, Mark	04/17/03-04/2005	04/28/03
Schafer, Donald E	06/08/04-06/2006	06/21/04
Wheeler, Nancy	03/08/04-03/2006	04/12/04

**Historical Commission**

Appointed by Council (7) – 3 years

**Jack Turner (Deceased)**

Term expires 07-31-2007

Term expires 07-31-2007

**CURRENT MEMBERS**

NAME	TERM EXPIRES
Edward J Bortner	07/31/05
Rayma Gopal (Student)	07/01/05
Roger Kaniarz	07/31/05
Rosemary Kornacki	07/31/05
Kevin Lindsey	07/31/06
Terry Navratil	07/31/06
Jack Turner (Deceased)	07/31/04
Brian J Wattles	07/31/04

**INTERESTED APPLICANTS**

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Blythe, Wilson Deane	03/06/02-03/2004	03/18/02
Chambers, Barbara	02/24/03-02/2005	03/03/03
Krivoshein, Kerry S	08/12/99-06/14/01-05/2003	07/09/01
Milz, Vera E	11/30/01-11/2003	12/19/01
Pritzloff, Mark	04/17/03-04/2005	04/28/03
Wheeler, Nancy	03/08/04-03/2006	04/12/04

**Municipal Building Authority****Appointed by Council (5) – 3 years****Peter Ziegenfelder (Resigned)****Unexpired Term expires 01-31-2005****CURRENT MEMBERS**

NAME	TERM EXPIRES
Almassian, Carolyn	01/31/06
Krokosky, Robert J	01/31/05
Ziegenfelder, Peter F (Resigned)	01/31/05
Lamerato, John M	01/31/06
Miesiak, Conrad E	01/31/06

**INTERESTED APPLICANTS**

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Bluhm, Kenneth	11/24/00	12/04/00
Courtney, Kenneth	03/12/04-03/2006	03/15/04
Freliga, Victor P	11/25/02-11/2004	12/02/02
Pritzloff, Mark	04/17/03-04/2005	04/28/03
Schultz, Robert M	01/15/01	01/22/01
Shah, Jayshree	01/12/04-04/23/04-04/2006	02/02/04-05/03/04
Shier, Frank	02/18/03-02/2005	03/03/03
Sobota, Christopher A	02/14/02-02/2004	02/18/02

**Parks and Recreation Board****Appointed by Council (10) 3 years****School Representative****Term expires 07-31-2005****NOTE: Notification has been forwarded to the Troy School District for a recommendation for the 04-05 school year.****Term expires 07-01-2005 (Student)**

**CURRENT MEMBERS**

NAME	TERM EXPIRES
Bordas, Douglas M	09/30/05
Dixon, Merrill W (Sr Rep)	09/30/06
Edmunds, Ida (School Rep)	07/31/04
Fejes, Kathleen M	09/30/04
Redpath, Stuart	09/30/06
Kaltsounis, Orestes (Rusty)	09/30/06
Kerns, Amy (Student)	07/01/04
Krent, Tom	09/30/04
Kovacs, Meaghan	09/30/05
Stewart, Jeffrey (Troy Daze Rep)	09/30/06
Zikakis, Janice C	09/30/05
Anderson, Carol	(Ex-officio)

**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
Dixon, Merrill W	03/17/03-03/2005	04/14/03
Gregory, Mr. Lynne	03/08/04-03/2006	04/12/04
Gazetti, Tod	09/10/02-09/2004	09/23/02
Hoef, Paul V	09/12/01-8/14/02-08/2004	09/17/01
Hrynik, Thomas F	10/16/00-6/14/01-06/09/03-05/2005	11/06/00-07/09/01-06/16/03
Hyun, Yul Woong (Jeff)	09/26/03-09/2005	10/06/03
Keisling, Laurence	04/29/04-04/2006	05/03/04
Lenivov, Victor	04/08/04-04/2006	04/12/04
Navratil, Terry	06/10/03-05/2005	06/16/03
O'Brien, Michael	07/25/03-07/2005	08/04/03
Petruilis, Al	02/11/03-7/31/03-07/2005	02/17/03
Preston, Robert S	10/11/02	11/04/02
Pritzloff, Mark	04/17/03-04/2005	04/28/03
Rounds, Muriel	07/25/03-07/2005	08/04/03
Shah, Jaysree	04/23/04-04/2006	05/03/04
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

Yes:

No:

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**F-2 Final Street Vacation Application (SV-184) – Crestfield Avenue and Tallman (FKA Taylor) Street, Within Proposed Crestwood Site Condominium, North Side of Wattles, East of Livernois - Section 15**Suggested Resolution

Resolution #2004-07-

Moved by

Seconded by

WHEREAS, A request has been received for the vacation of the Crestfield Avenue right-of-way, which is 50 feet wide and approximately 1374 feet in length, and the Tallman Street right-of-way, which is 33 feet wide and approximately 353 feet in length, located within the proposed Crestwood Site Condominium in Section 15.

WHEREAS, The City Council approved an authorizing resolution for the vacation of these streets on November 24, 2003 subject to the following conditions:

1. Retention of all necessary easements as required by the City of Troy.
2. Dedication of Wattles and Hanover ultimate right-of-way.
3. Dedication of future right-of-way for the proposed Crestwood Site Condominium.

WHEREAS, The petitioner has met all of the conditions of the authorizing resolution.

NOW, THEREFORE, BE IT RESOLVED, That the Crestfield Avenue right-of-way, which is 50 feet wide and approximately 1374 feet in length, and the Tallman Street right-of-way, which is 33 feet wide and approximately 353 feet in length, located within the proposed Crestwood Site Condominium in Section 15, are hereby **VACATED**.

Yes:

No:

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**F-3 Troy Soccer City Classic Ordinance Waiver**Suggested Resolution

Resolution #2004-07-

Moved by

Seconded by

RESOLVED, That the request from Troy Youth Soccer League for the installation of special event signs per Section 14.00 of Chapter 78 of the Troy City Code to permit placement of tournament-related banners at Firefighters Park, Boulan Park, Jaycee Park and Raintree Park in conjunction with the 18<sup>th</sup> Annual Troy Soccer City Classic, from September 4-6, 2004, is hereby **APPROVED**; and

BE IT FURTHER RESOLVED, That temporary suspension of Chapter 28-3.4, Parks-General Regulations, is hereby **APPROVED** to permit the sale of merchandise and concessions during the event.

Yes:

No:

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**F-4 Proposed Ordinance Revision – Chapter 7 – Purchases, Contracts and Sales**

Suggested Resolution

Resolution #2004-07-

Moved by

Seconded by

RESOLVED, That an ordinance amendment to Section 3.2 of Chapter 7 – Purchases, Contracts is hereby **ADOPTED** as recommended by the City Attorney; a copy of this ordinance shall be **ATTACHED** to the original Minutes of this meeting.

Yes:

No:

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**F-5 Community Affairs Department Furniture**

Suggested Resolution

Resolution #2004-07-

Moved by

Seconded by

RESOLVED, That City Staff is **AUTHORIZED** to purchase furniture for the newly renovated office space for the Community Affairs Department outlined in Appendix B at Detailed Cost Estimates as listed in Appendix C, for an estimated total cost of \$15,225.00, utilizing in-house personnel, approved contracts, and standard purchasing procedures.

Yes:

No:

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**F-6 Preliminary Site Condominium Review – Stone Haven Woods East No. 2 Site Condominium – South Side of Wattles Road – West of Crooks Road – Section 20 – R-1B**

Suggested Resolution

Resolution #2004-07-

Moved by

Seconded by

**(a) Proposed Resolution A – Recommended by City Management and the Planning Commission:**

RESOLVED, That the Preliminary Plan as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Development known as Stone Haven Woods East No. 2 Site Condominium, and as recommended for approval by City Management and the Planning Commission, located

on the south side of Wattles Road, west of Crooks Road, with no direct connection to Wattles Road (drawing titled "Alternate Site Plan"), including 4 home sites, within the R-1B Zoning District, being 2.02 acres in size, is hereby **APPROVED**.

OR

**(b) Proposed Resolution B – Recommended by Petitioner:**

RESOLVED, That the Preliminary Plan as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Development known as Stone Haven Woods East No. 2 Site Condominium, and as preferred by the petitioner and located on the south side of Wattles Road, west of Crooks Road, with a direct connection to Wattles Road (drawing titled "Site Plan"), including 4 home sites, within the R-1B Zoning District, being 2.02 acres in size, is hereby **APPROVED**.

Yes:

No:

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**F-7 Approval of the Civic Center Priority Task Force (CCPTF) Report dated February 16, 2004 and Amended June 21, 2004**

Suggested Resolution

Resolution #2004-07-

Moved by

Seconded by

RESOLVED, That the Report to City Council from the Civic Center Priority Task Force (CCPTF) dated February 16, 2004 and amended June 21, 2004 is hereby **APPROVED**; and a copy of the CCPTF Report will be **ATTACHED** to the original Minutes of this meeting.

Yes:

No:

**MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:**

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**G-1 Announcement of Public Hearings:**

(a) Parking Variance Request – 230 W. Maple – **Scheduled for July 19, 2004**

(b) Parking Variance Request – 1915 E. Maple – **Scheduled for July 19, 2004**

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**G-2 Green Memorandums:**

(a) Memorandum from City Manager, Re: Property Maintenance and Neighboring Compatibility Issues

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

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**H-1 Research Regarding Advisory Ballot Question – Council Member Lambert**

Council Member Dave Lambert requests the City Attorney be given an assignment to do research on advisory ballot questions. The issue at hand is the I-75/Crooks/Long Lake interchange improvement project. Attached are memorandums from the City Attorney and City Management.

**COUNCIL COMMENTS:**

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I-1 No Council Comment Items advanced.

**REPORTS:**

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**J-1 Minutes – Boards and Committees:**

- (a) Personnel Board/Final – December 9, 2003
- (b) Election Commission/Final - March 1, 2004
- (c) Library Board/Final – May 6, 2004
- (d) Liquor Advisory Committee/Final – May 10, 2004
- (e) Local Development Finance Authority/Draft – June 1, 2004
- (f) Personnel Board/Draft - June 8, 2004
- (g) Planning Commission/Draft – June 8, 2004
- (h) Planning Commission/Final – June 8, 2004
- (i) Library Board/Draft – June 10, 2004
- (j) Liquor Advisory Committee/Draft – June 14, 2004
- (k) Board of Zoning Appeals/Draft – June 15, 2004
- (l) Election Commission/Draft – June 22, 2004

**J-2 Department Reports:**

- (a) Monthly Financial Report – May 31, 2004
- (b) Permits Issued During the Month of June 2004
- (c) Permits Issued July 2003 through June 2004
- (d) Permits Issued January through June 2004
- (e) City Council Expense Report – Month of April 2004 (Lambert, Howrylak)
- (f) City Council Expense Report – Month of May 2004 (Howrylak)

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**J-3 Letters of Appreciation:**

- (a) Letter from Kathryn M. Wilson, Royal Oak Neighborhood Schools, to Charles R. Barnes Thanking Him and the Nature Center Staff for the Emergency Assistance They Provided for One of Their Third Grade Students During a Field Trip
- (b) Letter from Christy Lupu, R.S. – Senior Public Health Sanitarian – Environmental Health Services at the Oakland County Health Department, to Sgt. Donald Ostrowski Thanking Him for His Informative Presentation on Weapons of Mass Destruction
- (c) Letter from Mark Davis, President of the Association of Bloomfield Township Police Officers to City of Troy Police Department Expressing Their Gratitude for the Generous Help and Support Given to Their Department During the Loss of Officer Gary Davis
- (d) Thank You Card from Ken and Sarah Linton to the Troy Police Department Thanking Them for the Open House Tour for City of Troy Senior Citizens
- (e) E-mail from Cindy Kollsar to the Library Thanking the Museum Staff for the Outstanding Presentation of “Cheddar’s Trunk”
- (f) Letter from Peter Letzmann, Chair, MAMA Professionalism and Education Committee to Lori Bluhm Thanking Her for Her Participation in the 6<sup>th</sup> Annual MAMA/PCLS Summer Educational Conference
- (g) E-Mail from Susan Faubert and Family to Ann Blizzard Thanking the Aquatic Center Lifeguard Staff for Their Quick and Calm Response During an Emergency Situation

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**J-4 Proposed Proclamations/Resolutions from Other Organizations:**

- (a) City of Birmingham – Urging Regulation of Cable Television Rates

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**J-5 Calendar**

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**J-6 Memorandum, Re: NLC Committee and Panel Meetings – Chicago, Illinois – June 10-12, 2004 – Submitted by Council Member Robin Beltramini**

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**J-7 Memorandum, Re: Roy Rathka, Jr. v. City of Troy**

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**J-8 Travel Expense Report, Re: NLC Municipalities in Transition – Panel Meeting – Submitted by Council Member Robin Beltramini**

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**J-9 Memorandum, Re: Report on TASER Usage**

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**J-10 Article, *CAM Magazine July 2004*, Re: Construction Highlight – Call to Duty**

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**J-11 Memorandum, Re: Methodology to Advance Local Street Reconstruction Projects and Timeline for Section 23 Street Replacement Project**

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**J-12 Memorandum, Re: Auction – Vehicle Sale on June 12, 2004 in St. Clair Michigan**

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**STUDY ITEMS:**

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**K-1 No Study Items submitted.**

**PUBLIC COMMENT: Address of "K" Items**

*Public comment is limited to not more than twice nor longer than five (5) minutes on any item, unless so permitted by the Chair, in accordance with the Rules of Procedure of the City Council, Article 15, as amended May 3, 2004. City Council requests that if you do have a question or concern, to bring it to the attention of the appropriate department(s) whenever possible. If you feel that the matter has not been resolved satisfactorily, you are encouraged to bring it to the attention of the City Manager, and if still not resolved satisfactorily, to the Mayor and Council.*

**CLOSED SESSION:**

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**L-1 Closed Session**

Suggested Resolution  
Resolution #2004-07-  
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) Mancini V. City of Troy.

Yes:

No:

**ADJOURNMENT**

Respectfully submitted,

John Szerlag, City Manager

A Regular Meeting of the Troy City Council was held Monday, June 21, 2004, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:37 P.M.

The Invocation was given by Pastor Dan Lewis, Troy Christian Chapel and the Pledge of Allegiance to the Flag was given.

## ROLL CALL

**PRESENT:** Mayor Louise E. Schilling  
Robin E. Beltramini  
Cristina Broomfield  
David Eisenbacher  
Martin F. Howrylak  
David A. Lambert  
Jeanne M. Stine (Absent)

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### Resolution to Excuse Council Member Stine

Resolution #2004-06-323  
Moved by Lambert  
Seconded by Howrylak

RESOLVED, That Council Member Stine 's absence at the Regular City Council and Closed Session meetings of Monday, June 21, 2004 **BE EXCUSED** due to a death in the family.

Yes: All-6  
No: None  
Absent: Stine

## CERTIFICATES OF RECOGNITION:

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**A-1 Introduction of Student Representative Applicants:** Mayor Schilling introduced the following Student Representative applicants Library Board - Cheng Chen and Lauren Andreoff, Troy Daze Festival Committee - Dhvani Mehta, and Youth Council - Alexandra Bozimowski, Rishi Joshi, Jessica Kraft and Nicole Vitale and each gave a brief introduction. Rayma Gopal, Historical Commission applicant and Grace Yau, Traffic Committee applicant also introduced themselves.

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**A-2 Presentations:** **(a)** Brian Wattles, Chair of the Civic Center Priority Task Force, gave a presentation regarding "Report Amendment" for the Civic Center Site Plan" and **(b)** Tom Kaszubski, Chair of the Ethnic Issues Advisory Committee and committee members, provided a report regarding the Committee's Proposal, which they were tasked, relative to cultural and historical displays that foster good community relations.

### Proposed Resolution Regarding Cultural and Historical Displays

Resolution #2004  
Moved by Lambert

Seconded by Howrylak

RESOLVED, That City Council **DIRECTS** City Staff to provide two resolutions on a policy in regard to the original Council resolution regarding cultural and historical displays for the Regular City Council Meeting scheduled for Monday, July 19, 2004.

**Vote on Resolution to Amend**

Resolution #2004-06-324  
Moved by Beltramini  
Seconded by Eisenbacher

RESOLVED, That the Resolution be **AMENDED** by **STRIKING** "July 19, 2004" and **INSERTING** "August 23, 2004".

Yes: All-6  
No: None  
Absent: Stine

**Vote on Amended Resolution**

Resolution #2004-06-325  
Moved by Lambert  
Seconded by Howrylak

RESOLVED, That City Council **DIRECTS** City Staff to provide two resolutions on a policy in regard to the original Council resolution regarding cultural and historical displays for the Regular City Council Meeting scheduled for Monday, August 23, 2004.

Yes: All-6  
No: None  
Absent: Stine

**CARRYOVER ITEMS:**

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**B-1 No Carryover Items brought forward.**

**PUBLIC HEARINGS:**

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**C-1 Street Vacation Application (SV-185) South 149.26 Feet of Beach Road – South of Hampton Lane Within Wendover Woods Subdivision No. 2 – Section 19**

Resolution #2004-06-326  
Moved by Eisenbacher  
Seconded by Howrylak

WHEREAS, A request has been received for the vacation of a portion of the 43-foot-wide

platted Beach Road Street right-of-way, extending south 149.26 feet from Hampton Lane, and abutting Lot 53 of Wendover Woods Subdivision No. 2.

WHEREAS, The property which shall benefit from this requested vacation is Lot 53 of Wendover Woods Subdivision No. 2 – Section 19 (City of Troy Tax Parcel #20-19-379-003). WHEREAS, City Management and the Planning Commission have recommended that this street vacation be granted without retaining easements for public sewer, water, storm sewer or access.

WHEREAS, It must be determined whether there is a need to retain easements within the right-of-way to be vacated, based in part on input or responses from applicable utility companies.

NOW, THEREFORE, BE IT RESOLVED, That the City Council concurs in the recommendations of City Management and the Planning Commission, and approves an authorizing resolution for the street vacation request; and

BE IT FURTHER RESOLVED, That final action on this street vacation request shall be taken by the City Council, after the following action:

The petitioner will dedicate the necessary easements within the right-of-way to be vacated, based in part on input or responses from applicable utility companies.

Yes: All-6  
No: None  
Absent: Stine

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**C-2 Rezoning Application (Z-694) – West Side of Dequindre – South of Big Beaver – Section 25 – B-1 to B-2 or B-3**

Resolution #2004-06-327  
Moved by Beltramini  
Seconded by Broomfield

RESOLVED, That the B-1 to B-2 or B-3 zoning request, located on the west side of Dequindre Road, south of Big Beaver Road, Section 25, being 0.65 acres in size, is hereby **DENIED**, as **RECOMMENDED** by City Management and the Planning Commission.

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

**MOTION CARRIED**

The meeting **RECESSED** at 9:31 PM.

The meeting **RECONVENED** at 9:45 PM.

**POSTPONED ITEMS:**

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**D-1 Parking Variance Request – 5991 Livernois**

Resolution #2004-06-328  
Moved by Beltramini  
Seconded by Lambert

RESOLVED, That the Parking Variance Request for 5991 Livernois be **POSTPONED** to the first Regular City Council meeting after appropriate public notice can take place subsequent to Planning Commission action.

Yes: All-6  
No: None  
Absent: Stine

**CONSENT AGENDA:**

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

Resolution #2004-06-329  
Moved by Lambert  
Seconded by Beltramini

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented.

Yes: All-6  
No: None  
Absent: Stine

**E-1b Address of “E” Items Removed for Discussion by City Council and/or the Public**

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**E-2 Minutes: Regular Meeting of June 7, 2004**

Resolution #2004-06-329-E-2

RESOLVED, That the Minutes of the 7:30 PM Regular Meeting of June 7, 2004 be **APPROVED** as submitted.

**E-3 City of Troy Proclamations:**

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Resolution #2004-06-329-E-3

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

- (a) Proclamation – Brigadier General Donald F. Schenk
- (b) Parks and Recreation Month – July 2004

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**E-4 Acceptance of Permanent Easements for Storm Sewer and Surface Drainage – Montclair & South Boulevard – Sidwell #88-20-03-201-047, Sidwell #88-20-03-201-049 and Sidwell #88-20-03-201-051**

Resolution #2004-06-329-E-4

RESOLVED, That the storm sewer and surface drainage easements from Antonio and Linda Vettraiño, owner of property at 6924 Montclair, having Sidwell #88-20-03-201-047; Richard M. and Rosa R. Danz, owner of property at 477 West South Boulevard, having Sidwell #88-20-03-201-049; and Elisa Vettraiño, Trustee of the Elisa Vettraiño Declaration of Trust, dated March 22, 2000, owner of property at 6936 Montclair, having Sidwell #88-20-03-201-051, are hereby **ACCEPTED** for the operation, maintenance and repair or replacement of storm sewer and surface drainage; and

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

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**E-5 Acceptance of Permanent Easement for Water Main – Project No. 04.904.3 – Woodbridge Group & Enerflex Solutions – Sidwell #88-20-32-126-030**

Resolution #2004-06-329-E-5

RESOLVED, That the permanent easement from Maplelawn Airport, L.L.C., owner of property having Sidwell #88-20-32-126-030 is hereby **ACCEPTED** for the operation, maintenance and repair or replacement of water main; and

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

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**E-6 Standard Purchasing Resolution 1: Award to Sole Bidder – Pool Maintenance and Repair Services**

Resolution #2004-06-329-E-6

RESOLVED, That a one (1) year contract for Pool Maintenance and Repair Services at the Troy Family Aquatic Center and Community Center with two (2) one-year options to renew, is hereby **AWARDED** to the sole bidder, B & B Pool and Spas of Livonia, Michigan, at unit prices contained in the bid tabulation opened April 30, 2004, and Strantrol parts price list dated January 1, 2003 with the contract expiring June 30, 2005; copies 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 contract documents, including insurance certificates, and all other specified requirements.

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**E-7 Standard Purchasing Resolution 2: Bid Award – Low Bidder Meeting Specifications – Athletic Field Bleachers**

Resolution #2004-06-329-E-7

RESOLVED, That a contract to provide Aluminum Field Bleachers is hereby **AWARDED** to the low bidder meeting specifications, All Star Bleachers, Inc. of Lakeland, Florida for an estimated cost of \$117,646.00, at unit prices contained in the bid tabulation opened May 19, 2004; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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**E-8 Transfer Ownership of a Class C Liquor License – Maggiano’s / Corner Bakery Holding Corporation**

**(a) Approval of License Transfer**

Resolution #2004-06-329-E-8a

RESOLVED, That the request from Maggiano’s/Corner Bakery Holding Corporation (a Delaware Corporation), to transfer ownership of 2003 Class C licensed business with official permit (food), one (1) direct connection and two (2) bars located in escrow at 2085 W. Big Beaver, Troy, Michigan 48084, Oakland County, from Chevy’s Inc. (a California Corporation), request a new SDM License to be held in conjunction, and request to transfer location to a new building with same address [MLCC REQ ID# 239791], be considered for **APPROVAL**; it is the **CONSENSUS** of this legislative body that the application be recommended for issuance.

**(b) Approval of Agreement**

Resolution #2004-06-329-E-8b

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 with Maggiano’s/Corner Bakery Holding Corporation (a Delaware Corporation) which shall become effective upon approval of the request to transfer a Class C licensed business with official permit (food), one (1) direct connection, and two (2) bars; and to add a new SDM License to be held in conjunction, and to transfer location to a new building with same address; 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.

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**E-9 Standard Purchasing Resolution 7: Proprietary Maintenance Service Contract – Motorola Communications**

Resolution #2004-06-329-E-9

RESOLVED, That a one-year hardware and software maintenance contract for the City of Troy's radio console and integrated 911 system is hereby **APPROVED** to Motorola Communications, for proprietary hardware and software at an estimated annual cost of \$26,650.00 expiring June 30, 2005.

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**E-10 Private Agreement for Woodbridge Group – Project No. 04.904.3**

Resolution #2004-06-329-E-10

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Salsberry & Associates is hereby **APPROVED** for the installation of watermain, paving and sidewalk 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-11 Standard Purchasing Resolution 9: Request for Renewal of Membership in the Traffic Improvement Association (TIA) of Oakland County**

Resolution #2004-06-329-E-11

RESOLVED, That approval is **GRANTED** to pay the Traffic Improvement Association of Oakland County, the City's membership renewal for 2004 in the amount of \$24,800.00.

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**E-12 Sevek and Yee v. City of Troy**

Resolution #2004-06-329-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 Susan M. Sevek and Johnny Yee v. City of Troy and to retain any necessary expert witnesses to adequately represent the City.

---

**E-13 Private Agreement for Automation Alley – Project No. 03.937.3**

Resolution #2004-06-329-E-13

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Ken Rogers, Deputy Executive Director of Oakland County is hereby **APPROVED** for the installation of watermain, paving and sidewalk 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-14 Sole Source – Purchase and Usage Fees for Mobile Data Computers (MDC's)**

Resolution #2004-06-329-E-14

WHEREAS, Oakland County is the sole source provider for use of the Mobile Data Computers (MDC's).

WHEREAS, Oakland County provides ongoing communications with the Oakland County Court and Law Enforcement Management Information System (CLEMIS).

NOW, THEREFORE, BE IT RESOLVED, That annual usage fees to Oakland County are hereby **APPROVED** for the Mobile Data Computers at an estimated cost of \$728.00 per unit per year; and a contract to purchase three (3) additional Motorola MW520 Mobile Data Computers (MDC's) from Oakland County (CLEMIS) is hereby **AWARDED** for an estimated total cost of \$11,705.00

**PUBLIC COMMENT:** Limited to Items Not on the Agenda

**REGULAR BUSINESS:**

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**F-3 Golf Rate for Disabled Golfers**

Resolution #2004-06-330

Moved by Beltrami

Seconded by Eisenbacher

RESOLVED, That the rate for disabled residents to play golf **BE THE SAME** as the senior rates at Sylvan Glen and Sanctuary Lake for the 2004 season; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That the program for disabled residents to play golf at Sylvan Glen and Sanctuary Lake be **REVIEWED AND EVALUATED** prior to the 2005 season as recommended by the Parks and Recreation Board.

Yes: All-6

No: None

Absent: Stine

---

**F-4 Defeasance of \$4,140,000 General Obligation Unlimited Tax Bonds, Series 2000 (Streets, Roads and Streetscape Improvements) and \$8,530,000 General Obligation Unlimited Tax Bonds, Series 2000 (Community Center and Recreational Facilities)**

Resolution #2004-06-331

Moved by Beltrami

Seconded by Lambert

WHEREAS, By resolution adopted on September 13, 1999 (the "Community Center and Recreation Resolution"), this City Council determined that it was necessary to acquire, construct and reconstruct the City's Community Center Building and recreational facilities (the "Community Center and Recreational Improvements"); and by resolutions adopted on June 19, 2000 (the "Road and Streetscape Resolution") (the Community Center and Recreation Resolution and the Road and Streetscape Resolution are sometimes hereinafter referred to collectively as the "Bond Authorizing Resolutions"), this City Council determined that it was necessary to acquire, construct and reconstruct various roadway and streetscape improvements in the City (the "Road Improvements") (the Community Center and Recreational Improvements and the Road Improvements are hereinafter sometimes referred to collectively as the "Improvements"); and

WHEREAS, The cost of the Road Improvements was estimated to be Four Million One Hundred Fifty Thousand and 00/100 Dollars (\$4,150,000), and the cost of the Community Center and Recreational Improvements was estimated to be Eight Million Five Hundred Thirty Thousand and 00/100 Dollars (\$8,530,000); and

WHEREAS, To finance the cost of the Improvements, the City authorized, issued and sold its: General Obligation Unlimited Tax Bonds, Series 2000 (Streets, Roads and Streetscape Improvements) dated August 1, 2000 in the original principal amount of Four Million One Hundred Fifty Thousand and 00/100 Dollars (\$4,150,000) (the "Street Improvement Bonds" and its General Obligation Unlimited Tax Bonds, Series 2000 (Community Center and Recreational Facilities) dated August 1, 2000 in the original principal amount of Eight Million Five Hundred Thirty Thousand and 00/100 Dollars (\$8,530,000) (the "Community Center Recreation Bonds") (collectively the "Bonds"); pursuant to the provisions of Act 279, Public Acts of Michigan, 1909 as amended ("Act 279"), the City Charter of the City and the affirmative vote of the electors of the City at a general election held on April 5, 1999; and in accordance and in conformity with the Bond Authorizing Resolutions; and

WHEREAS, Pursuant to Act 279, the City irrevocably pledged its unlimited tax full faith and credit as additional security for the prompt payment of principal of and interest on the Bonds; and

WHEREAS, The Street Improvement Bonds remain outstanding in the aggregate principal amount of \$3,950,000, to mature in various principal amounts on October 1 in the years 2004 through 2020 inclusive and bear interest at rates per annum which vary from 4.750% to 6.000% (the "Outstanding Street Improvement Bonds") and the Community Center Recreation Bonds remain outstanding in the aggregate principal amount of \$8,050,000, to mature in various principal amounts on October 1 in the years 2004 to 2020 inclusive and bear interest at rates per annum which vary from 4.650% to 5.875% (the "Outstanding Community Center Recreation Bonds") (the Outstanding Street Improvement Bonds and the Outstanding Community Center Recreation Bonds are sometimes hereinafter referred to collectively as the "Outstanding Bonds"); and

WHEREAS, The City has reviewed the necessary information and, based on the recommendations of its financial advisors, has determined that it is in the City's best interest and is now desirable to defease all or a portion of the Outstanding Bonds maturing in the years 2004 and thereafter, as permitted in the Bond Authorizing Resolutions; and

WHEREAS, The City has determined to use funds on hand in the Debt Retirement Funds established for the Bonds (as described and defined in the Bond Authorizing Resolutions) and other funds on hand and legally available therefore, to provide for the defeasance of all or a portion of the Outstanding Bonds;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. DEFEASANCE OF BONDS: The City hereby authorizes the defeasance of all of the Outstanding Street Improvement Bonds and all or a portion of the Outstanding Community Center Recreation Bonds pursuant to the terms of the Bond Authorizing Resolutions.

2. DETAILS OF DEFEASANCE OF STREET IMPROVEMENT BONDS: In accordance with the Street Improvement Resolutions, the City will deposit cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal and interest on which, without reinvestment, come due at times and in amounts sufficient to pay, at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on all of the Outstanding Street Improvement Bonds. Such deposits will be made to the Registrar/Paying Agent on or before October 1, 2004 with instructions to pay at maturity all Outstanding Street Improvement Bonds maturing in the years 2004 to 2007, to pay interest on all of the Outstanding Street Improvement Bonds as the same becomes due, and to call all of the Outstanding Street Improvement Bonds maturing on and after October 1, 2008 for redemption on October 1, 2007. The Registrar/Paying Agent is hereby authorized to send a Notice of Redemption, substantially in the form attached hereto as Exhibit "A", with such changes as are deemed necessary by the City Manager or the Assistant City Manager/Finance of the City to the bondholders on or before September 1, 2007.

3. DETAILS OF DEFEASANCE OF COMMUNITY CENTER RECREATION BONDS: In accordance with the Community Center and Recreation Resolution, the City will deposit cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal and interest on which, without reinvestment, come due at times and in amounts sufficient to pay, at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the Outstanding Community Center Recreation Bonds to be defeased. Such deposits will be made to the Registrar/Paying Agent on or before October 1, 2004 with instructions to pay at maturity all or a portion of the Outstanding Community Center Recreation Bonds maturing in the years 2004 to 2007, to pay interest on all of the Outstanding Community Center Recreation Bonds to be defeased as the same becomes due, and to call all or a portion of the Outstanding Community Center Recreation Bonds maturing on and after October 1, 2008 for redemption on October 1, 2007. The Registrar/Paying Agent is hereby authorized to send a Notice of Redemption, substantially in the form attached hereto as Exhibit "B", in such amounts and with such changes as are deemed necessary by the City Manager or the Assistant City Manager/Finance of the City, to the bondholders on or before September 1, 2007.

4. APPOINTMENTS: The following are hereby appointed to act in the following capacities with respect to the redemption of the Bonds:

- (a) Bond Counsel - Miro Weiner & Kramer, Bloomfield Hills, Michigan.
- (b) Financial Advisors: - Bendzinski & Co., Detroit, Michigan.

5. **AUTHORIZATION:** The City Manager or the Assistant City Manager/Finance is hereby authorized to determine the final amount and years of the Outstanding Bonds to be defeased, that will provide the greatest savings to the City based upon investment of funds on hand and legally available therefore, to enter into contracts with a suitable underwriter for investment of said funds subject to the limitations set forth above and in the Bond Authorizing Resolutions for defeasance, to execute and deliver an escrow agreement with the Registrar/Paying Agent for the Bonds providing for the deposit in trust of the defeasance on such terms as deemed advisable and to do all other things necessary to carry out the provisions of these resolutions.

6. **CONFLICTING RESOLUTIONS:** All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

## EXHIBIT "A"

**NOTICE OF REDEMPTION**

**TO THE HOLDERS OF CITY OF TROY  
GENERAL OBLIGATION UNLIMITED TAX BONDS, SERIES 2000  
(STREETS, ROADS AND STREETScape IMPROVEMENTS)**

**COUNTY OF OAKLAND, STATE OF MICHIGAN**

**DATED: August 1, 2000**

PLEASE TAKE NOTICE that the City of Troy, County of Oakland, State of Michigan has called for redemption on October 1, 2007, all outstanding Bonds of the bond issue described above, maturing on October 1, 2008 through October 1, 2020, inclusive, at a redemption price of 100.5% of the par value of each bond.

<u>Maturity Due October 1</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>CUSIP* Number</u>
<u>2008</u>	<u>\$150,000</u>	<u>4.750%</u>	<u>897387MFO</u>
<u>2009</u>	<u>\$150,000</u>	<u>4.800%</u>	<u>897387MG8</u>
<u>2010</u>	<u>\$200,000</u>	<u>4.850%</u>	<u>897387MH6</u>
<u>2011</u>	<u>\$200,000</u>	<u>4.950%</u>	<u>897387MJ2</u>
<u>2012</u>	<u>\$250,000</u>	<u>5.000%</u>	<u>897387MK9</u>
<u>2013</u>	<u>\$250,000</u>	<u>5.100%</u>	<u>897387ML7</u>
<u>2014</u>	<u>\$300,000</u>	<u>5.200%</u>	<u>897387MM5</u>
<u>2015</u>	<u>\$300,000</u>	<u>5.300%</u>	<u>897387MN3</u>
<u>2016</u>	<u>\$300,000</u>	<u>5.400%</u>	<u>897387MP8</u>
<u>2017</u>	<u>\$300,000</u>	<u>5.450%</u>	<u>897387MQ6</u>
<u>2018</u>	<u>\$350,000</u>	<u>5.500%</u>	<u>897387MR4</u>
<u>2019</u>	<u>\$350,000</u>	<u>5.500%</u>	<u>897387MS2</u>
<u>2020</u>	<u>\$400,000</u>	<u>5.500%</u>	<u>897387MTO</u>

Bonds called for redemption together with all coupons maturing on and after October 1, 2008 may be surrendered for payment at the office of the Registrar/Paying Agent indicated below. All interest on the bonds called for redemption and all unmatured coupons thereon, will cease on October 1, 2007, whether the bonds and unmatured coupons are presented for redemption or not. Method of delivery is at the option of the Holder, but if by mail, registered mail is suggested.

City of Troy  
By: REGISTRAR/PAYING AGENT

Dated: \_\_\_\_\_, 2007

Withholding of 31% of gross redemption proceeds of any payment made within the United States may be required by the Interest and Dividend Tax Compliance Act of 1983 unless the Registrar/Paying Agent has the correct taxpayer identification number (social security or employer identification number) or exemption certificate of the payee. Please furnish a properly completed Form W-9 or exemption certificate or equivalent when presenting your securities.

\*The CUSIP numbers are included solely for the convenience of the Bondholders. Neither the City of Troy nor the Registrar/Paying Agent shall be responsible for the selection or the use of the CUSIP numbers, nor is any representation made as to their correctness on the securities or as indicated on any redemption notice.

EXHIBIT "B"

**NOTICE OF REDEMPTION**

**TO THE HOLDERS OF CITY OF TROY  
GENERAL OBLIGATION UNLIMITED TAX BONDS, SERIES 2000  
(COMMUNITY CENTER AND RECREATIONAL FACILITIES)**

COUNTY OF OAKLAND, STATE OF MICHIGAN

**DATED: August 1, 2000**

PLEASE TAKE NOTICE that the City of Troy, County of Oakland, State of Michigan has called for redemption on October 1, 2007, the below listed Bonds of the bond issue described above, maturing on October 1, 2008 through October 1, 2020, inclusive, at a redemption price of 100.5% of the par value of each bond.

<b><u>Maturity</u></b>	<b><u>Principal</u></b>	<b><u>Interest</u></b>	<b><u>CUSIP*</u></b>
<b><u>Due October 1</u></b>	<b><u>Amount</u></b>	<b><u>Rate</u></b>	<b><u>Number</u></b>

Bonds called for redemption together with all coupons maturing on and after October 1, 2008 may be surrendered for payment at the office of the Registrar/Paying Agent indicated below. All interest on the bonds called for redemption and all unmatured coupons thereon, will cease on October 1, 2007, whether the bonds and unmatured coupons are presented for

redemption or not. Method of delivery is at the option of the Holder, but if by mail, registered mail is suggested.

City of Troy

By: REGISTRAR/PAYING AGENT

Dated: \_\_\_\_\_, 2007

Withholding of 31% of gross redemption proceeds of any payment made within the United States may be required by the Interest and Dividend Tax Compliance Act of 1983 unless the Registrar/Paying Agent has the correct taxpayer identification number (social security or employer identification number) or exemption certificate of the payee. Please furnish a properly completed Form W-9 or exemption certificate or equivalent when presenting your securities.

\*The CUSIP numbers are included solely for the convenience of the Bondholders. Neither the City of Troy nor the Registrar/Paying Agent shall be responsible for the selection or the use of the CUSIP numbers, nor is any representation made as to their correctness on the securities or as indicated on any redemption notice.

Yes: All-6  
 No: None  
 Absent: Stine

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**F-9 Appointment of South Oakland County Resource Recovery Authority (SOCRRA) – Delegate and Alternate**

Resolution  
 Moved by Beltramini  
 Seconded by Lambert

WHEREAS, That the appointments of delegate and alternate delegate to the SOCRRA Board expire on June 30, 2004.

NOW, THEREFORE, BE IT RESOLVED, That Martin Howrylak is **APPOINTED** as delegate to the SOCRRA Board effective immediately until December 31, 2004.

**Vote on Amendment**

Resolution #2004-06-332  
 Moved by Broomfield  
 Seconded Beltramini

RESOLVED, That the Resolution be **AMENDED** by **INSERTING**, “BE IT FURTHER RESOLVED, That David Eisenbacher is APPOINTED as the alternate delegate to the SOCRRA Board effective immediately until December 31, 2004.”

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

**MOTION CARRIED**

**Vote on Amended Resolution**

Resolution #2004-06-333  
Moved by Broomfield  
Seconded Lambert

WHEREAS, That the appointments of delegate and alternate delegate to the SOCRRA Board expire on June 30, 2004.

NOW, THEREFORE, BE IT RESOLVED, That Martin Howrylak is **APPOINTED** as delegate to the SOCRRA Board effective immediately until December 31, 2004; and

BE IT FURTHER RESOLVED, That David Eisenbacher is **APPOINTED** as the alternate delegate to the SOCRRA Board effective immediately until December 31, 2004.

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

**MOTION CARRIED**

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**F-12 Retention of Special Legal Counsel**

Resolution #2004-06-334  
Moved by Schilling  
Seconded by Beltramini

RESOLVED, That the City Attorney is hereby **AUTHORIZED** to retain Boris Yakima, of Monahan, LoPrete, McDonald, Yakima, Grenke & McCarthy, as special legal counsel for the acquisition of property for the I-75/Crooks Road/Long Lake Interchange Project, who shall be vested with the authority to retain any necessary experts and incur reasonable expenses.

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

**MOTION CARRIED**

F-1 **Appointments to Boards and Committees: (a) Mayoral Appointments:** No Mayoral Appointments and **(b) City Council Appointments:** Cable Advisory Committee, Ethnic Issues Advisory Board, Historic District Commission, Historical Commission, Library Advisory Board, Liquor Committee, Traffic Committee, Troy Daze Advisory Committee, Troy Youth Council

**(b) City Council Appointments**

Resolution  
Moved by Beltramini  
Seconded by Eisenbacher

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

**Advisory Committee for Senior Citizens**

Appointed by Council (9) – 3 years

Burdette L. Black, Jr.

**Term expires 04-30-2007**

**Cable Advisory Committee**

Fan Lin

**Term expires 07/01/2005 (Student)**

**Ethnic Issues Advisory Board**

Kara Huang

**Term expires 07-01-2005 (Student)**

**Historic District Commission**

Ms.Yilin Zhang

**Term expires 07-01-2005(Student)**

**Historical Commission**

Rayma Gopal

**Term expires 07-01-2005 (Student)**

**Library Advisory Board**

Lauren Andreoff

**Term expires 07-01-2005 Student**

Cheng Chen

**Term expires 07-01-2005 Student**

**Liquor Committee**

Emily Polet.

Term expires 07-01-2005 Student

**Traffic Committee**

Grace Yau

Term expires 07-01-2005 Student

**Troy Daze Advisory Committee**

Dhwani Mehta

Term expires 07-01-2005 Student

**Troy Youth Council**

Appointed by Council (13) – 1 year

Alexandra Bozimowski

Term expires 08-31-2005 (Student)

Rishi Joshi

Term expires 08-31-2005 (Student)

Jessica Kraft

Term expires 08-31-2005 (Student)

Nicole Vitale

Term expires 08-31-2005 (Student)

**Proposed Resolution to Amend**

Resolution

Moved by Howrylak

Seconded by Eisenbacher

RESOLVED, That the Resolution be **AMENDED** by **INSERTING**:

**Advisory Committee for Senior Citizens**

Appointed by Council (9) – 3 years

James Berar

Term expires 04-30-2007

**Traffic Committee**

Appointed by Council (7) 3 years

Peter Ziegenfelder

Term expires 01-31-2005

**Vote on Amendment to Separate Resolution**

Resolution #2004-06-335  
Moved by Beltramini  
Seconded by Howrylak

RESOLVED, That the Resolution be **AMENDED** by **SEPARATING** the vote for the following Boards and Committees:

**Advisory Committee for Senior Citizens**

Appointed by Council (9) – 3 years

**Traffic Committee**

Appointed by Council (7) 3 years

Yes: All-6  
No: None  
Absent: Stine

**Vote on Resolution to Amend**

Resolution #2004-06-336  
Moved by Howrylak  
Seconded by Eisenbacher

RESOLVED, That the Resolution be **AMENDED** by **INSERTING**:

**Advisory Committee for Senior Citizens**

Appointed by Council (9) – 3 years

James Berar

**Term expires 04-30-2007**

**Traffic Committee**

Appointed by Council (7) 3 years

Peter Ziegenfelder

**Term expires 01-31-2005**

Yes: All-6  
No: None  
Absent: Stine

**Vote on Amended Resolution**

Resolution #2004-06-337  
Moved by Beltramini  
Seconded by Eisenbacher

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

**Cable Advisory Committee**

Fan Lin **Term expires 07/01/2005 (Student)**

**Ethnic Issues Advisory Board**

Kara Huang **Term expires 07-01-2005 (Student)**

**Historic District Commission**

Ms.Yilin Zhang **Term expires 07-01-2005 (Student)**

**Historical Commission**

Rayma Gopal **Term expires 07-01-2005 (Student)**

**Library Advisory Board**

Lauren Andreoff **Term expires 07-01-2005 Student**

Cheng Chen **Term expires 07-01-2005 Student**

**Liquor Committee**

Emily Polet. **Term expires 07-01-2005 Student**

**Traffic Committee**

Grace Yau **Term expires 07-01-2005 Student**

**Troy Daze Advisory Committee**

Dhwani Mehta **Term expires 07-01-2005 Student**

**Troy Youth Council**

Appointed by Council (13) – 1 year

Alexandra Bozimowski **Term expires 08-31-2005 (Student)**

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Rishi Joshi **Term expires 08-31-2005 (Student)**

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Jessica Kraft **Term expires 08-31-2005 (Student)**

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Nicole Vitale **Term expires 08-31-2005 (Student)**

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Yes: All-6  
No: None  
Absent: Stine

**Vote on Resolution to Postpone**

Resolution #2004-06-338  
Moved by Lambert  
Seconded by Schilling

RESOLVED, That the following nominations to serve on the Advisory Committee for Senior Citizens as indicated below be **POSTPONED** until the Regular City Council meeting scheduled for Monday, July 12, 2004:

**Advisory Committee for Senior Citizens**

Appointed by Council (9) – 3 years

**Nominations: James Berar or Burdette L. Black Jr. Term expires 04-30-2007**

Yes: All-6  
No: None  
Absent: Stine

**Vote on Appointment to Traffic Committee**

Resolution #2004-06-339  
Moved by Howrylak  
Seconded by Eisenbacher

**Traffic Committee**

Appointed by Council (7) 3 years

Peter Ziegenfelder **Term expires 01-31-2005**

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

**MOTION CARRIED**

**Appointments Carried-Over as Item F-1 on the Next Regular City Council Meeting  
Agenda Scheduled for July 12, 2004:**

**Mayoral Appointments**

**Brownfield Redevelopment Authority**

Mayor, Council Approval (7) – 3 years

Victor Lenivov seeks reappointment

**Term expires 04-30-2007**

**Economic Development Corporation**

Mayor, Council Approval (9) – 6 years

**Term expires 04-30-2009**

**Term expires 04-30-2009**

**City Council Appointments**

**Advisory Committee for Persons with Disabilities**

**Term expires 07-01-2005 (Student)**

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**F-2 Sanctuary Lake Golf Dedication**

Resolution #2004-06-340

Moved by Lambert

Seconded by Howrylak

RESOLVED, That the Sanctuary Lake Golf Course dedication ceremony is **SCHEDULED** for Monday, July 19, 2004 at 5:30 pm.

Yes: All-6

No: None

Absent: Stine

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**F-5 2004 Annual Salary Update for Classified and Exempt Employees and Proposed  
Change to Personnel Rules and Regulations**

Resolution #2004-06-341

Moved by Lambert

Seconded by Beltramini

RESOLVED, That the 2004 Classification and Pay Plans are hereby **APPROVED** as recommended by City Management and the Personnel Board; a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FURTHER RESOLVED, That the revision to the Personnel Rules & Regulations for Classified Personnel is hereby **APPROVED**, as recommended by City Management and the Personnel Board; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-6  
No: None  
Absent: Stine

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#### **F-6 Records Retention Manual**

Resolution #2004-06-342  
Moved by Eisenbacher  
Seconded by Broomfield

WHEREAS, 1913 PA 271, Section 5(2), as amended, that being MCL 399.5(2), provides “a record that is required to be kept by a public officer in the discharge of duties imposed by law, that is required to be filed in a public place, or that is a memorial of a transaction of a public officer made in the discharge of a duty is the property of this state and shall not be disposed of, mutilated, or destroyed except as provided by law”.

WHEREAS, The Michigan Municipal League, the State Administrative Board, the Michigan Historical Center and the Michigan Treasury Department, Local Audit and Finance Division, have approved a records retention and disposal schedule to be used by Michigan’s city and village offices for the disposition of their usual records; a copy of which is **ATTACHED** hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy **ADOPTS** by reference the General Records Retention and Disposal Schedule #8 in its entirety.

Yes: All-6  
No: None  
Absent: Stine

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#### **F-7 Approval of Funding Agreement: Boys and Girls Club**

Resolution #2004-06-343  
Moved by Broomfield  
Seconded by Beltramini

RESOLVED, That the Funding Agreement between the City of Troy and Boys and Girls Club of Troy for July 1, 2004 through June 30, 2005 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: Stine

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**F-8 Approval of Local Development Finance Authority 2004-05 Budget**

Resolution  
Moved by Beltramini  
Seconded by Broomfield

RESOLVED, That the 2004-2005 Proposed Annual Budget for the Local Development Finance Authority is **APPROVED**.

**Vote on Resolution to Amend**

Resolution #2004-06-344  
Moved by Lambert  
Seconded by Howrylak

RESOLVED, That the Resolution be **AMENDED** by **STRIKING**, " Marketing Costs - \$6,800.00".

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

**MOTION FAILED**

**Vote on Main Resolution**

Resolution #2004-06-345  
Moved by Beltramini  
Seconded by Broomfield

RESOLVED, That the 2004-2005 Proposed Annual Budget for the Local Development Finance Authority is **APPROVED**.

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

**MOTION CARRIED**

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**F-10 Rescind Bid Award / Re-Award Contract: Aggregates, 60/40 Gravel**

Resolution #2004-06-346  
Moved by Howrylak  
Seconded by Broomfield

WHEREAS, On April 19, 2004, a one-year contract for Aggregates with an option to renew for an additional year was awarded to Lapeer Sand & Gravel, the low bidder for Item 4, 60/40 Gravel (Resolution #2004-04-215-E-5).

WHEREAS, Lapeer Sand & Gravel has not provided the insurance certificate as required after numerous attempts by City Management.

NOW, THEREFORE, BE IT RESOLVED, That the contract to supply Item 4, 60/40 Gravel be **RESCINDED** with prejudice from Lapeer Sand & Gravel, and re-awarded to the next low bidder, United Soils, Inc. at the unit price contained in the attached bid tabulation opened March 24, 2004; a copy of which shall be **ATTACHED** to the original Minutes of this meeting, after which time the contract shall expire on April 30, 2005; and

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

Yes: All-6  
No: None  
Absent: Stine

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#### **F-11 Clinton River Watershed Council and Public Education Plan Requirements of the Storm Water General Permit**

Resolution #2004-06-347  
Moved by Beltramini  
Seconded by Lambert

WHEREAS, The City of Troy has applied for and received its Certificate of Coverage from the Michigan Department of Environmental Quality for the Watershed Based Stormwater Permit.

WHEREAS, Public Education is a requirement of the General Stormwater Permit and the existing NPDES Phase II Stormwater regulations.

WHEREAS, The City of Troy is an active member of the Clinton River Watershed Council.

WHEREAS, An Agreement for Services and Scope of Services has been proposed by the Clinton River Watershed Council for additional Public Education activities.

NOW, THEREFORE, BE IT RESOLVED, That the City of Troy **APPROVES** the attached Agreement for Services with the Clinton River Watershed Council for Public Education activities in the Red Run Subwatershed of the Clinton River; and

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are **AUTHORIZED TO SIGN** the attached Agreement for Services on behalf of the City of Troy; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-6  
No: None  
Absent: Stine

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**F-13 Traffic Committee Recommendations – May 19, 2004****(a) Replacement of *YIELD* Signs with the Installation of *STOP* Signs on Marcus at Sparta**

Resolution #2004-06-348a  
Moved by Eisenbacher  
Seconded by Broomfield

RESOLVED, That Traffic Control Order #\_\_\_\_\_ is hereby **APPROVED** for the replacement of the *YIELD* signs on Marcus at Sparta with the installation of *STOP* signs.

Yes: All-6  
No: None  
Absent: Stine

**(b) Replacement of *YIELD* Signs with the Installation of *STOP* Signs on Thames at Dover; Repair Depression on Dover**

Resolution #2004-06-348b  
Moved by Eisenbacher  
Seconded by Broomfield

RESOLVED, That Traffic Control Order #\_\_\_\_\_ is hereby **APPROVED** for the replacement of the *YIELD* signs on Thames at Dover with the installation of *STOP* signs, and that the depression on Dover be **REPAIRED**.

Yes: All-6  
No: None  
Absent: Stine

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**F-14 2003/04 Budget Amendment No. 2**

Resolution #2004-06-349  
Moved by Lambert  
Seconded by Beltramini

RESOLVED, That 2003/04 Budget Amendment No. 2 is hereby **APPROVED**; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-6  
No: None  
Absent: Stine

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**F-15 Part-Time Wage Survey Report and Recommendation for 2004**

Resolution #2004-06-350

Moved by Howrylak

Seconded by Lambert

RESOLVED, That the recommendations presented in the 2004 Part-time Wage Survey Report dated June 11, 2004 is hereby **APPROVED**; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-6

No: None

Absent: Stine

**MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:**

**G-1 Announcement of Public Hearings:** None brought forward.

**G-2 Green Memorandums:**

(a) Memorandum, Re: City of Southfield Resolution – Cable Television Rates

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

**H-1 No items advanced.**

**COUNCIL COMMENTS:**

**I-1 No items advanced.**

**REPORTS:****J-1 Minutes – Boards and Committees:**

- (a) Personnel Board/Final – December 9, 2003
- (b) Historic District Commission/Draft – February 17, 2004
- (c) Local Development Finance Authority/Final – March 1, 2004
- (d) Library Board/Final – March 11, 2004
- (e) Local Development Finance Authority/Final – May 3, 2004
- (f) Advisory Committee for Persons with Disabilities/Draft – May 5, 2004
- (g) Advisory Committee for Persons with Disabilities/Final – May 5, 2004
- (h) Advisory Committee for Senior Citizens/Final – May 6, 2004
- (i) Employees' Retirement System Board of Trustees/Final – May 12, 2004
- (j) Historic District Commission/Draft – May 18, 2004
- (k) Planning Commission Special-Study/Draft – May 25, 2004
- (l) Planning Commission Special-Study/Final – May 25, 2004
- (m) Ethnic Issues Advisory Board/Draft – June 1, 2004
- (n) Advisory Committee for Senior Citizens/Draft – June 3, 2004
- (o) Personnel Board/Draft – June 8, 2004

Noted and Filed

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**J-2 Department Reports:** No Department Reports submitted.

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**J-3 Letters of Appreciation:**

- (a) Letter from Diana Stafford – Mt. Zion School, Waterford School District, to Chief Craft In Appreciation of Officer Kaptur's Presentation to Their High School Students
- (b) Letter from Daniel J. Miller – Captain – Third District Headquarters – Department of State Police, to Chief Craft In Appreciation of Officer Jay Reynolds' "Identity Theft Investigation" Presentation
- (c) Thank You Card from Baker Middle School in Appreciation of Officer Kaptur's Presentation
- (d) Letter from Jeffrey D. Werner, Chief of Police – Bloomfield Township Police Department to Chief Craft In Appreciation of the Troy Police Department's Support They Offered Due to the Tragic Death of One of Their Police Officers
- (e) Letter from Timothy A. Lancaster to Lori Grigg Bluhm in Appreciation of Professor Sedler's Presentation on Brown v. Board of Education During Law Day
- (f) E-Mail from Robert A. Sedler to Lori Grigg Bluhm Thanking Her for the Opportunity to Speak About Brown v. Board of Education During Law Day
- (g) Letter from Nancy Tardiff Lessem to Allan Motzny in Appreciation of Professor Sedler's Presentation on Brown v. Board of Education During Law Day
- (h) Letter from Terri Lynn Land – Michigan Secretary of State to Tonni Bartholomew In Appreciation of the Hard Work and Support She Provided Throughout the Bid and Contract Process for the New Statewide Voting System

Noted and Filed

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**J-4 Proposed Proclamations/Resolutions from Other Organizations:**

- (a) Oakland County Board of Commissioners – Oppose Governor's Budget Plan to Collect County Taxes in July of Each Year and to Recommend to Cities, Villages and Townships Language to Place on Summer Tax Statements

Noted and Filed

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**J-5 Calendar**

Noted and Filed

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**J-6 Letter from Ron Ristau – Director of Service Development – SMART, Re: Reprints of an Article on SMART's Community Partnership Program That Appeared in "Community Transportation Magazine"**

Noted and Filed

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**J-7 Memorandum, Re: Auction Report – Computer Sale – Auction Test: Bidcorp vs. EBAY**

Noted and Filed

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**J-8 Memorandum, Re: Auction – Vehicle Sale on April 24, 2004 in St. Clair, Michigan**

Noted and Filed

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**STUDY ITEMS:**

**K-1 No Study Items submitted.**

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**PUBLIC COMMENT: Address of "K" Items**

**CLOSED SESSION:**

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**L-1 Closed Session**

Resolution #2004-06-351

Moved by Broomfield

Seconded by Beltramini

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

Yes: All-6

No: None

Absent: Stine

The meeting **RECESSED** at 12:23 AM on Tuesday, June 22, 2004.

The meeting **ADJOURNED** at 1:00 AM on Tuesday, June 22, 2004

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Louise E. Schilling, Mayor

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Tonni L. Bartholomew, MMC - City Clerk



# Memorandum

To: John Szerlag, City Manager  
From: John M. Lamerato, Assistant City Manager/Finance and Administration  
Tonni L. Bartholomew, City Clerk  
Date: June 14, 2004  
Subject: Request for Recognition as a Nonprofit Organization Status from the Automotive Women's Alliance Foundation (AWAF), for the Purpose of Obtaining a Charitable Gaming License

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Attached is a request from the Automotive Women's Alliance Foundation (AWAF) in addition to documentation confirming their 501(c)(3) status, seeking recognition as a nonprofit organization status for the purpose of obtaining a charitable gaming license to conduct raffles at their annual golf outings. It has been City Management's practice to support the approval of such requests.



June 3, 2004

**AWA Foundation**  
P.O. Box 4305  
Troy, MI 48099  
Phone: 248-583-3922  
Fax: 248-583-4838  
www.automotivewomensalliance.com

The Honorable Louise A. Schilling  
Mayor of Troy  
Troy City Hall  
500 W. Big Beaver Road  
Troy, MI 48084

Troy City Council  
Troy City Hall  
500 W. Big Beaver Road  
Troy, MI 48084

**Executive Board**

**Kim Ziomek, President**  
Liaison Office External Affairs  
Bosch

**Fran Bachmann, Vice President**  
Sales Consultant  
Metro Auto Sales & Leasing

**Noelle Schiffer, Secretary**  
Vice President of Sales & Marketing  
OESA

**Toni Beaubien, Treasurer**  
Division Controller  
LogicaCMG

**Executive Advisory Council**

**Kathy Oswald**  
Senior Vice President & Managing Director  
Right Management Consultants

**Lauren Eisbrenner**  
Executive Vice President, COO  
Eisbrenner Communications

**Board of Directors**

**Sandra McCausland**  
Professional Development  
BBK, Ltd.

**Denise Mahnick**  
Corporate Resource Development  
e-Source/Adventures in Advertising

**Julia Baran**  
Corporate Resource Development  
Alcos, Inc.

**Bernice Gucwa**  
Golf Outing Chair

Re: Recognition of Automotive Women's Alliance Foundation (AWAF)  
as a non-profit organization

Dear Mayor Schilling and Troy City Council:

**AWAF** would like to obtain a charitable gaming license to conduct raffles at our annual golf outing. One of the requirements to obtain this license is a resolution from the City of Troy confirming that the **AWAF** is a recognized non-profit organization in the community.

**AWAF** is a non-profit 501(c)(3) organization formed by the Automotive Women's Alliance, Inc. (AWA). AWA's purpose is to support Automotive Women's Alliance (AWA) in its mission to advance women in the global automotive industry. AWA helps the organization achieve that goal through the scholarships it awards to women pursuing careers in the automotive industry.

**AWAF** was initiated this year when it became apparent through past golf outings that AWA had the capability to raise not only funds but also awareness of the importance of women in automotive and affiliated industries. For the past nine successive years, AWA's golf outings have exceeded expectations in terms of attendees as well as sponsors. While this is our first year as AWA, under the efforts of AWA, we have raised over \$50,000. This has enabled 20 women to receive a \$2,500 scholarship.

Attached is documentation verifying our 501(c)(3) status.

If you have any questions or require additional information, please contact me @ (248) 848-6745.

Sincerely,

Kimberly A. Ziomek, AWA President & CEO AWA, Inc.  
Manager, Liaison Office External Affairs, Robert Bosch Corporation

cc: AWA Board

Mission Statement: AWA is dedicated to supporting the mission and vision of AWA by facilitating educational and professional development opportunities for women in the global automotive industry.



Business Wire, the global leader in news distribution, is the official wire service of the Automotive Women's Alliance, Inc.

/kaz



Charitable Gaming Division  
 Box 30023, Lansing, MI 48909  
 OVERNIGHT DELIVERY:  
 101 E. Hillsdale, Lansing MI 48933  
 (517) 335-5780  
 www.michigan.gov/cg

**LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES**  
 (Required by MCL 432.103(9))

At a \_\_\_\_\_ meeting of the \_\_\_\_\_  
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by \_\_\_\_\_ on \_\_\_\_\_  
DATE

at \_\_\_\_\_ a.m./p.m. the following resolution was offered:  
TIME

Moved by \_\_\_\_\_ and supported by \_\_\_\_\_

that the request from \_\_\_\_\_ of \_\_\_\_\_,  
NAME OF ORGANIZATION CITY

county of \_\_\_\_\_, asking that they be recognized as a  
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining a charitable

gaming license, be considered for \_\_\_\_\_  
APPROVAL/DISAPPROVAL

APPROVAL	DISAPPROVAL
Yeas: _____	Yeas: _____
Nays: _____	Nays: _____
Absent: _____	Absent: _____

I hereby certify that the foregoing is a true and complete copy of a resolution offered and  
 adopted by the \_\_\_\_\_ at a \_\_\_\_\_  
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL  
 meeting held on \_\_\_\_\_  
DATE

SIGNED: \_\_\_\_\_  
TOWNSHIP, CITY, OR VILLAGE CLERK

\_\_\_\_\_  
PRINTED NAME AND TITLE

\_\_\_\_\_  
ADDRESS

COMPLETION: Required.  
 PENALTY: Possible denial of application.  
 BSL-CG-1153(R7/02)

Form **1023**  
(Rev. September 1998)  
Department of the Treasury  
Internal Revenue Service

# Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code

OMB No. 1545-0046

Note: If exempt status is approved, this application will be open for public inspection.

Read the instructions for each Part carefully.

**A User Fee must be attached to this application.**

If the required information and appropriate documents are not submitted along with Form 8718 (with payment of the appropriate user fee), the application may be returned to you.

Complete the Procedural Checklist on page 8 of the instructions.

## Part I Identification of Applicant

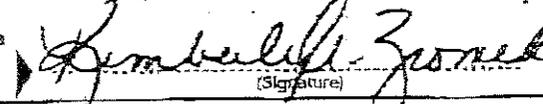
1a Full name of organization (as shown in organizing document) <b>AUTOMOTIVE WOMEN'S ALLIANCE FOUNDATION</b>		2 Employer identification number (EIN) (If none, see page 3 of the Specific Instructions.) <b>Applied For</b>
1b c/o Name (if applicable)		3 Name and telephone number of person to be contacted if additional information is needed <b>Anthony L. Vespa</b> <b>( 248 ) 358-2090</b>
1c Address (number and street) <b>P.O. BOX 4305</b>	Room/Suite	4 Month the annual accounting period ends <b>DECEMBER</b>
1d City, town, or post office, state, and ZIP + 4. If you have a foreign address, see Specific Instructions for Part I, page 3. <b>TROY, MI 48099</b>		
1e Web site address <b>www.automotivewomensalliance.com</b>		6 Check here if applying under section: a <input type="checkbox"/> 501(e) b <input type="checkbox"/> 601(f) c <input type="checkbox"/> 501(k) d <input type="checkbox"/> 501(n)
7 Did the organization previously apply for recognition of exemption under this Code section or under any other section of the Code? . . . . . <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," attach an explanation.		
8 Is the organization required to file Form 990 (or Form 990-EZ)? . . . . . <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If "No," attach an explanation (see page 3 of the Specific Instructions).		
9 Has the organization filed Federal income tax returns or exempt organization information returns? . . . . . <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," state the form numbers, years filed, and Internal Revenue office where filed.		

10 Check the box for the type of organization. ATTACH A CONFORMED COPY OF THE CORRESPONDING ORGANIZING DOCUMENTS TO THE APPLICATION BEFORE MAILING. (See Specific Instructions for Part I, Line 10, on page 3.) See also Pub. 557 for examples of organizational documents.)

- a  Corporation— Attach a copy of the Articles of Incorporation (including amendments and restatements) showing approval by the appropriate state official; also include a copy of the bylaws.
- b  Trust— Attach a copy of the Trust Indenture or Agreement, including all appropriate signatures and dates.
- c  Association— Attach a copy of the Articles of Association, Constitution, or other creating document, with a declaration (see instructions) or other evidence the organization was formed by adoption of the document by more than one person; also include a copy of the bylaws.

If the organization is a corporation or an unincorporated association that has not yet adopted bylaws, check here

I declare under the penalties of perjury that I am authorized to sign this application on behalf of the above organization and that I have examined this application, including the accompanying schedules and attachments, and to the best of my knowledge it is true, correct, and complete.

Please Sign Here  **KIM ZIOMEK, PRESIDENT** **09/01/03**  
 (Signature) (Type or print name and title or authority of signer) (Date)

For Paperwork Reduction Act Notice, see page 4 of the instructions.

Cat. No. 17133K

**Part II** Activities and Operational Information

- 1 Provide a detailed narrative description of all the activities of the organization—past, present, and planned. Do not merely refer to or repeat the language in the organizational document. List each activity separately in the order of importance based on the relative time and other resources devoted to the activity. Indicate the percentage of time for each activity. Each description should include, as a minimum, the following: (a) a detailed description of the activity including its purpose and how each activity furthers your exempt purpose; (b) when the activity was or will be initiated; and (c) where and by whom the activity will be conducted.

SEE ATTACHMENT

- 
- 2 What are or will be the organization's sources of financial support? List in order of size.

SEE ATTACHMENT

- 
- 3 Describe the organization's fundraising program, both actual and planned, and explain to what extent it has been put into effect. Include details of fundraising activities such as selective mailings, formation of fundraising committees, use of volunteers or professional fundraisers, etc. Attach representative copies of solicitations for financial support.

SEE ATTACHMENT

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**Part II** Activities and Operational Information (Continued)

4 Give the following information about the organization's governing body:

a Names, addresses, and titles of officers, directors, trustees, etc.

b Annual compensation

SEE ATTACHMENT

NONE

c Do any of the above persons serve as members of the governing body by reason of being public officials or being appointed by public officials?  Yes  No  
If "Yes," name those persons and explain the basis of their selection or appointment.

d Are any members of the organization's governing body "disqualified persons" with respect to the organization (other than by reason of being a member of the governing body) or do any of the members have either a business or family relationship with "disqualified persons"? (See Specific Instructions for Part II, Line 4d, on page 3.)  Yes  No  
If "Yes," explain.

5 Does the organization control or is it controlled by any other organization?  Yes  No  
Is the organization the outgrowth of (or successor to) another organization, or does it have a special relationship with another organization by reason of interlocking directorates or other factors?  Yes  No  
If either of these questions is answered "Yes," explain.

SEE ATTACHMENT

6 Does or will the organization directly or indirectly engage in any of the following transactions with any political organization or other exempt organization (other than a 501(c)(3) organization): (a) grants; (b) purchases or sales of assets; (c) rental of facilities or equipment; (d) loans or loan guarantees; (e) reimbursement arrangements; (f) performance of services, membership, or fundraising solicitations; or (g) sharing of facilities, equipment, mailing lists or other assets, or paid employees?  Yes  No  
If "Yes," explain fully and identify the other organizations involved.

7 Is the organization financially accountable to any other organization?  Yes  No  
If "Yes," explain and identify the other organization. Include details concerning accountability or attach copies of reports if any have been submitted.

**Part II** Activities and Operational Information (Continued)

8 What assets does the organization have that are used in the performance of its exempt function? (Do not include property producing investment income.) If any assets are not fully operational, explain their status, what additional steps remain to be completed, and when such final steps will be taken. If none, indicate "N/A."

SEE ATTACHMENT

9 Will the organization be the beneficiary of tax-exempt bond financing within the next 2 years?  Yes  No

10a Will any of the organization's facilities or operations be managed by another organization or individual under a contractual agreement?  Yes  No

b Is the organization a party to any leases?  Yes  No  
If either of these questions is answered "Yes," attach a copy of the contracts and explain the relationship between the applicant and the other parties.

11 Is the organization a membership organization?  Yes  No  
If "Yes," complete the following:

a Describe the organization's membership requirements and attach a schedule of membership fees and dues.

b Describe the organization's present and proposed efforts to attract members and attach a copy of any descriptive literature or promotional material used for this purpose.

c What benefits do (or will) the members receive in exchange for their payment of dues?

12a If the organization provides benefits, services, or products, are the recipients required, or will they be required, to pay for them?  N/A  Yes  No  
If "Yes," explain how the charges are determined and attach a copy of the current fee schedule.

b Does or will the organization limit its benefits, services, or products to specific individuals or classes of individuals?  N/A  Yes  No  
If "Yes," explain how the recipients or beneficiaries are or will be selected.

13 Does or will the organization attempt to influence legislation?  Yes  No  
If "Yes," explain. Also, give an estimate of the percentage of the organization's time and funds that it devotes or plans to devote to this activity.

14 Does or will the organization intervene in any way in political campaigns, including the publication or distribution of statements?  Yes  No  
If "Yes," explain fully.

**Part III** Technical Requirements

1 Are you filing Form 1023 within 15 months from the end of the month in which your organization was created or formed?  Yes  No  
If you answer "Yes," do not answer questions on lines 2 through 6 below.

2 If one of the exceptions to the 15-month filing requirement shown below applies, check the appropriate box and proceed to question 7.  
Exceptions—You are not required to file an exemption application within 15 months if the organization:  
 a Is a church, interchurch organization of local units of a church, a convention or association of churches, or an integrated auxiliary of a church. See Specific Instructions, Line 2a, on page 4;  
 b Is not a private foundation and normally has gross receipts of not more than \$5,000 in each tax year; or  
 c Is a subordinate organization covered by a group exemption letter, but only if the parent or supervisory organization timely submitted a notice covering the subordinate.

3 If the organization does not meet any of the exceptions on line 2 above, are you filing Form 1023 within 27 months from the end of the month in which the organization was created or formed?  Yes  No  
If "Yes," your organization qualifies under Regulation section 301.9100-2, for an automatic 12-month extension of the 15-month filing requirement. Do not answer questions 4 through 6.  
If "No," answer question 4.

4 If you answer "No" to question 3, does the organization wish to request an extension of time to apply under the "reasonable action and good faith" and the "no prejudice to the interest of the government" requirements of Regulations section 301.9100-3?  Yes  No  
If "Yes," give the reasons for not filing this application within the 27-month period described in question 3. See Specific Instructions, Part III, Line 4, before completing this item. Do not answer questions 5 and 6.  
If "No," answer questions 5 and 6.

5 If you answer "No" to question 4, your organization's qualification as a section 501(c)(3) organization can be recognized only from the date this application is filed. Therefore, do you want us to consider the application as a request for recognition of exemption as a section 501(c)(3) organization from the date the application is received and not retroactively to the date the organization was created or formed?  Yes  No

6 If you answer "Yes" to question 5 above and wish to request recognition of section 501(c)(4) status for the period beginning with the date the organization was formed and ending with the date the Form 1023 application was received (the effective date of the organization's section 501(c)(3) status), check here  and attach a completed page 1 of Form 1024 to this application.

**Part III** Technical Requirements (Continued)

- 7 Is the organization a private foundation?  
 Yes (Answer question 8.)  
 No (Answer question 9 and proceed as instructed.)

- 8 If you answer "Yes" to question 7, does the organization claim to be a private operating foundation?  
 Yes (Complete Schedule E.)  
 No

After answering question 8 on this line, go to line 14 on page 7.

- 9 If you answer "No" to question 7, indicate the public charity classification the organization is requesting by checking the box below that most appropriately applies:

THE ORGANIZATION IS NOT A PRIVATE FOUNDATION BECAUSE IT QUALIFIES:

- |   |  |  |
|---|--|--|
| a | <input type="checkbox"/> As a church or a convention or association of churches (CHURCHES MUST COMPLETE SCHEDULE A.)   | Sections 509(a)(1) and 170(b)(1)(A)(i)                       |
| b | <input type="checkbox"/> As a school (MUST COMPLETE SCHEDULE B.)   | Sections 509(a)(1) and 170(b)(1)(A)(ii)                      |
| c | <input type="checkbox"/> As a hospital or a cooperative hospital service organization, or a medical research organization operated in conjunction with a hospital (These organizations, except for hospital service organizations, MUST COMPLETE SCHEDULE C.)                                      | Sections 509(a)(1) and 170(b)(1)(A)(iii)                     |
| d | <input type="checkbox"/> As a governmental unit described in section 170(c)(1).  | Sections 509(a)(1) and 170(b)(1)(A)(v)                       |
| e | <input type="checkbox"/> As being operated solely for the benefit of, or in connection with, one or more of the organizations described in a through d, g, h, or i (MUST COMPLETE SCHEDULE D.)   | Section 509(a)(3)  |
| f | <input type="checkbox"/> As being organized and operated exclusively for testing for public safety.  | Section 509(a)(4)  |
| g | <input type="checkbox"/> As being operated for the benefit of a college or university that is owned or operated by a governmental unit.  | Sections 509(a)(1) and 170(b)(1)(A)(iv)                      |
| h | <input type="checkbox"/> As receiving a substantial part of its support in the form of contributions from publicly supported organizations, from a governmental unit, or from the general public.  | Sections 509(a)(1) and 170(b)(1)(A)(vi)                      |
| i | <input type="checkbox"/> As normally receiving not more than one-third of its support from gross investment income and more than one-third of its support from contributions, membership fees, and gross receipts from activities related to its exempt functions (subject to certain exceptions). | Section 509(a)(2)  |
| j | <input checked="" type="checkbox"/> The organization is a publicly supported organization but is not sure whether it meets the public support test of h or i. The organization would like the IRS to decide the proper classification.   | Sections 509(a)(1) and 170(b)(1)(A)(vi) or Section 509(a)(2) |

If you checked one of the boxes a through f in question 9, go to question 14. If you checked box g in question 9, go to questions 11 and 12. If you checked box h, i, or j, in question 9, go to question 10.

**Part III** Technical Requirements (Continued)

- 10 If you checked box h, i, or j in question 9, has the organization completed a tax year of at least 8 months?  
 **Yes**—Indicate whether you are requesting:  
 A definitive ruling. (Answer questions 11 through 14.)  
 An advance ruling. (Answer questions 11 and 14 and attach two Forms 872-C completed and signed.)  
 **No**—You must request an advance ruling by completing and signing two Forms 872-C and attaching them to the Form 1023.
- 11 If the organization received any unusual grants during any of the tax years shown in Part IV-A, Statement of Revenue and Expenses, attach a list for each year showing the name of the contributor; the date and the amount of the grant; and a brief description of the nature of the grant.

12 If you are requesting a definitive ruling under section 170(b)(1)(A)(iv) or (vi), check here  and:

- a Enter 2% of line 8, column (e), Total, of Part IV-A . . . . .  
 b Attach a list showing the name and amount contributed by each person (other than a governmental unit or "publicly supported" organization) whose total gifts, grants, contributions, etc., were more than the amount entered on line 12a above.

13 If you are requesting a definitive ruling under section 509(a)(2), check here  and:

- a For each of the years included on lines 1, 2, and 9 of Part IV-A, attach a list showing the name of and amount received from each "disqualified person." (For a definition of "disqualified person," see Specific Instructions, Part II, Line 4d, on page 3.)  
 b For each of the years included on line 9 of Part IV-A, attach a list showing the name of and amount received from each payer (other than a "disqualified person") whose payments to the organization were more than \$5,000. For this purpose, "payer" includes, but is not limited to, any organization described in sections 170(b)(1)(A)(i) through (vi) and any governmental agency or bureau.

14 Indicate if your organization is one of the following. If so, complete the required schedule. (Submit only those schedules that apply to your organization. Do not submit blank schedules.)

	Yes	No	If "Yes," complete Schedule:
Is the organization a church? . . . . .		✓	A
Is the organization, or any part of it, a school? . . . . .		✓	B
Is the organization, or any part of it, a hospital or medical research organization? . . . . .		✓	C
Is the organization a section 509(a)(3) supporting organization? . . . . .		✓	D
Is the organization a private operating foundation? . . . . .		✓	E
Is the organization, or any part of it, a home for the aged or handicapped? . . . . .		✓	F
Is the organization, or any part of it, a child care organization? . . . . .		✓	G
Does the organization provide or administer any scholarship benefits, student aid, etc.? . . . .	✓		H
Has the organization taken over, or will it take over, the facilities of a "for profit" institution? . . . .		✓	I

Form 1023 (Rev. 9-96)

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**Part IV** Financial Data

Complete the financial statements for the current year and for each of the 3 years immediately before it. If in existence less than 4 years, complete the statements for each year in existence. If in existence less than 1 year, also provide proposed budgets for the 2 years following the current year.

**A. Statement of Revenue and Expenses**

	Current tax year	3 prior tax years or proposed budget for 2 years			(e) TOTAL
	(a) From 1/1/03 to 12/31/03	(b) 1/1/04 to 12/31/04	(c) 1/1/05 to 12/31/05	(d) .....	
Revenue	1 Gifts, grants, and contributions received (not including unusual grants—see page 8 of the instructions).	0	25000	25000	50,000.
	2 Membership fees received	0	0	0	0.
	3 Gross investment income (see instructions for definition)	0	0	0	0.
	4 Net income from organization's unrelated business activities not included on line 3	20000	25000	25000	70,000.
	5 Tax revenues levied for and either paid to or spent on behalf of the organization	0	0	0	0.
	6 Value of services or facilities furnished by a governmental unit to the organization without charge (not including the value of services or facilities generally furnished the public without charge)	0	0	0	0.
	7 Other income (not including gain or loss from sale of capital assets) (attach schedule)	0	0	0	0.
	8 Total (add lines 1 through 7)	20000	50000	50000	70,000.
	9 Gross receipts from admissions, sales of merchandise or services, or furnishing of facilities in any activity that is not an unrelated business within the meaning of section 513. Include related cost of sales on line 22	0	0	0	0.
	10 Total (add lines 8 and 9)	20000	50000	50000	70,000.
	11 Gain or loss from sale of capital assets (attach schedule)	0	0	0	0.
	12 Unusual grants	0	0	0	0.
	13 Total revenue (add lines 10 through 12)	20000	50000	50000	70,000.
Expenses	14 Fundraising expenses	11150	24950	24950	
	15 Contributions, gifts, grants, and similar amounts paid (attach schedule)	7500	25000	25000	
	16 Disbursements to or for benefit of members (attach schedule)	0	0	0	
	17 Compensation of officers, directors, and trustees (attach schedule)	0	0	0	
	18 Other salaries and wages	0	0	0	
	19 Interest	0	0	0	
	20 Occupancy (rent, utilities, etc.)	0	0	0	
	21 Depreciation and depletion	0	0	0	
	22 Other (attach schedule)	0	0	0	
	23 Total expenses (add lines 14 through 22)	18650	49950	49950	
	24 Excess of revenue over expenses (line 13 minus line 23)	1350	50	50	

**Part IV** Financial Data (Continued)

B. Balance Sheet (at the end of the period shown)		Current tax year Date <u>9/1/03-12/31/03</u>
<b>Assets</b>		
1	Cash . . . . .	22587
2	Accounts receivable, net . . . . .	0
3	Inventories . . . . .	0
4	Bonds and notes receivable (attach schedule) . . . . .	0
5	Corporate stocks (attach schedule) . . . . .	0
6	Mortgage loans (attach schedule) . . . . .	0
7	Other investments (attach schedule) . . . . .	0
8	Depreciable and depletable assets (attach schedule) . . . . .	551
9	Land . . . . .	0
10	Other assets (attach schedule) . . . . .	0
11	<b>Total assets (add lines 1 through 10)</b> . . . . .	<b>23138</b>
<b>Liabilities</b>		
12	Accounts payable . . . . .	0
13	Contributions, gifts, grants, etc., payable . . . . .	0
14	Mortgages and notes payable (attach schedule) . . . . .	0
15	Other liabilities (attach schedule) . . . . .	0
16	<b>Total liabilities (add lines 12 through 15)</b> . . . . .	<b>0</b>
<b>Fund Balances or Net Assets</b>		
17	<b>Total fund balances or net assets</b> . . . . .	<b>23138</b>
18	<b>Total liabilities and fund balances or net assets (add line 16 and line 17)</b> . . . . .	<b>23138</b>

If there has been any substantial change in any aspect of the organization's financial activities since the end of the period shown above, check the box and attach a detailed explanation

**Schedule H. Organizations Providing Scholarship Benefits, Student Aid, etc., to Individuals**

**1a** Describe the nature and the amount of the scholarship benefit, student aid, etc., including the terms and conditions governing its use, whether a gift or a loan, and how the availability of the scholarship is publicized. If the organization has established or will establish several categories of scholarship benefits, identify each kind of benefit and explain how the organization determines the recipients for each category. Attach a sample copy of any application the organization requires individuals to complete to be considered for scholarship grants, loans, or similar benefits. (Private foundations that make grants for travel, study, or other similar purposes are required to obtain advance approval of scholarship procedures. See Regulations sections 53.4945-4(c) and (d).)

SEE ATTACHED

**b** If you want this application considered as a request for approval of grant procedures in the event we determine that the organization is a private foundation, check here

**c** If you checked the box in **1b** above, check the box(es) for which you wish the organization to be considered.

- 4945(g)(1)
- 4945(g)(2)
- 4945(g)(3)

**2** What limitations or restrictions are there on the class of individuals who are eligible recipients? Specifically explain whether there are, or will be, any restrictions or limitations in the selection procedures based upon race or the employment status of the prospective recipient or any relative of the prospective recipient. Also indicate the approximate number of eligible individuals.

SEE ATTACHED

**3** Indicate the number of grants the organization anticipates making annually  5

**4** If the organization bases its selections in any way on the employment status of the applicant or any relative of the applicant, indicate whether there is or has been any direct or indirect relationship between the members of the selection committee and the employer. Also indicate whether relatives of the members of the selection committee are possible recipients or have been recipients.

SEE ATTACHED

**5** Describe any procedures the organization has for supervising grants (such as obtaining reports or transcripts) that it awards and any procedures it has for taking action if the terms of the grant are violated.

SEE ATTACHED

Automotive Women's Alliance Foundation  
 2004 Forecast / 2005 Forecast proposed  
 Prepared by Kim Ziomek, President  
 Date: 8/19/2003 & Revised 6/3/2004

Ordinary Income / Expense	6/1-12/31/2004	2005
	<u>FORECAST</u>	<u>FORECAST</u>
<b>Income</b>		
Golf Event Income - slated for Scholarships	\$25,000.00	\$25,000.00
Sponsorship(See note 1)	<u>\$10,000.00</u>	<u>\$25,000.00</u>
<b>Total Income</b>	<b><u>\$35,000.00</u></b>	<b><u>\$50,000.00</u></b>
<b>Expenses</b>		
Scholarship	\$10,000.00	\$25,000.00
Accounting	\$500.00	\$500.00
Advertising	\$500.00	\$500.00
Bank Charges	\$400.00	\$400.00
Contributions - Misc.	\$0.00	\$0.00
Credit Card Fees	\$0.00	\$0.00
Depreciation Expense	\$0.00	\$0.00
Entertainment	\$0.00	\$0.00
Insurance	\$1,800.00	\$1,800.00
Legal Fees	\$500.00	\$500.00
Miscellaneous	\$750.00	\$750.00
Newsletters	\$500.00	\$500.00
Office Supplies	\$1,500.00	\$1,500.00
Postage	\$500.00	\$500.00
Printing	\$1,000.00	\$1,000.00
Meeting Coordinator	\$1,500.00	\$1,500.00
Promotional/Solicitation KZ	\$500.00	\$500.00
Telephone	\$500.00	\$500.00
Travel	<u>\$0.00</u>	<u>\$0.00</u>
Sub-total Expense	\$20,450.00	\$35,450.00
<b>Program Expense</b>		
Golf	\$14,500.00	\$14,500.00
Total Program Expense	<u>\$14,500.00</u>	<u>\$14,500.00</u>
<b>Total Expense</b>	<b><u>\$34,950.00</u></b>	<b><u>\$49,950.00</u></b>
<b>Net Ordinary Income</b>	<b>\$50.00</b>	<b>\$50.00</b>

**MICHIGAN DEPARTMENT OF CONSUMER & INDUSTRY SERVICES  
BUREAU OF COMMERCIAL SERVICES**

Date Received	(FOR BUREAU USE ONLY)
	This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.

Name CLIFFORD W. TERRY, JR., ESQ.		
Address 4000 TOWN CENTER, SUITE 1500		
City SOUTHFIELD, MI	State MI	Zip Code 48075

EFFECTIVE DATE:

Document will be returned to the name and address you enter above.  
If left blank document will be mailed to the registered office.

**ARTICLES OF INCORPORATION**  
**For use by Domestic Nonprofit Corporations**  
(Please read information and instructions on the last page)

*Pursuant to the provisions of Act 162, Public Acts of 1982, the undersigned corporation executes the following Articles:*

**ARTICLE I**

The name of the corporation is:	AUTOMOTIVE WOMEN'S ALLIANCE FOUNDATION
---------------------------------	--

**ARTICLE II**

The purpose or purposes for which the corporation is organized are: SEE ATTACHED
---

**ARTICLE III**

1. The corporation is organized upon a <u>NONSTOCK</u> basis. <small>(Stock or Nonstock)</small>
2. If organized on a stock basis, the total number of shares which the corporation has authority to issue is <u>N/A</u> . If the shares are, or are to be, divided into classes, the designation of each class, the number of shares in each class, and the relative rights, preferences and limitations of the shares of each class are as follows:



Use space below for additional Articles or for continuation of previous Articles. Please identify any Article being continued or added. Attach additional pages if needed.

I, (We), the incorporator(s) sign my (our) name(s) this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Name of person or organization  
remitting fees:

Preparer's name and business  
telephone number:

**INFORMATION AND INSTRUCTIONS**

1. This form may be used to draft your Articles of Incorporation. A document required or permitted to be filed under the act cannot be filed unless it contains the minimum information required by the act. The format provided contains only the minimal information required to make the document fileable and may not meet your needs. This is a legal document and agency staff cannot provide legal advice.
2. Submit one original of this document. Upon filing, the document will be added to the records of the Bureau of Commercial Services. The original will be returned to your registered office address, unless you enter a different address in the box on the front of this document.  
  
Since this document will be maintained on electronic format, it is important that the filing be legible. Documents with poor black and white contrast, or otherwise illegible, will be rejected.
3. This document is to be used pursuant to the provisions of Act 162, P.A. of 1982, by one or more persons for the purpose of forming a domestic nonprofit corporation.
4. Article II - The purpose for which the corporation is organized must be included. It is not sufficient to state that the corporation may engage in any activity within the purposes for which corporations may be organized under the Act.
5. Article III - The corporation must be organized on a stock or nonstock basis. Complete Article III(2) or III(3) as appropriate, but not both. Real property assets are items such as land and buildings. Personal property assets are items such as cash, equipment, fixtures, etc. The dollar value and description must be included. If there is no real and/or personal property, write in "none".
6. A domestic nonprofit corporation may be formed on either a membership or directorship basis. A membership corporation entitles the members to vote in determining corporate action. If organized on a directorship basis the corporation may have members but they may not vote and corporate action is determined by the Board of Directors.
7. Article IV - A post office box may not be designated as the address of the registered office.
8. Article V - The Act requires one or more incorporators. Educational corporations are required to have at least three (3) incorporators. The address(es) should include a street number and name (or other designation), city and state.
9. This document is effective on the date endorsed "filed" by the Bureau. A later effective date, no more than 90 days after the date of delivery, may be stated as an additional article.
10. The Articles must be signed in ink by each incorporator listed in Article V. However, if there are 3 or more incorporators, they may, by resolution adopted at the organizational meeting by a written instrument, designate one of them to sign the Articles of Incorporation on behalf of all of them. In such event, these Articles of Incorporation must be accompanied by a copy of the resolution duly certified by the acting secretary at the organizational meeting and a statement must be placed in the articles incorporating that resolution into them.
11. **FEES:** Make remittance payable to the State of Michigan. Include corporation name on check or money order.

FILING AND FRANCHISE FEE ..... **\$20.00**

To submit by mail:  
  
Michigan Department of Consumer & Industry Services  
Bureau of Commercial Services  
Corporation Division  
7150 Harris Drive  
P.O. Box 30054  
Lansing, MI 48909

To submit in person:  
  
2501 Woodlake Circle  
Okemos, MI  
Telephone: (517) 241-6470  
  
Fees may be paid by VISA or Mastercard when delivered in person to our office.

MICH-ELF (Michigan Electronic Filing System):  
  
First Time Users: Call (517) 241-6420, or visit our website at <http://www.michigan.gov/corporations>  
Customer with MICH-ELF Filer Account: Send document to (517) 241-9845

The Department of Consumer & Industry Services will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, political beliefs or disability. If you need help with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.

Form **872-C**  
 (Rev. September 1998)  
 Department of the Treasury  
 Internal Revenue Service

**Consent Fixing Period of Limitation Upon  
 Assessment of Tax Under Section 4940 of the  
 Internal Revenue Code**

OMB No. 1545-0056  
 To be used with  
 Form 1023. Submit  
 in duplicate.

(See instructions on reverse side.)

Under section 6501(c)(4) of the Internal Revenue Code, and as part of a request filed with Form 1023 that the organization named below be treated as a publicly supported organization under section 170(b)(1)(A)(vi) or section 509(a)(2) during an advance ruling period.

**AUTOMOTIVE WOMEN'S ALLIANCE FOUNDATION**

*(Exact legal name of organization as shown in organizing document)*

**P.O. BOX 4305, TROY, MI 48099**

*(Number, street, city or town, state, and ZIP code)*

and the

District Director of  
 Internal Revenue, or  
 Assistant  
 Commissioner  
 (Employee Plans and  
 Exempt Organizations)

consent and agree that the period for assessing tax (imposed under section 4940 of the Code) for any of the 5 tax years in the advance ruling period will extend 8 years, 4 months, and 15 days beyond the end of the first tax year.

However, if a notice of deficiency in tax for any of these years is sent to the organization before the period expires, the time for making an assessment will be further extended by the number of days the assessment is prohibited, plus 60 days.

Ending date of first tax year 12/31, 2003 <sup>2004</sup>  
*(Month, day, and year)* *Toxi Blauk Treasurer 4-26-04*

Name of organization (as shown in organizing document)	Date
<b>AUTOMOTIVE WOMEN'S ALLIANCE FOUNDATION</b>	September 1, 2003
Officer or trustee having authority to sign	Type or print name and title
Signature <i>Hamberly A. Zornick / Toxi Blauk</i>	<b>KIM ZIOMEK, President</b>
For IRS use only	<i>Treasurer 4-26-04</i>
District Director or Assistant Commissioner (Employee Plans and Exempt Organizations)	Date
<b>Lois G. Lerner</b> Director, Exempt Organizations Rulings and Agreements	<b>MAY 03 2004</b>
By <i>[Signature]</i> Group Manager	

INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **MAY 04 2004**

AUTOMOTIVE WOMENS ALLIANCE  
FOUNDATION  
PO BOX 4305  
TRCY, MI 48099

Employer Identification Number:  
30-0231114  
DLN:  
17053054070004  
Contact Person: ID# 31261  
JULIE CHEN  
Contact Telephone Number:  
(877) 829-5500  
Accounting Period Ending:  
December 31  
Foundation Status Classification:  
509(a)(1)  
Advance Ruling Period Begins:  
February 18, 2004  
Advance Ruling Period Ends:  
December 31, 2008  
Addendum Applies:  
No

Dear Applicant:

Based on information you supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509(a) of the Code. However, we have determined that you can reasonably expect to be a publicly supported organization described in sections 509(a)(1) and 170(b)(1)(A)(vi).

Accordingly, during an advance ruling period you will be treated as a publicly supported organization, and not as a private foundation. This advance ruling period begins and ends on the dates shown above.

Within 90 days after the end of your advance ruling period, you must send us the information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, we will classify you as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, we will classify you as a private foundation for future periods. Also, if we classify you as a private foundation, we will treat you as a private foundation from your beginning date for purposes of section 507(d) and 4940.

Grantors and contributors may rely on our determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you send us the required information within the 90 days, grantors and contributors may continue to rely on the advance determination until we make

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## AUTOMOTIVE WOMENS ALLIANCE

a final determination of your foundation status.

If we publish a notice in the Internal Revenue Bulletin stating that we will no longer treat you as a publicly supported organization, grantors and contributors may not rely on this determination after the date we publish the notice. In addition, if you lose your status as a publicly supported organization, and a grantor or contributor was responsible for, or was aware of, the act or failure to act, that resulted in your loss of such status, that person may not rely on this determination from the date of the act or failure to act. Also, if a grantor or contributor learned that we had given notice that you would be removed from classification as a publicly supported organization, then that person may not rely on this determination as of the date he or she acquired such knowledge.

If you change your sources of support, your purposes, character, or method of operation, please let us know so we can consider the effect of the change on your exempt status and foundation status. If you amend your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, let us know all changes in your name or address.

As of January 1, 1984, you are liable for social security taxes under the Federal Insurance Contributions Act on amounts of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the private foundation excise taxes under Chapter 42 of the Internal Revenue Code. However, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Internal Revenue Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Donors may deduct contributions to you only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, gives guidelines regarding when taxpayers may deduct payments for admission to, or other participation in, fundraising activities for charity.

You are not required to file Form 990, Return of Organization Exempt From Income Tax, if your gross receipts each year are normally \$25,000 or less. If you receive a Form 990 package in the mail, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return. Because you will be treated as a public charity for return filing purposes during your entire advance ruling period, you should file Form 990 for each year in your advance ruling period.

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## AUTOMOTIVE WOMENS ALLIANCE

that you exceed the \$25,000 filing threshold even if your sources of support do not satisfy the public support test specified in the heading of this letter.

If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. A penalty of \$20 a day is charged when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty charged cannot exceed \$10,000 or 5 percent of your gross receipts for the year, whichever is less. For organizations with gross receipts exceeding \$1,000,000 in any year, the penalty is \$100 per day per return, unless there is reasonable cause for the delay. The maximum penalty for an organization with gross receipts exceeding \$1,000,000 shall not exceed \$50,000. This penalty may also be charged if a return is not complete. So, please be sure your return is complete before you file it.

You are not required to file federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You are required to make your annual information return, FORM 990 or FORM 990-EZ, available for public inspection for three years after the later of the due date of the return or the date the return is filed. You are also required to make available for public inspection your exemption application, any supporting documents, and your exemption letter. Copies of these documents are also required to be provided to any individual upon written or in person request without charge other than reasonable fees for copying and postage. You may fulfill this requirement by placing these documents on the Internet. Penalties may be imposed for failure to comply with these requirements. Additional information is available in Publication 557, Tax-Exempt Status for Your Organization, or you may call our toll-free number shown above.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, we will assign a number to you and advise you of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

This determination is based on evidence that your funds are dedicated to the purposes listed in section 501(c)(3) of the Code. To assure your continued exemption, you should keep records to show that funds are spent only for those purposes. If you distribute funds to other organizations, your records should show whether they are exempt under section 501(c)(3). In cases where the recipient organization is not exempt under section 501(c)(3), you must have evidence that the funds will remain dedicated to the required purposes and that the recipient will use the funds for those purposes.

If you distribute funds to individuals, you should keep case histories

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## AUTOMOTIVE WOMENS ALLIANCE

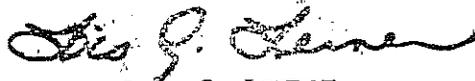
showing the recipients' names, addresses, purposes of awards, manner of selection, and relationship (if any) to members, officers, trustees or donors of funds to you, so that you can substantiate upon request by the Internal Revenue Service any and all distributions you made to individuals. (Revenue Ruling 56-304, C.B. 1956-2, page 306.)

If we said in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help us resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

sincerely yours,



Lois G. Lerner  
Director, Exempt Organizations  
Rulings and Agreements

Enclosure(s):  
Form 872-C

Letter 1045 (DO/CG)

## Charitable Contributions - Substantiation and Disclosure Requirements

UNDER THE NEW LAW, CHARITIES WILL NEED TO PROVIDE NEW KINDS OF INFORMATION TO DONORS. Failure to do so may result in denial of deductions to donors and the imposition of penalties on charities.

Legislation signed into law by the President on August 10, 1993, contains a number of significant provisions affecting tax-exempt charitable organizations described in section 501 (c)(3) of the Internal Revenue Code. These provisions include: (1) new substantiation requirements for donors, and (2) new public disclosure requirements for charities (with potential penalties for failing to comply). Additionally, charities should note that donors could be penalized by loss of the deduction if they fail to substantiate. **THE SUBSTANTIATION AND DISCLOSURE PROVISIONS APPLY TO CONTRIBUTIONS MADE AFTER DECEMBER 31, 1993.**

Charities need to familiarize themselves with these tax law changes in order to bring themselves into compliance. This Publication alerts you to the new provisions affecting tax-exempt charitable organizations. Set forth below are brief descriptions of the new law's key provisions. The Internal Revenue Service plans to provide further guidance in the near future.

### Donor's Substantiation Requirements

**Documenting Certain Charitable Contributions.** — Beginning January 1, 1994, no deduction will be allowed under section 170 of the Internal Revenue Code for any charitable contribution of \$250 or more unless the donor has contemporaneous written substantiation from the charity. In cases where the charity has provided goods or services to the donor in exchange for making the contribution, this contemporaneous written acknowledgement must include a good faith estimate of the value of such goods or services. Thus, taxpayers may no longer rely solely on a cancelled check to substantiate a cash contribution of \$250 or more.

The substantiation must be "contemporaneous." That is, it must be obtained by the donor no later than the date the donor actually files a return for the tax year in which the contribution was made. If the return is filed after the due date or extended due date, then the substantiation must have been obtained by the due date or extended due date.

The responsibility for obtaining this substantiation lies with the donor, who must request it from the charity. The charity is not required to record or report this information to the IRS on behalf of donors.

The legislation provides that substantiation will not be required if, in accordance with regulations prescribed by the Secretary, the charity reports directly to the IRS the information required to be provided in the written substantiation. At present, there are no regulations establishing procedures for direct reporting by charities to the IRS of charitable contributions made in 1994. Consequently, charities and donors should be prepared to provide/obtain the described substantiation for 1994 contributions of \$250 or more.

There is no prescribed format for the written acknowledgement. For example, letters, postcards or computer-generated forms may be acceptable. The acknowledgement does not have to include the donor's social security or tax identification number. It must, however, provide sufficient information to substantiate the amount of the deductible contribution. The acknowledgement should note the amount of any cash contribution. However, if the donation is in the form of property, then the acknowledgement must describe, but need not value, such property. Valuation of the donated property is the responsibility of the donor.

The written substantiation should also note whether the donee organization provided any goods or services in consideration, in whole or in part, for the contribution and, if so, must provide a description and good-faith estimate of the value of the goods or services. In the new law these are referred to as "quid pro quo contributions."

Please note that there is a new law requiring charities to furnish disclosure statements to donors for such quid pro quo donations in excess of \$75. This is addressed in the next section regarding Disclosure By Charity.

If the goods or services consist entirely of intangible religious benefits, the statement should indicate this, but the statement need not describe or provide an estimate of the value of these benefits. "Intangible religious benefits" are also discussed in the following section on Disclosure By Charity. If, on the other hand, the donor received nothing in return for the contribution, the written substantiation must so state.

The present law remains in effect that, generally, if the value of an item or group of like items exceeds \$5,000, the donor must obtain a qualified appraisal and submit an appraisal summary with the return claiming the deduction.

The organization may either provide separate statements for each contribution of \$250 or more from a taxpayer, or furnish periodic statements substantiating contributions of \$250 or more.

Separate payments are regarded as independent contributions and are not aggregated for purposes of measuring the \$250 threshold. However, the Service is authorized to establish anti-abuse rules to prevent avoidance of the substantiation requirement by taxpayers writing separate smaller checks on the same date.

If donations are made through payroll deductions, the deduction from each paycheck is regarded as a separate payment.

A charity that knowingly provides false written substantiation to a donor may be subject to the penalties for aiding and abetting an understatement of tax liability under section 6701 of the Code.

### Disclosure by Charity of Receipt of Quid Pro Quo Contribution

Beginning January 1, 1994, under new section 6115 of the Internal Revenue Code, a charitable organization must provide a written disclosure statement to donors who make a payment, described as a "quid pro quo contribution," in excess of \$75. This requirement is separate from the written substantiation required for deductibility purposes as discussed above. While, in certain circumstances, an organization may be able to meet both requirements with the same written document, an organization must be careful to satisfy the section 6115 written disclosure statement requirement in a timely manner because of the penalties involved.

A quid pro quo contribution is a payment made partly as a contribution and partly for goods or services provided to the donor by the charity. An example of a quid pro quo contribution is where the donor gives a charity \$100 in consideration for a concert ticket valued at \$40. In this example, \$60 would be deductible. Because the donor's payment (quid pro quo contribution) exceeds \$75, the disclosure statement must be furnished, even though the deductible amount does not exceed \$75.

Separate payments of \$75 or less made at different times of the year for separate fund-raising events will not be aggregated for purposes of the \$75 threshold. However, the Service is authorized to develop anti-abuse rules to prevent avoidance of this disclosure requirement in situations such as the writing of multiple checks for the same transaction.

The required written disclosure statement must

- (1) inform the donor that the amount of the contribution that is de-



CLEVELAND

DETROIT

HARRISBURG

PITTSBURGH

WASHINGTON, D.C.

May 11, 2004

www.dkwlaw.com

avespa@dkwlaw.com

Kim Ziomek, President  
*Automotive Women's Alliance*  
P.O. Box 4305  
Troy, MI 48099-4305

**Re: Charitable Contribution Receipts**

Dear Kim:

The following information is provided regarding charitable contribution receipts.

Contributors to charities seeking a federal income tax charitable contribution deduction must produce, if asked, a written receipt from the charity if a single contribution's value is \$250 or more.

Strictly speaking, the burden of compliance with the \$250 or more rule falls on the donor. In reality, the burden and administrative costs fall on the charity, not the donor.

The IRS can fine a charity that deliberately issues a false acknowledgement to a contributor. The fine is up to \$1,000 if the donor is an individual and \$10,000 if the donor is a corporation.

A donor will not be allowed a charitable deduction for donations of \$250 or more unless the donor has a receipt from a charity. This applies to any type of donation. For a single donation of \$250 or more made by check, the cancelled check is not adequate substantiation.

If a donor makes multiple contributions of \$250 or more to one charity, one acknowledgment that reflects the total amount of the donor's contributions to the charity for the year is sufficient. In other words, the charity can total all of the contributions for a donor and only show the total amount on the receipt.

801 West Big Beaver Road Suite 400 Troy, MI 48064  
Phone 248.269.7800 Fax 248.269.7870



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May 11, 2004

Page 2

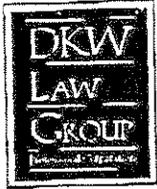
**Information to be Included in the Receipt.** The following information must be included in the gift receipt:

1. the donor's name;
2. if cash, the amount of cash contributed;
3. if property, a description, but not the value, of the property;
4. a statement explaining whether the exempt entity provided any goods or services to the donor in exchange for the contribution;
5. if goods or services were provided to the donor, a description and good-faith estimate of their value and a statement that the donor's charitable deduction is limited to the amount of the payment in excess of the value of the goods and services provided, and if services were provided consisting solely of intangible religious benefits, a statement to that effect;
6. the date the donation was made (except for out-of-pocket expenses, see below), and,
7. the date the receipt was issued.

**When Receipts Should be Issued.** Donors must obtain their receipts no later than the earlier of the due date, plus any extension, of their income tax returns or the date the return is filed. If a donor receives the receipt after this date, the gift does not qualify for a contribution deduction even on an amended return. If a charity is issuing receipts on an annual basis, it should try to get them to their donors by at least January 31 each year. This will assist your donors in gathering the necessary data for tax return preparation.

**Frequency of Issuing Receipts.** The receipts or acknowledgements can be issued gift-by-gift, monthly, quarterly, annually, or any other frequency. For ease of administration and clear communication with donors, many charities provide a receipt for all gifts, whether over or under \$250.

**Form of Receipts.** No specific design of the receipt is required. The IRS has not issued any sample receipts. The receipt can be a letter, a postcard, or a computer-generated form. It does not have to include the donor's social security number or other taxpayer identification number.



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May 11, 2004

Page 3

**Sample Receipt Language.**

"Thank you for your support of ABC Corp. The amount of your contribution is deductible for federal income tax purposes. ABC Corp. did not provide any tangible goods or services in return for this gift."

**Separate Gifts of Less Than \$250.** If a donor makes separate gifts during a calendar year of less than \$250, there is no receipt requirement since each gift is a separate contribution. The donor's cancelled check will provide sufficient substantiation. Most charities, however, receipt all gifts with no distinction between the gifts under or over \$250.

**Donor's Out-of-Pocket Expenses.** A charity may have volunteers that incur out-of-pocket expenses on its behalf. Substantiation from the charity is required if a volunteer claims a deduction for unreimbursed expenses of \$250 or more. However, the IRS acknowledges that the charity may be unaware of the details of the expenses or the dates on which they were incurred. Therefore, the charity must substantiate only types of services performed by the volunteer.

I hope this information will be helpful to you. If you have questions or need additional information, please give me a call.

Very truly yours,

A handwritten signature in cursive script that reads "Anthony L. Vespa".

Anthony L. Vespa

ALV/kbr

P0145209

**BYLAWS**  
**OF**  
**AUTOMOTIVE WOMEN'S ALLIANCE FOUNDATION**

**ARTICLE I**

Purposes

Section 1. Purpose of Corporation. The Automotive Women's Alliance Foundation is organized exclusively to receive and administer funds for charitable, educational, and professional development purposes, including but not limited to, awarding scholarships to women, in or entering the fields of business, design or engineering, with career aspirations toward the automotive industry and making distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue code of 1986 (the "Code"), or corresponding section of any future federal tax code.

Section 2. Tax Exempt Status. The Corporation, including all activities incidental to its purposes, shall at all times be conducted so as to be an organization described in Section 509(a)(1) or 509(a)(2) of the code. Notwithstanding any other provisions of these By-Laws, the Corporation shall not carry on any other activities not permitted to be carried on (1) by a corporation exempt from federal income tax under Sections 501(c)(3) and 509(a)(1) or 509(a)(2) of the Code, (2) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Code, or (3) by a nonprofit corporation organized under the laws of the State of Michigan pursuant to the provisions of Act 162, Public Acts of 1982.

Section 3. Nonprofit Organization. No part of the assets or net earnings of the Corporation shall inure to the benefit of or be distributable to its trustees, directors, officers or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in these Bylaws.

Section 4. Nonpolitical Organization. No substantial part of the activities of Corporation shall be the carrying on of propaganda or otherwise attempting to influence legislation, and the Corporation shall not participate in or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for political office.

## ARTICLE II

### Board of Directors

Section 1. Directorship. The Corporation shall be organized upon a directorship basis. The property, business, and affairs of the Corporation shall be managed by or under the direction of its Directors.

Section 2. Number and Term of Office. The number of Directors on the Board shall consist of not less than one (1) nor more than nine (9) persons, as determined from time to time by the Board of Directors. The Board of Directors shall be permanently comprised of the following persons:

The immediate past President of the Automotive Women's Alliance;  
The then serving President of the Automotive Women's Alliance;  
The then serving Vice President of the Automotive Women's Alliance;  
The then serving Secretary of the Automotive Women's Alliance;  
The then serving Treasurer of the Automotive Women's Alliance.

The above stated persons shall continue to serve until the next annual meeting of the Board of Directors of the Corporation and thereafter until said Director's successor is chosen or until his death, resignation or removal.

Section 3. Resignation or Removal of Directors. Any Director may resign by written notice to the Corporation. Any member of the Board may be removed as a Director at any meeting of the Board, either with or without cause, by the affirmative vote of a majority of the Directors then in office. If a vacancy shall occur among the members of the Board as a result of death, resignation, removal, or otherwise, such vacancy shall be filled by the affirmative vote of a majority of the remaining Directors, though less than a quorum of the Board. A person selected to fill such vacancy shall be a Director until the next annual meeting of the Corporation or until his or her death, resignation or removal prior to the expiration of such period.

Section 4. Compensation. Directors shall not receive any stated salaries for their services, but by resolution of the Board of Directors, a fixed sum and actual, reasonable, and necessary expenses of attendance incurred by a Director may be allowed for each regular or special meeting of the Board. Nothing herein shall be construed to preclude any Director from serving the Corporation in any other capacity and receiving reasonable compensation therefor.

Section 5. General Powers as to Negotiable Paper. The Board of Directors shall, from time to time, prescribe the manner of making, signature or endorsement of checks, drafts, notes, acceptances, bills of exchange, obligations and other negotiable paper or other instruments for the payment of money and designate the officer or officers, agent or agents, who shall from time to time be authorized

to make, sign or endorse the same on behalf of the Corporation.

Section 6. Powers as to Other Documents. The Board of Directors may authorize any officer or officers, agent or agents, to enter into any contract or execute or deliver any conveyance or other instrument in the name of the Corporation, and such authority may be general or confined to specific instances. When the execution of any contract, conveyance, or other instrument has been authorized without specification of the officers authorized to execute, the same may be executed on behalf of the Corporation by the President or any Vice President, and attested by the Secretary, an Assistant Secretary, the Treasurer or an Assistant Treasurer.

### ARTICLE III

#### Meetings

Section 1. Annual Meeting. The annual meeting of the Directors of the Corporation shall be held at the principal office of the Corporation, or at such other place within or without the State of Michigan as may from time to time be selected by the Directors, on the date in each year designated by the Board of Directors and at a time stated in the notice thereof, for the purpose of electing or appointing directors and officers for the ensuing year and for the transaction of such other business as may properly be brought before the meeting.

Section 2. Regular Meetings. Regular meetings of the Board of Directors may be held without notice at such times or intervals and at such places within or without the State of Michigan as may from time to time be determined by resolution of the Board, which resolution may authorize the President to fix the specific date and place of such regular meetings, in which case notice of the time and place of such regular meetings shall be given on the manner hereinafter provided. At least one regular meeting of the Board must be held each year.

Section 3. Special Meetings. Special meetings of the Directors may be called by the President and shall be called by the President at the direction of not less than two Directors then in office, or as may otherwise be provided by law. Such meetings shall be held at the principal office of the Corporation, unless otherwise directed by the Board of Directors and stated in the notice of meeting, in which case the meeting may be held at any place within or without the State of Michigan. Any request for a meeting by Directors shall state the purpose or purposes of the proposed meeting.

Section 4. Notice of Meetings. When notice of a meeting is required by these Bylaws or by law, such notice shall contain the time, place and purpose of the meeting, shall be signed by the President, Vice President or Secretary, and shall be served either personally or by mail upon each Director not less than ten (10) nor more than sixty (60) days before the meeting, provided that no notice of adjourned meetings need be given. If mailed, the notice shall be directed to each Director at his or her address as it appears in the records of the Corporation unless he or she shall have filed

with the Secretary thereof a written request that notices intended for him be mailed to some other address, in which case it shall be mailed to the address designated in such request. Such further notice shall be given as may be required by law. Meetings may be held without notice if all Directors are present in person or if notice of the time, place and purpose of such meeting is waived by telegram or other writing, either before or after the holding thereof, by all Directors not present at such meeting:

Section 5. Quorum. A majority of the Directors then in office shall constitute a quorum for the transaction of business and the action of a majority of the Directors present at a meeting at which a quorum is present shall be the action of the Board of Directors, unless the vote of a larger number is required by law or by other sections of these Bylaws or the Articles of Incorporation. No proxy voting shall be permitted.

Section 6. Conduct of Meetings. Meetings of the Directors shall be presided over by the President. The Secretary or an Assistant Secretary of the Corporation or, in their absence, a person chosen at the meeting shall act as Secretary of the meeting.

Section 7. Action by Unanimous Written Consent. If and when the Directors shall severally or collectively consent in writing to any action to be taken by the Corporation either before or after the action is taken, such action shall be a valid corporate action as though it had been authorized at a meeting of the Directors and the written consents shall be filed with the minutes of the proceedings of the Board of Directors.

Section 8. Telephonic Conferences. A Director may participate in a meeting of Directors by a conference telephone or similar communication equipment by which all persons participating in the meeting may hear each other if all participants are advised of the communications equipment and the names of the participants in the conference are divulged to all participants. Participation in a meeting pursuant to this Section constitutes presence in person at the meeting.

## ARTICLE IV

### Officers

Section 1. Election or Appointment. The Board of Directors shall, annually, commencing with its first meeting, elect a President, a Secretary, and a Treasurer of the Corporation, and may elect one or more Vice Presidents, Assistant Secretaries and Assistant Treasurers. The same person may hold any two or more offices, but no officer shall execute, acknowledge or verify any instrument in more than one capacity. The Directors may also appoint such other officers and agents as they may deem necessary for the transaction of the business of the Corporation.

Section 2. Term of Office. The term of office of all officers shall commence upon their election or appointment and shall continue until the next annual meeting of the Corporation and thereafter until

their respective successors are chosen or until their resignation or removal. Any officer may be removed from office at any meeting of the Directors, with or without cause, by the affirmative vote of a majority of the Directors, whenever in their judgment the best interests of the Corporation will be served. An officer may resign by written notice to the Corporation. The resignation shall be effective upon its receipt by the Corporation or at a subsequent time specified in the notice of resignation. The Directors shall have power to fill any vacancies in any offices occurring from whatever reason.

Section 3. Compensation. Any officer of the Corporation shall receive such reasonable compensation for their services as may, from time to time, be fixed by the Board of Directors.

Section 4. The President. The President shall be the chief executive officer of the Corporation and shall have general and active management of the activities of the Corporation, and shall see that all orders and resolutions of the Board of Directors are carried into effect. The President shall execute all authorized conveyances, contracts, or other obligations in the name of the Corporation except where required by law to be otherwise signed and executed and except where the signing and execution thereof shall be expressly delegated by the Directors to some other officer or agent of the Corporation. The President shall preside at all meetings of the Directors. In his or her absence, the Directors present at the meeting shall designate another presiding officer.

Section 5. Vice Presidents. The Vice Presidents in the order designated by the Board of Directors or, lacking such a designation, by the President shall, in the absence or disability of the President, perform the duties and exercise the powers of the President and shall perform such other duties as the Board of Directors shall prescribe.

Section 6. The Secretary. The Secretary shall attend all meetings of the Board of Directors and record all votes and the minutes of all proceedings in a book to be kept for that purpose. The Secretary shall give, or cause to be given, notice of all meetings of the Directors for which notice may be required, and shall perform such other duties as may be prescribed by the Directors or by the President, under whose supervision he or she shall act. The Secretary shall execute with the President all authorized conveyances, contracts or other obligations in the name of the Corporation except as otherwise directed by the Directors.

Section 7. The Treasurer. The Treasurer shall have custody of the funds and securities of the Corporation and shall keep full and accurate accounts of receipts and disbursements in books belonging to the Corporation and shall deposit all moneys and other valuable effects in the name and to the credit of the Corporation in such depositories as may be designated by the Directors. The Treasurer shall disburse the funds of the Corporation as may be ordered by the Directors, taking proper vouchers for such disbursements, and shall render to the President and Directors, at the regular meetings of the Directors, or whenever they may require it, an account of all his or her transactions as Treasurer and of the financial condition of the Corporation. If required by the Directors, the

Treasurer shall give the Corporation a bond in such sum and with such surety or sureties as shall be satisfactory to the Directors for the faithful performance of the duties of that office and for the restoration to the Corporation (in case of his or her death, resignation, or removal from office) of all books, papers, vouchers, money and other property of whatever kind in the Treasurer's possession or under his or her control belonging to the Corporation.

Section 8. Assistant Secretaries and Assistant Treasurers. The Assistant Secretaries and the Assistant Treasurers, respectively (in the order designated by the Directors or, lacking such designation, by the President), in the absence of the Secretary or Treasurer, as the case may be, shall perform the duties and exercise the powers of such Secretary or Treasurer and shall perform such other duties as the Directors shall prescribe.

## ARTICLE V

### Indemnification

Section 1. Indemnification and Insurance. The Corporation shall, to the fullest extent now or hereafter permitted by law and by regulations and rulings issued by the Internal Revenue Service, indemnify any Director or officer of the Corporation (and, to the extent provided in a resolution of the Board of Directors or by contract, may indemnify any employee or agent of the Corporation) who was or is a party to or threatened to be made a party to any threatened, pending, or completed civil action, suit or proceeding by reason of the fact that such person is or was a Director, officer, employee or agent of the Corporation, or is or was serving at the request of the Corporation as a director, officer, partner, trustee, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, whether for profit or not for profit, against expenses (other than taxes, penalties, or expenses of correction) including attorneys fees (which expenses may be paid by the Corporation in advance of the final disposition of such action, suit or proceeding as provided by law), actually and reasonably incurred by such person in connection with such action, suit or proceeding if such person acted (or refrained from acting) in good faith and in a manner such person reasonably believed to be in or not opposed to the best interests of the Corporation and such person is either successful in his or her defense or the proceeding is terminated by settlement, and such person has not acted willfully and without reasonable cause with respect to the Corporation duties concerned. The Corporation may purchase and maintain insurance on behalf of any such person against any liability (including penalties, taxes, expenses of correction, judgments, settlements or expenses) asserted against him or her and incurred by him or her in any such capacity or arising out of his or her status as such, whether or not the Corporation would have the power to indemnify him or her against such liability under the provisions of this Article or under the provisions of Sections 561 through 565 of the Michigan Nonprofit Corporation Act.

Section 2. Indemnification Against Expenses. To the extent that a person is or was a Director, officer, employee or agent of any other corporation, partnership, joint venture, trust or other enterprise

with which he/she is or was serving at the request of the Corporation has been successful on the merits or otherwise in defense of any action, suit or proceeding referred to in Section 1 of this Article V or in defense of any claim, issue or matter therein, he/she shall be indemnified against expenses (including attorneys' fees) actually and reasonably incurred by him/her in connection therewith.

Section 3. Determination That Indemnification Is Proper. Any indemnification under Section 1 of this Article V (unless ordered by a court shall be made by the Corporation only upon a determination that indemnification of the person is proper in the circumstances because he/she has met the applicable standard of conduct set forth in Sections 1 and 2 of this Article V. That determination shall be made (i) by the Board of Directors by a majority vote of a quorum consisting of Directors who were not parties to that action, suit or proceeding, (ii) if such a quorum is not obtainable, or, even if obtainable, and a quorum of disinterested Directors so directs, by independent legal counsel in a written opinion.

Section 4. Bylaws Not Exclusive. The indemnification provided by this Article shall not be deemed exclusive of any other rights to which any person may be entitled under any bylaw, agreement, vote of disinterested Directors or otherwise, both as to action in his/her official capacity and as to action in another capacity while holding his/her office, except to the extent that any indemnification may be contrary to law. The indemnification provided by this Article shall continue as to a person who has ceased to be a Director, officer, employee, or agent and shall inure to the benefit of the heirs, executors and administrators of such a person.

## ARTICLE VI

### Miscellaneous Provisions

Section 1. Fiscal Year. The fiscal year of the Corporation shall be determined by the Board of Directors.

Section 2. Notices. Any notice required by statute or by these Bylaws to be given to the Directors or to any officer of the Corporation, unless otherwise provided herein or in any statute, shall be sufficient if given by depositing the same in a United States post office box or receptacle in a sealed, postpaid wrapper, addressed to such Director or officer at his or her last address as the same appears on the records of the Corporation, and such notice shall be deemed to have been given at the time of such mailing. A waiver of notice signed by the person(s) entitled to such notice shall be equivalent to the giving of such notice.

Section 3. Revenue and Expenses. Revenue of the Corporation shall come primarily from the fund raising events, donations and sponsorships and be absorbed in the next year's budget. The Treasurer is authorized to pay any bills for items in the approved budget. Items not budgeted for and not covered by related revenue shall be approved by the Board of Directors.

Section 4. Investments. The Board of Directors shall have the sole and absolute authority to determine the Corporation's investment policies, including but not limited to, the time and manner of distributions of the corporate funds. The Board may confer with, discuss, and seek the advise of the board of directors of any supported organization when exercising its investment authority, or adopt the investment policies followed by said organizations.

Section 5. Disposition of Assets Upon Termination. Upon the termination, dissolution or winding up of the Corporation, the Board of Directors shall, after paying or making provisions for the payment of all liabilities of the Corporation, distribute all assets of the Corporation to the supported organization or organizations organized and operated exclusively for charitable, educational or other purposes as shall at the time qualify as an exempt organization or organizations under Section 501(c)(3) of the Code. Any such assets not so disposed of shall be disposed of by the circuit court in the county in which the principal office of the Corporation is then located, exclusively for such purposes or to such organization or organizations as said court shall determine which are organized and operated exclusively for such purposes.

## ARTICLE VII

### Amendments

Section 1. Amendments. These Bylaws may be altered or repealed or new Bylaws may be adopted, consistent with the provisions of Act 162, Public Acts of 1982 and Section 501(c)(3) of the Code, by the affirmative vote of a majority of the Board of Directors then in office at any regular or special meeting of the board, if a notice of the proposed alteration, repeal or substitution be contained in the notice of such meeting.

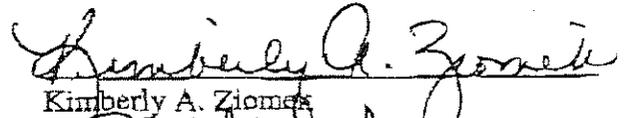
## ARTICLE VIII

### Directors' Annual Statement

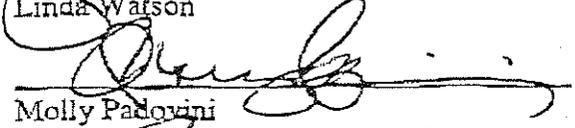
Section 1. Annual Statement. The Directors of the Corporation shall at least once in each year cause a true statement of the operations and properties of the Corporation for the preceding fiscal year to be made and to be communicated or distributed to each thereof within four months after the end of the fiscal year.

The foregoing are hereby executed by the undersigned as the Bylaws for the regulation or business and affairs of the corporation

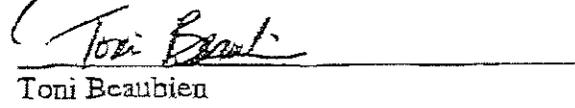
Dated: 9/1, 2003

  
\_\_\_\_\_  
Kimberly A. Ziomen

  
\_\_\_\_\_  
Linda Watson

  
\_\_\_\_\_  
Molly Padovini

  
\_\_\_\_\_  
Julia Baran

  
\_\_\_\_\_  
Toni Beaubien

June 25, 2004

TO: Mr. John Szerlag, City Manager

FROM: Charles Craft, Chief of Police  
Gary Mayer, Police Captain  
Thomas Gordon, Police Sergeant

SUBJECT: Agenda Item - Application for new Class C (quota) license by The Melting Pot

**BABYLON RESTAURANT GROUP, INC.** requests a **new full year (quota) Class C** license with Sunday Sales and Official Permit (Food) to be located at 888 W. Big Beaver Rd., Troy, MI 48084, Oakland County.

At its June 14th meeting, the Liquor Advisory Committee entertained this request. Present to answer questions from the Board was Mr. Ryan Husaynu, Attorney for The Melting Pot, Mr. Aaron VanDeMark, a joint venture partner in the corporation, and Mr. Jonathan Brateman, representing the proposed property owner. There currently are Melting Pot restaurants in 30 states, the proposed Troy location being the first in Michigan. The menu is fondue based, and the restaurant attracts couples for special occasion and romantic events. Over 80% of the revenue results from food sales. Including the bar, there will be 212 seats in the restaurant.

All employees will be trained in the TIPS/Tams program, and will also be required to sign the company's "Statement of Liquor Dispensing Policies" at the time of hire.

The partners in the restaurant have both passed the police department's background check; consequently we have no objection to the request. If this request is approved, there will be two quota Class C licenses remaining for issuance.



*City Of Raleigh*  
*North Carolina*

CHARLES MEEKER  
MAYOR

June 9, 2004

Mr. Charles T. Craft  
Chief of Police  
500 West Big Beaver Road  
Troy, Michigan 48084

Dear Chief Craft,

I am writing on behalf of The Melting Pot Restaurant located at 3100 Wake Forest Road, Raleigh, North Carolina.

The Melting Pot Restaurant has served the citizens of Raleigh with good food and provided a good atmosphere for over 20 years. We are pleased to have them in our city and know they will be a true asset to the City of Troy.

Sincerely,

Charles Meeker  
Mayor

CM/gc



**Revenue  
Department**

TEL 919 856 5999  
FAX 919 743 4728

**Prepared Food & Rental Vehicle Tax**  
Garland H. Jones Building • Lower Level  
300 S. Salisbury Street • P.O. Box 2331 • Raleigh, NC 27602  
[www.WakeGov.com](http://www.WakeGov.com)

June 14, 2004

RE: The Melting Pot, 3100 Wake Forest Rd, Raleigh NC 27609

Dear Sir or Madam:

This letter is to inform you that the Prepared Food and Beverage account for The Melting Pot with Wake County are current. The sales returns are received in our office timely. The business opened in January 1993 and has only had one late return in which we waived the late penalty since there had not been any previous late returns.

Should you have any questions, please do not hesitate to contact me (919) 856.7236.

Sincerely,

Jim Goodwin  
Prepared Food and Beverage Tax Division



State of North Carolina  
**ALCOHOLIC BEVERAGE CONTROL COMMISSION**

DOUGLAS A. FOX  
CHAIRMAN

4307 MAIL SERVICE CENTER  
RALEIGH, NC 27699-4307

**COMMISSION MEMBERS:**

RICKY WRIGHT  
WAKE FOREST  
MIKE A. JOYNER  
CHARLOTTE

MICHAEL C. HERRING  
ADMINISTRATOR

(919) 779-0700  
FAX (919) 662-3583

June 7, 2004

Mr. Aaron Van De Mark  
Melting Pot Restaurant  
3100 Wake Forest Road  
Raleigh N.C. 27609  
Via email: [themeltingpot@nc.rr.com](mailto:themeltingpot@nc.rr.com)

Dear Mr. Van De Mark:

As per your request, I am writing to advise you of that Melting Pot Restaurant has held ABC permits under the present ownership since October 18, 2002. There is no record of ABC violations or late renewal payments. The permits held by Melting Pot remain in good standing in all regards.

I would be happy to verify this information for anyone who may contact me on your behalf.

Sincerely,

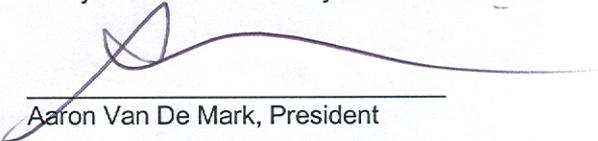
Doyle D. Alley  
Assistant Administrator

## AGREEMENT REGARDING LIQUOR LICENSE REQUEST

This Agreement, made this 14 day of June, 2004, by and between the CITY OF TROY, MICHIGAN, a municipal corporation, with offices located at 500 W. Big Beaver Road, Troy, Michigan, 48084, hereinafter known as THE CITY, and **BABYLON RESTAURANT GROUP, INC.**, the applicant, hereinafter known as APPLICANT.

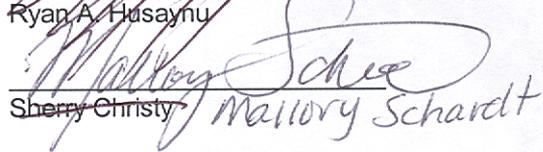
1. The City Council of the City of Troy, for and in consideration of the following covenants and conditions, agrees to recommend to the Michigan Liquor Control Commission Approval of the APPLICANT "above all others" for a **new full year (quota) Class C license with Sunday Sales and Official Permit (Food) to be located at 888 W. Big Beaver Rd., Troy, MI 48084, Oakland County.**
2. In consideration of the City of Troy's recommendation for approval of the license, APPLICANT hereby agrees that:
  - (a) It has read and is aware of the provisions of City of Troy Ordinances, Chapter Nos. 67, 68, 92, and Chapter No. 98 (effective 02/01/2001), and agrees that it shall be deemed to have knowledge of any subsequent amendments to said Chapters which may become effective during the term of this agreement.
  - (b) It has read and is in receipt of copies of the provisions of the City of Troy, City Council Resolution No. 93-1028 regarding Entertainment Permits, and agrees that it shall be deemed to have knowledge of any subsequent amendments to the Resolution which may become effective during the term of this agreement.
  - (c) It agrees to observe and comply with all laws, statutes, ordinances, rules, regulations or resolutions of the United States government, State of Michigan, and the City of Troy, or any department or agency of the governmental entities, as well as the rules and regulations of the Michigan Liquor Control Commission as they pertain to the operation of a liquor licensed business in the City of Troy.
  - (d) It agrees to immediately require all employees who serve/sell alcohol to attend a recognized alcohol awareness program, and forward the names of each certified employee to the Troy Police Department. The alcohol awareness program must either be recognized by the Troy Police Department (i.e. TIPS, TAMS), or the program must be reviewed by the Troy Police Department to insure that the program is comparable to the recognized programs.
3. APPLICANT agrees that the recommendation for Approval agreed upon by the City Council is not a property right and is approved upon the express and continuing condition that no violation as set forth in paragraph 2 of this agreement shall occur.
4. APPLICANT agrees that the recommendation for Approval agreed upon by the City Council is approved upon the express and continuing condition that the physical characteristics (including but not limited to the inside layout, building design and engineering, seating capacity, parking space allocations, fire exits, and other physical attributes); and also the nature and type of business intended to be conducted remain virtually the same.

5. APPLICANT agrees that upon such violation, after full investigation and an opportunity for said applicant to be heard, upon a finding by the City Council that a violation as set forth in paragraph 2 of this agreement has occurred, the City Council shall have just cause for revocation of said recommendation for approval.

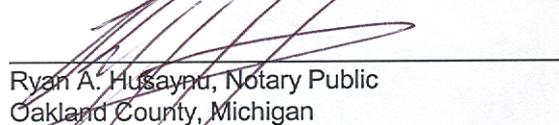
  
\_\_\_\_\_  
Aaron Van De Mark, President

BABYLON RESTAURANT GROUP, INC.

Witnesses:

  
\_\_\_\_\_  
Ryan A. Husaynu  
  
\_\_\_\_\_  
Sherry Christy

Subscribed and sworn to before me  
this 14<sup>th</sup> day of June, 2004.

  
\_\_\_\_\_  
Ryan A. Husaynu, Notary Public  
Oakland County, Michigan  
Acting in Oakland County  
My commission expires: 6/14/05

CITY OF TROY

By: \_\_\_\_\_  
Louise Schilling, Mayor

By: \_\_\_\_\_  
Tonni Bartholomew, City Clerk

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Subscribed and sworn to before me  
this \_\_\_\_ day of \_\_\_\_\_, 200\_\_

\_\_\_\_\_  
Notary Public, Oakland County, Michigan  
Acting in Oakland County  
My commission expires:

June 15, 2004

TO: John Szerlag, City Manager

FROM: Steven J. Vandette, Acting Assistant City Manager/Services  
Jeanette Bennett, Purchasing Director  
Timothy L. Richnak, Public Works Director

SUBJECT: **Agenda Item** - Standard Purchasing Resolution 2: Bid Award – Lowest Bidder Meeting Specifications – One (1) 35,000 GVW Chipper Truck

### **RECOMMENDATION**

Bid proposals were opened May 4, 2004, to furnish one- (1) 35,000 GVW Chipper Truck. City management recommends a contract be awarded to the lowest acceptable bidder, Red Holman Pontiac GMC of Westland, MI for an estimated total cost of \$69,400.00, at prices as detailed on the attached bid tabulation.

### **ADDITIONAL INFORMATION**

One bid received directly from Monroe Truck Equipment provided pricing for the Arbortech chip box only, without the chassis or aerial device. It is considered an incomplete bid, as a fully manufactured chipper truck was specified.

### **SUMMARY**

The new unit will replace the 1991 Chevrolet chipper truck due to come out of service. This piece of equipment is used year round for tree trimming and removal.

The new chipper truck will have approximately **50%** more wood chip capacity, which will reduce the number of trips to the yard to empty the box and increase daily trimming production. In addition to the standard GMC warranty, Caterpillar warranties the diesel engine for seven (7) years or 100,000 miles and Williams Detroit Allison, the automatic transmission for five (5) years or 50,000 miles against failure or malfunction.

### **BUDGET**

Funds for this equipment are currently available in the Vehicle Fleet Maintenance Capital Account #565.7981.

52 Vendors Notified on the MITN System  
16 Bid Responses Rec'd  
1 Incomplete Bid  
1 Late Bid  
2 No Bids: (1) Company unable to quote at this time  
(1) Company could not be competitive

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

Opening Date -- 5-4-04  
 Date Prepared -- 6/15/04

CITY OF TROY  
 BID TABULATION  
 ONE 35,000 GVW CHIPPER TRUCK

VENDOR NAME:

* RED HOLMAN	STAR TRUCK	STAR TRUCK	STAR TRUCK
PONTIAC GMC	SALES, INC	SALES, INC	SALES, INC

**PROPOSAL: TO FURNISH ONE 35,000 GVW CHIPPER TRUCK FOR DPW MOTOR POOL**

QTY	DESCRIPTION	CANNON EQUIPMENT	CANNON EQUIPMENT	NBC EQUIPMENT	MONROE EQUIPMENT
1	35,000 GVW CHIPPER TRUCK IN ACCORDANCE WITH SPECIFICATIONS				
	Quoting On:	2005 GMC C7500	C7C042(C7500)		
	Manufactured by:	GMC	GMC		
	<b>COMPLETE FOR THE SUM OF:</b>	<b>\$ 69,400</b>	<b>\$ 69,827</b>	<b>\$ 70,126</b>	<b>\$ 71,963</b>
	DESCRIPTIVE LITERATURE: Yes or No	YES	X		
	SERVICE INFORMATION: Yes or No	NO	YES		
	SERVICE FACILITY: Location:	WESTLAND MI	LANSING MI		
	No. of Miles	30	95		
	TERMS:	NET 30	NET 15 DAYS		
	WARRANTY:	<b>FULL SERVICE PER SPECS</b>			
	DELIVERY DATE:	120-180 DAYS	150-180 DAYS		
	EXCEPTIONS:	NOTED ON SPECS	LISTED IN BID		
	ACKNOWLEDGEMENT: Completed Y or N	YES	YES		
	ADDENDUM 1 - Attached - Y or N	YES	YES		

INCOMPLETE BID:

Monroe Truck Equipment - (\$21,523.00) Reason: - No Chassis or Aerial Device Included

NO BID:

GTEC Truck Equipment  
 Dueco, Inc

ATTEST:

Charlene McComb  
 Emily Frontera  
 Linda Bockstanz

\* DENOTES LOWEST ACCEPTABLE BIDDER

Jeanette Bennett  
 Purchasing Director

Opening Date -- 5-4-04  
 Date Prepared -- 6/15/04

CITY OF TROY  
 BID TABULATION  
 ONE 35,000 GVW CHIPPER TRUCK

VENDOR NAME:

WINK	WINK	WINK	JEFFERSON
CHEVROLET CO	CHEVROLET CO	CHEVROLET CO	CHEVROLET CO

**PROPOSAL: TO FURNISH ONE 35,000 GVW CHIPPER TRUCK FOR DPW MOTOR POOL**

QTY	DESCRIPTION	CANNON EQUIPMENT	TRUCK/TRAILER EQUIPMENT	TRUCK TECH ENGINEERS	CANNON EQUIPMENT
1	35,000 GVW CHIPPER TRUCK IN ACCORDANCE WITH SPECIFICATIONS				
	Quoting On:	2005 CHEV C7C042	2005 CHEV C7C042	2005 CHEV C7C042	C7C042 KODIAK
	Manufactured by:	GM -ARBORTECH	GM -ARBORTECH	GM - ARBORTECH	CHEVROLET
	<b>COMPLETE FOR THE SUM OF:</b>	\$ 70,365	\$ 72,915	\$ 74,797	\$ 71,807
	DESCRIPTIVE LITERATURE: Yes or No	YES	YES	YES	YES
	SERVICE INFORMATION: Yes or No			YES	YES
	SERVICE FACILITY: Location:			DEARBORN	DETROIT
	No. of Miles			20	16
	TERMS:			STD GM + EXTENDED ENG & TRANSMISSION	NET
	WARRANTY:	<b>FULL SERVICE PER SPECS</b>			
	DELIVERY DATE:			180-210 ARO	120 DAYS ARO
	EXCEPTIONS:			LISTED IN BID	LISTED IN BID
	ACKNOWLEDGEMENT: Completed Y or N			YES	YES
	ADDENDUM 1 - Attached - Y or N			YES	NO

Opening Date -- 5-4-04  
 Date Prepared -- 6/15/04

CITY OF TROY  
 BID TABULATION  
 ONE 35,000 GVW CHIPPER TRUCK

VENDOR NAME:

WOLVERINE	WOLVERINE	WOLVERINE	WOLVERINE
TRUCK SALES INC	TRUCK SALES, INC	FREIGHTLINER	TRUCK SALES INC

**PROPOSAL: TO FURNISH ONE 35,000 GVW CHIPPER TRUCK FOR DPW MOTOR POOL**

QTY	DESCRIPTION	CANNON EQUIPMENT	NBC EQUIPMENT	CANNON EQUIPMENT	TRUCK/TRAILER EQUIPMENT
1	35,000 GVW CHIPPER TRUCK IN ACCORDANCE WITH SPECIFICATIONS Quoting On:	ACTERRA	ACTERRA	M2 106MD	ACTERRA
	Manufactured by:	STERLING	STERLING	FREIGHTLINER	STERLING
	<b>COMPLETE FOR THE SUM OF:</b>	\$ 70,756	\$ 71,055	\$ 71,277.74	\$ 73,306
	DESCRIPTIVE LITERATURE: Yes or No	YES	YES	YES	YES
	SERVICE INFORMATION: Yes or No	YES	YES	KNOWN	YES
	SERVICE FACILITY: Location:	DEARBORN/SHELBY	DEARBORN/ROSEVILLE	MT CLEMENS	DEARBORN/DUTTON
	No. of Miles	20 / 8 MILES	20 / 10 MILES	13	20 / 150 MILES
	TERMS:	NET 30	NET 30	PER BID	NET 30
	WARRANTY:	<b>FULL SERVICE PER SPECS</b>			
	DELIVERY DATE:	210 + DAYS ARO	210 + DAYS ARO	120-140 ARO	210 + DAYS ARO
	EXCEPTIONS:	LISTED IN BID	LISTED IN BID	BLANK	LISTED IN BID
	ACKNOWLEDGEMENT: Completed Y or N	YES	YES	YES	YES
	ADDENDUM 1 - Attached - Y or N	YES	YES	NO	YES

Opening Date -- 5-4-04  
 Date Prepared -- 6/15/04

CITY OF TROY  
 BID TABULATION  
 ONE 35,000 GVW CHIPPER TRUCK

VENDOR NAME:

WOLVERINE	WOLVERINE	BOSTICK GMC	
TRUCK SALES INC	TRUCK SALES INC	TRUCK CENTER	

**PROPOSAL: TO FURNISH ONE 35,000 GVW CHIPPER TRUCK FOR DPW MOTOR POOL**

QTY	DESCRIPTION	TRUCK TECH ENGINEERS	TRUCK TECH ENGINEERS	TRUCK/TRAILER EQUIPMENT
1	35,000 GVW CHIPPER TRUCK IN ACCORDANCE WITH SPECIFICATIONS			
	Quoting On:	ACTERRA	ACTERRA	GMC C8500
	Manufactured by:	W/RUGBY HOIST	W/HARSH HOIST	
	<b>COMPLETE FOR THE SUM OF:</b>	STERLING	STERLING	GM
		\$ 74,358	\$ 75,188	\$ 77,729.46
	DESCRIPTIVE LITERATURE: Yes or No	YES	YES	YES
	SERVICE INFORMATION: Yes or No	YES	YES	NO
	SERVICE FACILITY: Location:	DEARBORN/WESTLAND	DEARBORN/WESTLAND	PONTIAC
	No. of Miles	20 / 30 MILES	20 / 30 MILES	20
	TERMS:	NET 30	NET 30	CASH
	WARRANTY:	<b>FULL SERVICE PER SPECS</b>		
	DELIVERY DATE:	210 + DAYS ARO	210 + DAYS ARO	Nov-2004
	EXCEPTIONS:	LISTED IN BID	LISTED IN BID	BLANK
	ACKNOWLEDGEMENT: Completed Y or N	YES	YES	YES
	ADDENDUM 1 - Attached - Y or N	YES	YES	NO



## Downloading History for ITB-COT 03-50ChipTruck

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 6/15/2004.

<b>Document Title:</b>	One (1) 35,000 GVW Chipper Truck
<b>Date Issued:</b>	4/15/2004
<b>Close Date:</b>	5/4/2004
<b>Date Amendment #1 was Issued:</b>	4/29/2004

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>
12590	All Type Truck and Trailer Repair, Inc	E-mail		
13555	Automotive Service Co.	E-mail	4/15/2004	
15603	bostick gmc	Free	4/30/2004	#1 4/30/2004
12836	Burke Equipment Co	E-mail	4/16/2004	
11587	CANNON ENGINEERING & EQUIPMENT CO, LLC	E-mail	4/15/2004	#1 4/29/2004
16670	Capital City International Trucks, Inc.	E-mail		
16566	Colonial Dodge	Fax		#1 4/29/2004
16642	D & K Truck Co	E-mail		
15713	Daimler Chrysler Motors Co, LLC	E-mail		
13004	DUECO, Inc.	Free	5/3/2004	#1 5/3/2004
11435	Ed Schmid Ford, Inc.	E-mail	5/3/2004	#1 5/3/2004
15358	Fairlane Ford Sales, Inc.	E-mail		
16188	GRAFF TRUCK CENTER	E-mail	4/15/2004	
11766	HES STALLINGS-JULIEN SALES & SERVICE	E-mail		
11604	Hyde Equipment Co.	Fax		#1 4/29/2004
10460	Jefferson Chevrolet Co dba Trader Ray Tire	E-mail	4/15/2004	
13586	Jerome Duncan Ford	E-mail		
11213	Joe Panian Chevrolet Inc	E-mail	4/22/2004	

10475	jorgensen ford	E-mail	4/16/2004	
13192	Knapheide Truck Equipment	E-mail		
11468	Merchants Automotive Group	Fax		#1 4/29/2004
13041	Metro Airport Truck	E-mail	4/15/2004	
12720	Momentum Lincoln Mercury	E-mail		
13612	MONROE TRUCK EQUIPMENT	E-mail	4/16/2004	#1 4/29/2004
14281	Motor City Ford Truck, Inc.	E-mail	4/16/2004	#1 4/29/2004
14337	Municipal Capital Corp.	E-mail		
11297	NBC TRUCK EQUIPMENT	Free	4/29/2004	#1 4/30/2004
17013	North American Equipment Upfitters Inc	Free	4/16/2004	
14247	North River Truck & Trailer	E-mail	4/25/2004	#1 4/30/2004
15309	OEM/Interlube/Jerr-Dan Corp.	E-mail		
11597	Red Holman Pontiac-GMC Toyota	Fax	4/19/2004	#1 4/30/2004
14504	Reefer Peterbilt	E-mail	5/1/2004	#1 5/1/2004
12218	Salon Chain Services	E-mail		
16769	SHAHEEN CHEVROLET	Free	4/16/2004	
13072	Shults Equipment, Inc.	Fax		#1 4/29/2004
11161	Signature Ford, Lincoln, Mercury, Jeep	E-mail		
13730	SMART Management Group, LLC	E-mail		
12609	Star Truck Sales	E-mail	4/15/2004	#1 4/29/2004
16233	Sterling Fire and Rescue Corp, DBA Michigan First	E-mail		
10154	Tom Holzer Ford	E-mail	4/22/2004	
11132	Tri-County International Trucks Inc.	E-mail	4/29/2004	
12520	Truck & Trailer Equipment Company	E-mail	4/30/2004	
17114	Truck & Trailer Specialties Inc	E-mail	4/23/2004	#1 4/30/2004
16115	Universal Handling Equipment Co., Inc.	E-mail		
12988	Van Bortel Ford, Inc.	E-mail		
11488	VARSITY FORD	E-mail		
10742	Warren, Inc.	E-mail		
17019	Watkins Distributions	E-mail	4/30/2004	
11270	Whelen Engineering Comp	E-mail		
11889	Wink Chevrolet Company	E-mail	4/29/2004	#1 4/29/2004
11318	Wolverine Freightliner-Eastside	E-mail	4/15/2004	
14402	Wolverine Truck Sales, Inc.	E-mail	4/16/2004	#1 5/3/2004

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June 8, 2004

To: John Szerlag, City Manager  
From: Steve Vandette, Acting Assistant City Manager/Services  
Carol Anderson, Parks and Recreation Director  
Subject: Medi-Go Service Agreement

Recommendation

Attached please find the annual agreement with Troy Medi-Go for 2004-2005. This agreement states that the City will fund Medi-Go \$170,000.00.

There are minor changes to this agreement, but the funding is the same as in 2003-2004 and is the amount that has been approved by City Council for the 2004-2005 budget.

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Reviewed and Approved by City Attorney's Office

**AGREEMENT BETWEEN  
THE CITY OF TROY, MICHIGAN AND TROY MEDI-GO**

This agreement is made by and between the City of Troy, Michigan, a Michigan municipal corporation, whose address is 500 W. Big Beaver Road, Troy, Michigan 48084, hereinafter called "Troy", and Troy Medi-Go, a Michigan non-profit corporation whose address is 3179 Livernois, Troy, Michigan 48083, hereinafter called "Medi-Go".

**PURPOSE**

To provide financial support from Troy to Medi-Go for the purpose of maintaining a program to provide transportation service for senior citizens and physically handicapped residents of Troy, Michigan.

**MEDI-GO RESPONSIBILITIES:**

Medi-Go shall provide the following services for senior citizens and physically handicapped individuals who are residents of Troy through the fiscal year, July 1, 2004, through June 30, 2005:

1. Provide four (4) passenger vans with handicapped lifts operating approximately forty (40) hours per week.
2. Provide experienced and properly licensed drivers to operate the passenger vans. Those drivers' traffic records shall be screened by Medi-Go to insure that those drivers have good driving records and will not be a threat to the users health, safety or welfare.
3. Arrange for storing the passenger vans.
4. Provide a central scheduling person to implement the transportation services.

**MEDI-GO FURTHER AGREES:**

1. To maintain fiscal records and files, including appropriate income and expense ledgers.
2. To permit an independent auditor representing Troy to audit accounts of income and expenses relating to Troy's contribution with findings to be submitted to Troy.

3. To comply with all state and local regulations covering the use of passenger vans.
4. To indemnify, save and hold harmless Troy, its employees, officers, and agents, and affiliated entities from any losses, damages, judgments, claims, expenses, costs, and liabilities, including attorney fees and legal expenses, which may arise from, be caused directly by or in any way relate to the service provided by, or any act or omission of Medi-Go or its officers, directors, employees, agents or volunteers.
5. To furnish information requested by Troy indicating the use of the service by the senior citizens and handicapped residents of Troy.
6. Prior to execution of this Agreement by Troy, Medi-Go shall furnish a copy of a certificate of insurance indicating coverage for general liability, automobile liability and workers' compensation liability. Medi-Go shall maintain insurance as set out in this paragraph during the term of this Agreement.
7. Medi-Go shall not assign this Agreement to any other individual or entity without Troy's prior approval.

**TROY'S RESPONSIBILITIES:**

1. Provide general fund payment of \$170,000.00 or entire municipal community credits transferred from SMART (whichever is more) to be paid on or after July 1, 2004. (Intent is for Medi-Go to receive \$170,000 total funding.)
2. Recognize Medi-Go's autonomy in determining its own personnel and operating policies.
3. Assist, if possible, in disseminating information about the service to senior citizens and handicapped residents of Troy.
4. Make available at the Troy Community Center information regarding the Medi-Go service.

**AGREEMENT PERIOD:**

This agreement is in full force and effect from July 1, 2004, through June 30, 2005.

**CONTRACT APPROVAL:**

**CITY OF TROY**

By: \_\_\_\_\_ By: \_\_\_\_\_  
Louise Schilling, Mayor Tonni Bartholomew, City Clerk

Date: \_\_\_\_\_ Date: \_\_\_\_\_

**TROY MEDI-GO**

By: Ron Ristau By: Daniel D. Mayville  
Ron Ristau, President Dan Mayville, Treasurer

Date: 6/23/04 Date: 6/15/04

RECEIVED

JUN 30 2004

CITY OF TROY  
CITY MANAGER'S OFFICE

June 29, 2004

TO: John Szerlag, City Manager

FROM: Steven Vandette, Acting Assistant City Manager/Services   
William Huotari, Acting City Engineer 

SUBJECT: Agenda Item - Private Agreement for Wattles Ridge Site Condominiums  
Project No. 03.944.3

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

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

Approval is recommended.

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

Prepared by: G. Scott Finlay, PE  
Civil Engineer

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

G:\Projects\Projects - 2003\03.944.3 - Wattles Ridge Site Condo's\Private Agreement Cover Letter.doc

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

PROJECT NO. 03.944.3

PROJECT LOCATION: NW 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 Brentwood Land Development LLC whose address is 48536 Van Dyke, Shelby Twp, MI 48317 and whose telephone number is (586) 803-0303 hereinafter referred to as "Owners".

**WITNESSETH, FIRST:** That the City agrees to allow the installation of water main, storm sewer, sanitary sewer, sidewalks and paving in accordance with plans prepared by Land Engineering Services, Inc. whose address is 2201 12 Mile Road, Warren, MI 48092 and whose telephone number is (810) 582-9800, 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 \$333,321.00. This amount will be transmitted to the City Clerk for installation of said improvements in the form of (check one):

- Cash
- Certificate of Deposit
- Irrevocable Bank Letter of Credit
- Check
- Performance Bond

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 contribute \$ 39,048.00 cash fee & deposit per the attached **Detailed Summary of Required Escrow Deposits and Cash Fees & Deposits.**

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

**PROJECT NO. 03.944.3** \_\_\_\_\_

**PROJECT LOCATION: NW 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 even 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 \$ 372,369 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. 03.944.3

PROJECT LOCATION: NW 1/4 SECTION 23

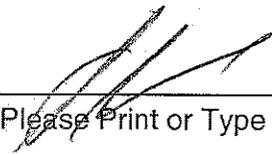
COUNCIL RESOLUTION NO.

DATE OF COUNCIL APPROVAL:

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed in duplicate on this 16th day of June, 2004.

OWNERS

By:

  
Please Print or Type Simone Mauro

\_\_\_\_\_  
Please Print or Type

CITY OF TROY

By:

\_\_\_\_\_  
Louise E. Schilling, Mayor

\_\_\_\_\_  
Tonni Bartholomew, City Clerk

STATE OF MICHIGAN, COUNTY OF OAKLAND

On this 16th day of June, A.D. 2004, before me personally appeared Simone Mauro known by me to be the same person(s) who executed this instrument and who acknowledged this to be his/her/their free act and deed.

  
Carol A. Owens

NOTARY PUBLIC,  Macomb

CAROL A. OWENS  
NOTARY PUBLIC MACOMB CO., MI  
MY COMMISSION EXPIRES Feb 10, 2007

Michigan

My commission expires: 2-10-07

OPTION ①

Detailed Summary of Required Escrow Deposits, Cash Fees & Deposits  
Wattles Ridge Site Condominiums Project No. 03.944.3  
14 Units - Section 23

**ESCROW DEPOSITS:**

Sanitary Sewers	\$53,590
Water Mains	\$26,400
Storm Sewers	\$45,495
Rear Yard Drains	\$30,040
Pavement - CONCRETE	\$115,150
Grading	\$32,000
Detention Basin	\$0
Soil Erosion Control Measures	\$831
Monuments and Lot Corner Irons	\$615
Temporary Access Road	\$20,800
Deposit for the Repair of Damage to Existing Public Streets Used for Access	\$8,400
<b>TOTAL ESCROW DEPOSITS (REFUNDABLE):</b>	<b>\$333,321</b>

**CASH FEES (NON-REFUNDABLE):**

Water Main Testing and Chlorination	\$650
Street Name and Traffic Signs	\$159
Maintenance of Detention Basin	\$4,000
Soil Erosion and Sedimentation Control Permits	\$833
Testing Services	\$5,000
Engineering Review and Inspection	\$24,432
<b>TOTAL CASH FEES (NON-REFUNDABLE):</b>	<b>\$35,074</b>

**CASH DEPOSITS (REFUNDABLE):**

Deposit for Maintenance & Cleaning of Ex. Public Streets Used for Access	\$2,800
Landscape Deposit	\$1,174
Punchlist & Restoration Deposit	\$0
<b>TOTAL CASH DEPOSITS (REFUNDABLE):</b>	<b>\$3,974</b>



33' R.O.W.

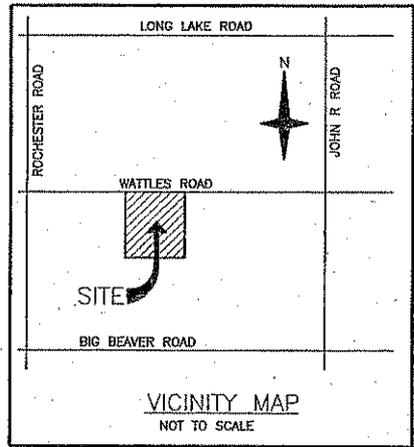
S.89°35'18"E. 2653.86' Total

S.89°35'18"E. 1634.73'

S.89°56'12"E. 596.27'

S.89°51'03"E. 0.91'

S.89°43'08"W. 595.08' Judy Estates Sub Liber 190, Page 14-16



LAND ENGINEERING LEGEND		
EXISTING	PROPOSED	SYMBOL DESCRIPTION
○	●	STORM MANHOLE
□	■	STORM CATCH BASIN (YARD)
□	■	STORM CATCH BASIN (PAVEMENT)
○	○	STORM OUTLET/WALET
○	○	WATER GATE VALVE
○	○	WATER HYDRANT
○	○	WATER THRUST BLOCK
○	○	SANITARY SEWER MANHOLE
○	○	SANITARY SEWER CLEAN OUT
○	○	LIGHT POLE
○	○	UTILITY POLE
○	○	PROPERTY CORNER
LINE/TYPE STYLE		LINE/TYPE DESCRIPTION
---	---	EXISTING STORM SEWER
---	---	PROPOSED STORM SEWER
---	---	EXISTING WATER MAIN
---	---	PROPOSED WATER MAIN
---	---	EXISTING SANITARY SEWER
---	---	PROPOSED SANITARY SEWER
---	---	EXISTING OVERHEAD WIRES

DATE	REVISIONS
8-15-04	Per City Engineer (8-3-04)
8-17-04	Per City Engineer (8-5-04)
4-14-04	Per City Engineer

DESIGNED	D.F.
CHECKED BY	E.X.
APPROVED BY	N.K.

**GENERAL NOTES**

- ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CURRENT STANDARDS, SPECIFICATIONS, AND GENERAL CONDITIONS OF THE CITY OF TROY.
- CONTRACTOR IS RESPONSIBLE TO COORDINATE HIS ACTIVITY WITH DETROIT EDISON, AMERITECH, GAS COMPANIES, AND THE CITY OF TROY.
- ALL ELEVATIONS IN PAVED AREAS ARE TOP OF FINISH PAVEMENT UNLESS OTHERWISE SHOWN.
- ADD 0.35' TO GUTTER ELEVATION TO OBTAIN TOP OF CURB ELEVATION.
- MINIMUM LONGITUDINAL SLOPE ON SWALES IS 0.30%.
- REFER TO ARCHITECTURAL BUILDING PLANS AND SPECIFICATIONS FOR EARTHWORK AND COMPACTION REQUIREMENTS FOR ALL SLABS AND BUILDING FOUNDATIONS.
- ALL EXISTING STRUCTURES AND BURIED FOUNDATIONS SHOULD BE COMPLETELY REMOVED.
- ALL EXISTING FILL IS TO BE REMOVED AT THE BUILDING AREA. VIRGIN MATERIAL IS TO BE PROOF-ROLLED. NEW ENGINEERING FILL IS TO BE INSTALLED AS SPECIFIED IN THE GEOTECHNICAL REPORT.
- 70-Finish Grade Around House.

**L.E.S.**  
 LAND ENGINEERING SERVICES, INC.  
 2703 12 MILE ROAD  
 WARREN, MICHIGAN 48092  
 PHONE (586) 582-9800 FAX (586) 582-9100  
 E-MAIL - leedesigning@comcast.net

**Grading Plan**  
**Wattles Pidge**  
 Burns Drive  
 Troy, Oakland County, Michigan

CLIENT: Madaca Development	5200 29 Mile Road
(586) 790-2077	Stuyvesant, Michigan

SCALE: 1"=40'  
 ISSUE DATE: Feb 17 2004  
 JOB NO: 03048

3 WORKING DAYS (EXCLUDING SAT., SUN. AND HOLIDAYS) BEFORE YOU DIG  
 CALL MISS DIG  
 1-800-482-7171  
 (TOLLA FREE)

July 7, 2004

TO: John Szerlag, City Manager

FROM: Mary Redden, Administrative Assistant to the City Manager

SUBJECT: Agenda Item – Standard Purchasing Resolution 10  
Travel Authorization and Approval to Expend Funds  
for Troy City Council Members' Travel Expenses -  
National League of Cities 81<sup>st</sup> Congress of Cities  
and Exposition

Authorization is requested for Council attendance of the National League of Cities 81<sup>st</sup> Congress of Cities and Exposition scheduled for November 30 – December 4, 2004 in Indianapolis.

Council Members may send completed registration forms to me and I'll take care of payment using our department's procurement card.

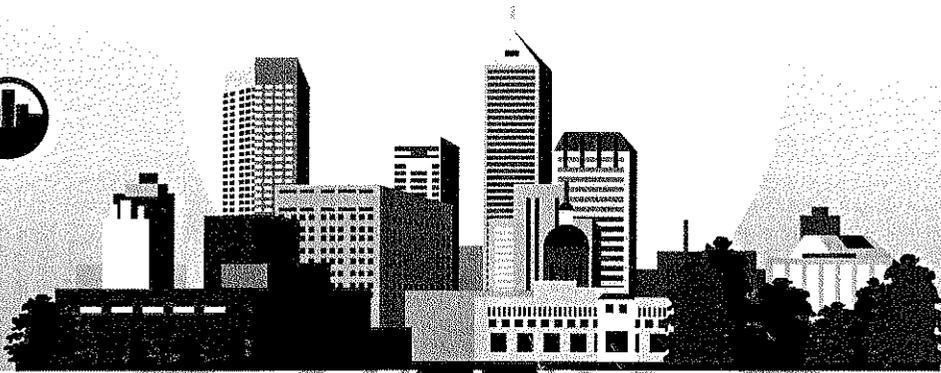
# NATIONAL LEAGUE OF CITIES

## 81st CONGRESS OF CITIES AND EXPOSITION

November 30 through  
December 4, 2004

Indiana Convention Center  
& RCA Dome

Indianapolis  
Indiana



*America's Cities and Towns*  
**RACING  
TOWARD  
A  
FUTURE**

June, 2004

Dear Local Official:

I am delighted to invite you to Indianapolis, Indiana, for the National League of Cities 81st Congress of Cities and Exposition - *America's Cities and Towns Racing Toward a Better Future*. We are living in both exciting and very challenging times, and as local elected officials we have very demanding jobs. The program we have planned reflects the time we live in and deals directly with issues facing our cities. This year's Congress of Cities and Exposition will provide you with many opportunities to learn more about what your colleagues in other cities are doing, what products and services are available to your city, and for you to share your own ideas and lessons.



As you review the program content and examine the many educational seminars, workshop sessions, and networking opportunities available at this year's conference, you will find an abundance of riches. I encourage you to visit the NLC website often for updates on the many workshops and activities being planned for all delegates. If you have never attended an NLC Congress of Cities and Exposition, I encourage you to make it to this year's conference. The activities planned will provide value and benefits to you and your city.

Please join us in Indianapolis this November 30 - December 4 as we help America's Cities and Towns Race Toward a Better Future.

Sincerely,

**Charles Lyons**  
President  
Selectman  
Arlington, Massachusetts

*"You owe it to your constituents to acquire more education at this conference. An idea from a previous Congress of Cities prompted our city to develop a state-of-the-art economic development program that has helped local business be more successful."*

**Margaret Finlay**  
Councilmember  
Duarte, California

*"Attending the NLC Congress of Cities justified its cost by helping me become a more informed elected official. Powerful general sessions, cutting-edge educational sessions, and numerous opportunities to network with others come together to form a meaningful experience. Don't miss out on Indianapolis!"*

**Thomas Lane**  
Commissioner  
Fargo, North Dakota

*"Action packed days with hundreds of fellow local elected officials who are eager to learn from each other. This combines to make a richly rewarding experience."*

**Bob Overstreet**  
Councilmember  
Everett, Washington



## PRELIMINARY CONFERENCE SCHEDULE

### MONDAY NOVEMBER 29

**Registration Opens**  
3:00 p.m. - 5:00 p.m.

### TUESDAY NOVEMBER 30

**Registration**  
7:30 a.m. - 5:00 p.m.

**Leadership Training Institute Seminars**  
9:00 a.m. - 5:00 p.m.

### WEDNESDAY DECEMBER 1

**Registration**  
7:30 a.m. - 8:00 p.m.

**Board of Directors Meeting  
Advisory Council Meeting  
Policy and Advocacy  
Committee Meetings**  
9:00 a.m. - 5:00 p.m.

**Mobile Workshops**  
9:00 a.m. - 5:00 p.m.

**Leadership Training Institute Seminars**  
9:00 a.m. - 5:00 p.m.

**NLC Member Services**  
Noon - 6:00 p.m.

**Orientation Session for First Time Attendees**  
5:45 p.m. - 6:45 p.m.

**Opening Reception with Exhibitors**  
6:30 p.m. - 8:00 p.m.

### THURSDAY DECEMBER 2

**Registration**  
7:30 a.m. - 5:00 p.m.

**Opening General Session**  
9:00 a.m. - 11:00 a.m.

**Welcoming Lunch in Exhibit Hall**  
11:00 a.m. - 1:00 p.m.

**Exposition**  
11:00 a.m. - 5:00 p.m.

**Conference Workshops**  
1:00 p.m. - 2:30 p.m.

**Resolutions Committee Meeting**  
1:00 p.m.

**Mobile Workshops**  
1:30 p.m. - 5:00 p.m.

**Break**  
2:30 p.m. - 3:00 p.m.

**Conference Workshops**  
3:00 p.m. - 4:30 p.m.

**Nominating Committee Hearing**  
4:30 p.m. - 6:00 p.m.

**State Municipal League and Constituency Group Receptions/Events**  
5:00 p.m. - 8:00 p.m.

### FRIDAY DECEMBER 3

**Registration**  
7:30 a.m. - 5:00 p.m.

**General Session**  
9:00 a.m. - 10:30 a.m.

**Exposition**  
10:30 a.m. - 3:00 p.m.

**Break**  
10:30 a.m. - 11:00 a.m.

**Conference Workshops**  
11:00 a.m. - 12:30 p.m.

**Exhibit Hall Lunch**  
12:30 p.m. - 2:00 p.m.

**Mobile Workshops**  
1:30 p.m. - 5:00 p.m.

**Conference Workshops**  
2:00 p.m. - 3:30 p.m.

**Conference Workshops**  
3:45 p.m. - 5:15 p.m.

**State Municipal League and Constituency Group Receptions/Events**  
6:00 p.m. - 8:00 p.m.

**Youth Delegates Event**  
7:00 p.m. - 10:00 p.m.

### SATURDAY DECEMBER 4

**Registration**  
7:00 a.m. - 2:00 p.m.

**Ecumenical Prayer Breakfast**  
7:30 a.m. - 9:00 a.m.

**General Session**  
9:15 a.m. - 10:45 a.m.

**Conference Workshops**  
11:00 a.m. - 12:30 p.m.

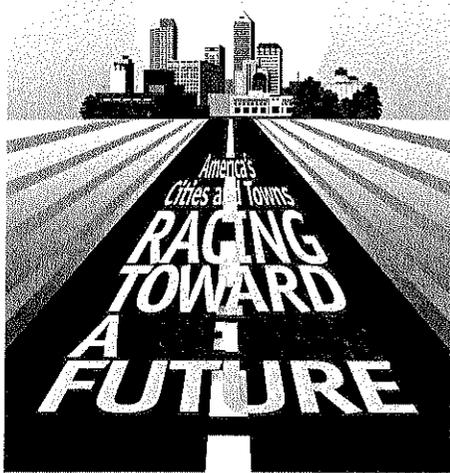
**Delegates Luncheon**  
12:45 p.m. - 2:15 p.m.

**Annual Business Meeting**  
2:30 p.m.

**Host City Closing Event**  
7:00 p.m.

Visit the  
NLC website at  
[www.nlc.org](http://www.nlc.org)  
for updates, changes,  
and conference  
details.

## NATIONAL LEAGUE OF CITIES



The Congress of Cities will offer a range of learning opportunities to help local officials from cities of all sizes examine the issues and challenges facing America's Cities and Towns. From economic development to water issues, from affordable housing to infrastructure issues, today's city officials are working toward a better future for all their residents. The 2004 Congress of Cities and Exposition will offer several unique learning opportunities for city officials over a five-day period

For more detailed and up-to-date information about general session speakers, conference workshops, and other conference activities, visit the NLC web site at

[www.nlc.org](http://www.nlc.org)

**General Sessions and Conference Workshops** featuring nationally recognized speakers, seasoned subject matter experts, and experienced city officials who will share successful programs and new approaches to local governance will begin on Thursday morning, December 2, and continue through Saturday, December 4.

**Host City Mobile Workshops** will feature topics such as Indianapolis' Unigov, the economic impact of auto racing on the city, Indiana's Life Sciences Initiative, and Indianapolis' Greenways. Mobile workshops will begin on Wednesday, December 1, and continue through Friday, December 3. **Space is limited so you are encouraged to pre-register in advance for these programs at [www.nlc.org](http://www.nlc.org).** Registration will be on a first-come first-served basis.

**Leadership Training Institute Seminars** provide in-depth skill building learning experiences for a separate fee and credit toward the Certificate of Achievement in Leadership program. These special seminars will be offered on Tuesday, November 30, and Wednesday, December 1.

**Networking Sessions and Resources** offer delegates the opportunity to share ideas, compare notes, and learn from each other. There will be both structured networking sessions during the conference including a Networking Room, as well as opportunities to exchange ideas informally between workshop sessions and during lunches and at various meetings. Networking sessions and the City Showcase will be open Thursday, December 2, and Friday, December 3. The Networking Room will be open Thursday, December 2, through Saturday, December 4.

**An Exposition with more than 300 booths** provides delegates the chance to make connections with the leading vendors serving municipal government. The exposition will be open to all conference delegates and their guests starting Wednesday evening, December 1, for a Welcome Reception and will be open during the day Thursday, December 2, and Friday, December 3.

**Special Programs** that respond to special interests and needs will include sessions for newcomers to the Congress of Cities, programs for youth delegates interested in learning more about local government, opportunities for city officials from small communities to deal with their unique challenges, and programs offered by NLC's six constituency groups on key local issues.

**Conference Workshops** Here's a tentative list of just some of the over 40 workshop topics that will be covered at this year's Congress of Cities and Exposition.

- Rescuing Federal-State-Local Partnerships
- Growth and Development Challenges in America's Cities
- Creating and Sustaining Diverse Leadership
- City Halls without Walls: E-Government Programs Beyond the Basics
- Community ID: Cities Growing Their Retail Sector
- Innovative Approaches to Affordable Housing
- Red Light-Green Light: Transportation and Infrastructure
- Paying for It: Water/Sewage Rates – Options for Municipalities
- City Planning By the People, For the People
- High-Yield Investments for Local Economies
- Telehealth: Expanding Quality Care to Rural & Remote Areas
- Enhancing Public Safety through Interoperable Communication Systems
- Avoid Baby-Boom Doom: How to Support an Aging Population
- Media 101 ... Working with Your Local Media
- GIS as a Development Tool for Your City and Business Community
- Taxing Choices: Spending and Revenue Options in Times of Fiscal Stress
- Homeland Security and Public Safety
- The American Jobs Crises: An Overview of the Outsourcing Controversy and the Need to Retrain America's Workforce
- Strengthening Democratic Governance
- America Downtown: Best Practices & Approaches to Downtown Revitalization
- Turning Trash into Treasures: Benefits of Developing Your Brownfields
- The New Medicare Bill: What Effect Will It Have on Quality Healthcare and Prescription Drug Prices in Your Community?
- Immigration Reform and the Impact on Municipalities
- Trends and Changes in America's Cities
- Legal Developments 2004: Rulings and Trends Affecting Cities

# LEADERSHIP TRAINING INSTITUTE SEMINARS

## FULL-DAY SEMINARS

### TUESDAY

NOVEMBER 30, 2004

#### L01. Tools for Conflict Resolution, Communication and Comedy

9:00 am - 5:00 pm

Registration Fee: \$150

**Core Competency: Collaborator**

Effective leaders must use the indispensable tools of knowing how to resolve conflict and employ useful communication skills. Learn how to deal with staff, citizens, and fellow elected officials when facing a myriad of situations. Learn how to find humor in dealing with difficult situations, how to create 'win-win' situations, how to 'read' people, and how to deescalate confrontations.

*Instructors:* Terri Williams, Trainer, MC Productions, Webster Groves, Missouri  
Craig Hawksley, Speaker, MC Productions, Webster Groves, Missouri

#### L02. Balancing Governance and Representation on City Councils

9:00 am - 5:00 pm

Registration Fee: \$150

**Competency: Competent Practitioner**

The ultimate success of council members depends upon your effectiveness as 'governors' of your community. Broaden your understanding of the nature of council roles and the potential conflict between them. Learn to develop better skills for goal setting, policy making, evaluation and oversight. Learn to promote visionary leadership while at the same time being true to your responsibilities to your constituents.

*Instructor:* James H. Svava, Professor and Head, Department of Political Science & Public Administration, North Carolina State University, Raleigh, North Carolina

#### L03. A Strategic Plan That Works: Producing Results for Your City

9:00 am - 5:00 pm

Registration Fee: \$150

**Core Competency: Catalyst**

Every city has visions, but not every city has a vision that is used to help create the future. Every city has plans, but not every city has a plan that defines goals and sets forth an annual work program. Wondering if you are really making a difference? Develop a strategic plan for your city that will focus your city's vision with outcome based goals and important policy targets for short-term decisions and actions.

*Instructor:* Lyle Sumek, President, Lyle Sumek Associates, Inc., Heathrow, Florida

## MORNING SEMINARS

### TUESDAY

NOVEMBER 30, 2004

#### L04. A Common Focus: Developing an Effective Communication Strategy

9:00 am - Noon

Registration Fee: \$95

**Core Competency: Communicator**

In today's uncertain climate, one vital issue remains constant, the critical need for good and meaningful communication. It is often the most challenging organizational issue regardless of city size or type. Ineffective communication creates barriers and inhibits efficient operations. Learn how to design and develop an effective communication strategy for your city along with the critical processes that support its utilization.

*Instructor:* Anna VerSteege, Trainer, Competitive Solutions, Inc., Alpharetta, Georgia

#### L05. Hello Winners, Goodbye Losers: Citizen Engagement for Creating Winning Cities

9:00 am - Noon

Registration Fee: \$95

**Core Competency: Catalyst**

Understand the vital link between fostering a 'sense of place' and creating community sustainability. Discover how to build upon the key components of the winning 'new city' that includes citizen leadership, citizen participation and civic morality. Explore ways to identify, develop and implement strategies that will result in turning your city into a 'winner' with greater citizen involvement and visionary leadership.

*Instructor:* Sylvia Lovely, President, New Cities Foundation, Lexington, Kentucky

#### L06. Excellence in Government: Building Communities through Accountability, Honesty and Integrity

9:00 am - Noon

Registration Fee: \$95

**Competency: Cornerstone**

Leadership is the foundation of excellence in government. Solid, well-rounded leadership is critical in public service.

Learn to articulate and develop a principle-based leadership plan as a local city leader. Acquire a greater appreciation and understanding of practicing core values of ethical, courageous and moral leadership; as well as social responsibility in the areas of public service. Build a personal and professional detailed strategy for ongoing leadership growth that will serve as a set of guiding principles in local governance and building trust within your community.

*Instructor:* Dr. Willie D. Larkin, Leadership and Organizational Development Specialist, Auburn University, Alabama

## AFTERNOON SEMINARS

### TUESDAY

NOVEMBER 30, 2004

#### L07. Municipal Leadership for Your City's Families: Skills for Creating and Maintaining Community Teams

1:30 pm - 5:00 pm

Registration Fee: \$95

**Competency: Collaborator**

Review the elements and principles necessary for mobilizing and maintaining successful community teams to support children, youth, and families. Learn why some teams work and others don't. Assess personal and group team participation skills, knowledge, and capacity; discuss characteristics and behaviors of team member types; share challenges and successes; and explore skills and techniques to enhance team effectiveness.

*Instructors:* Valerie Coachman-Moore, Principal, Coachman-Moore Associates, Pasadena, California

Jerry DeGrieco, City/Schools Liaison, City of Seattle Department of Neighborhoods/ Office for Education, Seattle, Washington

#### L08. Effective Parliamentary Procedure for Dynamic Council Meetings

1:30 pm - 5:00 pm

Registration Fee: \$95

**Competency: Cornerstone**

Broaden your understanding of parliamentary procedure as you examine presiding qualities, presiding skills, and presiding techniques. Review the steps in processing a motion and the concept of precedence of motions. You will not only have a better understanding of parliamentary procedure, but will also have the knowledge and skills to run and actively participate in an effective meeting.

*Instructor:* Nancy Sylvester, Author and Trainer, Loves Park, Illinois

#### L09. Competent Leadership through Crucial Conversations for Conflict Resolution

1:30 pm - 5:00 pm

Registration Fee: \$95

**Competency: Collaborator**

Learn to express difficult ideas in new ways that will reduce defensiveness. Examine the habitual ways of thinking that you bring to conversations and learn how to develop new perspectives and approaches capable of shifting the way these exchanges unfold. Learn to successfully collaborate and reduce conflict between individuals, as you execute priorities with greater group buy-in and ownership.

*Instructor:* Lisa Kealer-Carver, President, Moxie Consulting, Little Rock, Arkansas

## FULL-DAY SEMINARS

### WEDNESDAY

DECEMBER 1, 2004

#### L10. Public Problems, Democratic Decisions: The Role of Mayors and Council Members

9:00 am - 5:00 pm

Registration Fee: \$150

**Core Competency: Competent Practitioner**

It's been said that a solution is a problem everybody understands! But the complexity and time pressures of public office don't leave local officials much time to think about public problems or their role in leading and governing their cities and towns. Learn how to use public problems to discuss what kind of community you want to build and how to ensure that your choices and decisions preserve our 228-year-old democratic experiment.

*Instructor:* Phillip Boyle, Associate Professor of Public Management & Government, University of North Carolina at Chapel Hill, North Carolina

#### L11. Speak So They Will Listen

9:00 am - 5:00 pm

Registration Fee: \$150

**Competency: Communicator**

Learn how preparation, presentation and persuasion can expand your leadership and help you set positive change in motion within your community. Learn and practice presenting from an audience viewpoint. Enhance your ability to influence and persuade others. Your success depends on how well you present your information.

*Instructor:* Lindsay Strand, President, Lindsay Strand Associates, Minnetonka, Minnesota

#### L12. Crisis Management: Exercising Leadership in Extraordinary Times

9:00 am - 5:00 pm

Registration Fee: \$150

**Competency: Cornerstone**

A crisis challenges policy makers and responders alike, whether it is a natural disaster, an ethics controversy, an industrial accident, a terrorist attack, or any other form of crisis. Do you have the skills needed to manage rapidly evolving events? How do you set a course of action, rally support, and mobilize resources when the facts are unclear and the circumstances are changing? Prepare yourself for the intense decision-making and leadership that are critical in crisis situations. Experience and learn from a unique snapshot of Harvard University's Kennedy School of Government Crisis Management program.

*Instructor:* Arnold M. Howitt, Adjunct Lecturer in Public Policy, Executive Director, Kennedy School of Government Taubman Center for State and Local Government, Harvard University, Cambridge, Massachusetts

## MORNING SEMINARS

### WEDNESDAY

DECEMBER 1, 2004

#### L13. Guarding the Public Checkbook

9:00 am - Noon

Registration Fee: \$120

**Core Competency: Competent Practitioner**

Learn strategies and techniques to increase your proficiency and comfort in dealing with financial oversight responsibilities. Gain knowledge of budget management, financial crisis warning signs, the perils of micro-management and establishing an adequate fund balance. Participants will also receive the book "Local Government Dollars & Sense: 225 Financial Tips for Guarding the Public Checkbook."

*Instructor:* Len Wood, President, The Training Shoppe, Rancho Palos Verdes, California

#### L14. Leadership in a Diverse Community

9:00 am - Noon

Registration Fee: \$95

**Competency: Collaborator**

Expand your awareness of the factors that influence human perceptions and examine how those perceptions influence behavior and actions when interacting with people who are different - ethnic, gender, age, culture, race, religion, abilities and disabilities. Develop your leadership awareness and the skills necessary for growing win-win interdependent relationships in a diverse community.

*Instructor:* Claude Hurst, President, C. H. Hurst Associates, Inc., Miami, Florida

#### L15. Building Democratic Capacity: Mobilizing Citizens for Community Problem-Solving

9:00 am - Noon

Registration Fee: \$95

**Core Competency: Catalyst**

Learn how communities have used action forums and study circles to engage groups of diverse citizens in productive dialogue, sound decision-making, and collaborative efforts to solve community problems. These projects have often been launching pads for citizen action on a wide range of issues, including crime, education, race & diversity, and growth & sprawl. Participate in a sample study circle and extract lessons to understand democratic organizing and gain the ability to apply its principles in your work as a leader.

*Instructors:* Matt Leighninger, Study Circles Resource Center, Ontario, Canada and Pomfret, Connecticut  
Gwen Wright, Research and Municipal Programs, National League of Cities, Washington, DC

#### L16. Working Effectively with the Media to Build Public Trust

9:00 am - Noon

Registration Fee: \$95

**Core Competency: Communicator**

Citizens expect elected officials to be effective spokespersons for their community. Do you dread the thought of a reporter's phone call or of having to speak before a television camera? Are you frustrated when your actions or visions for your community are misunderstood or depicted negatively by the media? Learn how to work proactively with print, television and radio media to project clear, positive messages about your values and priorities.

*Instructor:* Susan Thornton, President, Susan Thornton Associates, Littleton, Colorado

## AFTERNOON SEMINARS

### WEDNESDAY

DECEMBER 1, 2004

#### L17. Evaluating the City Manager

1:30 pm - 5:00 pm

Registration Fee: \$95

**Competency: Competent Practitioner**

Hiring and evaluating your city manager is probably the most important role that an elected official must serve. How should a performance evaluation process work and what should you expect from it? Learn effective practices that make for successful hires along with practical techniques for supervising performance.

**Instructor:** Julia Novak, Vice-President, Management Partners, Inc., Cincinnati, Ohio

#### L18. Mr. Jefferson Speaks to the Public in Public Policy

1:30 pm - 5:00 pm

Registration Fee: \$95

**Competency: Cornerstone**

Thomas Jefferson appears in person to speak on his ideas of leadership, citizenship and the public good. Engage in a unique learning experience as historical interpreter Bill Barker presents Thomas Jefferson in a dialogue with participants. Mr. Jefferson reminds us

that the people are the foundation of public policy. As today's local leaders, participants will be reminded of their obligations to the public as administrators and public servants in public policy.

**Instructor:** Bill Barker, Interpreter - Thomas Jefferson, Williamsburg, VA

#### L19. Politics Unusual: The Dollars & Sense of Humor in Government

1:30 - 5:00 pm

Registration Fee: \$95

**Core Competency: Communicator**

We need to take our work seriously, but take ourselves lightly and remember "when we bring humor into our lives we lose not seriousness, but only solemnity." A truly enlightening seminar that will provide participants with skills that enable them to use humor to enhance creativity and problem solving, improve team building, relieve stress, and increase communication skills.

**Instructor:** Joey Novick, President, Humor Me!, Flemington, New Jersey

#### L20. The Power to Lead: A Personal Blueprint for Leadership

1:30 pm - 5:00 pm

Registration Fee: \$95

**Competency: Cornerstone**

To lead a city takes power; to produce results for your community takes power;

to make courageous decisions takes power; and to work with your community takes power. Understand the four critical power sources: simple, future, relationships, and results. Explore actions that city leaders can take to tap these four critical power sources and identify specific actions that city leaders can take to turn a 'power drain' into a 'power source'.

**Instructor:** Lyle Sumeck, President, Lyle Sumeck Associates, Inc., Heathrow, Florida

## LEADERSHIP LUNCHEON

### WEDNESDAY

DECEMBER 1, 2004

#### L21. Leadership Luncheon

Noon - 1:30 pm

Registration Fee: \$35

Platinum, Gold, Silver and Bronze Certificate level recipients will be recognized. An excellent opportunity to network and support your colleague's leadership work and training.

**Facilitator:** James E. Mitchell, Jr., Chair, Leadership Training Council, Councilmember, Charlotte, North Carolina

## CERTIFICATE OF ACHIEVEMENT IN LEADERSHIP PROGRAM...

allows local elected officials to organize their professional development around critical skills necessary for effective leadership. The program is built around five core leadership competencies for local elected officials, with each Leadership Training Institute Seminar addressing one of the following competency areas...

- (1) Cornerstone;
- (2) Competent Practitioner;
- (3) Communicator;
- (4) Collaborator;
- (5) Catalyst.

To obtain more information or enroll in the Certificate of Achievement in Leadership program, contact the Leadership Training Institute hotline at (202) 626-3170.

## INDIANAPOLIS -- IT REVOLVES AROUND YOU!

The City of Indianapolis and the Local Organizing Committee for the 2004 Congress of Cities, plus the many outstanding hotels, restaurants and attractions throughout the city are ready to exceed your expectations. In fact, preparations to host NLC's Congress of Cities actually began 20 years ago - right after NLC's 1984 Congress of Cities concluded. Since then, city leaders have remained committed to the deliberate development of Indianapolis' world-class convention district. Indianapolis' big-city variety, coupled with its ease and convenience has transformed it into one of the United States' most thriving cities.

Experience Indianapolis by:

- Attending the Congress of Cities at the recently expanded Indiana Convention Center (connected by skywalk to seven full-service hotels)
- Shopping at Circle Centre Mall, which includes four stories of shopping, dining and entertainment
- Walking through White River State Park
- Touring the NCAA Hall of Champions
- Visiting the Indiana State Museum
- Exploring the Eiteljorg Museum of American Indians and Western Art
- Being dazzled at the beauty of White River Gardens

The residents of Indianapolis are confident that you will enjoy your visit to their city and look forward to seeing you very soon.

### INDY PRESENTS!

Together with the Arts Council of Indianapolis, the 2004 Local Organizing Committee invites NLC delegates and their guests to sample two of Indianapolis' premier cultural offerings through Indy Presents! Complimentary theatre tickets will be distributed on a first-come, first-serve basis at the Host City registration booth. Shows include:

- The exclusive dress rehearsal of the Indianapolis Symphony Orchestra's annual "Yuletide Celebration"
- The Indiana Repertory Theatre's holiday classic "A Christmas Carol" or
- The Indiana Repertory Theatre's musical comedy, "I Do, I Do"

### CLOSING EVENT:

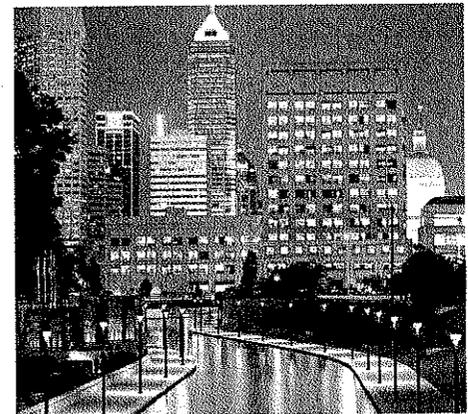
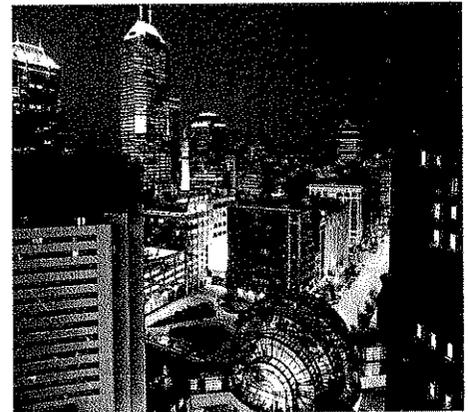
#### Imagine Indiana...The Closing Celebration

Imagine the Indiana of today, yesterday and tomorrow and discover the state's rich heritage at the new Indiana State Museum. Located in the heart of White River State Park, the museum is the crossroads of everything interesting, educational and unique about the city and state. For one magical night, this showplace for Indiana's natural and cultural history will be transformed into an energized gathering place and inspired learning center. NLC delegates will enjoy fine food, refreshing beverages and diverse entertainment on three floors in this unique architectural treasure.

### MOBILE WORKSHOPS:

Learn about Indianapolis' model programs and initiatives by participating in the following Host City Mobile Workshops:

- BioCrossroads: Central Indiana's Life Sciences Initiative
- Diversity Management: A Community Perspective
- The Economics of Auto Racing
- Exploring Indianapolis Cultural Districts
- Greenways: Improving Quality of Life
- Indianapolis' Amateur Sports Initiative
- New Ideas in Urban Housing
- Water: A Private-Public Management Model
- Unigov: Expanding Boundaries



### SPOUSE & GUEST TOURS:

NLC guests can treat themselves to Indy's tour treasures including:

- Christmas Homes & Country Club
- Circle Centre Shopping Tour
- Gardens & Galleries in White River State Park
- The Indianapolis Motor Speedway
- Lights, Legends & Lions in White River State Park
- Lockerbie Historic Home Tour
- Mass Ave Shopping Tour

### AND NEW IN 2004

Improve your Health IQ by attending Clarian Health Sessions in the Indiana Convention Center. Sessions will include: "Be Healthier in Ten Minutes or Less" and "Do You have Peace of Mind?"

## CONFERENCE REGISTRATION

Whether you are registering online, downloading your registration form from the web, or sending it to NLC Meeting Services with a check, you can find up-to-date and detailed information about the conference program and Indianapolis on the NLC website - [www.nlc.org](http://www.nlc.org).

If paying by MasterCard, VISA or American Express, you can **REGISTER ONLINE (at a discounted rate)** for immediate registration confirmation and hotel assignment. Visit the NLC website at [www.nlc.org](http://www.nlc.org) and select Congress of Cities and Exposition.

**First-time attendee?** NLC offers a \$345 special incentive for newly-elected first-time attendees and for cities who register their entire councils. Payment must be included for the entire council and all registration forms must accompany the check or credit card payment. A cover letter listing the names of the councilmembers should be included in the package. If more than one councilmember cancels, the entire council will be billed for the actual fee category difference.

No mailed registrations will be accepted with a postmark later than Friday, November 12, 2004, and no faxed or on-line registrations will be accepted after Friday, November 12, 2004. After these dates, you must register onsite.

Registration Categories:

**NLC Direct Member** City Officials and staff from cities that pay dues directly to NLC and to their state municipal leagues.

**Associate Member** For-profit corporations and non-profit organizations (including universities, libraries, non-municipal governments, and regional councils) that pay dues directly to NLC.

**State Municipal League Member** Officials and staff from cities that pay dues only to their state municipal leagues and not directly to NLC.

**Non-Member/Other**—Anyone (officials, staff, individuals) or any organization that does not pay dues to NLC or state municipal leagues.

Constituency Group Dues and Fees for Events

Network with colleagues with similar interests with NLC's constituency groups during the conference and join an NLC constituency group by paying membership dues combined with activity fees through the registration process. As you pay your registration fee, you may check off dues and fees for any of the groups to begin or renew your membership. Several special opportunities will occur among the various groups who invite their members and new colleagues to collaborate in their caucuses. Most of their meetings and events will be open to anyone registered at the Congress of Cities, while others will only be open to those who have purchased tickets for events. The majority of members renew their membership dues through the conference registration process along with related fees. Constituency group dues or fees can only be paid by fully registered delegates. Spouse, guest and youth registration categories are not eligible for payment of constituency group dues and fees.

The six Constituency and member groups are:

- Asian, Pacific American Municipal Officials (APAMO)
- Gay, Lesbian and Bisexual Local Officials (GLBLO)
- Hispanic Elected Local Officials (HELO)
- National Black Caucus of Local Elected Officials (NBC-LEO)
- University Communities Caucus (UCC)
- Women in Municipal Government (WIMG)

Constituency Group 2005 Combined Dues and Special Event Fees

(Dues and activities fees are combined and are not paid separately.)

Code	Amount	Activity
A1	\$70	APAMO Dues/Activities (elected/member city)
A2	\$85	APAMO Dues/Activities (elected/nonmember city)
A3	\$135	APAMO Dues/Activities (supporting/corporate member)
G1	\$35	GLBLO Activity Fee
H1	\$90	HELO Dues/Activities (elected/member city)
H2	\$100	HELO Dues/Activities (elected/nonmember city)
H3	\$110	HELO Dues/Activities (supporting/corporate member)
H4	\$60	HELO Activity Fee (nonmember only)
N1	\$200	NBC-LEO Dues/Activities (elected/member city)
N2	\$225	NBC-LEO Dues/Activities (elected/nonmember city)
N3	\$300	NBC-LEO Dues/Activities (supporting member)
N4	\$75	NBC-LEO Membership Luncheon Event (nonmember only)
W1	\$100	WIMG Dues/Luncheon (elected/member city)
W2	\$110	WIMG Dues/Luncheon (elected/nonmember city)
W3	\$125	WIMG Dues/Luncheon (supporting member)
W4	\$55	WIMG Taste of Indy Luncheon (nonmember only)
W5	\$30	WIMG Welcome Reception (members and nonmembers)

If you have questions concerning your membership status, please call Constituency Group Services at 202-626-3169

## WHAT'S INCLUDED IN YOUR CONFERENCE REGISTRATION FEE

- Four General Sessions with Nationally Recognized Speakers
- Over 40 Concurrent Workshops Addressing Critical Issues Facing Today's Local Leaders
- Mobile Workshops
- Opening Reception
- Two Exhibit Hall Lunches
- Delegates Lunch
- Host City Closing Event
- An Exhibit Hall with over 300 Exhibit Booths
- City Showcase and Vendor Presentations
- Conference Bag
- Printed Conference Program

## SPECIAL TRAVEL DISCOUNTS TO INDIANAPOLIS

US Airways and ATA Airlines are the official carriers for the 2004 Congress of Cities and Exposition in Indianapolis. You or your travel agent may contact the airlines directly to make reservations. Simply give the file number or convention code listed below when making your reservation and indicate your travel is for the National League of Cities Congress of Cities. Specially negotiated five percent and 10 percent discounted fares will be applied when you book your travel through one of the following numbers:

**US Airways**  
Toll Free: 877-874-7687  
Gold File Number: 37633144

**ATA Airlines**  
Toll Free: 1-877-282-4322  
Convention Code: MC50203

For your convenience, all flights should be scheduled in and out of the Indianapolis Airport. Remember, in order to take advantage of the lower airfare you must give the National League of Cities Congress of Cities File Number or Convention Code as noted above when contacting the airlines.

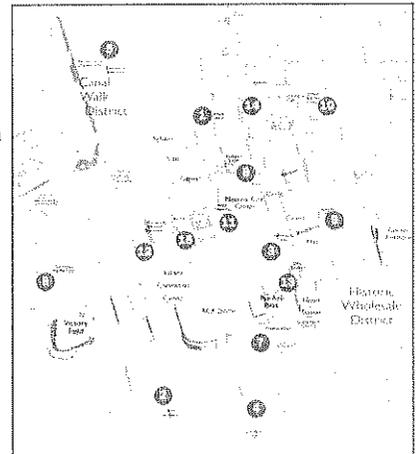
## ACCOMMODATIONS

All general sessions and workshop sessions as well as the exposition will be held at the Indiana Convention Center. The Indianapolis Marriott Downtown and the Westin are Co-Headquarters Hotels.

1. Adam's Mark Downtown
2. Best Western
3. Canterbury
4. Comfort Inn
5. Courtyard by Marriott/Capitol
6. Courtyard by Marriott/Downtown
7. Crowne Plaza
8. Embassy Suites
9. Hampton Inn
10. Hilton Garden
11. Hyatt
12. Indianapolis Marriott Downtown\*\*
13. Omni Severin
14. Raidisson
15. Westin\*\*

\*\* co-headquarters hotel.

For descriptions of hotels please visit the NLC website at [www.nlc.org](http://www.nlc.org)



## REGISTRATION DATES AND DEADLINES

- October 4, 2004:** Early registration postmark deadline.  
**November 12, 2004:** Cancellation postmark deadline.  
**November 12, 2004:** Advance registration by mail postmark deadline.  
**November 12, 2004:** Requested changes to existing hotel accommodations deadline.  
**November 12, 2004:** Advanced registration by fax or on-line deadline.  
 After this date, only on-site registration will be accepted.

### Conference Registration and Hotel Cancellation Policies

All requests for cancellation must be in writing, postmarked by November 12, 2004, and are subject to a \$50 processing fee. No partial refunds will be made if you decide not to attend particular functions. No refunds will be accepted after the cancellation deadline.

To guarantee your room, all hotels require a one night deposit plus tax, per room 14 days before arrival. This is required even if you plan to arrive before 6:00 p.m. All unguaranteed reservations 14 days before arrival will be canceled.

FOR QUESTIONS, CALL 1-888-319-3864  
or 703-449-6418 or  
Email: [nlccoeregistration@jspargo.com](mailto:nlccoeregistration@jspargo.com)

Please make a copy of the registration/housing form and the NLC policy and procedures for your records.

Savings on conference fees are just one of the benefits of NLC membership. To find out if your community is a direct member city or to receive membership information, please call the NLC Membership Office at (202) 626-3190 or visit the NLC website at [www.nlc.org](http://www.nlc.org).

# NLC CONGRESS OF CITIES CONFERENCE REGISTRATION AND HOUSING FORM

Indiana Convention Center, Indianapolis, Indiana, November 30 – December 4, 2004  
 For Faster Registration and Housing Reservation, Register Online at <http://www.nlc.org>

No housing or registration will be processed without accompanying payment in full.

Are you a newly elected official? \_\_\_\_\_ Size of city? \_\_\_\_\_

Name \_\_\_\_\_ Gender \_\_\_\_\_

Title \_\_\_\_\_

City/Organization \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

Email \_\_\_\_\_

Alternate Email \_\_\_\_\_

Spouse/Guest Name\* (\$60 fee) \_\_\_\_\_

\*Spouse/Guest not eligible for a separate hotel room and fee is **NONREFUNDABLE**.

Child Name (14 and under, no fee) \_\_\_\_\_ Age \_\_\_\_\_

Youth Delegate\*\* (15-18, \$75 fee) \_\_\_\_\_ Age \_\_\_\_\_

\*\*Local officials are encouraged to register youth as active participants in this conference to contribute to NLC's youth agenda. If the youth delegate requires hotel accommodations separate from yours, attach their registration form with your completed form.

Youth Chaperone Name (\$75 fee) \_\_\_\_\_

(Local Elected City Officials are not eligible for this rate.)

## SPECIAL CONFERENCE RATES

5	\$345	First-Time Attendee	\$ _____
6	\$345	Delegate with Entire Council (all forms must be attached)	\$ _____
SG	\$ 60	Spouse/Guest (non-refundable)	\$ _____
7	\$ 75	Youth Delegate	\$ _____
8	\$ 75	Youth Chaperone (not applicable to elected officials)	\$ _____

## REGISTRATION FEES: Early/Online Advance/Online On-site

1	NLC Member City	\$445/\$430	\$485/\$465	\$520	\$ _____
2	Associate Member	\$445/\$430	\$485/\$465	\$520	\$ _____
3	SML Member City	\$560/\$545	\$605/\$590	\$650	\$ _____
4	Non-Member/Other	\$680/\$665	\$720/\$705	\$775	\$ _____

Eligible for Early Fee if Postmarked by October 4, 2004. Eligible for Advance Fee if Postmarked by November 12, 2004. Visit [www.nlc.org](http://www.nlc.org) and register Online for discounted online rate. Onsite rate is effective after November 12, 2004

## REGISTRATION FOR LEADERSHIP TRAINING INSTITUTE SEMINARS (November 30 & December 1, 2004)

To REGISTER, codes and fees are listed beside the Leadership Training Institute title in this brochure. You must be registered for the conference in order to attend.

Tuesday, November 30 - Full-Day Seminar	Code: _____	\$ _____
Tuesday, November 30 - Morning Seminar	Code: _____	\$ _____
Tuesday, November 30 - Afternoon Seminar	Code: _____	\$ _____
Wednesday, December 1 - Full-Day Seminar	Code: _____	\$ _____
Wednesday, December 1 - Morning Seminar	Code: _____	\$ _____
Wednesday, December 1 - Afternoon Seminar	Code: _____	\$ _____
LTI Participant & Recognition Luncheon- \$35	Code: _____	\$ _____

## SPECIAL EVENTS

P1 \$35 Ecumenical Prayer Breakfast Code: \_\_\_\_\_ \$ \_\_\_\_\_

## CONSTITUENCY GROUP DUES AND EVENTS

To REGISTER, codes and fees are listed under the Constituency Group section of the brochure. You must be registered for the conference in order to attend.

APAMO Dues/Activities	Code: _____	\$ _____
GLBLO Activity Fee	Code: _____	\$ _____
HELO Dues/Activities	Code: _____	\$ _____
HELO Activity Fee (nonmember only)	Code: _____	\$ _____
NBC-LEO Dues/Activities	Code: _____	\$ _____
NBC-LEO Membership Luncheon Event (nonmember only)	Code: _____	\$ _____
WIMG Dues/Luncheon	Code: _____	\$ _____
WIMG Taste of Indy Luncheon (nonmember only)	Code: _____	\$ _____
WIMG Welcome Reception (members & nonmembers)	Code: _____	\$ _____

**TOTAL REGISTRATION FEE: \$ \_\_\_\_\_**

## HOTEL RESERVATIONS:

You must be registered for the conference to reserve a hotel room. To guarantee your room, all hotels require one night's deposit plus tax, per room 14 days prior to your arrival. This is required even if you plan to arrive before 6:00 p.m. If accommodations are not guaranteed 14 days in advance, the reservation will be canceled.

- Please make my hotel reservation as indicated below.
- I do not require hotel accommodations at any of the hotels listed below.
- Please contact me regarding suite information.

Room Dates: Arrival Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
 Departure Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Room Type:  Single (1 person/1 bed)  Smoking  
 Double (2 people/1 bed)  Non-Smoking  
 Double/Double (2 people/2 beds)

Sharing My Room With: \_\_\_\_\_

## SPECIAL HOUSING REQUEST (e.g., wheelchair accessible rooms, etc.):

If you have special housing or transportation needs, please contact NLC Meeting Services.

## HOTEL CHOICES:

Indicate your first-choice hotel with the number "1". Number the other hotels from "2" to "15" in order of preference. The hotel listing appears in the order of the hotel map numbers.

	Sgl/Dbt		Sgl/Dbt
___ Adam's Mark Downtown	\$129	___ Embassy Suites	\$155
___ Best Western City Centre	\$ 99	___ Hampton Inn	\$119
___ Canterbury Hotel	\$145	___ Hilton-Garden Inn	\$139
___ Comfort Inn & Suites	\$ 99	___ Hyatt Regency	\$142
___ Courtyard by Marriott at the Capitol	\$115	___ Indy Marriott Downtown	\$145
___ Courtyard by Marriott Downtown	\$125	___ Omni Severin	\$139
___ Crowne Plaza	\$132	___ Radisson	\$135
		___ Westin	\$145

## HOTEL DEPOSIT INFORMATION:

All major credit cards with expiration date of 12/04 or later are accepted at the conference hotels. All checks, government purchase orders, vouchers or claims must be submitted to the hotel with your Reg ID number at least 4 WEEKS (October 29, 2004) prior to arrival, and are subject to hotel approval.

## REGISTRATION FEE PAYMENT INFORMATION

- Charge my REGISTRATION FEES to VISA, MasterCard or AmEx listed below
- Check for REGISTRATION FEES made payable to National League of Cities
- Purchase Order for REGISTRATION FEES - copy must be enclosed & payment must be received by November 12, 2004.

## HOTEL DEPOSIT PAYMENT INFORMATION

- Charge my HOTEL DEPOSIT to the credit card listed below.
- Check for HOTEL DEPOSIT. Please submit to hotel address noted on NLC Meeting Services' confirmation 4 WEEKS prior to arrival - subject to hotel approval.
- Purchase Order for HOTEL DEPOSIT. Please submit to hotel address noted on NLC Meeting Services' confirmation 4 WEEKS prior to arrival - subject to hotel approval.

## CREDIT CARD AUTHORIZATION:

NLC Meeting Services is authorized to use the card below to pay all applicable registration fees and guarantee my hotel reservation. I understand that one night's room charge will be billed through this card if I fail to show up for my assigned housing on the confirmed date unless I have canceled my reservation with the hotel at least 72 hours in advance.

Visa/MasterCard/AmEx Number \_\_\_\_\_ Exp. Date \_\_\_\_\_

Card Holder Name \_\_\_\_\_

Card Holder Signature \_\_\_\_\_

## ADDITIONAL CREDIT CARD AUTHORIZATION:

For hotel deposit only if different from the credit card number listed above. (Expiration date must be 12/04 or later, per hotel requirement.)

Credit Card Number \_\_\_\_\_ Exp. Date \_\_\_\_\_

Card Holder Name \_\_\_\_\_

Card Holder Signature \_\_\_\_\_

## RETURN CONFERENCE REGISTRATION AND HOUSING FORM TO:

Fax: 703-631-6288 (Credit Card and Purchase Orders Only - No Checks)  
 Mail: NLC Meeting Services, c/o J. Spargo & Associates, Inc.  
 11212 Waples Mill Road, Suite 104, Fairfax, VA 22030

## FOR MORE INFORMATION:

Phone: 888-319-3864 or 703-449-6418  
 Email: [nlccoregandhousing@jspargo.com](mailto:nlccoregandhousing@jspargo.com)

## Office Use Only

Payment \_\_\_\_\_ Check# \_\_\_\_\_ Amount \_\_\_\_\_ Htl \_\_\_\_\_ Subblk \_\_\_\_\_ Cate \_\_\_\_\_ Rate \_\_\_\_\_

# Why attend NLC's Congress of Cities?

*"The NLC Congress of Cities is an excellent source for information and a way to learn solutions to city problems from other cities. Information gained saves time and money without the need to re-invent the wheel."*

**Helen Kawagoe**  
City Clerk  
Carson City, California

*"My city of 37,000 has saved several million dollars as a result of attending NLC's Congress of Cities and learning what other cities have been doing."*

**Bill Gillespie**  
Councilmember  
Northglenn, Colorado

*"The contacts I have made through NLC Congress of Cities will benefit my city for years to come."*

**Greg Pettis**  
Mayor Pro Tem  
Cathedral City, California

*"Listening to peers' personal solutions to common issues – what works, what doesn't – has saved our community millions of dollars."*

**Beulah Coughenour**  
Former Council Member  
Indianapolis, Indiana



## 10 Reasons to Attend the 2004 Congress of Cities

1. Discover new approaches to leadership, governance, and problem solving by attending general sessions, conference workshops, and networking sessions.
2. Learn creative approaches to working in the current economy.
3. Hear from high profile national speakers who will offer their perspectives on issues and challenges facing the leaders of the nation's cities and towns.
4. Gain access to a broad network of information and resources – experts, vendors, city leaders, youth delegates, NLC staff, colleagues, and friends – all gathered in one place for five days.
5. Visit and learn about successful programs in Indianapolis that might work in your community.
6. Observe and participate in setting National Municipal Policy for the nation's cities and towns.
7. Hone your leadership skills by attending special Leadership Training Institute seminars that will increase the value of your trip to Indianapolis.
8. Share experiences and network with local leaders from throughout the country.
9. See old friends and make new ones.
10. Help your city/town prepare for a better future by sharing with colleagues issues you are facing in your city/town.

***You can't afford to miss this conference!***

NATIONAL LEAGUE OF CITIES



**81th Congress of Cities and Exposition**  
November 30 through December 4, 2004  
Indiana Convention Center & RCA Dome  
Indianapolis, Indiana

**NATIONAL LEAGUE OF CITIES INSTITUTE**  
1301 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

NONPROFIT ORG.  
**PAID**  
PERMIT NO.  
4815  
WASHINGTON, D.C.

**ONLINE CONFERENCE  
REGISTRATION AT  
[www.nlc.org](http://www.nlc.org)**



Use your credit card to register instantly!

**EARLY REGISTRATION  
CUTOFF DATE OCTOBER 4, 2004**

**ADVANCE REGISTRATION  
CUTOFF DATE NOVEMBER 12, 2004**

\*\*\*\*\*AUTO\*\*3-DIGIT 480  
LOUISE E. SCHILLING  
MAYOR  
500 W BIG BEAVER RD  
TROY MI 48064-5254





# Avondale Youth Assistance

220 S. Squirrel Rd., PO Box 214257, Auburn Hills, MI 48321-4257  
Phone (248) 852-3716 ♦ Fax (248) 852-6764 ♦ E-mail yaavonda@bignet.net

January 29, 2004

John Szerlag, City Manager  
c/o Troy Police Department  
500 West Big Beaver Road  
Troy, MI 48084-5285

Dear Mr. Szerlag:

This is a request for the City of Troy to allocate \$2,210 to Avondale Youth Assistance (AYA) for the program year 2004-2005. We are proud to have the sponsorship of all four municipalities in the Avondale School District.

Avondale Youth Assistance has been able to offer free counseling services and community-based programs for area families in pursuit of its mission to prevent delinquency and neglect for the past 30 years.

Our Board of Directors continues to be sensitive to the needs of the community and would like to expand its programs with your help. If there are any questions about our budget, our committee is always available to address them informally or with a presentation to you or whoever is appropriate.

In addition, we would welcome the presence of a Troy resident of the Avondale School District to a position with our Board of Directors. Please consider the appointment of a council, police or city person to act as a liaison who could provide direct input and communication regarding AYA's programs.

Thank you for your anticipated support.

Sincerely,

Gerald C. Sich, Chairperson  
Board of Directors  
Avondale Youth Assistance

Phyllis McCaffrey  
Caseworker  
Avondale Youth Assistance

Cc: Matt Pryor, Mayor  
Charles Craft, Chief of Police  
Colleen Mott, Troy Police Dept.

**Strengthening Families Through Community Involvement**

Sponsored by: Cities of Auburn Hills, Rochester Hills & Troy ♦ Township of Bloomfield ♦ Avondale Board of Education ♦ Oakland County Probate Court

**AGREEMENT BETWEEN THE CITY OF TROY AND AVONDALE YOUTH ASSISTANCE**

This Agreement, by and between the City of Troy, 500 W. Big Beaver Road, Troy, Michigan 48084 (hereinafter referred to as the "CITY"), and the Avondale Youth Assistance, P.O. Box 214257, Auburn Hills, Michigan 48321, , a Michigan non-profit organization, (hereinafter referred to as "AYA"),

**RECITALS**

WHEREAS, the CITY desires to provide for a problem-solving service for youth and parents through individual, group, and family counseling to enable those served to cope with problems adversely affecting the ability of the youth to make optimal use of their world, i.e. social adjustment, work adjustment; and to provide free, on-site and off-site service for youth, especially those who cannot afford private services; and

WHEREAS, the CITY desires to provide youth residents of the City an opportunity to participate in the AYA program; and

WHEREAS, the general purpose of the AYA is to provide opportunities for mental, social and physical growth and development of youth; and

NOW, THEREFORE, in consideration of the above in meeting the needs of the youth of the CITY, and in consideration of the promises and mutual covenants hereinafter contained, the parties agree as follows:

**AYA RESPONSIBILITIES.**

I. General Project Summary. A general description of the community services to be provided by AYA is as follows:

A. A mental health worker, a licensed social worker, psychologist, or counselor, on staff at AYA shall be available to the youths of the community who are having difficulty in their personal and social adjustments. This person will work with youths, parents, schools and other community organizations, consistent with their professional training and licensing, in helping the youth grow towards a more satisfactory adjustment. The worker will act as a liaison for the youth, agencies, and family.

B. AYA shall also offer programs to resident youth which are designed to further the social and emotional needs of the youth.

C. AYA will continue to provide service at the current level or greater.

2. Program Description. A detailed description of each program offered will be provided to the CITY, will be maintained on file at AYA, and will be available for inspection by the CITY on request.

3. Location of Facility. AYA shall provide an office or treatment facility within a reasonable distance from the CITY. The CITY shall be notified immediately of any relocation or planned relocation of the facility.

4. Service Documentation. AYA shall provide a quarterly report which may be in the form of minutes from monthly AYA Board of Directors meetings to the CITY in October, January, April and July, including but not limited to the following information:

A. Data regarding AYA's operation, including but not limited to, the number of persons serviced by AYA programs, attendance records for counseling and programs, duration of programs, etc.

B. Types of cases treated and referral source(s).

C. All community and special projects undertaken by AYA.

D. Other information that the CITY may deem necessary without jeopardizing the confidentiality of the AYA clientele.

5. Fiscal Requirements. AYA shall maintain an accounting system to identify and support all expenditures, i.e., all income and expenses for which services are provided under this Agreement. The accounting system, at a minimum, shall consist of a chart of accounts, cash receipts journal, cash disbursements journal, and general ledger. All expenditures and income must be supported by vouchers and receipts that detail the reason for the transaction.

AYA shall submit to the CITY a copy of its annual budget for any fiscal year which falls within the twelve-month period covered by this Agreement. These budgets shall show the AYA budget, total expenditures, and expenditures funded and claimed to other funding sources.

AYA shall provide to the CITY a quarterly financial statement which may be in the form of Monthly Treasurer Reports as submitted to the AYA Board of Directors in October, January, April and July, including total income and expenditures for the previous three (3) months.

AYA agrees to retain at its costs all books, records or other documents relevant to this Agreement for six years after final payment.

6. Review of Programs by the City. Upon request, AYA will review with the CITY staff the programs funded by this Agreement to determine if there are

appropriate educational guidance and counseling activities which may be utilized by the youth.

7. Confidentiality. The use or disclosure of information concerning applicants for services or recipients of services, obtained in connection with the performance of the Agreement, shall be restricted to purposes directly connected with the administration of the programs implemented by this Agreement and must be consistent with all statutory requirements.

8. Subcontracts. AYA shall not assign this Agreement or enter into any subcontracts for services under this Agreement without obtaining prior written approval of the CITY.

9. Indemnify and Hold Harmless. AYA shall indemnify, save and hold harmless the CITY, its employees, officers, and agents, and affiliated entities from any losses, damages, judgments, claims, expenses, costs, and liabilities, including attorney fees, interest and legal expenses, which may arise from or be caused directly or indirectly by any act or omission of AYA or its officers, directors, employees, agents or volunteers.

10. Insurance. AYA shall present to the CITY documentation that is satisfactory to the CITY that indicates that AYA is covered under a policy of insurance or self-insurance with Oakland County, Michigan.

#### TROY'S RESPONSIBILITIES

The CITY hereby agrees to pay to AYA an amount not to exceed \$ 2,210.00 for services performed under this Agreement. Payment is to be made in a lump sum in July of 2004.

Obligations incurred by AYA prior to or after the period covered by this Agreement shall be excluded.

#### MUTUAL COVENANTS

1. Cancellation of Agreement. If the CITY determines that AYA fails to comply with the conditions of this Agreement, or to fulfill its responsibility as indicated in the Agreement, or the CITY determines that the methods and techniques being utilized in accomplishing the goals of this Agreement are not acceptable or compatible with the CITY's policy, then the CITY reserves the right to cancel this Agreement by giving thirty (30) days written notice to AYA. If AYA becomes defunct, AYA will reimburse the CITY for all pre-payments based on the date of termination.

2. Employees of AYA. Representatives, employees and volunteers of AYA shall not be deemed to be employees or agents of the CITY for any purposes solely because of their participation with AYA.

3. Independent Contractors. AYA is an independent contractor, and its agents, employees, or servants are responsible for its own conduct. This Agreement is not a joint venture for the profit of either party.

4. Compliance with Laws. AYA shall be responsible for compliance with all Federal, State and City laws or ordinances. Any violation of the law or ordinance results in material breach of the Agreement.

5. Terms of Agreement. This Agreement shall become effective as of July 1, 2004 and shall terminate on June 30, 2005 unless terminated under the provisions set forth in this Agreement.

IN WITNESS WHEREOF, the CITY and AYA have caused this Agreement to be executed by their respective authorized officers.

WITNESSES:

CITY OF TROY

\_\_\_\_\_

\_\_\_\_\_  
Louise Schilling, Mayor

\_\_\_\_\_

\_\_\_\_\_  
Tonni Bartholomew, City Clerk

WITNESSES:

AVONDALE YOUTH ASSISTANCE

\_\_\_\_\_  
*Colleen A. Sieh*

\_\_\_\_\_  
*Gerald Sieh*  
Gerald Sieh, AYA Chairperson

\_\_\_\_\_





4420 Livernois  
Troy, MI 48098  
P 248/823-5095  
F 248/823-5240

1/28/2004

Captain Gary Mayer  
Troy Police Department  
500 W. Big Beaver  
Troy, MI 48084

**SPONSORED BY:**

City of Troy  
Troy Schools  
Oakland County  
Probate Court  
Circuit Court --  
Family Division

Dear Captain Mayer:

Being a volunteer organization, there is very little fluctuation in our budget. We are requesting the same amount of money as last year. The total amount is \$35,000.00, which is paid quarterly in the amount of \$8,750.00.

If you have any questions you may leave a message on my cell phone 248-224-6019 or leave a message at the office 248-823-5095.

Thank you for your attention and support.

Sincerely,

William A. Waggoner II  
Treasurer, Troy Youth Assistance

**EXECUTIVE  
BOARD OF  
DIRECTORS:**

Nancy Piotrowski  
Chair  
Robin Lilly  
Secretary  
William Waggoner  
Treasurer  
Chuck Palmer  
Advisor  
Paul Scobie  
YA Caseworker

WW/ns

Cc: File

**AGREEMENT BETWEEN THE CITY OF TROY AND TROY YOUTH ASSISTANCE**

This Agreement, by and between the City of Troy, 500 W. Big Beaver Road, Troy, Michigan 48084 (hereinafter referred to as the "CITY"), and the Troy Youth Assistance, 4420 Livernois, Troy, Michigan 48098, a Michigan non-profit organization, (hereinafter referred to as "TYA"),

**RECITALS**

WHEREAS, the CITY desires to provide for a problem-solving service for youth and parents through individual, group, and family counseling to enable those served to cope with problems adversely affecting the ability of the youth to make optimal use of their world, i.e. social adjustment, work adjustment; and to provide free, on-site and off-site service for youth, especially those who cannot afford private services; and

WHEREAS, the CITY desires to provide youth residents of the City an opportunity to participate in the TYA program; and

WHEREAS, the general purpose of the TYA is to provide opportunities for mental, social and physical growth and development of youth; and

NOW, THEREFORE, in consideration of the above in meeting the needs of the youth of the CITY, and in consideration of the promises and mutual covenants hereinafter contained, the parties agree as follows:

**TYA RESPONSIBILITIES.**

1. General Project Summary. A general description of the community services to be provided by TYA is as follows:

A. A mental health worker, a licensed social worker, psychologist, or counselor, on staff at TYA shall be available to the youths of the community who are having difficulty in their personal and social adjustments. This person will work with youths, parents, schools and other community organizations, consistent with their professional training and licensing, in helping the youth grow towards a more satisfactory adjustment. The worker will act as a liaison for the youth, agencies, and family.

B. TYA shall also offer programs to resident youth which are designed to further the social and emotional needs of the youth.

C. TYA will continue to provide service at the current level or greater.

2. Program Description. A detailed description of each program offered will be provided to the CITY, will be maintained on file at TYA, and will be available for inspection by the CITY on request.

3. Location of Facility. TYA shall provide an office or treatment facility within the CITY. Currently, that facility is located at 4420 Livernois, Troy, Michigan 48098. The CITY shall be notified immediately of any relocation or planned relocation of the facility.

4. Service Documentation. TYA shall provide a quarterly report which may be in the form of minutes from monthly TYA Board of Directors meetings to the CITY in October, January, April and July, including but not limited to the following information:

A. Data regarding TYA's operation, including but not limited to, the number of persons serviced by TYA programs, attendance records for counseling and programs, duration of programs, etc.

B. Types of cases treated and referral source(s).

C. All community and special projects undertaken by TYA.

D. Other information that the CITY may deem necessary without jeopardizing the confidentiality of the TYA clientele.

5. Fiscal Requirements. TYA shall maintain an accounting system to identify and support all expenditures, i.e., all income and expenses for which services are provided under this Agreement. The accounting system, at a minimum, shall consist of a chart of accounts, cash receipts journal, cash disbursements journal, and general ledger. All expenditures and income must be supported by vouchers and receipts that detail the reason for the transaction.

TYA shall submit to the CITY a copy of its annual budget for any fiscal year which falls within the twelve-month period covered by this Agreement. These budgets shall show the TYA budget, total expenditures, and expenditures funded and claimed to other funding sources.

TYA shall provide to the CITY a quarterly financial statement which may be in the form of Monthly Treasurer Reports as submitted to the TYA Board of Directors in October, January, April and July, including total income and expenditures for the previous three (3) months.

TYA agrees to retain at its costs all books, records or other documents relevant to this Agreement for six years after final payment.

6. Review of Programs by the City. Upon request, TYA will review with the CITY staff the programs funded by this Agreement to determine if there are appropriate educational guidance and counseling activities which may be utilized by the youth.

7. Confidentiality. The use or disclosure of information concerning applicants for services or recipients of services, obtained in connection with the performance of the Agreement, shall be restricted to purposes directly connected with the administration of the programs implemented by this Agreement and must be consistent with all statutory requirements.

8. Subcontracts. TYA shall not assign this Agreement or enter into any subcontracts for services under this Agreement without obtaining prior written approval of the CITY.

9. Indemnify and Hold Harmless. TYA shall indemnify, save and hold harmless the CITY, its employees, officers, and agents, and affiliated entities from any losses, damages, judgments, claims, expenses, costs, and liabilities, including attorney fees, interest and legal expenses, which may arise from or be caused directly or indirectly by any act or omission of TYA or its officers, directors, employees, agents or volunteers.

10. Insurance. TYA shall present to the CITY documentation that is satisfactory to the CITY that indicates that TYA is covered under a policy of insurance or self-insurance with Oakland County, Michigan.

#### TROY'S RESPONSIBILITIES

The CITY hereby agrees to pay to TYA an amount not to exceed \$35,000.00 for services performed under this Agreement. Payments are to be made in four quarterly installments of \$8,750.00 each during the months of July and October, 2004 and January and April, 2005.

Obligations incurred by TYA prior to or after the period covered by this Agreement shall be excluded.

#### MUTUAL COVENANTS

1. Cancellation of Agreement. If the CITY determines that TYA fails to comply with the conditions of this Agreement, or to fulfill its responsibility as indicated in the Agreement, or the CITY determines that the methods and techniques being utilized in accomplishing the goals of this Agreement are not acceptable or compatible with the CITY's policy, then the CITY reserves the right to cancel this Agreement by giving thirty (30) days written notice to TYA. If TYA becomes defunct, TYA will reimburse the CITY for all pre-payments based on the date of termination.

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IN WITNESS WHEREOF, the CITY and TYA have caused this Agreement to be executed by their respective authorized officers.

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_

CITY OF TROY

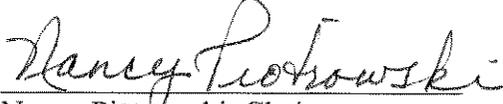
\_\_\_\_\_  
Louise Schilling, Mayor

\_\_\_\_\_  
Tonni Bartholomew, City Clerk

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_

TROY YOUTH ASSISTANCE

  
\_\_\_\_\_  
Nancy Piotrowski, Chairperson

July 6, 2004

TO: John Szerlag, City Manager

FROM: Steven J. Vandette, Acting Assistant City Manager/Services  
Douglas J. Smith, Real Estate Development Director  
Patricia A. Petitto, Senior Right of Way Representative

SUBJECT: AGENDA ITEM – REQUEST FOR ACCEPTANCE OF  
PERMANENT EASEMENT FOR WATER MAIN  
Project No. 04.907.3 – Kresge Foundation  
Sidwell #88-20-30-226-001

In connection with renovations to the Kresge Foundation building on the south side of Big Beaver Road, west of Coolidge, the Real Estate and Development Department has acquired a water main easement from Kresge Foundation, the owners of the property. The consideration on the document is \$1.00

Management recommends that City Council accept the attached easement.

PERMANENT EASEMENT

Sidwell # 88-20-30-226-001  
Project # 04.907.3  
Resolution #

Kresge Foundation, a Trustee Corporation organized under the laws of the State of Michigan, Grantor, whose address is 3215 West Big Beaver Road, Troy, MI 48084 for and in consideration of the sum of: One and no/100 Dollars (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, grants to the Grantee the right to construct, operate, maintain, repair and/or replace water main, said easement for land situated in the City of Troy, Oakland County, Michigan, described as:

SEE ATTACHED EXHIBIT "A"

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

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

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

IN WITNESS WHEREOF, the undersigned hereunto affixed his signature(s) this 28<sup>th</sup> day of June A.D. 2004.

In presence of:  
WITNESS

*Christina [Signature]*

KRESGE FOUNDATION, A TRUSTEE CORPORATION ORGANIZED UNDER THE LAWS OF THE STATE OF MICHIGAN

By *Edward M Hunia* (L.S.)  
Edward M Hunia  
Treasurer

STATE OF MICHIGAN )  
COUNTY OF OAKLAND )

The foregoing instrument as acknowledged before me this 28<sup>th</sup> day of June, 2004, by Kresge Foundation, a Trustee Corporation Organized Under the Laws of the State of Michigan on behalf of the corporation.

Edward M. Hunia, Treasurer of

*Latanya R. Gary*

Notary Public, Oakland County, Michigan  
LATANYA R. GARY

My Commission Expires MY COMMISSION EXPIRES Oct 28, 2008

(Corporations)

Prepared by: Patricia A. Petitto  
City of Troy Real Estate & Development  
500 West Big Beaver  
Troy, Michigan 48084

Return to:  
City Clerk, City of Troy  
500 West Big Beaver Road  
Troy, Michigan 48084

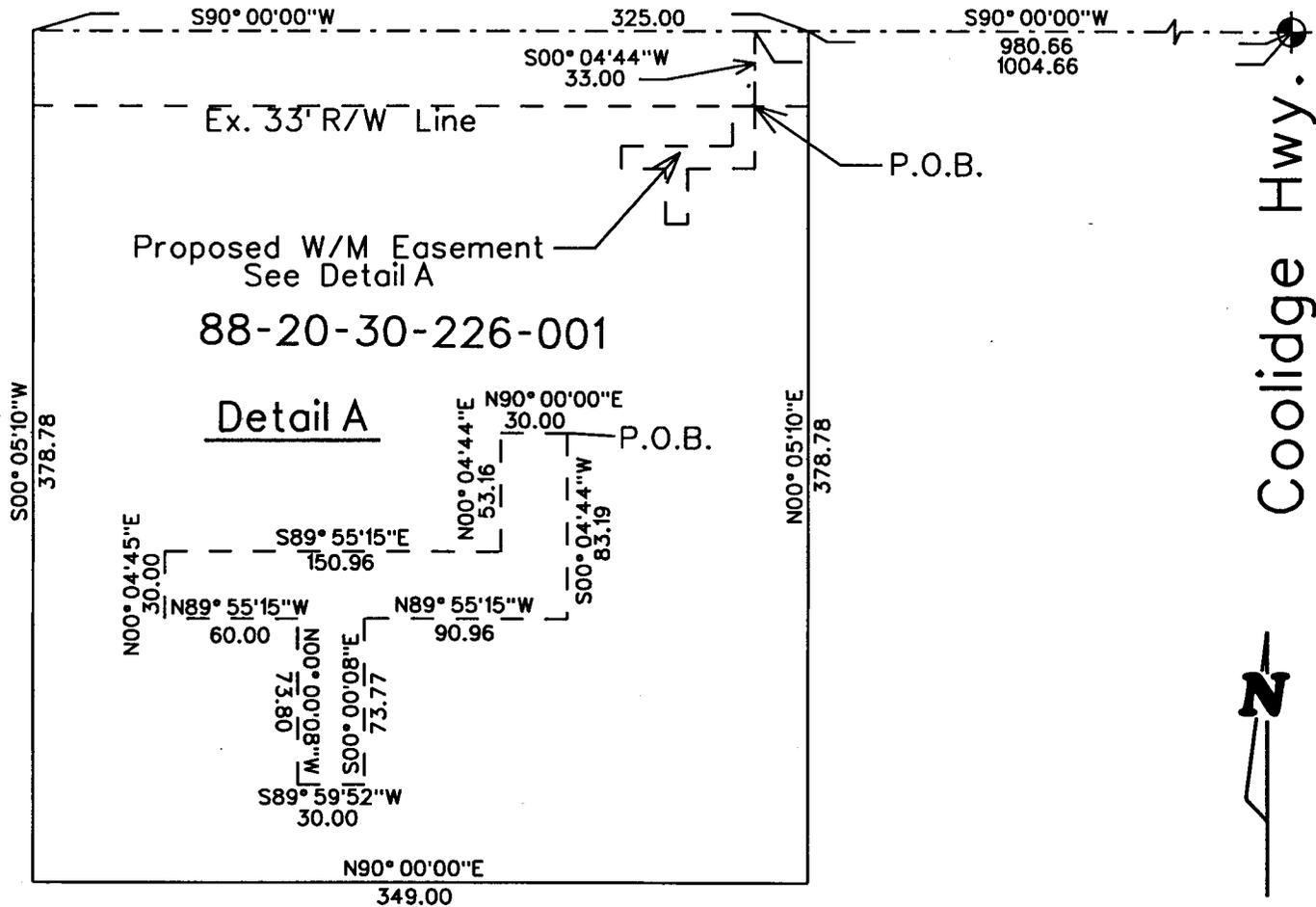
## **EXHIBIT "A"**

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 30, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, BEING AN EASEMENT FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, AND/OR REMOVAL OF A WATERMAIN FURTHER DESCRIBED AS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 30, TOWN 2 NORTH, RANGE 11 EAST; THENCE ALONG THE NORTH LINE OF SAID SECTION 30, NORTH 90°00'00" WEST, 1,004.66 FEET; THENCE SOUTH 00°04'44" WEST, 33.00 FEET, TO SOUTH RIGHT OF WAY LINE OF BIG BEAVER ROAD AND THE POINT OF BEGINNING; THENCE SOUTH 00°04'44" WEST 27.73 FEET; THENCE NORTH 89°55'15" WEST, 30.32 FEET; THENCE SOUTH 00°00'08" EAST, 24.59 FEET; THENCE SOUTH 89°59'52" WEST 10.00 FEET; THENCE NORTH 00°00'08" WEST 24.60 FEET; THENCE NORTH 89°55'15" WEST, 20.00 FEET; THENCE NORTH 00°04'45" EAST 10.00 FEET; THENCE SOUTH 98°55'15" EAST, 50.32 FEET; THENCE NORTH 00°04'44" EAST, 17.72 FEET TO SAID SOUTH RIGHT OF WAY LINE; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE, SOUTH 90°00'00" EAST, 10.00 FEET, TO THE POINT OF BEGINNING. CONTAINING 0.024 ACRES, MORE OR LESS.

# Big Beaver Rd.

NE Cor.  
 Sec. 30  
 T2N-R11E



**CITY OF TROY**  
 OAKLAND COUNTY, MICHIGAN

## Kresge Foundation Water Main Easement

SCALE	DRAWN BY	CHECKED	FILE
HOR. 1"=80'	NAME GJB III	NAME	See Above
VER.	DATE 7/7/2004	DATE	VIEW *1
SHEET No.		JOB No.	
STEVEN J. VANDETTE		1 OF 1	
CITY ENGINEER			

DOCUMENT PREPARED BY  
 George J. Ballard III  
 LAND SURVEYOR

CONTRACT No.

DATE REV.

June 24, 2004

TO: John Szerlag, City Manager

FROM: Steve Vandette, Acting Assistant City Manager/Services  
Douglas J. Smith, Real Estate and Development Director  
William Huotari, Acting City Engineer  
Pat Petitto, Senior Right-of-Way Representative  
Mark F. Miller, Planning Director

SUBJECT: FINAL STREET VACATION APPLICATION (SV-184) – Crestfield Avenue and Tallman (FKA Taylor) Street, within proposed Crestwood Site Condominium, North Side of Wattles, East of Livernois, Section 15.

### **RECOMMENDATION**

On November 24, 2003, City Council adopted an authorizing resolution for the vacation of portions of Crestfield Avenue and Tallman Street, subject to the following conditions:

1. Retention of all necessary easements as required by the City of Troy.
2. Dedication of Wattles and Hanover ultimate right-of-way.
3. Dedication of future right-of-way for the proposed Crestwood Site Condominium.

These conditions have been met. City Management recommends approval of the Final Street Vacation request.

### **GENERAL INFORMATION**

Name of applicant(s):

Murray Deagle of RWT Building, LLC.

Location of property owned by applicant(s):

The property is located on the north side of Wattles, east of Livernois, in section 15.

History of Right of Way:

Both streets are located within the Crestfield Subdivision, which was platted in 1924. Neither section of the street has ever been constructed.

The applicant intends to develop Crestwood Site Condominium, a 23-unit site condominium, over a portion of the existing plat. The existing right-of-way does not meet the City standard for right-of-way width, and is in an unsuitable location for future development. Crestwood Site Condominium is on the July 12, 2004 City

Council agenda for Final Condominium Approval. The applicant must vacate the platted right-of-way prior to Final Condominium Approval.

Length and width of right-of-way:

The Crestfield Avenue right-of-way abuts lots 31-64 and 65-98 and is approximately 1374 feet long and 50 feet wide. The Tallman Street right-of-way abuts lots 64-65 and 192 and is approximately 353 feet long and 33 feet wide.

**ANALYSIS**

Reason for street vacation (as stated on the Street/Alley Vacation Application):

The application states the following: "Consolidation of property for development".

Future Land Use Designation:

The property is designated on the Future Land Use Plan as Low Density Residential.

Need for future easements and dedications:

The petitioner provided the necessary easements and dedications.

cc: Applicant  
File/ SV 184

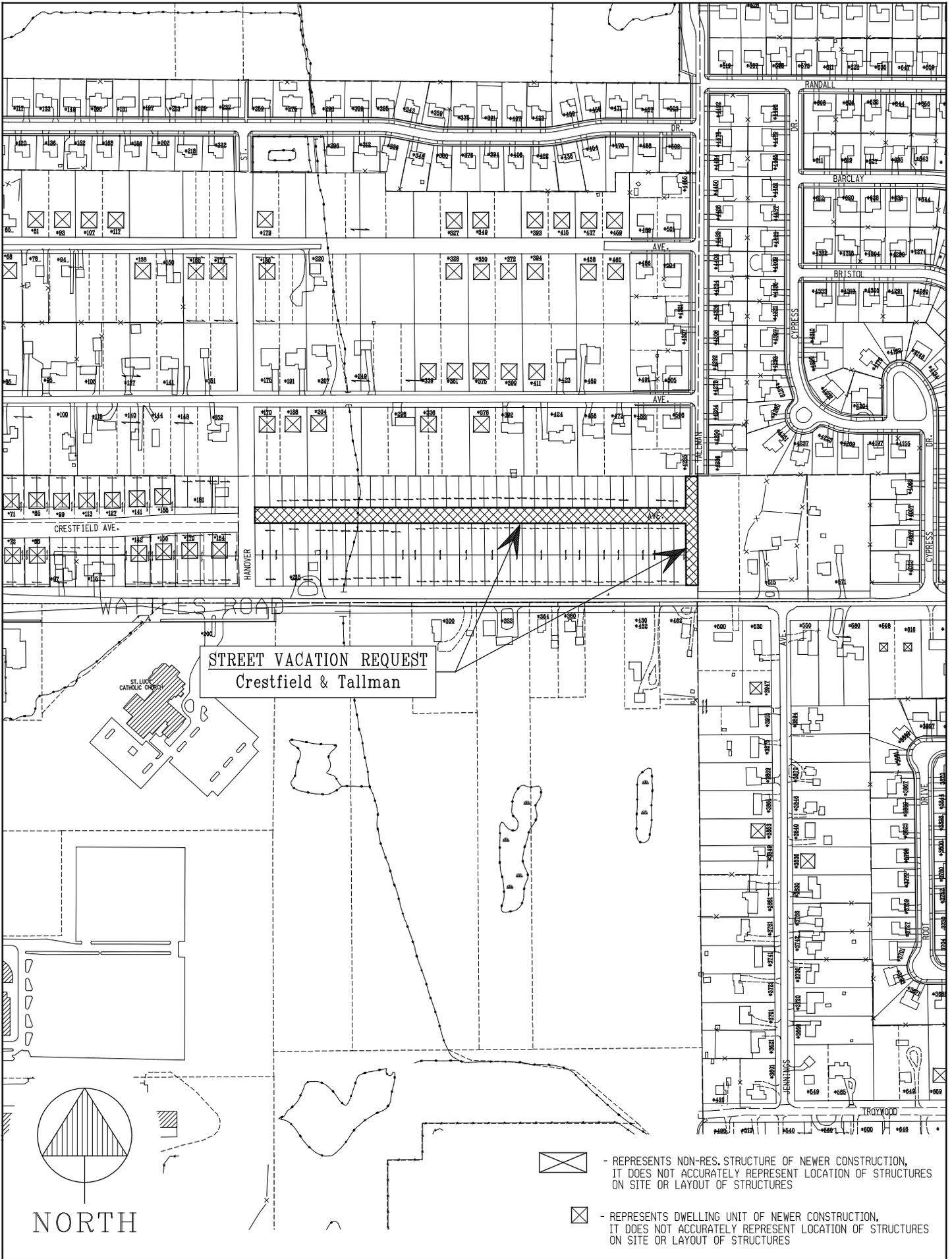
Attachments:

1. Maps
2. Minutes from November 24, 2003 City Council Meeting (Authorizing Resolution #2003-11-603)

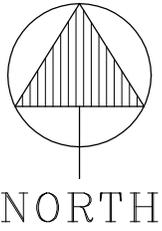
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# CITY OF TROY





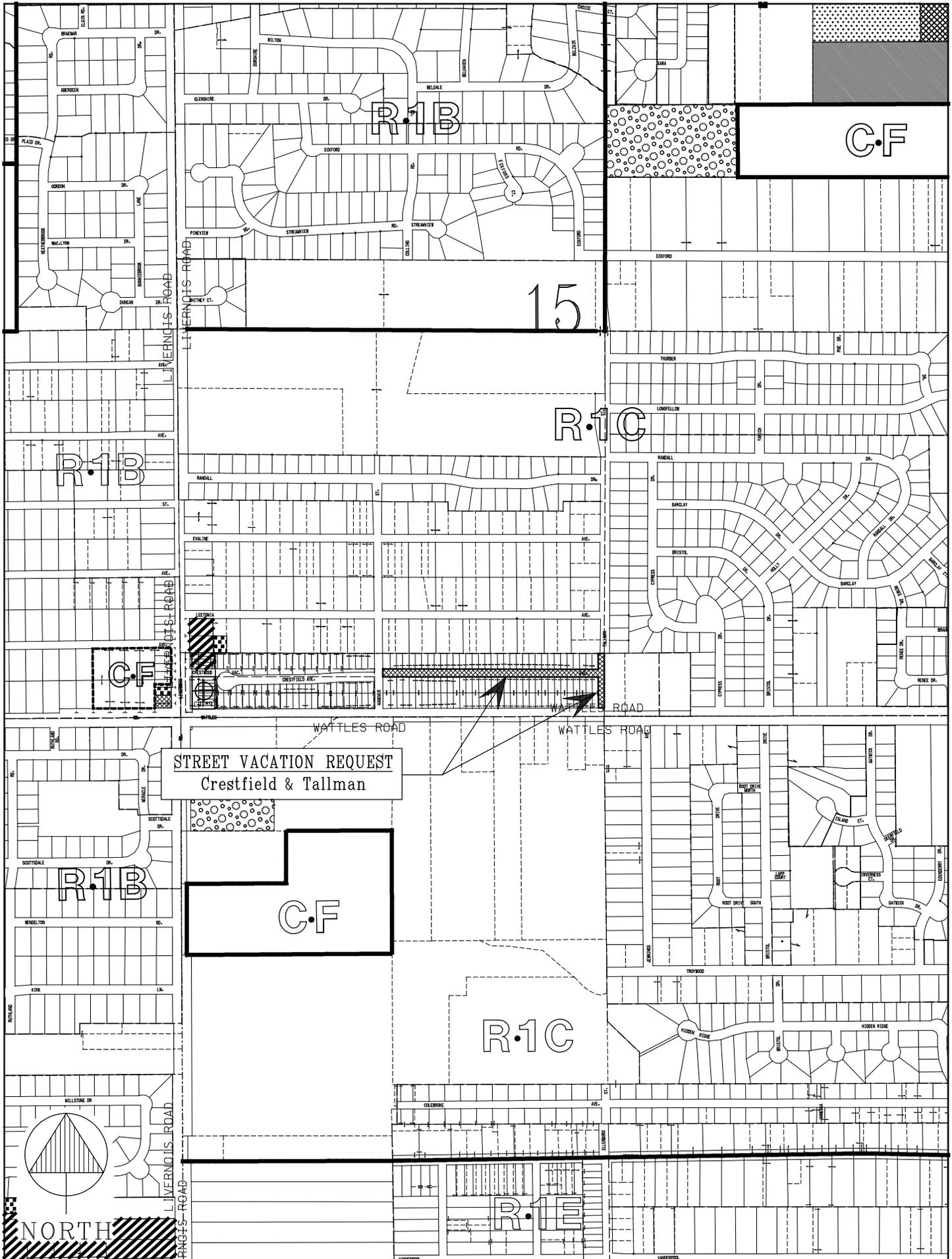
**STREET VACATION REQUEST**  
Crestfield & Tallman



- REPRESENTS NON-RES. STRUCTURE OF NEWER CONSTRUCTION, IT DOES NOT ACCURATELY REPRESENT LOCATION OF STRUCTURES ON SITE OR LAYOUT OF STRUCTURES



- REPRESENTS DWELLING UNIT OF NEWER CONSTRUCTION, IT DOES NOT ACCURATELY REPRESENT LOCATION OF STRUCTURES ON SITE OR LAYOUT OF STRUCTURES



R1B

C.F

15

R1C

R1B

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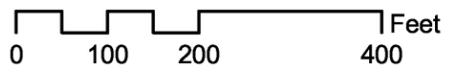
STREET VACATION REQUEST  
Crestfield & Tallman

NORTH

STREET VACATION REQUEST  
CRESTFIELD & TALLMAN  
PROPOSED CRESTWOOD SITE CONDO.  
N OF WATTLES, E OF LIVERNOIS  
SEC. 15 (SV-184)



STREET VACATION REQUEST  
CRESTFIELD & TALLMAN



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**C-7 Street Vacation Application – Crestfield Avenue and Tallman (fka Taylor) Street, within Proposed Crestwood Site Condominiums – North Side of Wattles, East of Livernois – Section 15 (SV-184)**

Resolution #2003-11-603

Moved by Beltramini

Seconded by Stine

WHEREAS, A request has been received for the vacation of the Crestfield Avenue right-of-way, which is 50 feet wide and approximately 1374 feet in length, and the Tallman Street right-of-way, which is 33 feet wide and approximately 353 feet in length, located within the proposed Crestwood Site Condominium in Section 15; and

WHEREAS, City Management and the Planning Commission have recommended that this street vacation be granted subject to the following conditions:

1. Retention of all necessary easements as required by the City of Troy.
2. Dedication of Wattles and Hanover ultimate right-of-way.
3. Dedication of future right-of-way for the proposed Crestwood Site Condominium.

NOW, THEREFORE, BE IT RESOLVED, That the City Council concurs with the recommendations of City Management and the Planning Commission; and

BE IT FINALLY RESOLVED, That the Crestfield Avenue right-of-way, which is 50 feet wide and approximately 1374 feet in length, and the Tallman Street right-of-way, which is 33 feet wide and approximately 353 feet in length, located within the proposed Crestwood Site Condominium in Section 15, be authorized for vacation, subject to the retention of all necessary easements as required by the City of Troy, the dedication of Wattles and Hanover ultimate right-of-way and the dedication of future right-of-way for the proposed Crestwood Site Condominium.

Yes: All-7

June 28, 2004

To: John Szerlag, City Manager

From: Steve Vandette, Acting Assistant City Manager/Services  
Carol K. Anderson, Parks and Recreation Director

Subject: Agenda Item – Troy Soccer City Classic Ordinance Waiver

**RECOMMENDATION**

The Troy Youth Soccer League will be conducting the 18<sup>th</sup> Annual Troy Soccer City Classic September 4-6, 2004.

A waiver of the Chapter 26-3.4 Parks ordinance is requested to allow the sale of merchandise and concessions at the tournament sites. A request is made to also grant approval for the installation of special event signs per Section 14.00 of Chapter 78 of the Troy City Code to allow the display of tournament-related banners during the tournament as has been allowed during previous years. Banners will be displayed at Firefighters Park and possibly at Boulan Park, Jaycee Park, and Raintree Park (approximate size: 4' x 8').

Submitted by Stuart J. Alderman, Superintendent of Recreation

June 16, 2004

TO: John Szerlag, City Manager

FROM: John M. Lamerato, Assistant City Manager/ Finance and Administration  
Jeanette Bennett, Purchasing Director

SUBJECT: Agenda Item – Ordinance Revision  
Chapter 7 – Purchases, Contracts and Sales

Pursuant to the Charter Revision of Chapter 12 – Purchases – Contracts – Leases, approved by the voters on Monday, April 5, 2004, Chapter 7 – Purchases, Contracts and Sales (Section 3.2) must be modified to reflect the approved Charter changes. A redlined copy of the proposed City Code Chapter 7 – Purchases, Contracts and Sales is attached for your convenience.

The applicable Charter section has been included below with the approved revision in bold print.

Section 12.1 – Purchase and Sale of Property

In all sales or purchases in excess of ten thousand dollars, (a) the sales or purchases shall be approved by the Council, (b) **competitive bids shall be obtained through a traditional sealed bid procedure or alternative methods, providing the method used preserves the integrity of the competitive process**, except where the Council shall determine that an emergency exists or that the public interest will be best served without obtaining sealed bids, and (c) the requirements of Section 12.2 shall be complied with. No sale or purchase shall be divided for the purpose of circumventing the dollar value limitation contained in this section. The Council may authorize the making of public improvements or the performance of any other city work by any city agency without competitive bidding.

Reviewed as to Form and Legality: \_\_\_\_\_ Date \_\_\_\_\_  
Lori Grigg Bluhm, City Attorney

CITY OF TROY  
AN ORDINANCE TO AMEND  
CHAPTER 7 OF THE CODE  
OF THE CITY OF TROY

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as the 9<sup>th</sup> amendment to Chapter 7 of the Code of the City of Troy.

Section 2. Amendment

Section 3.2 of Chapter 7 is hereby amended to read as follows:

3. Purchases or Contracts over \$10,000.00. Any expenditure or contract obligating the City for an amount in excess of \$10,000.00 shall be approved by the City Council and shall be governed by the provisions of this section.
  - (2) The Purchasing Agent shall solicit competitive bids from a reasonable number of known qualified prospective bidders by ensuring that notices are distributed and bid documents are accessible to bidders. A bid notice shall be posted in the City Hall. Bids shall also be solicited by newspaper advertisements when directed by the City Council.

(Rev. 5-3-04)

Section 3. Repeal

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

Section 4. Savings

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

Section 5. Severability Clause

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

Section 6. Effective Date

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

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a regular meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, MI, on the third day of May, 2004.

---

Louise E Schilling, Mayor

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Tonni Bartholomew, MMC  
City Clerk

CHAPTER 7 - PURCHASES, CONTRACTS AND SALES

1. Purchasing Agent. The Manager shall act as Purchasing Agent of the City in accordance with Section 12.1 of the Charter. The Manager may designate another officer or employee of the City as Purchasing Agent to assist in the performance of such duties. Any such designation shall be in writing filed with the Clerk. In the event of such designation, every purchase order in excess of one thousand (\$1,000.00) dollars shall be approved by the Manager, or some other designee, before being issued. The Manager shall adopt any necessary rules respecting requisitions and purchase orders.

(Rev. 5-4-92)

2. Purchases or Contracts of \$10,000.00 or less. The purchase of, or contracting for, supplies, materials, equipment and public improvements, the cost of which, in each instance, is \$10,000.00 or less, may be made by the Purchasing Agent in the open market.

Such purchases shall be based on comparative price quotations, except when the Manager shall determine that no advantage to the City would result from such a procedure, or when the purchase is for the employment of professional services. When comparative price quotations are submitted, such a purchase shall be made from the supplier whom the Purchasing Agent believes is competent, who quotes the lowest price. The Purchasing Agent may solicit price quotations from prospective suppliers in person, by telephone, or by written communication. Records shall be kept for six (6) months of all such open market purchases and the comparative price quotations submitted thereon. Records shall be kept for two (2) years of all purchases made that were not based on comparative price quotations, along with a statement by the Manager giving the reason why that procedure was not used. Such records and statements shall be available for public inspection.

(Rev. 5-4-98)

3. Purchases or Contracts over \$10,000.00. Any expenditure or contract obligating the City for an amount in excess of \$10,000.00 shall be approved by the City Council and shall be governed by the provisions of this section.

- (1) Any such expenditure shall be made the subject of a written contract when directed by the City Council. A purchase order shall be a sufficient written contract in cases where the expenditure is in the usual and ordinary course of the City's affairs.
- (2) The Purchasing Agent shall solicit **sealed competitive** bids from a reasonable number of known qualified prospective bidders by **sending each a copy of the notice requesting bids making notices and bid documents accessible to bidders.** ~~The A copy of each bid~~ notice shall be posted in the City Hall. Bids shall also be solicited by newspaper advertisements when directed by the City Council.

## Chapter 7 - Purchases, Contracts and Sales

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- (3) Unless prescribed by the Council, the Manager shall prescribe the amount of any security to be deposited with any bid, which deposit shall be in the form of cash, certified or cashier's check or, if authorized by the City Manager, a bond written by a surety company authorized to do business in the State of Michigan. Unless fixed by the Council, the Manager shall fix the amount of the performance bond, and in the case of construction contracts, the amount of the labor and materials bond, to be required of the successful bidder.
- (4) Bids shall be opened in public at the time and place designated in the notice requesting bids, in the presence of the Purchasing Agent, the City Clerk and at least one other City official. The bids shall thereupon be carefully examined and tabulated and reported to the Council with the recommendation of the Purchasing Agent (as approved by the Manager if the Manager is not acting as Purchasing Agent) within sixty (60) days after bid opening. After award, all bids may be inspected by the competing bidders.
- (5) When such bids are submitted to the Council, if the Council shall find any of the bids to be satisfactory, it shall award the contract to the lowest competent bidder meeting specifications, unless the Council shall determine that the public interest will be better served by accepting a higher bid. Such award shall be by resolution. The Council shall have the right to reject any or all bids, to waive irregularities in bidding, and to accept bids which do not conform in every respect to the bidding requirements.
- (6) At the time a contractor executes a contract, the contractor shall file with the City a bond to the City executed by a surety company authorized to do business in the State of Michigan, conditioned to pay all laborers, mechanics, sub-contractors and material suppliers, as well as all just debts, dues and demands incurred in the performance of the work, and shall file a performance bond when one is required. Said contractor shall also file evidence of public liability insurance in an amount satisfactory to the City Manager, and agree to save the City harmless from loss or damage caused to any person or property by reason of the contractor's negligence.
- (7) All bids and security deposits may be retained until the contract is awarded and signed. If any successful bidder fails or refuses to enter into the proposed contract within five (5) days after it has been awarded, or to file any bond required within the same time, the deposit accompanying the bid shall be forfeited to the City, and the Council may, in its discretion, award the contract to the next lowest competent bidder meeting specifications, or to another competent bidder meeting specifications if the Council shall determine that the public interest will be better served by accepting such other bid, or said contract may be re-advertised.

(Rev. 5-4-98)

## Chapter 7 - Purchases, Contracts and Sales

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4. Purchases or Contracts over \$1,000.00. Any contract or agreement obligating the City for an amount of One Thousand Dollars or more, made on a form or with terms other than the standard city purchase order form, shall, before execution, be submitted to the City Attorney, and his opinion obtained with respect to its form and legality. A copy of all contracts or agreements requiring such opinion shall be filed in the office of the City Clerk together with a copy of the opinion. Before any contract, agreement or purchase order obligating the City to pay an amount of One Thousand Dollars or more is executed, the accounting officer of the City shall first certify that an appropriation has been made for the payment thereof, or, if the obligation be for a purpose being financed by the issuance of bonds or by special assessments or for some other purpose not chargeable to a budget appropriation, that sufficient funds will be available for the payment thereof. In the case of a contract or agreement obligating the City for periodic payments in future fiscal years for the furnishing of a continuing service or the leasing of property, such certification need not cover those payments which will be due in future fiscal years, but this exception shall not apply to a contract for purchase or construction being financed by an installment contract under authority of Section 11.2 of the Charter. Certification by the accounting officer of the City shall be endorsed on each contract, agreement or purchase order requiring same or shall be filed as an attachment thereto.
  
5. Exceptions to Competitive Bidding. Competitive bidding shall not be required in the following cases:
  - (1) Pursuant to Section 2 of this Chapter.
  - (2) When the Council shall determine by unanimous resolution of those present that the public interest will be best served by purchase from or joint purchase with, another unit of government.
  - (3) When the City elects to undertake the work itself as provided by the Charter.
  - (4) When the Council determines that an emergency exists.
  - (5) When the Council determines that the public interest will be best served without obtaining bids.
  - (6) In the employment of professional services.

This section shall not be interpreted to exempt a contractor for the performance of work or services from compliance with Section 3(6) of this Chapter.

6. Recreation Service Agreements. Contracts for services or instruction of a recreational nature, to be provided to members of the public, the entire cost of which is to be reimbursed to the City by the members of the public who receive the services or instruction, shall be exempt from the requirements of Section 2 and Section 3 of this Chapter.

Such contracts shall be phrased so that no payment is made to the contractor by the City until after the City has received payment from the said members of the public.
  
7. Inspection of Materials. The responsibility for the inspection and acceptance of all materials, supplies and equipment shall rest with the ordering department.

## Chapter 7 - Purchases, Contracts and Sales

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8. Sale of Property. Whenever any City property, real or personal, is no longer needed for corporate or public purposes, the same may be offered for sale in accordance with this section, except as to property the sale of which is restricted by law or the provisions of the Charter. Personal property not exceeding \$1,000.00 in value, may be sold for cash by the Purchasing Agent upon approval of the City Manager after receiving quotations or competitive bids therefor for the best price obtainable. Property with a value in excess of \$1,000.00 may be sold after advertising and receiving competitive bids, as provided in Section 3 of this Chapter and after approval of the sale has been given by the Council.

9. Declared Emergency. In the event of an officially declared emergency, the City Manager is permitted to make purchases without sealed bids, prior to Council approval and in excess of the limitations provided by the Charter. All purchases in excess of the limitations provided by the Charter, shall be reported to the Council at the next regularly scheduled meeting.

(5-4-98)

10. Change Orders to Construction Contracts. Construction shall be defined as the process of building, altering, repairing, improving or demolishing any public structure or building, or other public improvements of any kind to any public real property. Construction does not include the routine operation, routine repair, or routine maintenance of existing structures or real property.

A change Order to original construction contracts may be authorized solely by the City Manager if:

- (1) The change, as reviewed and approved by the City Manager, is within the current "scope of work" for the project.
- (2) The change is documented with itemized and verifiable cost, and/or pricing data. This provision may be waived, solely by the City Manager, if the cost and/or pricing data cannot be verified and the contractor certifies that to the best of his knowledge and belief, the cost or pricing data submitted is accurate, complete, and current as of a mutually specified date.
- (3) The profit and overhead for the General Contractor and Subcontractor is limited to 10% combined; with the General Contractor limited to adding 5% profit and overhead for any subcontractors.
- (4) The change is within the contingency limits established by City of Troy Council Resolution at the time of original project award.

(11-1-99)

June 29, 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 Furniture

**RECOMMENDATION**

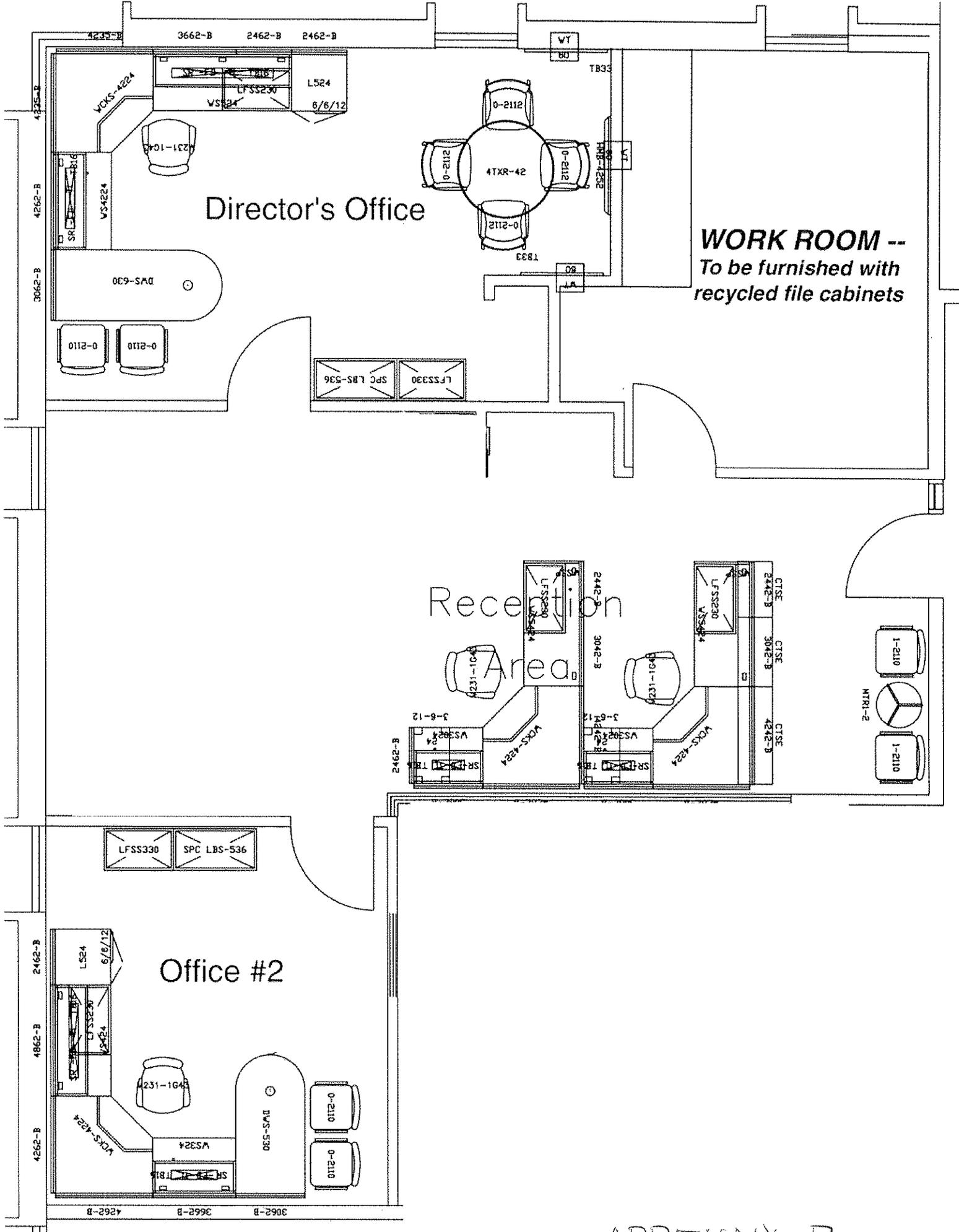
The City requests approval and authorization to expend an estimated \$15,225.00, to purchase furniture for the newly renovated Community Affairs Department. This project is part of the ongoing process to renovate office space previously approved.

**OVERVIEW**

As presented at the Council meeting of March 15, 2004, attached for your review is the plan of the newly renovated office space (Appendix B) and detailed furniture costs as indicated under new estimate (see Appendix C). The space has been reconfigured and painted according to the plan and as directed by City Council. (Resolution #2004-03-136) Fire suppression is near completion; carpet has been received, with ceiling tiles and molding left to be placed.

**SUMMARY**

The recommendation to expend approximately \$15,225.00 will provide Community Affairs with the workstations, chairs, file cabinets, tables and display boards needed. Funds for this expenditure are available through CATV – Community Affairs Capital Outlay Budget, Accounts #401267.7978.010 and 401267.7980.010.



APPENDIX B

## 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 <b><u>PREP ONLY</u></b>	\$6,000	\$6,000.00
<b><i>Complete activation and operation of Fire Suppression</i></b>	<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

<b>MATERIAL - Subtotal</b>	\$31,475	<b>\$34,475.00</b>
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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

<b>LABOR Subtotal</b>	\$10,609.55	<b>\$9,532.75</b>
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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	<b>\$8,265.13</b>
Chairs	\$5,902.26	<b>\$2,842.34</b>
File cabinets	\$4,731.19	<b>\$2,015.52</b>
Tables/Displays Boards	\$2,282.22	<b>\$373.70</b>
Installation / Design	\$1,927.93	<b>\$1,727.93</b>

<b>FURNITURE SUBTOTAL</b>	23,443.84	<b>\$15,224.62</b>
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<b>Total Project Estimate</b>	\$65,530	<b>\$59,232.37</b>
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Resolution #2004-03-135

Moved by Stine

Seconded by Beltramini

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 and the portion of the proposal related to furniture be delayed and reconsidered by City Council in the 2004-2005 budget cycle.

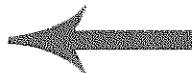
Yes: All-7

**Vote on Resolution as Substituted and Amended**

Resolution #2004-03-136

Moved by Stine

Seconded by Beltramini



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 \$59,235.00, utilizing in-house personnel, approved contracts, and standard purchasing procedures and the portion of the proposal related to furniture be delayed and reconsidered by City Council in the 2004-2005 budget cycle.

Yes: All-7

**PUBLIC COMMENT:**

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**A. Items on the Current Agenda**

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

Resolution #2004-03-137

Moved by Lambert

Seconded by Beltramini

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

Yes: All-7

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

June 24, 2004

TO: John Szerlag, City Manager

FROM: Steve Vandette, Acting Assistant City Manager/Services  
Douglas J. Smith, Real Estate and Development Director  
William Huotari, Acting City Engineer  
Mark F. Miller, Planning Director

SUBJECT: PRELIMINARY SITE CONDOMINIUM REVIEW – Stone Haven Woods East No. 2 Site Condominium, south side of Wattles Road, west of Crooks Road, section 20 – R-1B.

### **RECOMMENDATION**

At the June 8, 2004 Planning Commission Regular Meeting, the Planning Commission recommended approval of the alternate layout of the Stone Haven Woods East No. 2 Site Condominium, with the extension of Fadi Drive to the north and east, without a direct connection to Wattles Road. City Management concurs with this recommendation.

### **GENERAL INFORMATION**

Name of Owner / Applicant:  
Kamal Shouhayib.

Location of subject property:  
The property is located on the south side of Wattles Road, west of Crooks Road, in section 20.

Size of subject parcel:  
The parcel is approximately 2.02 acres in area.

Description of proposed development:  
The applicant is proposing to develop a 4-unit site condominium. The applicant's preferred layout simply extends Fadi Drive north to connect to Wattles Road. There are 2 units proposed on both sides of Fadi Drive within the site condominium. Property to the south of units #1 and #2 east of Fadi are comprised of lots within Stone Haven Woods East Subdivision. Property to the south of units #3 and #4 is unplatted.

The applicant's proposed layout provides a convenient cut-through opportunity from eastbound Wattles to southbound Crooks. Drivers traveling east on Wattles who wish to go south on Crooks will be able to eliminate the need to wait for a light at the Wattles/Crooks intersection by driving south on Fadi Drive. Given the lack of trees and the boulevard entrance on Crooks, there is the potential for high traffic speeds on Fadi.

The applicant has provided an alternate layout at the request of the Planning Department. The alternate layout has Fadi Drive extending to the north and then turning to the east, ending in a stub street. This stub street could potentially be extended to the east and south and provide access to future residential units. This alternate layout also yields 4 units. This option does not provide a convenient cut-through opportunity from eastbound Wattles to southbound Crooks.

Stone Haven Woods is located to the west of the parcel and Stone Haven Woods East is located to the south and east of the parcel. A narrow undeveloped parcel breaks Rothwell Street and Provincial Street to the west of the proposed development. Both sets of stub streets line up with each other. Clearly, these developments were designed to connect to one another in the future. When this parcel is developed as intended in the future, there will be two points of access into the proposed residential development, one from Wattles Road via Stone Haven and one from Crooks Road via Rothwell. This will be consistent with City Management's policy of street interconnection, without creating a layout that is convenient to cut-through traffic.

It should be noted that the petitioner has provided a letter stating his objections to the alternate layout.

Current use of subject property:

A single family residence presently sits on the property.

Current use of adjacent parcels:

North: Single family residential.

South: Single family residential.

East: Single family residential.

West: Single family residential.

Current zoning classification:

The property is currently zoned R-1B One Family Residential.

Zoning classification of adjacent parcels:

North: R-1B One Family Residential.

South: R-1B One Family Residential.

East: R-1B One Family Residential.

West: R-1B One Family Residential.

Future Land Use Designation:

The property is designated on the Future Land Use Plan as Low Density Residential.

**ANALYSIS**

Compliance with area and bulk requirements:

Lot Area: 15,000 square feet average, no less than 13,500 square feet with lot averaging.

Lot Width: 100 feet, no less than 90 feet with lot averaging.

Height: 2 stories or 25 feet.

Setbacks: Front: 40 feet.  
Side (least one): 10 feet.  
Side (total two): 25 feet.  
Rear: 45 feet.

Minimum Floor Area: 1,400 square feet.

Maximum Lot Coverage: 30%.

The applicant meets the area and bulk requirements of the R-1B One Family Residential District.

Off-street parking and loading requirements:

The applicant will be required to provide 2 off-street parking spaces per unit.

Environmental provisions, including Tree Preservation Plan:

A Tree Preservation Plan was submitted as part of the application.

Stormwater detention:

The applicant is proposing to utilize the existing detention basin located at the southeast corner of Stone Haven Woods East Subdivision.

Natural features and floodplains:

The Natural Features Map indicates there are no significant natural features located on the property.

Subdivision Control Ordinance, Article IV Design Standards

Blocks: The applicant is proposing to extend Fadi Drive to Wattles Road.

Lots: All units meet the minimum area and bulk requirements of the Zoning Ordinance.

Topographic Conditions: The parcel is relatively flat and contains some trees.

Streets: The applicant is proposing connect to Fadi Drive, a 60-foot wide public right-of-way, with Wattles Road, a major thoroughfare.

Sidewalks: The applicant is proposing to construct 5-foot wide sidewalks along both sides of Fadi and an 8-foot wide sidewalk on the south side of Wattles.

Utilities: The parcel is served by public water and sewer.

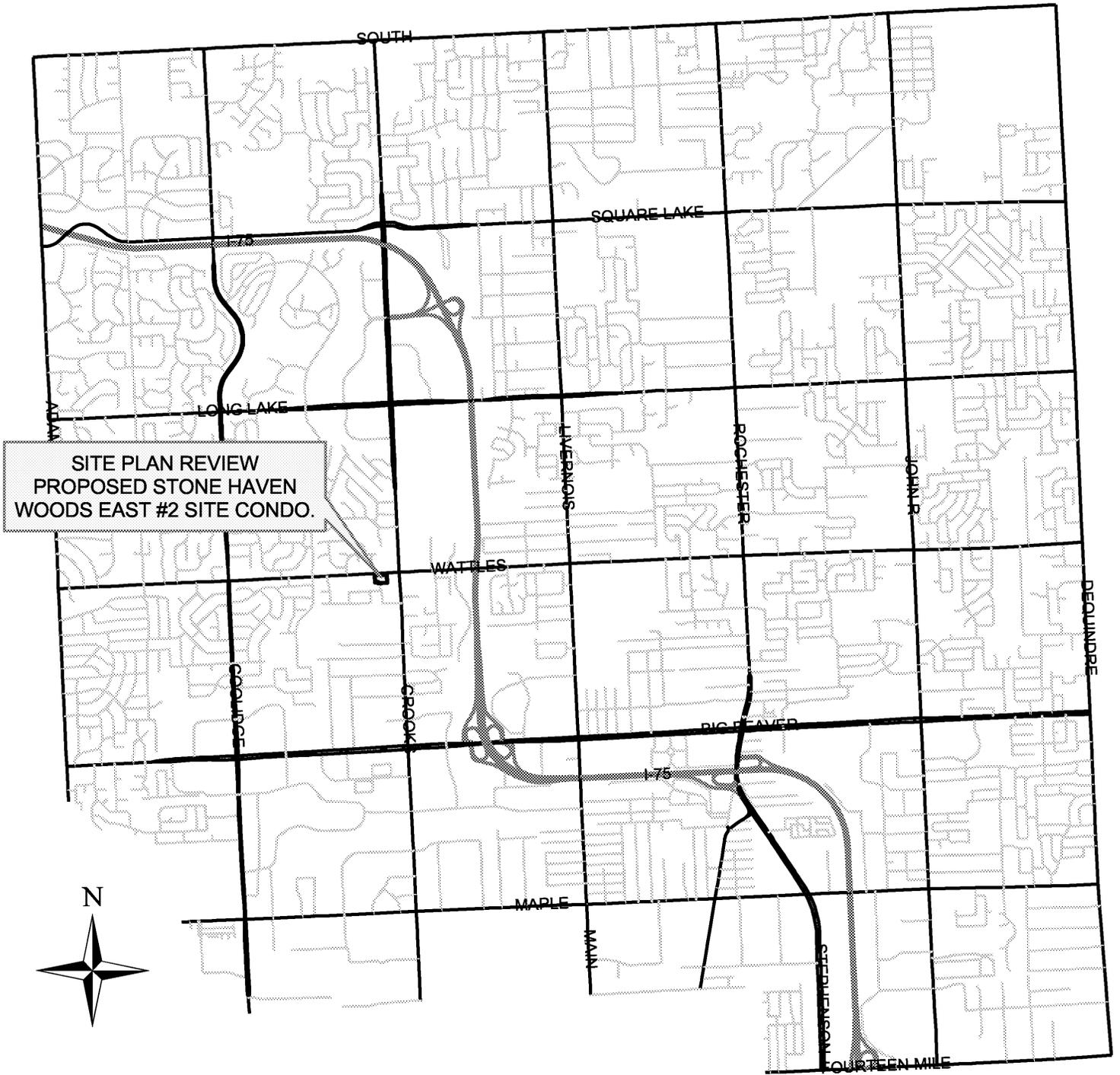
cc: File/Stone Haven Woods East No. 2 Site Condominium  
Applicant

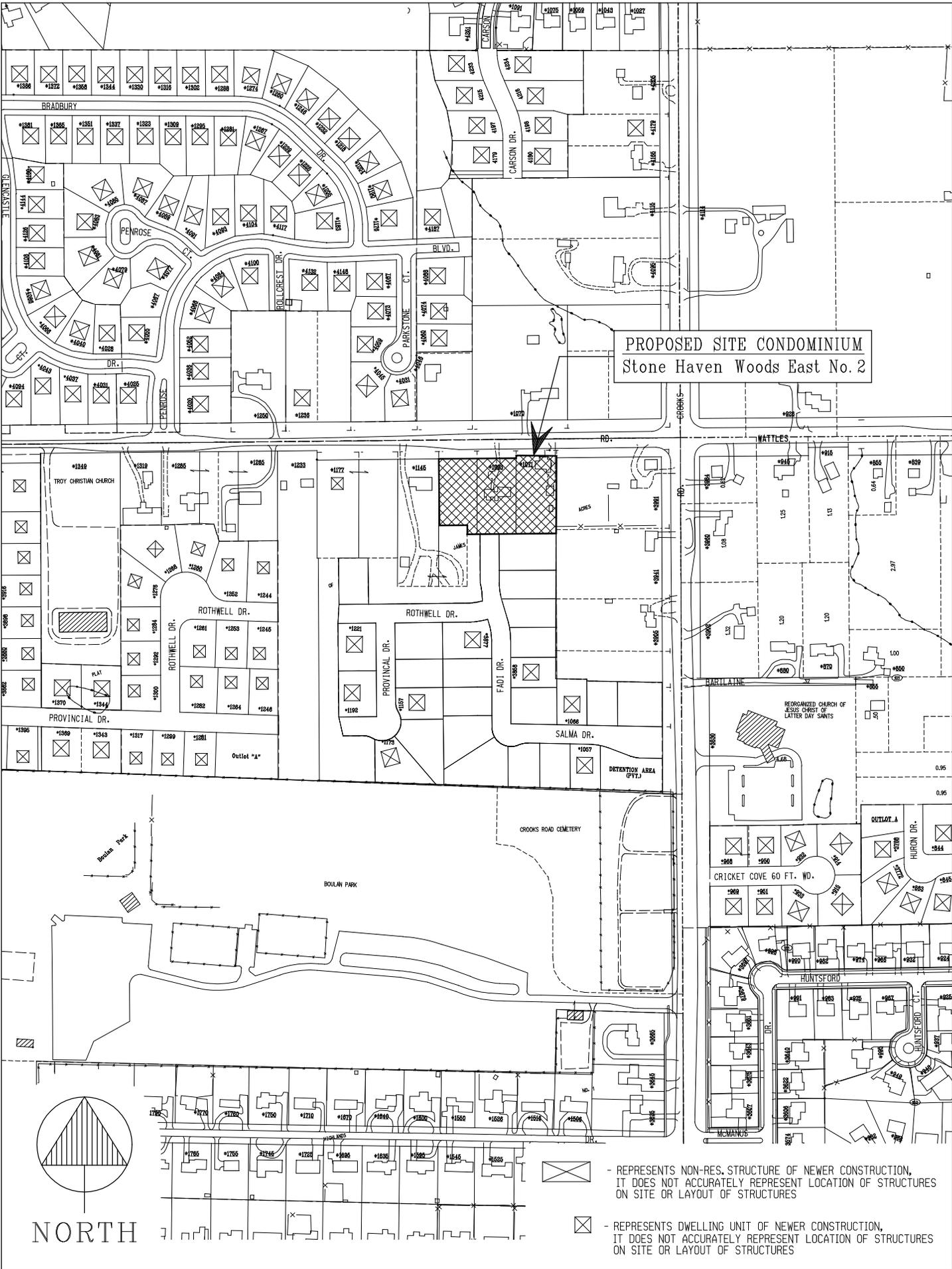
Attachments:

1. Maps
2. Minutes from the June 8, 2004 Planning Commission Regular Meeting.
3. Letter from petitioner dated June 8, 2004.
4. Wetland Preliminary Determination Report, dated April 13, 2004.
5. Unplatted Residential Development Levels Of Approval.
6. Comparison Between Site Condominiums and Plats.

G:\SUBDIVISIONS & SITE CONDOS\Stone Haven Woods East 2 Site Condo Sec 20\Stone Haven Woods East No 2 Site Condo\_CC Prelim Approval 06 24 04.doc

# CITY OF TROY

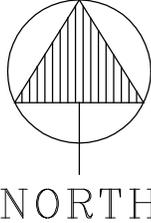




PROPOSED SITE CONDOMINIUM  
Stone Haven Woods East No. 2

⊠ - REPRESENTS NON-RES. STRUCTURE OF NEWER CONSTRUCTION, IT DOES NOT ACCURATELY REPRESENT LOCATION OF STRUCTURES ON SITE OR LAYOUT OF STRUCTURES

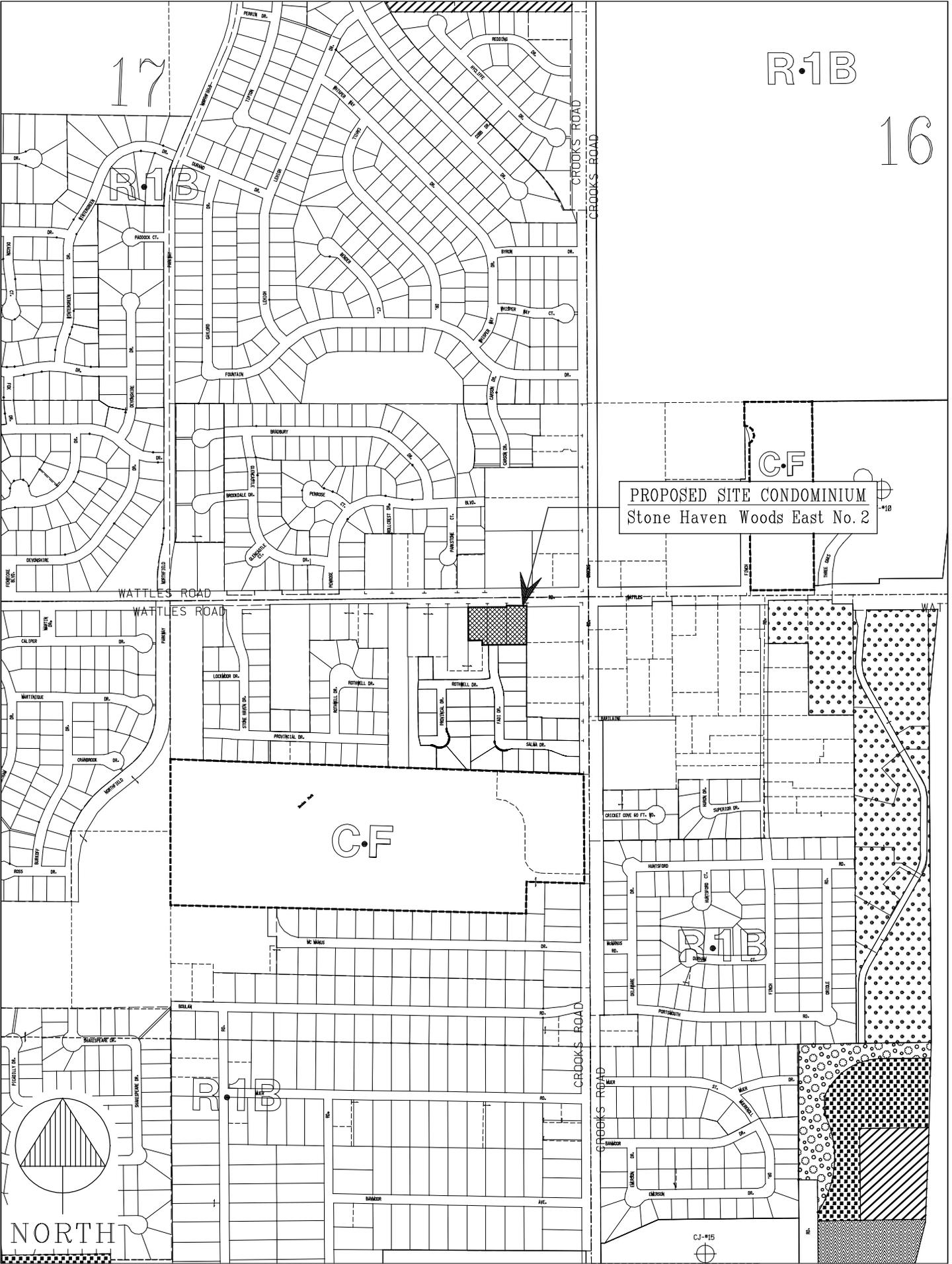
⊠ - REPRESENTS DWELLING UNIT OF NEWER CONSTRUCTION, IT DOES NOT ACCURATELY REPRESENT LOCATION OF STRUCTURES ON SITE OR LAYOUT OF STRUCTURES



17

R-1B

16



PROPOSED SITE CONDOMINIUM  
 Stone Haven Woods East No. 2

C.F.

C.F.

R-1B

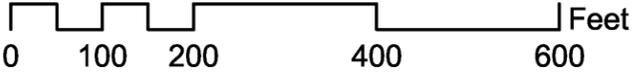
NORTH

CJ-115

PROPOSED SITE CONDOMINIUM  
STONE HAVEN WOODS EAST NO. 2  
S SIDE OF WATTLES, W OF CROOKS  
SEC. 20 (4 UNITS/LOTS)



PROPOSED SITE CONDOMINIUM  
STONE HAVEN WOODS EAST NO. 2



CHOOKS

LI



W WATTLES

SALMA

FADI

PENROSE

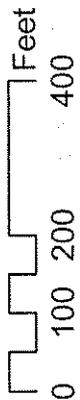
GLENCASTLE

ROTHWELL

PROVINCIAL

STONE HAVEN

LOCKMOOR



## TABLED ITEMS

4. SITE PLAN REVIEW – Proposed Stone Haven Woods East No. 2 Site Condominium, 4 units/lots proposed, South side of Wattles, West of Crooks, Section 20 – R-1B

Mr. Savidant presented a summary of the Planning Department report for the proposed site condominium. Mr. Savidant reported that it is the recommendation of the Planning Department to approve the alternate layout provided by the petitioner at the request of the Planning Department. The alternate layout provides an extension of Fadi Drive to the north and east, without a direct connection to Wattles Road.

Mr. Savidant noted that Stone Haven Woods is located on the west of the parcel. A narrow undeveloped parcel breaks Rothwell Street and Provincial Street to the west of the proposed development. Both sets of stub streets line up with each other. Clearly, these developments were designed to connect to one another in the future. When this parcel is developed as intended in the future, there will be two points of access into the proposed residential development, one from Wattles Road (Stone Haven) and one from Crooks Road (Rothwell). This will be consistent with City Management's policy of street interconnection, without creating a layout that is convenient to cut-through traffic.

The petitioner, Kamal Shouhayib of Choice Development, 755 W. Big Beaver Road, Suite 1275, Troy, was present. Mr. Shouhayib distributed letters to the Commissioners and addressed the importance of an access from Wattles Road to the proposed development. Mr. Shouhayib said the sale of homes has been slow because some prospective homebuyers are uncomfortable living in the proximity of a cemetery. He stressed that residents would not have to drive by the cemetery if a direct connection was provided to Wattles Road. Mr. Shouhayib demonstrated how the cemetery comes into play with the entrance off of Crooks Road only. Mr. Shouhayib acknowledged ownership of parcels to the east and south of the proposed development.

### **Resolution # PC-2004-06-065**

Moved by: Chamberlain

Seconded by: Schultz

**RESOLVED**, That the Planning Commission recommends to City Council that the Preliminary Site Plan (Section 34.30.00 Unplatted One-Family Residential Development) as requested for Stone Haven Woods East No. 2 Site Condominium, including 4 units, located south of Wattles Road and west of Crooks Road, Section 20, within the R-1B zoning district, Alternate 2 Layout, be granted; and

***FURTHER RESOLVED***, That should the City Council choose the Alternate 1 Layout, the City recommendation of a deceleration lane on Wattles Road shall not be implemented.

Yes: Chamberlain, Littman, Schultz, Waller  
No: Drake-Batts, Khan, Vleck  
Absent: Strat, Wright

**MOTION CARRIED**

Mr. Vleck said he is not in favor of the motion because he would like to see the connection go directly to Wattles Road.

Ms. Drake-Batts agreed. She also stated the Alternate 2 Layout would reduce the value of the properties and make it more difficult for the developer to sell those homes that back up to Wattles Road, versus the original layout that provides two internal home sites.

Mr. Khan said he would like to see the connection go directly to Wattles Road to promote development of the parcels.



Shouhayib Investment Co.  
Choice Development Corp.

Choice Properties, Inc.  
Choice Marketing, Inc.

June 8, 2004

Mr. Dave Waller  
Troy Planning Commission  
500 W. Big Beaver Road  
Troy, Michigan 48084

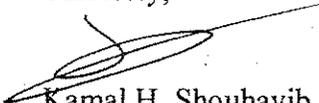
Dear Mr. Waller:

Pursuant to our conversation, I would like to bring to the attention of the Planning Commission, City Staff, and The City Council the urgency of an entrance from Wattles Road entering into StoneHaven East Two.

The discomfort of many home buyers has been expressed that living in proximity to a cemetery, is a bad omen and bad luck. We have lost many Asian born home buyer because of the cemetery. Therefore, please consider the entrance from Wattles Road. We realize that this will bring some additional traffic, but we are willing to post a sign at the entrance of the subdivision at our own expense, "No Through Traffic or Right Turn between 4-6 PM." If you or Mr. John Abraham have a better idea we will cooperate and be supportive.

Thanking you in advance for your consideration.

Sincerely,



Kamal H. Shouhayib

Cc: Planning Commission  
City Staff  
City Council

**HOLLOWAY  
ENVIRONMENTAL  
PLANNING, Inc.**



Wetland Determinations  
Mitigation Design and  
Construction  
Permit Services

Site Master Planning  
Landscape Architecture  
Ecological Design

Job #04-004  
April 13, 2004

Professional Engineering Associates, Inc.  
2430 Rochester Court  
Suite 100  
Troy, Michigan 48083

Attn: Jeremy Carnahan, PE.

Re: **Preliminary Wetland Determination**  
"Stonehaven Woods Estates Sub #2 Site"  
City of Troy, Oakland Co., Michigan

REC'D

APR 16 2004

PLANNING DEPT.

**PRELIMINARY DETERMINATION REPORT**  
via telefax @ 248.689.1044 and mail

Dear Mr. Carnahan:

The following items summarize our findings and recommendations concerning wetlands on the above listed property:

The property was inspected on April 12, 2004. Upon examination of on-site conditions and the surrounding area, we identified one small unregulated wetland zone that exist within or adjacent to this property. We utilized a copy of the Base Topographical Map for the site provided to us by you to record our findings.

Our determination was conducted in early spring, so we were unable to sample all of the present day wetland/non-wetland conditions on this site. The current site conditions include common soil, plant and hydrologic traits indicative of both wetland and upland conditions within the study area. Jurisdictional Wetlands do not appear to be present within the site.

**Methodology**

The criteria we used to make our determination are based on current Michigan Department of Environmental Quality practices and evaluation methodology. This involves developing a correlation between vegetation, hydric soils and hydrology to determine at what point a given area contains a predominance of wetland characteristics. This system is the generally accepted approach within the wetland determination industry.

23 Devonshire Road  
Pleasant Ridge, MI. 48069  
Phone: (248) 546-9480  
Fax: (248) 544-9449  
hollowayenv@sbcglobal.net

**Preliminary Wetland Inspection Report via fax and mail**

Job #04-004

PFA/"Stonehaven Woods Estates Sub. #2 Site"-Troy

April 13, 2004

p.2

**Soil Conditions**

The Oakland County SCS (NRCS) soil survey indicates that #11-Capac soils exist on or near the site. The Capac soil type is not listed as a hydric wetland soil on state soils lists. Our general observation of site soil conditions in the area of wetlands (conducted by surface examination without using a hand soil probe) revealed surface soils that were silty-sands with dark surface topsoil. The NRCS mapping of soils had only a general correlation with the location of some drainage and vegetation patterns on the site.

**Wetland Inventory Maps**

Review of the State of Michigan MDEQ Wetland Inventory Map (MIRIS) for the area shows no mapping of wetland immediately within the area of the subject parcel, identified in this report. These maps are a general guide for areas that may contain wetland and are used by various agencies in project reviews. Wetland is not shown on this property in this map.

**Description of Site Conditions**

The site includes three (3) existing residential lots that front on Wattles Road, identified as parcels 20-28-226-100, 101 and 104. The southern limit of the study area are comprised of one existing private lot and the northern segment of the existing Stonehaven Woods #1 subdivision. A small segment of wetland conditions (approximately 7,000 square feet or about 0.16 acre) were identified in the southern third of parcel #104. Here, saturated soils and wetland species such as boxelder, American ash and red maple are present in locations possessing dark silty-sand soils. Drainage from this area runs south and west into existing underground storm pipes as part of the Stonehaven Woods #1 development. From this point, this drainage remains in underground systems leading to the east and south. The remainder of the subject study area did not contain wetland conditions.

**Jurisdiction and Regulation**

The subject site would likely not be regulated by the Michigan Department of Environmental Quality (MDEQ) under Michigan's Natural Resources Protection Act, PA. 451, (1994), Part 303, under the definitions of jurisdictional wetland. Contiguous wetland resources of 5.0 acre in size are not present, and no regulated inland lakes or streams exist within 500 feet of the subject 7,000 square foot wetland.

The MDEQ has final jurisdiction over the determination of all wetland areas regulated under their authority.

Due to trespass restrictions, we did not physically sample wetland conditions on properties other than the subject parcel.

**Preliminary Wetland Inspection Report via fax and mail**

Job #04-004

PEA/"Stonehaven Woods Estates Sub. #2 Site"-Troy

April 13, 2004

p.2

**Summary**

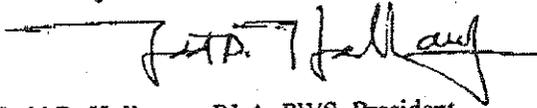
Based on our opinion, we believe a wetland use permit should not need to be obtained from MDEQ for construction of the site related to wetlands.

If you have any questions concerning this information, please contact me by phone at (248) 546-9480, or by electronic mail at [holwetp@aol.com](mailto:holwetp@aol.com).

Thank you for the opportunity to assist you in this project.

Sincerely,

**Holloway Environmental Planning, Inc.**



Todd D. Holloway, RLA, PWS, President

Wetland Consultant

TDH/tt

attn: Site Base Map, NRCS Soils Map, USFWS NWI Wetland Map

cc: file

## UNPLATTED RESIDENTIAL DEVELOPMENT LEVELS OF APPROVAL

### Preliminary Plan Approval

A sign is placed on the property informing the public of the proposed development.

Adjacent property owners are notified by mail

Public meeting held by **Planning Commission** for review and recommendation to City Council  
**City Council** reviews and approvals plan

The following items are addressed at Preliminary Plan Approval:

- Street Pattern, including potential stub streets for future development
- Potential development pattern for adjacent properties
- Fully dimensioned residential parcel layout, including proposed building configurations
  - Number of lots
  - Building setbacks
  - Lot dimensions
  - Locations of easements
- Preliminary sanitary sewer, storm sewer, and water main layout
- Environmental Impact Statement (if required)
- Location(s) of wetlands on the property

### Final Plan Approval

Notice sign is posted on site

**City Council** review and approval of:

- Final Plan
- Contract for Installation of Municipal Improvements (Private Agreement)

The following items are addressed at Final Plan Approval:

- Fully dimensioned plans of the total property proposed for development, prepared by registered Civil Engineer or Land Surveyor
- Corners of all proposed residential parcels and other points as necessary to determine that the potential parcels and building configurations will conform with ordinance requirements
- Warranty Deeds and Easement documents, in recordable form for all ROW. and easements which are to be conveyed to the public
- Construction plans for all utilities and street improvements, prepared in accordance with City Engineering Design Standards:
  - Sanitary and Storm sewer
  - Water mains
  - Detention / Retention basins
  - Grading and rear yard drainage
  - Paving and widening lanes
  - Sidewalk and driveway approaches
- Approval from other government agencies involved with the development
- Verification of wetlands and M.D.E.Q. permit if necessary
- Financial guarantees to insure the construction of required improvements and the placement of proper property and parcel monuments and markers shall be furnished by the petitioner prior to submittal of the Final Plan to the City Council for review and approval
- Floor Plans and Elevations of the proposed residential units

## **COMPARISON BETWEEN SITE CONDOMINIUMS AND PLATS**

The site condominium is a form of development that closely resembles the more traditional form of land subdivision known as a “subdivision” or a “plat”. Although both types of development have the same basic characteristics, site condominiums are a newer form of development and are not, therefore, as familiar to homebuyers and neighbors as the more customary plats. An important concept related to any type of condominium development is that condominiums are a form of OWNERSHIP, not a type of physical development.

The following summary is intended to compare and contrast the two types of development.

1. **Comparisons between site condominiums and plats.**
  - a. **Statutory Basis** – Site condominium subdivisions first became possible under the Michigan Condominium Act, which was adopted by the Michigan Legislature in 1978. Plats are created under the Michigan Land Division Act, formerly the Michigan Subdivision Control Act of 1967.
  - b. **Nature and Extent of Property Ownership** – An individual homesite building in a platted subdivision is called a “lot”. In a site condominium, each separate building site or homesite is referred to by the Condominium Act as a “unit”. Each unit is surrounded by “limited common area”, which is defined as common elements reserved in the master deed for the exclusive use of less than all of the co-owners”. The remaining area in the site condominium is “general common area”, defined as the common elements reserved in the master deed for the use of all of the co-owners. The nature and extent of ownership of a platted lot and a condominium unit, with the associated limited common area, are essentially equivalent from both a practical and legal standpoint.
  - c. **Compliance with Zoning Ordinance** – Both site condominiums and subdivisions are required to comply with the minimum requirements of the City of Troy Zoning Ordinance for area and bulk, including minimum lot size, lot width, setbacks and building height. Essentially, site condominiums and subdivisions in Troy must “look” similar.
  - d. **Creation/Legal Document** – A site condominium is established by recording in the records of the county in which the land is located a master deed, bylaws and condominium subdivision plan (“plan”). A platted subdivision is created by the recording of a subdivision plat (“plat”), usually coupled with a declaration of easements, covenants, conditions and restrictions. The plan depicts the condominium units and limited and general common areas, while the plat defines the lots. Both have

substantially the same geometrical appearance and characteristics. The master deed and bylaws on the one hand and the declaration on the other have essentially the same functions with respect to the site condominium or platted subdivision, namely, establishment of: (i) building and use restrictions; (ii) rights of homeowners to use common areas; (iii) financial obligations of owners; and, (iv) procedures for operation of the subdivision.

- e. **Home Maintenance and Real Estate Taxes** – Each unit and lot, as respectively depicted on a condominium plan or subdivision plat, together with any home located thereon, are required to be individually maintained by the owner. Likewise, separate real estate taxes are assessed on each condominium unit or platted lot and paid individually by each homeowner.
- f. **Roads and Utilities** – In most plats, roads are dedicated to the public and maintained by the county road commission or the municipality in which the subdivision is located. Site condominium roads can be either public or private. Sanitary sewer and water supply are public in both. Storm water detention can vary between public and private dedication in both platted and condominium subdivisions.
- g. **Common Areas** – In a site condominium, general common areas, such as open space, entrance areas and storm drainage system, are owned by condominium unit owners in common as an incident of ownership of each unit. In a platted subdivision, legal title to common areas is owned by a homeowners association. In both forms of development, a homeowners association administers the common areas for the benefit of all homeowners equally.
- h. **Homeowners Association** – It is important in both types of development to incorporate a homeowners association comprised of all lot owners or unit owners, as the case may be, to maintain common areas, enforce restrictions and regulations, collect assessments and otherwise administer the common affairs of the development. Because the Condominium Act confers special enforcement powers upon homeowner associations, which are not characteristic of platted subdivision associations, it is generally thought that the condominium form is superior from the standpoint of enforcing rules and regulations of the private community.
- i. **Financial Obligations of Homeowners** – In both types of development, the homeowners association is given the power to assess property owners to pay for maintenance of all common areas and other expenses of administration. Failure to pay give rise to a lien on the defaulting owner's homesite thus providing financial security that the common areas will be properly maintained for the benefit of all homeowners.

- j. **Public Relations** – The same types of public health, safety and welfare regulations apply to both forms of development. Procedurally, the methods of applying for and obtaining plat or condominium plan approval are similar at the municipal level.
- k. **Unique Characteristics of Condominium Unit Purchase** – The Condominium Act provides special benefits for site condominium unit purchasers: (i) a 9-day period after signing a purchase agreement within which a purchaser may withdraw without penalty; and (ii) a requirement that all condominium documents, supplemented by an explanatory disclosure statement, be furnished to all purchasers at the time of entry into a purchase agreement. There are no similar benefits to purchasers provided under the Land Division Act.
- l. **Local and State Review** – Both development types require City Council approval, following a recommendation by the Planning Commission. Unlike subdivisions, site condominiums do not require the review and approval of the Michigan Department of Consumer and Industry Services. For this reason it can sometimes take a substantially shorter period of time to obtain necessary public approvals of site condominiums than platted subdivisions.

**2. Reason for choosing one form versus another.**

Developers and municipalities often prefer the site condominium approach because of better control of market timing. It should be emphasized that the site condominium choice never sacrifices any public protections that would otherwise be present in the case of a platted subdivision under similar circumstances.

**3. Conclusion.**

The platted subdivision approach and the newer site condominium technique are two different statutory methods of reaching essentially the same practical and legal result of dividing real estate into separate residential building sites. Both methods are required to meet substantially the same public health, safety and welfare requirements. The site condominium is sometimes chosen over the platted subdivisions because of perceived benefits to purchasers, homeowners, and developers.

DATE: July 1, 2004

TO: John Szerlag, City Manager

FROM: Steven J. Vandette, Acting Assistant City Manager/Services  
Mark Stimac, Director of Building and Zoning

SUBJECT: Agenda Item - Announcement of Public Hearing  
Parking Variance Request  
230 W. Maple

We have received an application from Imad Potres to convert a portion of the former Maple Courts Racquetball Club to medical offices. The plans indicate that 15,500 usable square feet of the building will be converted to medical offices and the rest of the building will be used for storage. Section 40.21.73 of the Troy Zoning Ordinance requires at least 155 parking spaces for a medical facility of this size. The plans submitted with the application indicate that the only 125 parking spaces are available. The permit application for this alteration has been denied. In response, the petitioners have filed an appeal of the parking requirement for the 30 additional spaces.

A Public Hearing has been scheduled for your meeting of July 19, 2004, in accordance with Section 44.01.00.

We have enclosed copies of the petitioner's application and supporting documentation as well as a copy of the plans of the facility for your reference. We will be happy to provide additional information regarding this request if you desire.

Attachments:

PARKING VARIANCE APPLICATION  
FOR PUBLIC HEARING BEFORE CITY COUNCIL  
CITY OF TROY

RECEIVED

JUN 18 2004

BUILDING DEPARTMENT

TO TROY CITY COUNCIL

DATE: 6-18-04

Request is hereby made for a variance to modify the parking provisions of the Zoning Ordinance enacted by the City Council or contrary to a decision rendered by the Building Official in denying an application for a permit.

Applicant: Imad Potres

FAX 313-582-0028  
Phone: (586) 767-0080

Address: 37525 Hacker Sterling Heights, MI 48310

Address of Property: 230 W. Maple Rd. Troy, MI

Lot # \_\_\_\_\_ Subdivision: (see attached legal description)

Zoning District: B-2 Sidwell # 88-20-28-478-025

Owner of Property: Tinelle Properties L.L.C.

Phone: (248) 557-5454

Address: 18700 W. Ten Mile Rd. Suite 200 Southfield, MI 48075

This appeal is made on a determination by the Director of Building & Zoning, in the enforcement of the Zoning Ordinance, in a letter dated: \_\_\_\_\_

Has there been a previous appeal involving this property? No If Yes, state date \_\_\_\_\_  
and particulars \_\_\_\_\_

**REASON FOR VARIANCE:**

Dimension of Stall? \_\_\_\_\_

Parking Spaces Required: 155

Number of Stalls? \_\_\_\_\_

Parking Spaces Provided: 126/125

Other Dimensions? \_\_\_\_\_

Variance Requested: 29 30

Outline your appeal, listing sections of the ordinance from which relief is sought and also outline your proposals, indicating your hardships. (continued on back of page)

**PLOT PLAN OF SITE ATTACHED HERETO**

STATE OF MICHIGAN )  
COUNTY OF OAKLAND )

I HEREBY DISPOSE AND SAY THAT ALL THE ABOVE STATEMENTS, AND INFORMATION IN THE ATTACHED PAPERS AND SITE PLANS SUBMITTED ARE TRUE AND CORRECT.

*Imad Potres*

*Imad Potres*

Date: 06-16-04

(Signature of Applicant)

Signed and Sworn to before me this 16<sup>TH</sup> day of JUNE 20 04

*J D P*

Notary Public

JEFFREY D PIOCH  
Notary Public, Macomb County, MI  
My Commission Expires Dec 27, 2004  
ACTING IN  
OAKLAND  
COUNTY

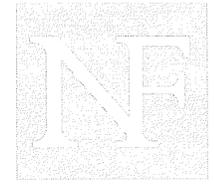
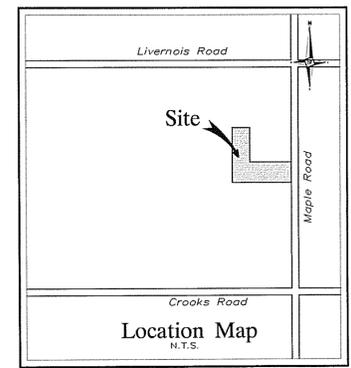
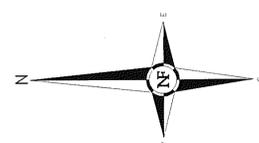
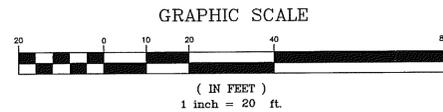
My Commission Expires: 12/27/2004

Filing Fee \$200.00

Date Paid

6-18-04

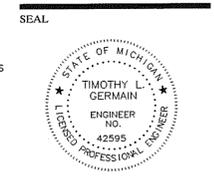
ZONED B-2  
COMMUNITY BUSINESS  
S00°30'42"E 138.65'



**NOWAK & FRAUS**

Consulting Engineers  
Land Surveyors  
Land Planners

1310 N. Stephenson Highway  
Royal Oak, MI 48067-1508  
Tel. (248) 399-0886  
Fax. (248) 399-0805



PROJECT  
Troy Medical Offices  
230 Maple Road

CLIENT  
Tinelle Properties, LLC  
18700 W. Ten Mile Rd.  
Suite 200  
Southfield, MI 48075  
Contact:  
Mr. Ronnie T. Asmar  
248-557.5454 Phone

PROJECT LOCATION  
Part of the S.E. 1/4  
of Section 28  
T. 2 North, R. 11 East  
City of Troy,  
Oakland County, Michigan

SHEET  
Site Plan



DATE/REVISION

03-11-04	ISSUED FOR CITY REVIEW
04-09-04	REVISED PER CLIENT
04-13-04	REVISED PER CLIENT
06-01-04	REVISED PER CITY REVIEW
06-17-04	ISSUED FOR PARKING VARIANCE
06-29-04	REV. LANDSCAPE CALCULATIONS

DRAWN BY:  
**R. Johnson**  
DESIGNED BY:  
**T. Germain**  
APPROVED BY:  
**T. Germain**

DATE:  
04/04/02  
SCALE:  
1" = 20'

N/P JOB NO.  
D266

SHEET NO.  
SP1

**NOTE**  
A SECC PERMIT IS REQUIRED FOR THIS SITE. TO BE APPLIED FOR DURING ENGINEERING REVIEW PHASE.

**DETENTION NOTE**  
DETENTION & DETENTION CALCULATIONS TO BE PROVIDED DURING ENGINEERING REVIEW PHASE & UPON COMPLETION OF A BOUNDARY/ TOPOGRAPHIC SURVEY.

**LEGAL DESCRIPTION**  
A PARCEL OF LAND DESCRIBED AS BEING A PART OF THE SOUTHEAST 1/4 OF SECTION 28, T. 2N., R. 11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN AND BEGINNING AT A POINT DISTANT WEST 884.00 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 28; THENCE DUE WEST 112.00 FEET; THENCE N.00°30'20"W., 330.00 FEET; THENCE N.01°35'00"E., 134.26 FEET; THENCE N.89°16'44"E., 338.90 FEET; THENCE S.00°30'42"E., 138.65 FEET; THENCE DUE WEST 226.90 FEET; THENCE S.00°20'57"W., 329.82 FEET TO THE POINT OF BEGINNING EXCEPTING THEREFROM THE SOUTHERLY 60 FEET BAND FOR THE MAPLE ROAD RIGHT-OF-WAY, CONTAINING 84,346.35 GROSS SQUARE FEET OR 1.936 ACRES (NET: 77,999.50 SQUARE FEET OR 1.781 ACRES OF LAND).

**PROPOSED USE NOTE**  
RENOVATE EXISTING BUILDING INTO MEDICAL OFFICE USE.

**SITE DATA**

SITE AREA	84,346.35 SFT. OR 1.936 ACRES
GROSS	77,927.75 SFT. OR 1.789 ACRES
NET	
ZONING	B-2 (COMMUNITY BUSINESS)
EXISTING	B-2 (COMMUNITY BUSINESS)
BUILDING USE	OFFICE-MEDICAL USE
BUILDING DATA (GROSS AREA)	
EXISTING BUILDING	22,518 SFT.

**LANDSCAPE DATA**

SITE AREA	77,927.75 SFT.	100.0%
BUILDING FOOTPRINT	17,401.18 SFT.	22.3%
PARKING & DRIVES	50,120.70 SFT.	64.3%
OPEN SPACE/LANDSCAPE	10,405.87 SFT.	13.4%

**SETBACK REQUIREMENTS**

REQUIREMENT	REQUIRED	PROVIDED
FRONT	30.0'	108.0' (SOUTH)
LEAST SIDE	30.0'	0.0' (EAST)
LEAST SIDE	30.0'	18.5' (WEST)
TOTAL SIDE	60.0'	18.5'
REAR	30.0'	103.5' (WEST)

**LOADING/UNLOADING AREA**

EXISTING 10'x50'	= 500 SF PROVIDED MINIMUM
------------------	---------------------------

**LANDSCAPE DATA**

REQUIRED: 10' x 112' (MAPLE ROAD FRONTAGE)	= 1,120.00 SFT.
PROVIDED: 10' x 112' (MAPLE ROAD FRONTAGE)	= 1,120.00 SFT.

**REQUIRED: 10% OF SITE AREA**

10% OF SITE AREA	= 7,792.78 SFT.
10% x 77,999.50	= 7,799.95 SFT.
TOTAL PROVIDED:	= 7,848.59 SFT.

**PARKING REQUIREMENTS:**

REQUIRED: 7,100 SF USABLE BUILDING SPACE (MEDICAL)	15,500 = 15,500/100	155 SPACES
REQUIRED: NONE REQUIRED (MEDICAL STORAGE)	7,000.00 SFT. PROPOSED	0 SPACES
TOTAL PROVIDED:	155 SPACES INCLUDING 6 BARRIER FREE SPACES	155 SPACES
TOTAL REQUIRED:	125 SPACES INCLUDING 5 BARRIER FREE SPACES	125 SPACES
EXISTING SPACES REMOVED	109 SPACES INCLUDING 1 BARRIER FREE SPACE	109 SPACES
NEW SPACES	23 SPACES INCLUDING 5 BARRIER FREE SPACES	23 SPACES
TOTAL SPACES	125 SPACES INCLUDING 5 BARRIER FREE SPACES	125 SPACES

**VARIANCE REQUIRED:**

30 SPACE VARIANCE REQUIRED FROM REQUIRED 155 PARKING SPACES
1 BARRIER FREE SPACE VARIANCE REQUIRED FROM REQUIRED 6 SPACES

**PAVING LEGEND**

[Symbol]	LANDSCAPE AREA PROVIDED
[Symbol]	PROPOSED CONCRETE PAVEMENT
[Symbol]	PROPOSED ASPHALT PAVEMENT

**LEGEND**

[Symbol]	MANHOLE	EXISTING SANITARY SEWER
[Symbol]	HYDRANT	SAN. CLEAN OUT
[Symbol]	MANHOLE	GATE VALVE
[Symbol]	MANHOLE	EXISTING WATERMAIN
[Symbol]	MANHOLE	CATCH BASIN
[Symbol]	MANHOLE	EXISTING STORM SEWER
[Symbol]	UTILITY POLE	EX. R. Y. CATCH BASIN
[Symbol]	GUY POLE	EXISTING BURIED CABLES
[Symbol]	GUY WIRE	OVERHEAD LINES
[Symbol]	MANHOLE	LIGHT POLE
[Symbol]	MANHOLE	SIGN
[Symbol]	MANHOLE	EXISTING GAS MAIN
[Symbol]	HYDRANT	PR. SANITARY SEWER
[Symbol]	INLET	PR. WATERMAIN
[Symbol]	INLET	PR. STORM SEWER
[Symbol]	INLET	PR. R. Y. CATCH BASIN
[Symbol]	INLET	SAND BACKFILL (95% DENSITY)
[Symbol]	INLET	PROPOSED LIGHT POLE

RECEIVED  
JUN 29 2004  
BUILDING DEPARTMENT

SE. CORNER  
OF SECTION 28  
T. 2N., R. 11E.,  
CITY OF TROY,  
O.C.R.

DUE WEST 884.00'

DUE WEST 112.00'

S. CORNER  
OF SECTION 28  
T. 2N., R. 11E.,  
CITY OF TROY,  
O.C.R.

CITY OF CLAWSON

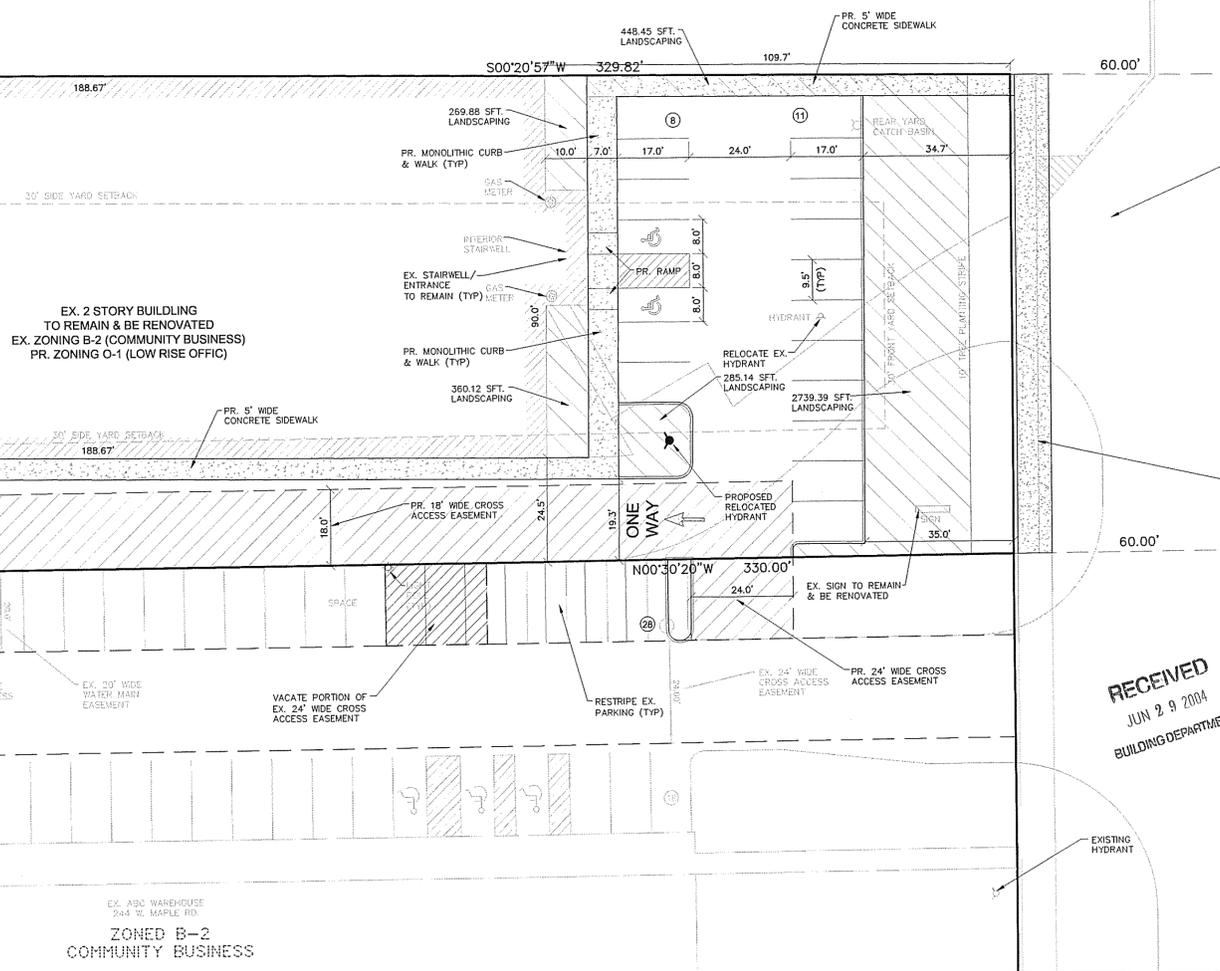
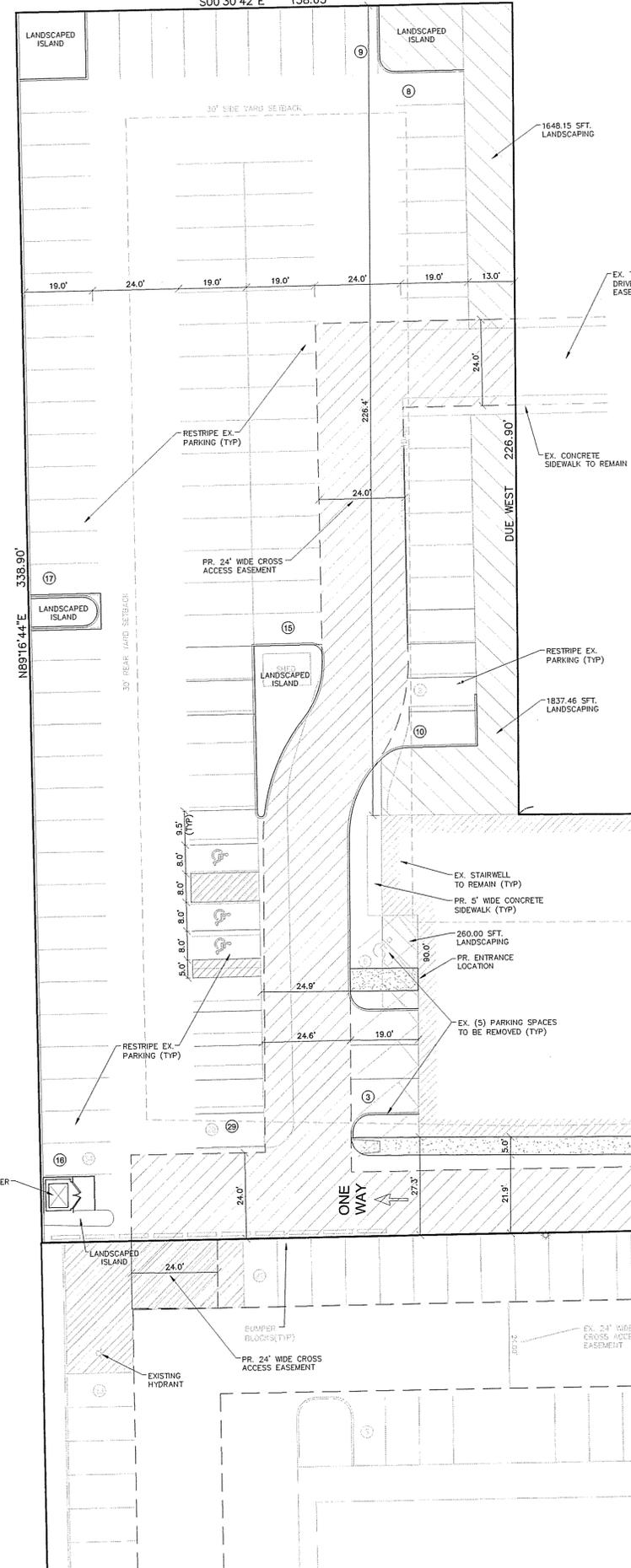
ZONED B-2  
COMMUNITY BUSINESS

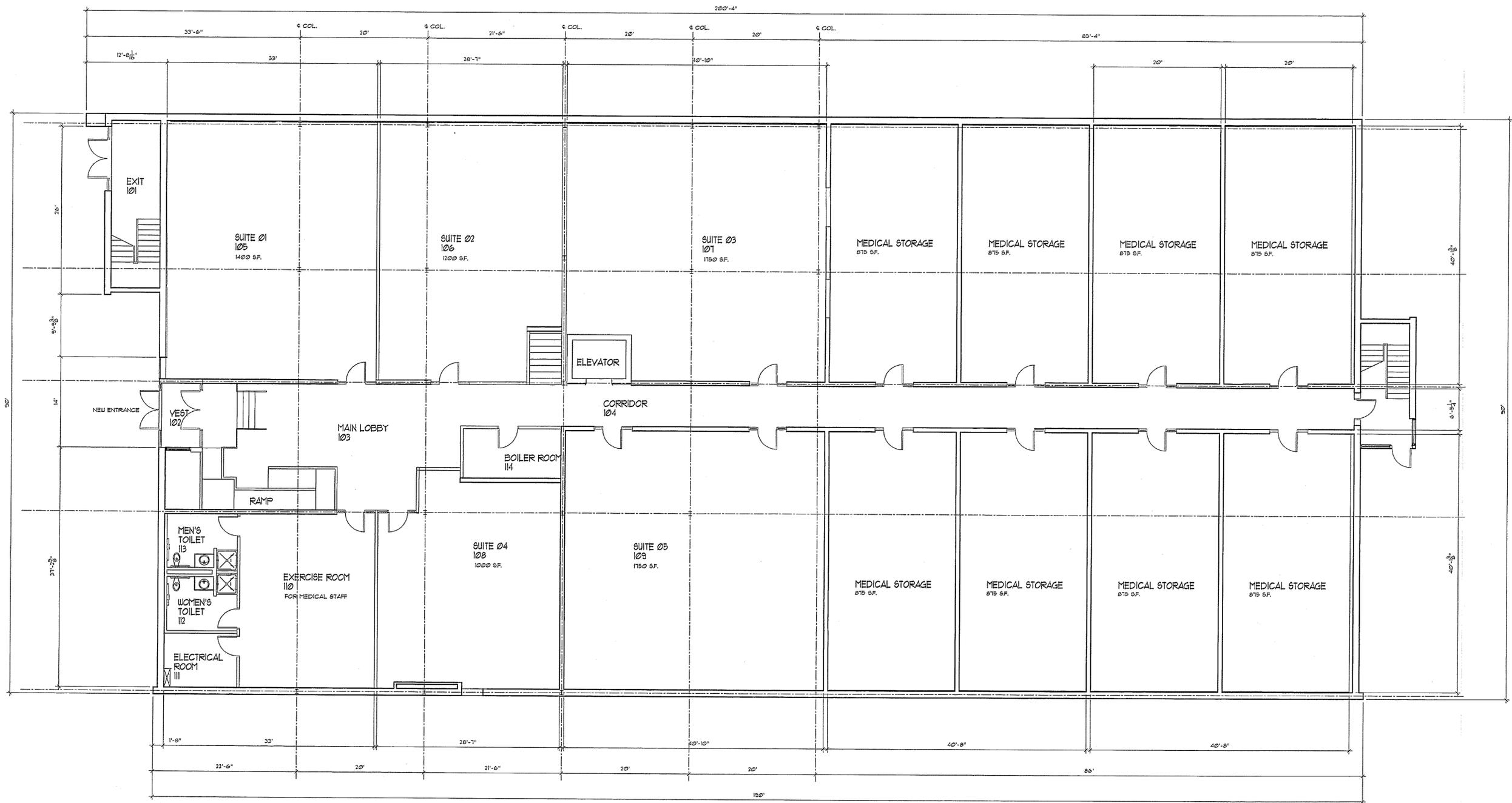
EX. 2 STORY BUILDING  
TO REMAIN & BE RENOVATED  
EX. ZONING B-2 (COMMUNITY BUSINESS)  
PR. ZONING O-1 (LOW RISE OFFICE)

EX. ABC WAREHOUSE  
204 W. MAPLE RD.  
ZONED B-2  
COMMUNITY BUSINESS

ZONED R-1E  
ONE FAMILY RESIDENTIAL

ZONED M-1  
LIGHT INDUSTRIAL





LOWER LEVEL PLAN  
SCALE: 1/8" = 1'

MEDICAL OFFICE SPACE 1,100 SF.

MEDICAL STORAGE SPACE 7,000 SF.

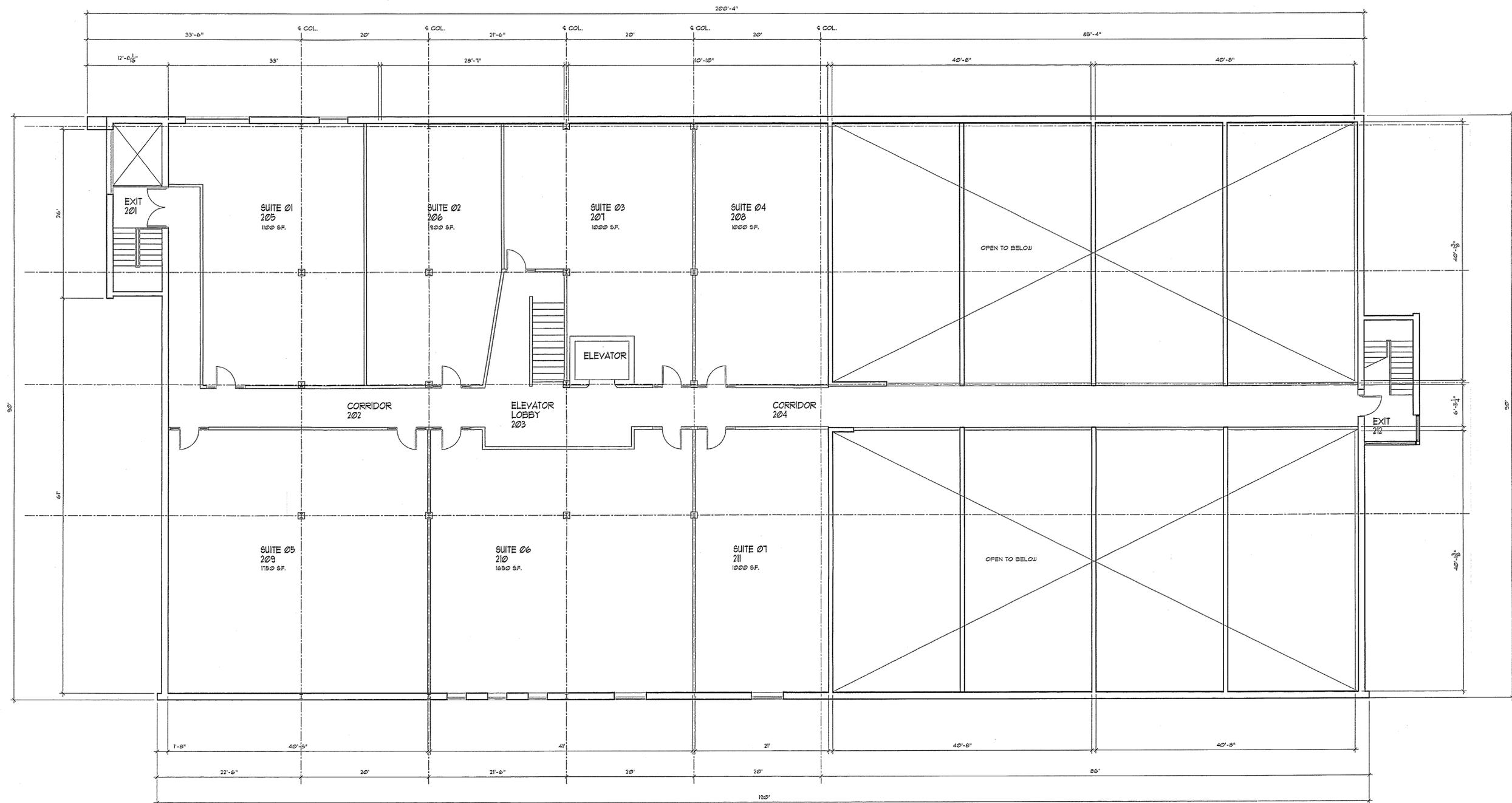
TROY MEDICAL OFFICES  
230 MAPLE ROAD, TROY, MICHIGAN  
BASIL JABERU ARCHITECT  
28097 SINGH COURT  
FARMINGTON HILLS, MICHIGAN 48331  
TEL.: (248) 848-0975

Ronnie T. Asmar

SHEET TITLE:  
PROPOSED  
LOWER LEVEL PLAN

SCALE: 1/8" = 1'-0"	DRAWN BY: I.P.
DATE: Jun 18, 2004	CHECKED BY: B.J.
PROJECT NO. 04050	DRAWING NO. A-1
COMPUTER FILE: A-1	

RECEIVED  
JUN 18 2004  
BUILDING DEPARTMENT



UPPER LEVEL PLAN  
SCALE: 1/8" = 1'

MEDICAL OFFICE SPACE 8,400 SF.

TROY MEDICAL OFFICES  
280 MAPLE ROAD, TROY, MICHIGAN  
BASIL JABERU ARCHITECT  
28387 SHILOH COURT  
FARMINGTON HILLS, MICHIGAN 48334  
TEL: (248) 546-9975

Ronnie T. Asmar

SHEET TITLE:  
PROPOSED  
UPPER LEVEL PLAN

SCALE: 1/8" = 1'-0"	DRAWN BY: I.P.
DATE: Jun 18, 2004	CHECKED BY: B.J.
PROJECT NO: 04050	DRAWING NO.:
COMPUTER FILE: A-2	A-2

RECEIVED  
JUN 18 2004  
BUILDING DEPARTMENT

DATE: July 6, 2004

TO: John Szerlag, City Manager

FROM: Steven J. Vandette, Acting Assistant City Manager/Services  
Mark Stimac, Director of Building and Zoning

SUBJECT: Agenda Item - Announcement of Public Hearing  
Parking Variance Request  
1915 E. Maple

We have received an application from Pashk Oroshi to construct an addition to the existing restaurant at 1915 E. Maple. The plans indicate that this addition will be two stories. Further, the plans indicate that the restaurant will have 117 seats. The site plans previously approved by the Planning Commission showed only a one story addition and seating for 80 persons. Sections 40.21.31 and 40.21.41 of the Troy Zoning Ordinance requires at least 80 parking spaces for a facility of this size. The plans submitted with the application indicate that only 50 parking spaces are available. The permit application for this alteration has been denied. In response, the petitioners have filed an appeal of the parking requirement for the 30 additional spaces.

A Public Hearing has been scheduled for your meeting of July 19, 2004, in accordance with Section 44.01.00.

We have enclosed copies of the petitioner's application and supporting documentation as well as a copy of the plans of the facility for your reference. We will be happy to provide additional information regarding this request if you desire.

Attachments:

PARKING VARIANCE APPLICATION  
FOR PUBLIC HEARING BEFORE CITY COUNCIL  
CITY OF TROY

RECEIVED

JUN 07 2004

BUILDING DEPARTMENT

TO TROY CITY COUNCIL

DATE: 6/2/04

Request is hereby made for a variance to modify the parking provisions of the Zoning Ordinance enacted by the City Council or contrary to a decision rendered by the Building Official in denying an application for a permit.

Applicant: PASHK OROSHI Phone: 248-879-7787

Address: 6623 MOUNTAIN DR TROY, MI. 48098

Address of Property: 1915 E. MAPLE RD

Lot # 521-524, 540-546 Subdivision: JOHN R GARDEN

Zoning District: B-3 Sidwell # 20-26-483-092 + 054

Owner of Property: PASHK OROSHI Phone: 248-879-7787

Address: 6623 MOUNTAIN DR TROY, MI 48098

This appeal is made on a determination by the Director of Building & Zoning, in the enforcement of the Zoning Ordinance, in a letter dated: 6/1/04

Has there been a previous appeal involving this property? No If Yes, state date \_\_\_\_\_

and particulars \_\_\_\_\_

REASON FOR VARIANCE:

Dimension of Stall? \_\_\_\_\_

Parking Spaces Required: ~~80~~ 80 P.O.

Number of Stalls? \_\_\_\_\_

Parking Spaces Provided: 50

Other Dimensions? \_\_\_\_\_

Variance Requested: 26 30 P.O.

Outline your appeal, listing sections of the ordinance from which relief is sought and also outline your proposals, indicating your hardships. (continued on back of page)

ACCORDING TO ARTICLE 40.21.31. OF THE ZONING ORDINANCE THE RESTAURANT WOULD HAVE A PARKING DEFICIENCY OF 26 SPACES. THE HARDSHIP WOULD BE THAT 40 SEATS

Application for Parking Variance

WHICH HAVE LIMITED USE COULD NOT BE USED. THE EXPANDED DINING AREA IS USE ~~BY~~ SPECIAL GROUPS AS A MEETING ROOM OR BY FAMILIES WHO NEED SEATING FOR 8 OR MORE. WHEN THE EXPANDED DINING ROOM IS IN USE THE PARKING LOT HAS NEVER BEEN FULL, SINCE THE RESTAURANT HAS BEEN OPEN.

PLOT PLAN OF SITE ATTACHED HERETO

STATE OF MICHIGAN )  
COUNTY OF Oakland )

I HEREBY DISPOSE AND SAY THAT ALL THE ABOVE STATEMENTS, AND INFORMATION IN THE ATTACHED PAPERS AND SITE PLANS SUBMITTED ARE TRUE AND CORRECT.

Date: 6-7-04 [Signature]  
(Signature of Applicant)

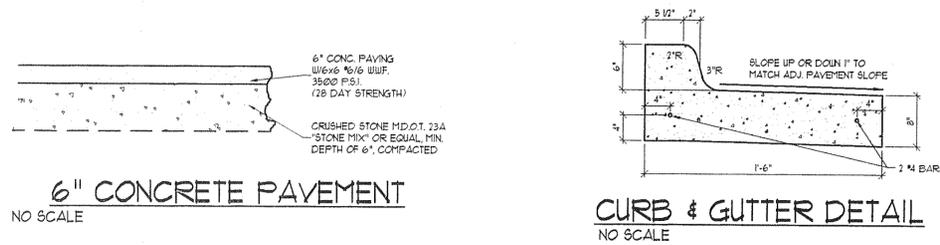
Signed and Sworn to before me this 7th day of June 2004

[Signature]  
Notary Public

**PAMELA R. PASTERNAK**  
Notary Public, State of Michigan, County of Macomb  
My Commission Expires September 1, 2007  
Acting in the County of Oakland

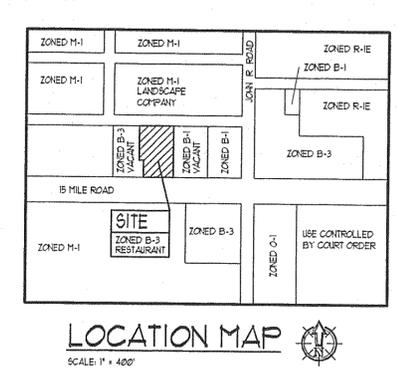
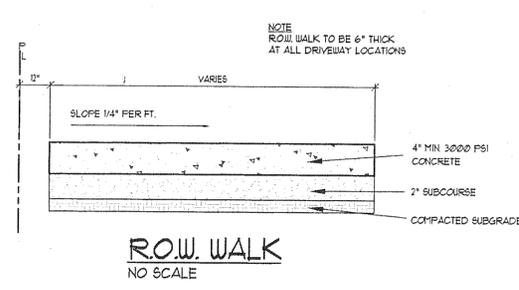
My Commission Expires: \_\_\_\_\_

Filing Fee \$200.00 Date Paid \_\_\_\_\_



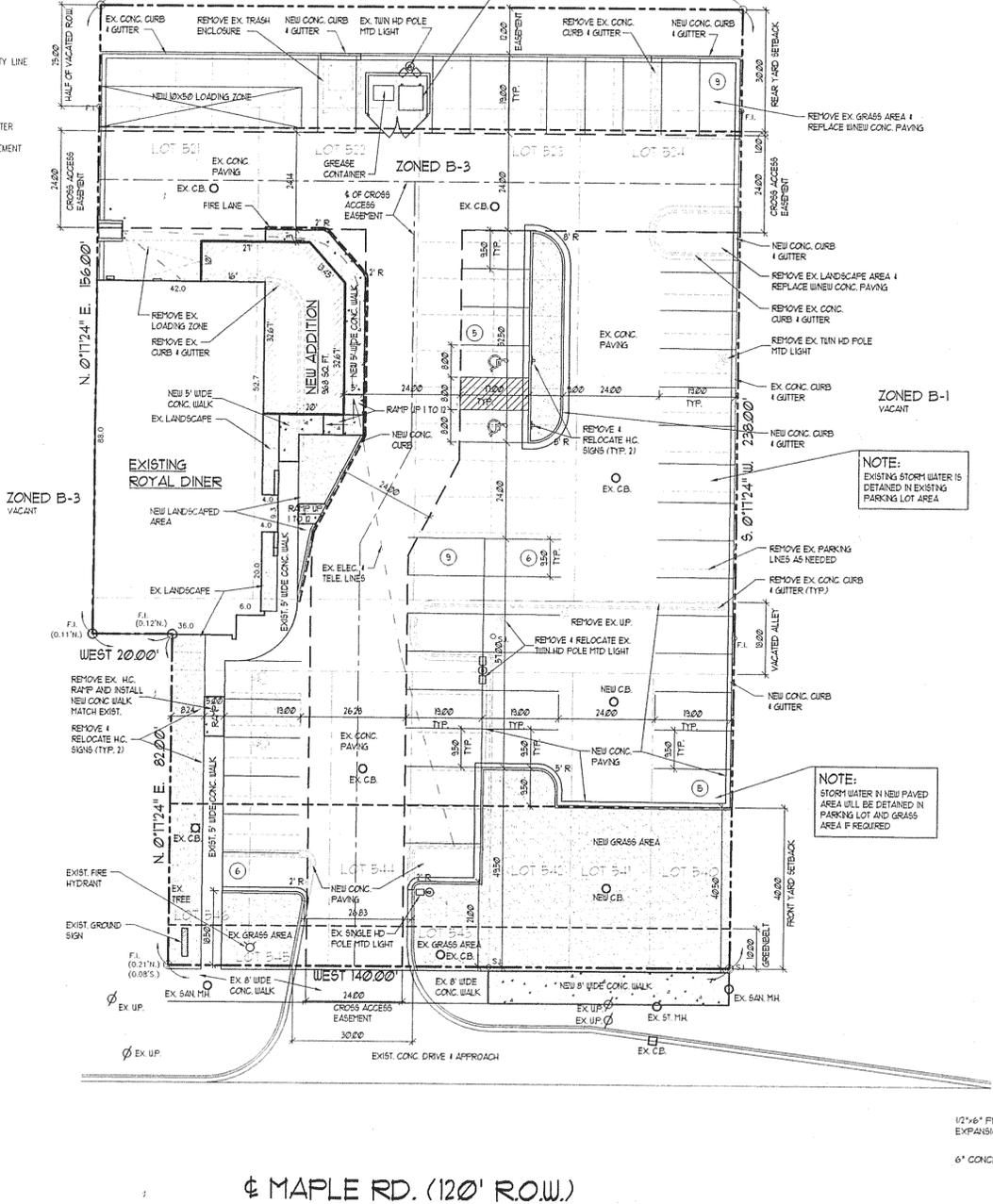
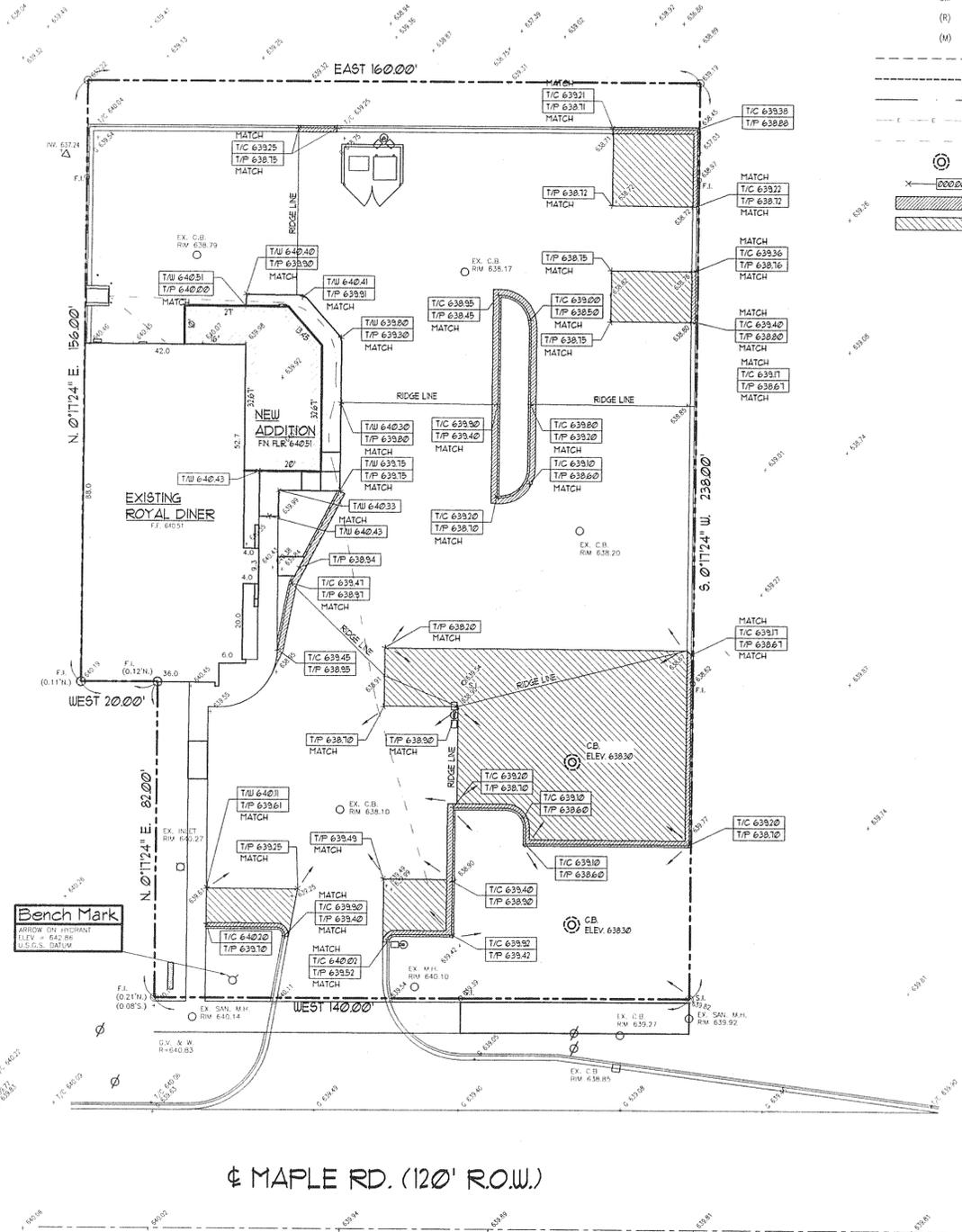
**LEGEND**

- + 600.00 — EX. ELEVATION
- T/C — TOP OF CURB
- T/P — TOP OF PAVEMENT
- T/W — TOP OF WALK
- G — GUTTER
- — EX. M.H. / C.B.
- — EX. STIM. INLET
- — LIGHT POLE
- — UTILITY POLE
- ⊕ — GATE, VALVE & WELL
- ⊕ — HYDRANT
- F.I. — FOUND IRON
- S.I. — SET IRON
- (R) — RECORDED
- (M) — MEASURED
- --- STORM SEWER
- --- SANITARY SEWER
- --- WATER MAIN
- --- UTILITY LINE
- --- UNDERGROUND UTILITY LINE
- --- NEW M.H. / C.B.
- --- NEW ELEVATION
- --- NEW CURB & GUTTER
- --- NEW CONCRETE PAVEMENT



CHOPIN AVE. (50' WIDE)

CHOPIN AVE. (50' WIDE)



**LEGAL DESCRIPTION**

LAND IN PART OF THE SOUTHEAST 1/4 OF SECTION 26, TOWN 2 NORTH, RANGE 1 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN DESCRIBED AS:

LOTS 521, 522, 523, 524 AND NORTH 1/2 OF VACATED ALLEY ADJACENT TO 544', ALSO THE SOUTH 1/2 OF VACATED CHOPIN AVENUE, ALSO LOTS 540, TO 546 INCLUSIVE, EXCEPT THE SOUTH 21' OF SAID LOTS 540 TO 546 INCLUSIVE TAKEN FOR MAPLE ROAD, ALSO SOUTH 1/2 OF VACATED ALLEY ADJACENT TO SAID LOTS 540 TO 546 INCLUSIVE, ALL IN 1/4 SECTION 26, TOWN 2 NORTH, RANGE 1 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN ACCORDING TO PLAT RECORDED IN LIBER 31 PAGE 8 OF PLATS, OAKLAND COUNTY RECORDS. 0.84 ACRES

**PARKING REQUIREMENT**

**RESTAURANT**  
1 SPACE PER EACH 2 PERSONS WITHIN THE SEATING CAPACITY OF THE ESTABLISHMENT  
+1 EMPLOYEE SPACE PER EACH TEN SEATS WITHIN THE SEATING CAPACITY OR 1 PER 35 SQ. FT. OF DINING AREA WHICHEVER IS GREATER

SEATING CAPACITY: 111 SEATS +1 SPACE / 2 PERSONS + 93 SPACES  
SEATING CAPACITY: 111 SEATS +1 EMPLOYEE SPACE / 10 SEATS + 12 SPACES

**RETAIL BUILDING**  
1 SPACE FOR EACH 200 SQ. FT. OF GROSS FLOOR AREA  
FLOOR AREA: 1936 SQ. FT. +1 SPACE / 200 SQ. FT. + 9 SPACES

**PARKING REQUIRED:**  
TOTAL PARKING REQUIRED + 80 SPACES

**PARKING PROVIDED:**  
TOTAL PARKING PROVIDED + 50 SPACES  
INCLUDES: (1) BARRIER FREE SPACE (1) VAN ACCESSIBLE SPACE

**LANDSCAPE AREA CALCULATIONS**

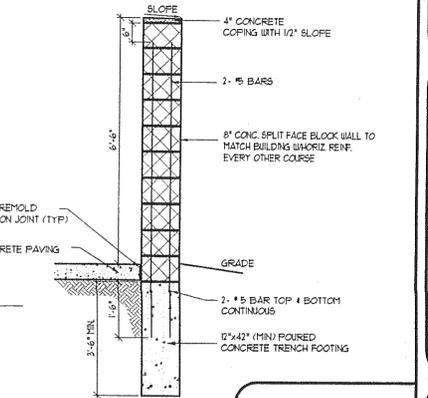
**AREA REQUIRED**  
10' GREENBELT ALONG MAPLE ROAD + 10% OF SITE AREA  
36,440 SQ. FT. X 10% + 3,644 SQ. FT.

**AREA PROVIDED**  
10' GREENBELT ALONG MAPLE ROAD  
TOTAL AREA PROVIDED + 3,108 SQ. FT.

**SITE DATA**

**SITE ZONING**  
B-3 GENERAL BUSINESS DISTRICT

**SITE AREA**  
36,440 SQ. FT.  
0.84 ACRES



**GRADING PLAN**  
SCALE 1" = 20.00'

**SITE PLAN**  
SCALE 1" = 20.00'

**WALL SECTION for DUMPSTER ENCLOSURE**  
NO SCALE

RECEIVED  
JUN 29 2004  
BUILDING DEPARTMENT

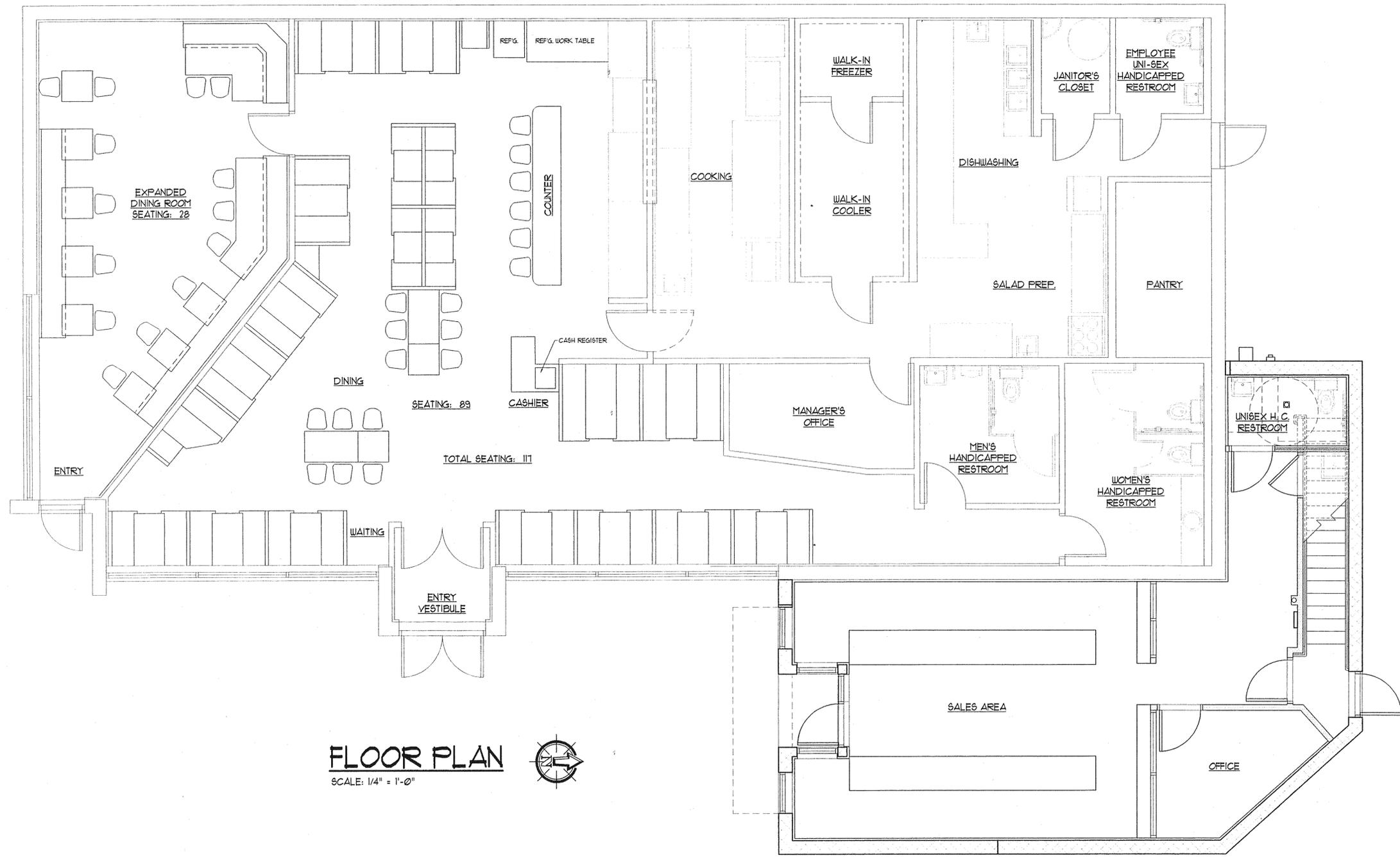
the building design group  
330 E Maple Rd  
Suite B  
Troy MI 48063  
248/686-8926  
Fax 248/686-8924

Job Description  
BUILDING ADDITION  
FOR ROYAL DINER  
195 E MAPLE RD.  
TROY, MICHIGAN 48063

Job no  
02-124

Sheet no  
CE-1

DATE: 06/05/04  
SUBMIT FOR PERMIT TO EXPAND SEATING  
06/09/04  
SUBMIT FOR PERMIT TO EXPAND SEATING  
06/10/04  
REVISED PER CITY OF TROY  
06/29/04  
REVISED PER CITY OF TROY

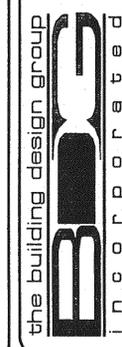


**FLOOR PLAN**  
 SCALE: 1/4" = 1'-0"



RECEIVED  
 JUN 07 2004  
 BUILDING DEPARTMENT

330 E Maple Rd  
 Suite B  
 Troy MI 48063  
 248/686-8926  
 Fax 248/686-8924



the building design group

Revision	Description
04/03/04	SUBMIT FOR PERMIT TO EXPAND SEATING
04/03/04	04/03/04

Sheet Title  
 FLOOR PLAN

Job Description  
 EXPANDED DINING AREA  
 for ROYAL DINER  
 1915 E. MAPLE RD.  
 TROY, MI 48063

Job no  
 04-117  
 Sheet no  
 A-1

July 7, 2004

TO: John Szerlag, City Manager  
FROM: The Honorable Mayor and City Council Members  
SUBJECT: Property Maintenance, and Neighborhood Compatibility Issues

On July 6, 2004 I was invited to visit the home sit of Mr. and Mrs. Rivard who live next door to the house and garage under construction owned by Mr. Paul Piscopo of 3129 Alpine. What I viewed from Mr. and Mrs. Rivard's property is more aptly described in the attached photographs. As a result of the conditions at this site, I asked Director Building/Zoning Mark Stimac to compile a list of compliance/enforcement activity for this property. In addition, Mr. Stimac is going to ascertain whether the on-site equipment is functional and germane to the construction activity or if it's junk. Mr. Stimac's report will be forthcoming.

There are two other issues which come into play that require direction from City Council:

1) Size of attached garage relative to square footage of living quarters:

Staying with 3129 Alpine as our example, the house is roughly 3,300 square feet with a first floor footprint of 1,721 square feet, and the attached garage is going to be 6,000 square feet. If City Council agrees that there should be a more balanced relationship between living quarters and attached garage size, then I'll have staff work with the Planning Commission to come back with a recommendation.

2) It's my understanding that the attached garage at 3129 Alpine is going to have a corrugated sheet metal exterior (the kind one usually associates with industrial storage facilities). At this time there is nothing in our ordinances or building code precluding this type of exterior. My question to you is, "Should there be?" Again, should your response be in the affirmative, staff will work with the Planning Commission and come back with a recommendation.

Please know that any changes which may be made relative to garage size and exterior elevations would not be applicable to Mr. Piscopo's property, as he already has permits and is under construction. And in closing, in making your decision, you may wish to consider community values, rights of property owners, and reasonable expectations of adjacent property owners.

I can take direction at the Council meeting or we can schedule this to a study meeting. Please advise. And as always, feel free to contact me should you have any comments.

AGENDA ITEMS\2004\07.12.04 – Property Maint Issues

c: Lori Grigg Bluhm, City Attorney  
Mark F. Miller, Planning Director  
Douglas J. Smith, Real Estate & Development Director  
Mark S. Stimac, Director of Building/Zoning  
Steven J. Vandette, Acting Assistant City Manager/Services













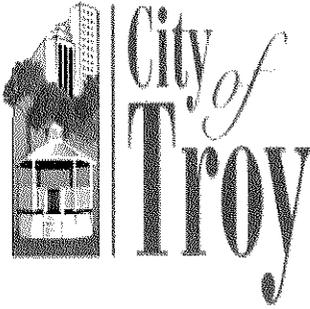












**TO:** Mayor and Members of Troy City Council  
**FROM:** Lori Grigg Bluhm, City Attorney *LG*  
**DATE:** July 8, 2004  
**SUBJECT:** Submitting ballot questions to the voters

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In response to a recent inquiry from Councilmember Lambert, enclosed please find a memorandum that was previously submitted to City Council for the December 2, 2002 agenda. The memo addresses an inquiry about placing a question on the ballot.

Michigan law has long provided that only legislative actions are properly placed before the voters in an election. As early as 1919, in *Scovill v. City of Ypsilanti*,<sup>1</sup> the Michigan courts have prohibited a city council from "reliev(ing) itself of the duties imposed upon it by the fundamental law of the municipality." (p. 296) More recently, in *West v. Portage*,<sup>2</sup> the Court focused on the "historical meaning of the word referendum... because referendum, by definition, only has application to legislative action." The *West* Court reasoned that allowing initiative or referendums on administrative or executive matters could lead to a vote on "whether a particular secretary or clerk is to be hired or terminated, whether garbage is to be collected on Monday or Tuesday, and whether male municipal employees may wear shortsleeved shirts in summer time and female employees wear pantsuits at any time." The *West* Court went on to state "We recently had occasion to observe that 'for practical reasons, the people's power or right of referendum has usually been subjected to certain constitutional restrictions.' For reasons historical and practical and in implementation of the apparent intent of the Legislature, the rights of initiative and referendum under the home-rule act are limited to legislative measures."

In *Rollingwood Homeowners Corp. Inc. v. City of Flint*,<sup>3</sup> the Court adopted the *West* holding, and held that "There is nothing inherently legislative about a decision to acquire real estate." Similarly, in *Beach v. City of Saline*,<sup>4</sup> the Court precluded ballot questions on the City's decision to purchase land, holding that this was an administrative, as opposed to legislative, action. More recently in *Green Oak Township v. Munzel*,<sup>5</sup> the Court held that there was no authority to challenge a consent judgment through the referendum process. In *Green Oak Township*, the Court also rejected the equitable right of referendum theory, even where there is an alleged circumvention of a zoning ordinance, which is a legislative action subject to a right of referendum.

Under Michigan law, the right of referendum does not extend to administrative or executive decisions. The power is limited to legislative actions, which are usually defined as ordinances or resolutions. If you have any questions or concerns, please let me know.

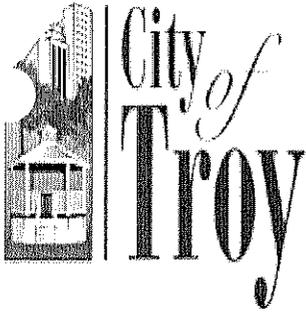
<sup>1</sup> 207 Mich. 288, 174 NW 139 (1919),

<sup>2</sup> 392 Mich. 458, 221 NW2d 303 (1974)

<sup>3</sup> 386 Mich. 258, 268, 191 NW2d 325 (1971)

<sup>4</sup> 101 Mich. App. 795, 300 NW2d 698 (1980)

<sup>5</sup> 255 Mich. App. 235, 661 NW2d 243 (2003)



**TO:** Mayor and Members of Troy City Council  
**FROM:** John Szerlag, City Manager *AS*  
John Lamerato, Assistant City Manager- Finance/Administration *JL*  
Tonni L. Bartholomew, City Clerk *TLB*  
Lori Grigg Bluhm, City Attorney *LGB*  
**DATE:** November 26, 2002  
**SUBJECT:** Initiatory/Referendary Petitions

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In the City of Troy, there are only two mechanisms for voters to place an item on the ballot without action by City Council. The first mechanism is explicitly provided for in our Charter, in Section 5.11. Under this provision, voters can submit a petition, signed by not less than 10% of the registered electors of the City (approximately 5,500 signatures required), which can either challenge an existing ordinance (referendary petition) or seek to enact a new ordinance (initiatory petition). Last year, the Charter Revision Committee reviewed the issue of reducing the required amount of signatures in this provision, and recommended no action be taken at that time.

State law also allows for initiatory petitions to amend the City Charter. (MCL 117.21) Under this statute, voters can submit a petition for a Charter amendment, which must be signed by not less than 5% of the registered electors of the City (approximately 2,750 signatures).

City Council can also submit an ordinance change or a Charter amendment to the voters with a 3/5 vote of the members elect. If Council desires to submit an issue for the election, action should be taken as soon as possible to allow for the approval of the Attorney General's Office and the Governor's Office prior to the printing of the ballot. Last year, the City received many complaints about the late delivery of ballots, which was tied directly to time delays incurred in obtaining the required approvals of the ballot language. Therefore, it is our strong recommendation that any item for the April election be approved no later than the December 16, 2002 City Council meeting.

Although there have been some requests to submit advisory questions to the voters, the Michigan Attorney General has opined that governmental bodies should not be expending resources to place advisory questions on the ballots. (1983-1984 OAG, No. 6143; 1985-1986 OAG no. 6411).

If you have any questions concerning the above, please let us know.

G-11

A Regular Meeting of the Troy Personnel Board was held Tuesday, December 9, 2003, at City Hall, 500 W. Big Beaver Road. Chairman Patrick called the meeting to order at 7:00 P.M.

**Roll Call:**

**PRESENT:** Chairman Patrick  
Member Baughman  
Member Nelson  
Member Tschirhart  
Member Vanderbrink

**ABSENT:** None

**ALSO PRESENT:** City Manager Szerlag  
Assistant City Manager/Finance and Administration Lamerato  
Human Resources Director Clifton  
City Clerk Bartholomew

**Approval of Minutes:**

PB-03-12-006: Moved by Patrick, Seconded by Nelson, That the Minutes of the City of Troy Personnel Board Meeting of June 9, 2003 be **APPROVED** as corrected.

Yes: Patrick, Nelson, Baughman, Tschirhart, Vanderbrink

**Old Business:** None

**New Business:****A. Recommendation for Benefit Package for New Hires**

and

**B. Approval of Revisions to Personnel Rules to Reflect Appropriate Benefit Package**

City Manager John Szerlag gave a brief overview of the philosophy of Interest Based Bargaining. He noted the tight economic environment that the City is currently operating under and his hopes to avoid employee layoffs by utilizing other means of compensation for new hires. Manager Szerlag reviewed the successful AFSCME contract negotiation and how the city implemented a tiered benefit program for new hires.

Peggy Clifton, Human Resources Director, reviewed the proposed changes with the Board. Several modifications were suggested.

PB-03-12-007      Moved by Nelson, Seconded by Patrick, That the proposed Recommendation for Benefit Package for New Hires and the proposed Revisions to Personnel Rules to Reflect Appropriate Benefit Package be **APPROVED** as amended a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes:    Patrick, Nelson, Baughman, Tschirhart, Vanderbrink

PB-03-12-008:      Moved by Patrick, Seconded by Nelson, **CARRIED UNANIMOUSLY:** That there being nothing else to come before the Board, the meeting be **ADJOURNED**.

Meeting adjourned at 7:45 P.M.

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Stephen Patrick, Chairman

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Tonni L. Bartholomew, City Clerk

**ELECTION COMMISSION MINUTES – FINAL****MARCH 1, 2004**

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.

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**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

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**Adjournment:**

The meeting was adjourned at 7:04 PM.

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Tonni L. Bartholomew, MMC  
City Clerk

## LIBRARY BOARD MINUTES - FINAL

MAY 6, 2004

A Regular Meeting of the Troy Library Board was held Thursday, May 6, 2004 at the Office of the Library Director. Joanne Allen, Chairman, called the meeting to order at 7:35 P.M.

**ROLL CALL**                   PRESENT: Joanne Allen  
Lynne Gregory  
Brian Griffen  
Steve Zhang, Student Representative  
Brian Stoutenburg, Library Director

The Pledge of Allegiance to the Flag was given

**Resolution #LB-2004-05-001**

Moved by Gregory  
Seconded by Griffen

**RESOLVED, That Nancy Wheeler and Audre Zembrzuski be excused.**

**Yes:               3—Allen, Gregory, Griffen**  
**No:                0**

**MOTION CARRIED**

**Resolution #LB-2004-05-002**

Moved by Griffen  
Seconded by Gregory

**RESOLVED, That the Minutes of March 11, 2004 be approved.**

**Yes:               3—Allen, Gregory, Griffen**  
**No:                0**

**MOTION CARRIED**

Reviewed Agenda entries

**Resolution #LB-2004-05-003**

Moved by Griffen  
Seconded by Gregory

**RESOLVED, That the Agenda be approved.**

**Yes:               3—Allen, Gregory, Griffen**  
**No:                0**

**MOTION CARRIED**

## **REGULAR BUSINESS**

Reviewed the Council Study Session concerning the Library's 2004-05 budget request. No changes were indicated by Council members.

Lynne Gregory and Nancy Wheeler were reappointed to the Library Advisory Board for another three-year term ending April 30, 2007.

### **Resolution #LB 2004-05-004**

Moved by Gregory  
Seconded by Griffen

**RESOLVED, that the Election of Officers be postponed until the June meeting.**

**Yes: 3—Allen, Gregory, Griffen**

**No: 0**

## **MOTION CARRIED**

The target date for checking out materials from the Youth Services Area is May 17, 2004.

The Annual Oakland County Public Library Trustees Association Annual Meeting is scheduled for May 26, 2004.

## **REPORTS & COMMUNICATIONS**

Director's Report.

Performance appraisals for full time staff have been completed and all staff performed very well over the past year. Ellis software which is for English as a Second Language instruction was demonstrated, but it was decided that it was far too complicated and too expensive. Staff agreed to focus its efforts with ESL on providing materials that can be used by patrons in their home. Staff will tour the Oakland County Law Library, the Research Library, and the Library for the Blind this month. The HVAC project specifications are being written for the old part of the building and should go out to bid in June. The annual Volunteer Tea was a success. Staff is actively working at winding down the budget.

### **Board Member comments.**

There were no Board Member comments.

### **SLC Report**

Gregory reported that the SLC Board met at the St. Clair Shores Public Library. They have a new café similar to ours. Nine computers were purchased for the Internet Training Center. The MEL (Michigan Electronic Library) Statewide Delivery System was purchased for one year. This is an important element in the move toward a statewide catalog and borrowing privileges. The Board approved the analysis by Sirsi to investigate more efficient methods of ordering and adding bibliographic records.

### **Friends of the Library.**

Allen reported that the annual meeting and election of officers would be the third

Tuesday in May. She noted the increased number of teen volunteers.

**Statistical Reports.**

For the first three quarters of the fiscal year, Circulation was up 10.7% and patron visits were up 0.8%. Online database usage was up 44% and Web Site Hits were up 18%. So far this year 82,674 patrons used computers in our Tech Rooms, and 18,610 patrons attended 781 programs.

**Gifts.**

Two gifts totaling \$310.00 were received.  
Allen asked about the timeliness of receiving books purchased for gifts.

**Informational Items.**

May TPL Calendar

**Contacts and Correspondence.**

28 written comments from the public were reviewed.

**Public Participation.** There was no public participation.

The Library Board meeting adjourned at 8:15 P.M.

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Joanne Allen  
Chair

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Brian Stoutenburg  
Recording Secretary

A regular meeting of the Liquor Advisory Committee was held on Monday, May 10, 2004 in the Lower Level Conference Room of Troy City Hall, 500 West Big Beaver Road. James Peard called the meeting to order at 7:01 p.m.

**ROLL CALL:**

**PRESENT:** Henry W. Allemon  
Alex Bennett  
Anita Elenbaum  
W. Stan Godlewski  
James R. Peard  
Emily Polet, Student Representative  
Carolyn Glosby, Assistant City Attorney  
Sergeant Thomas J. Gordon  
Pat Gladysz

**ABSENT:** Max K. Ehlert, Chairman  
James C. Moseley

**Resolution to Excuse Committee Members Ehlert & Moseley**

Resolution #LC2004-05-110

Moved by Allemon

Seconded by Elenbaum

RESOLVED, that the absence of Committee members Ehlert and Moseley at the Liquor Advisory Committee meeting of May 10, 2004 BE EXCUSED.

Yes: 5  
No: 0  
Absent: Ehlert and Moseley

---

**Resolution to Approve Minutes of March 8, 2004 Meeting**

Resolution #LC2004-05-111

Moved by Allemon

Seconded by Bennett

RESOLVED, that the Minutes of the March 8, 2004 meeting of the Liquor Advisory Committee be approved.

Yes: 5

No: 0  
Absent: Ehlert and Moseley

---

**Agenda Items:**

1. **MAGGIANO’S/CORNER BAKERY HOLDING CORP. (A DELAWARE CORP.)**, requests to **transfer ownership** of 2003 Class C licensed business with official permit (food), 1 direct connection, and 2 bars, located in escrow at 2085 W. Big Beaver, Troy, MI 48084, Oakland County, from Chevy’s, Inc. (A California Corp.), requests a new SDM license to be held in conjunction, and requests to transfer location to a new building with same address. [MLCC REQ ID# 239791]

Present to answer questions from the Committee was Patrick J. Alandt, J.D., C.P.A., attorney for Maggiano’s Restaurant.

Maggiano’s Little Italy is owned by Brinker International and is a full-service, upscale, family-style menu Italian restaurant. There are 28 restaurants nationwide, and this will be their first one in Michigan. There will be a \$2 million dollar investment in the new building, equipment, and inventory. The restaurant will feature 292 seats in the dining room and 128 in the three banquet rooms for a total of 420 seats. The price range for lunch and dinner is from \$6.95 to \$32.95, with a separate dessert menu. Their revenue is based on 22% alcohol and 78% food. The management and staff training is based on established company policy with additional server training through the TIPS program.

Resolution #LC2004-05-112

Moved by Allemon

Seconded by Elenbaum

RESOLVED, that MAGGIANO’S/CORNER BAKERY HOLDING CORP. (A DELAWARE CORP.), be allowed to transfer ownership of 2003 Class C licensed business with official permit (food), 1 direct connection, and 2 bars, located in escrow at 2085 W. Big Beaver, Troy, MI 48084, Oakland County, from Chevy’s, Inc. (A California Corp.), be granted a new SDM license to be held in conjunction, and be allowed to transfer location to a new building with same address. [MLCC REQ ID# 239791]

Yes: 5  
No: 0  
Absent: Ehlert and Moseley

---

The meeting adjourned at 7:25 p.m.

---

James Peard

---

Patricia A. Gladysz, Clerk-Typist

A meeting of the **Troy Local Development Finance Authority (LDFA)** was held on Monday, June 1, 2004 at 3:00 P.M., at City Hall in the Council Board Room. Council member Beltramini called the meeting to order at 3:08 p.m.

## ROLL CALL

**PRESENT:** Robin Beltramini, Mayor Pro Tem  
Mike Adamczyk  
Keith Pretty  
Doug Smith, Real Estate & Development Director

**ALSO PRESENT:** Lori Grigg-Bluhm, City Attorney

**ABSENT:** Dennis Toffolo  
John Szerlag, City Manager

## APPROVAL OF MINUTES FROM PREVIOUS MEETING

### ***Resolution # LD-2004-06-004***

Moved by Adamczyk  
Seconded by Pretty

RESOLVED, That the minutes of May 3, 2004 be approved.

Yes: All – 4  
Absent: Toffolo, Szerlag  
No: None  
MOTION CARRIED

## OLD BUSINESS

### **STATE RATIFICATION OF TIF APPROVAL**

#### ***Resolution # LD-2004-06-005***

Moved by Smith  
Seconded by Pretty

RESOLVED, That the LDFA accept the agreement and recommends City Council formally accept the signed ratification agreement.

Yes: All – 4  
Absent: Toffolo, Szerlag  
No: None  
MOTION CARRIED

**NEW BUSINESS**

**2004-05 BUDGET APPROVAL**

***Resolution # LD-2004-06-006***

Moved by Adamczyk

Seconded by Pretty

RESOLVED, That the LDFA approves the 2004-05 budget and recommends City Council approval.

Yes: All – 4

Absent: Toffolo, Szerlag

No: None

MOTION CARRIED

**PUBLIC COMMENT**

None

**EXCUSE ABSENT MEMBERS**

***Resolution # LD-2004-06-007***

Moved by Smith

Seconded by Pretty

RESOLVED, That the absent members be excused.

Yes: All – 4

Absent: Toffolo, Szerlag

No: None

MOTION CARRIED

The meeting adjourned at 3:20 p.m.

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Robin Beltramini, Meeting Chair

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Doug Smith, Real Estate and Development Director

**PERSONNEL BOARD MINUTES - DRAFT****June 8, 2004**

A Regular Meeting of the Troy Personnel Board was held Tuesday, June 8, 2004, at City Hall, 500 W. Big Beaver Road. Chairman Patrick called the meeting to order at 7:06 PM.

**Roll Call:**

**PRESENT:** Chairman Patrick  
Member Baughman  
Member Nelson  
Member Tschirhart  
Member Vanderbrink

**ABSENT:** None

**ALSO PRESENT:** Human Resources Director Clifton  
Jeanette Menig, Human Resources Specialist

**Approval of Minutes:**

PB-04-06-001: Moved by Patrick, Seconded by Patrick that the Minutes of the City of Troy Personnel Board Meeting of December 9, 2003 are **APPROVED** as submitted.

Yes: Patrick, Baughman, Nelson, Tschirhart, Vanderbrink

**Old Business: None****New Business:**

**A. Recommendation for Classification and Pay Plans and Merit Pay Increases for Classified Employees (FY 2004-2005)**

Peggy Clifton, Human Resources Director advised the Board that HR staff surveyed surrounding communities and determined the average pay increase to be just under 3%. The budgeted amount for increases was set at 3.5%. Staff recommends the following:

Range adjustment: 2%

Across-the-board salary increases: 2%

Merit (based on performance evaluation score of 490 or above): 1%

In addition to the range increase, staff is recommending 1 addition to the Classification Plan. The addition is Administrative Assistant to the City Manager at Pay Grade 5.

PB-04-06-002: Moved by Patrick, Seconded by Nelson, That the proposed Classification and Pay Plans and merit increases for Classified Employees (FY 2004-2005) be **APPROVED** as submitted.

Yes: Patrick, Baughman, Nelson, Tschirhart, Vanderbrink

**B. Approval of Revisions to Personnel Rules**

Peggy Clifton, Human Resources Director advised the Board that the purpose of this proposal is to clarify that retiree health insurance is a benefit offered only to those who retire under a normal, early or disability retirement, not to those who leave the City with a deferred retirement.

PB-04-06-003: Moved by Vanderbrink, Seconded by Patrick, That the Personnel Rules, Article XXX. Retirement, be **APPROVED** as amended to reflect that employees who retire under a Normal, Early or Disability retirement may be eligible for retiree health insurance.

Yes: Patrick, Baughman, Nelson, Tschirhart, Vanderbrink

Peggy Clifton indicated that Board members would be provided a complete copy of the Personnel Rules, which will include revisions approved at the December 2003 and June 2004 meetings.

**Adjournment:**

PB-04-06-004: Moved by Patrick, Seconded by Vanderbrink, CARRIED UNANIMOUSLY: That there being nothing else to come before the Board, the meeting be **ADJOURNED**.

Yes: Patrick, Baughman, Nelson, Tschirhart, Vanderbrink

Meeting adjourned at 7:34 PM.

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Stephen Patrick, Chairman

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Peggy Clifton, Human Resources Director

The Regular Meeting of the Troy City Planning Commission was called to order by Chair Waller at 7:30 p.m. on June 8, 2004, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:

Gary Chamberlain  
Lynn Drake-Batts  
Fazal Khan  
Lawrence Littman  
Robert Schultz  
Mark J. Vleck  
David T. Waller

Absent:

Thomas Strat  
Wayne Wright

Also Present:

Brent Savidant, Principal Planner  
Allan Motzny, Assistant City Attorney  
Kathy Czarnecki, Recording Secretary

**Resolution # PC-2004-06-063**

Moved by: Schultz  
Seconded by: Littman

**RESOLVED**, That Members Strat and Wright be excused from attendance at this meeting.

Yes: All present (7)  
No: None  
Absent: Strat, Wright

**MOTION CARRIED**

2. MINUTES

**Resolution # PC-2004-06-064**

Moved by: Littman  
Seconded by: Drake-Batts

**RESOLVED**, To approve the May 25, 2004 Special/Study Meeting minutes as published.

Yes: Drake-Batts, Khan, Littman, Schultz, Waller  
No: None  
Abstain: Chamberlain, Vleck  
Absent: Strat, Wright

**MOTION CARRIED**

### 3. PUBLIC COMMENTS

There was no one present who wished to speak.

### TABLED ITEMS

#### 4. SITE PLAN REVIEW – Proposed Stone Haven Woods East No. 2 Site Condominium, 4 units/lots proposed, South side of Wattles, West of Crooks, Section 20 – R-1B

Mr. Savidant presented a summary of the Planning Department report for the proposed site condominium. Mr. Savidant reported that it is the recommendation of the Planning Department to approve the alternate layout provided by the petitioner at the request of the Planning Department. The alternate layout provides an extension of Fadi Drive to the north and east, without a direct connection to Wattles Road.

The petitioner, Kamal Shouhayib of Choice Development, 755 W. Big Beaver Road, Suite 1275, Troy, was present. Mr. Shouhayib distributed letters to the Commissioners and addressed the importance of an access from Wattles Road to the proposed development. Mr. Shouhayib said the sale of homes has been slow because some prospective homebuyers are uncomfortable living in the proximity of a cemetery. He stressed that residents would not have to drive by the cemetery if a direct connection was provided to Wattles Road. Mr. Shouhayib demonstrated how the cemetery comes into play with the entrance off of Crooks Road only. Mr. Shouhayib acknowledged ownership of parcels to the east and south of the proposed development.

#### **Resolution # PC-2004-06-065**

Moved by: Chamberlain

Seconded by: Schultz

**RESOLVED**, That the Planning Commission recommends to City Council that the Preliminary Site Plan (Section 34.30.00 Unplatted One-Family Residential Development) as requested for Stone Haven Woods East No. 2 Site Condominium, including 4 units, located south of Wattles Road and west of Crooks Road, Section 20, within the R-1B zoning district, Alternate 2 Layout, be granted; and

**FURTHER RESOLVED**, That should the City Council choose the Alternate 1 Layout, the City recommendation of a deceleration lane on Wattles Road shall not be implemented.

Yes: Chamberlain, Littman, Schultz, Waller

No: Drake-Batts, Khan, Vleck

Absent: Strat, Wright

### **MOTION CARRIED**

Mr. Vleck said he is not in favor of the motion because he would like to see the connection go directly to Wattles Road.

Ms. Drake-Batts agreed. She also stated the Alternate 2 Layout would reduce the value of the properties and make it more difficult for the developer to sell those homes that back up to Wattles Road, versus the original layout that provides two internal home sites.

Mr. Khan said he would like to see the connection go directly to Wattles Road to promote development of the parcels.

5. PUBLIC HEARING – SPECIAL USE REQUEST (SU-324) – Proposed Dog Day Care/Commercial Kennel (Revised), BARK! LLC, North side of Industrial Row, East of Coolidge, Section 32 – M-1

Chair Waller announced that the Commission received late this evening a request from the petitioner to table the item. Chair Waller sought the advice of the Assistant City Attorney with respect to the procedure to follow because this is the second request from the petitioner to table the item.

Mr. Motzny cited three alternative procedures the Commission could follow at its discretion: (1) After discussion, hold the Public Hearing and make a decision; (2) Hold the Public Hearing and postpone its decision to a future meeting date; or (3) Postpone both the Public Hearing and its decision to a future meeting date.

Mr. Savidant reported the petitioner requested the matter to be tabled because of a serious family illness.

After a brief discussion, Chair Waller resolved that the Public Hearing would be opened for those in attendance at tonight's meeting and continued to a future meeting date, and further that the Commission would postpone its decision to a future meeting date.

Mr. Savidant briefly explained the minor changes to the site plan application. He reported the applicant added an additional 6-foot high chain line fence with vinyl privacy strips, 5 feet to the west of the privacy fence to be located on the eastern boundary line. Mr. Savidant noted that this results in a slight decrease in the outdoor dog run area. In addition, the outdoor play area hours are 7:00 a.m. to 8:30 a.m. and 5:30 p.m. to 7:00 p.m., and only 10 dogs would be allowed outside at any one time.

PUBLIC HEARING OPENED

Gregory Need of Adkison Need & Allen law firm, 39533 Woodward Avenue, Bloomfield Hills, was present to represent the Dako Group, owners of the property at 2966 Industrial Row located immediately to the west of the proposal. Mr. Need said he would reserve his substantive comments for the next meeting. Mr. Need said that

because the matter has been before the Commission once and also tabled twice, he would appreciate the Commission informing the petitioner that this would be the last time such a request would be entertained and that a decision would be made next month unless the Commission sees some reason to do something different.

Larry Ianni of 3330 Adams Road, Troy, was present. Mr. Ianni said he would save his comments for the next meeting. Mr. Ianni addressed the Special Use Request sign posted at the proposed development. He said the owner has taken down the sign several times, and that he had put up the sign himself. Mr. Ianni requested if enforcement action could be taken against the owner.

Tyner Mayer, property owner of 2900 Industrial Row, Troy, was present. Mr. Mayer said his business would be closed for vacation and representatives would not be able to attend the July meeting. He requested that consideration be given to postponing the matter to another date other than the July meeting.

A. P. Hascall of 2921 Industrial Road, Troy, was present. Mr. Hascall said he would reserve his substantive comments for a future meeting date. He said that historically facilities in the area have shut down for the 4<sup>th</sup> of July vacation, and requested the matter be postponed after the month of July. Mr. Hascall also requested that notification of future postponements be given to affected residents and businesses. Mr. Hascall said he is not in favor of the proposed Special Use. He said he has witnessed the Special Use sign being taken down, and speculates the sign was taken down by the real estate agent to assist in the showing of the property to prospective tenants.

Deborah Plumm Lambourn, President of Tyner Mayer Laboratory, 2900 Industrial Row, Troy, was present. Ms. Lambourn submitted two photographs, dated 6-8-04, which shows the Special Use sign removed and placed at the rear of property. Ms. Lambourn requested postponement of the item to a meeting other than July, as a consideration to her and her employees who would be vacationing in the month of July.

There was no one else who wished to speak at this time.

A brief discussion followed.

Mr. Chamberlain informed the audience that City signs posted for proposed developments and rezonings are not legally required and are posted as a courtesy to the surrounding residents. He said that because there is no legal requirement to post the signs, no code enforcement action could be taken if the signs are removed.

Ms. Drake-Batts requested business owners who have a concern that the proposed special use would devalue their property, to provide proof of such at the next meeting.

Mr. Khan questioned if there is a limit on the number of times a petitioner can request a postponement.

Mr. Motzny replied there are no requirements in the Zoning Ordinance or in the Planning Commission Bylaws that place a limit on the number of postponements for one item. He emphasized it is the discretion of the Commission whether or not to postpone an item.

After a brief discussion, Chair Waller announced the Public Hearing would continue and the item would be postponed to the August 10, 2004 Regular Meeting.

**Resolution # PC-2004-06-066**

Moved by: Chamberlain  
Seconded by: Khan

**RESOLVED**, That the Public Hearing and Special Use Approval request for the proposed BARK! Commercial Kennel, located on the north side of Industrial Row, east of Coolidge, Section 32, within the M-1 Zoning District, be postponed and continued to the August 10, 2004 Regular Meeting.

Yes: All present (7)  
No: None  
Absent: Strat, Wright

**MOTION CARRIED**

**REZONING REQUEST**

6. **PUBLIC HEARING – PROPOSED REZONING (Z 402-C)** – San Marino Club, North side of Big Beaver, West of John R, Section 23 – From R-1E to E-P and From E-P to O-1

Mr. Savidant presented a summary of the Planning Department report for the proposed rezoning. Mr. Savidant noted that in addition to the 50-foot buffer along the northern property line, there is an existing gas line easement in which no structural development can take place, creating a greater distance between the residential development and the O-1 zoning. Clarification was provided with respect to a previous rezoning request for a similar “L” shaped parcel to the west of the proposed rezoning. Mr. Savidant reported that it is the recommendation of the Planning Department to approve the rezoning request as submitted.

Mr. Vleck asked if the Planning Department is aware of future residential or commercial development on the R-1E zoned property to the west abutting the E-P zoned property.

Mr. Savidant replied in the negative. He also confirmed that the property owners to the west were notified of the proposed rezoning request.

Mr. Schultz questioned the location of the proposed 2,700 square foot recreational shelter.

Mr. Savidant replied the Planning Department reviewed the proposal with respect to the rezoning only. He said it is the intent of the petitioner to submit a Special Use Request for future recreational development, which is a permitted use in the R-1E zoning district.

David Endreszl of Endreszl & Associates Engineering, 8700 Pine Knob Road, Clarkston, and Bob Casadei, Trustee for the San Marino Club, Chairman of the Renovation and Improvement Committee and member of the Future Committee, were present on behalf of the San Marino Club.

Mr. Khan asked if there is existing landscaping on the E-P zoning parcel.

Mr. Casadei replied in the negative.

Mr. Endreszl said the substantial landscaping of 10" to 16" pine trees to the north, located on the parcel that is proposed for E-P rezoning, would remain as is.

Mr. Littman questioned the facility's intent to put a soccer field.

Mr. Casadei said the northern third portion of the property (approximately 4 acres) would continue its existing use. Mr. Casadei said the existing soccer field would continue as a recreational area. He said it is planned to reorient the field so that it runs east to west, rather than north to south.

Mr. Endreszl stated the proposed O-1 zoning would be consistent with and align with the B-2 zoning on the adjacent property to the east, the Troy Sports Center property.

Mr. Schultz asked if the petitioner would entertain making the existing E-P zoned property to the north 75' wide instead of 50' wide.

Mr. Casadei said they would prefer not to make the E-P zoned parcel larger than what is required.

Chair Waller asked the reasoning behind the north/south E-P zoning on the property.

Mr. Casadei said at that time, the San Marino Club had no expansion plans and it was the recommendation of the City to relocate the E-P zoning to the north property lot line.

#### PUBLIC HEARING OPENED

No one was present to speak.

## PUBLIC HEARING CLOSED

Mr. Savidant reported that non-commercial outdoor recreational facilities are permitted by Special Use in the E-P zoning district.

### **Resolution # PC-2004-06-067**

Moved by: Vleck

Seconded by: Khan

**RESOLVED**, That the Planning Commission hereby recommends to the City Council that the R-1E to E-P and E-P to O-1 rezoning request, located on the north side of Big Beaver and west of John R, within Section 23, being 11.08 acres in size, be granted.

Yes: Chamberlain, Drake-Batts, Khan, Littman, Vleck, Waller

No: Schultz

Absent: Strat, Wright

### **MOTION CARRIED**

Mr. Schultz was not in favor of the motion because he thinks environmentally protected property should be replaced in kind and size, and the E-P zoned property should be 75 feet instead of 50 feet.

## SITE PLAN

7. SITE PLAN REVIEW (SP 908) – Proposed Travis Office Plaza, Proposed Office Building, South side of Maple, West of Dequindre, Section 36 – O-1 and E-P

Mr. Savidant presented a summary of the Planning Department report for the proposed office building. Mr. Savidant reported that it is the recommendation of the Planning Department to approve the site plan with the conditions that (1) the applicant land banks one off-street parking space per the requirements of Article 40.20.13; (2) the applicant installs the land banked parking space at the request of the City should there be a need for the additional parking space; and (3) the Planning Commission hereby reduces the number of required off-street parking spaces to 62, when a total of 75 spaces are required, per Article 40.20.12. Mr. Savidant reported that the Planning Department recognizes that the proposed basement uses indicated on the site plan shall not generate any additional traffic onto the site. He also emphasized that any uses proposed for the basement other than those shown on the site plan shall require site plan approval.

Mr. Chamberlain questioned the 3 land banked parallel parking spaces noted on the site plan.

Mr. Savidant said the Planning Department does not believe the 3 land banked parallel parking spaces noted on the site plan are functional or safe given their proximity to the cross access easement.

It was determined that the motion on this item should reflect removing the notation on the site plan designating 3 land banked parallel parking spaces.

There was discussion on the following:

- Land banked parking spaces and related landscaping requirements.
- Proposed landscaping of the wall along the property line.
- Location of the trash enclosure.
- Sidewalks within the E-P zoning district.
- Requirement of a cross access easement and removal of the wall should there be future redevelopment of the property to the east:
- Use of the basement area and enforcement of its proposed use.

The petitioner, Art Kalajian of 1871 Austin, Troy, was present to represent the owner, Travis Realty. Mr. Kalajian displayed renderings that showed the building elevation and proposed landscaping. He addressed the E-P buffer, the proposed landscaping and parking. Mr. Kalajian said the real estate/title company would occupy approximately two-thirds of the building and three small tenants would occupy the remainder of the space. Mr. Kalajian said that more than one-half of the basement area would be used for storage and archived material. Mr. Kalajian clarified that there would be approximately 15,400 square feet of usable space.

Mr. Savidant noted that the wall must be designated on the site plan, but it is the intent of the petitioner to request a variance from the Board of Zoning Appeals for removal of the wall in lieu of extensive landscaping.

**Resolution # PC-2004-06-068**

Moved by: Chamberlain  
Seconded by: Schultz

**RESOLVED**, That the landscaping design within the 15-foot wide E-P landscape buffer has been approved by the Department of Parks and Recreation and has been accepted by the Planning Commission, as per Article 08.50.07.B.

**FURTHER RESOLVED**, That the applicant may land bank one off-street parking space as per the requirements of Article 40.20.13. The applicant shall install the land banked parking space at the request of the City should there be a need for the additional parking space.

**FURTHER RESOLVED**, That the Planning Commission hereby reduces the number of required off-street parking spaces to 62, when a total of 75 spaces are required, as per Article 40.20.12. This reduction recognizes that the proposed

basement uses indicated on the site plan shall not generate any additional traffic onto the site. Any uses proposed for the basement other than those shown on the site plan shall require site plan approval.

**FURTHER RESOLVED**, That the Preliminary Site Plan Approval, as requested for the proposed Travis Office Plaza, located on the south side of Maple, west of Dequindre, Section 36, within the O-1 and E-P Zoning Districts be granted, subject to the following conditions:

1. That the cross access easement on the southeast side corner of the parcel be filed.
2. That the notation in the lower third of the site plan providing for 3 land banked parallel parking spaces on Drawing A-O be removed from the site plan proposal.

Yes: All present (7)  
No: None  
Absent: Strat, Wright

**MOTION CARRIED**

**GOOD OF THE ORDER**

Mr. Chamberlain requested the Planning Department establish a DVD library of Planning Commission meetings.

**ADJOURN**

The Regular Meeting of the Planning Commission was adjourned at 8:57 p.m.

Respectfully submitted,

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David T. Waller, Chair

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Kathy L. Czarnecki, Recording Secretary

The Regular Meeting of the Troy City Planning Commission was called to order by Chair Waller at 7:30 p.m. on June 8, 2004, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:

Gary Chamberlain  
Lynn Drake-Batts  
Fazal Khan  
Lawrence Littman  
Robert Schultz  
Mark J. Vleck  
David T. Waller

Absent:

Thomas Strat  
Wayne Wright

Also Present:

Brent Savidant, Principal Planner  
Allan Motzny, Assistant City Attorney  
Kathy Czarnecki, Recording Secretary

**Resolution # PC-2004-06-063**

Moved by: Schultz  
Seconded by: Littman

**RESOLVED**, That Members Strat and Wright be excused from attendance at this meeting.

Yes: All present (7)  
No: None  
Absent: Strat, Wright

**MOTION CARRIED**

2. MINUTES

**Resolution # PC-2004-06-064**

Moved by: Littman  
Seconded by: Drake-Batts

**RESOLVED**, To approve the May 25, 2004 Special/Study Meeting minutes as published.

Yes: Drake-Batts, Khan, Littman, Schultz, Waller  
No: None  
Abstain: Chamberlain, Vleck  
Absent: Strat, Wright

### **MOTION CARRIED**

### 3. PUBLIC COMMENTS

There was no one present who wished to speak.

### TABLED ITEMS

#### 4. SITE PLAN REVIEW – Proposed Stone Haven Woods East No. 2 Site Condominium, 4 units/lots proposed, South side of Wattles, West of Crooks, Section 20 – R-1B

Mr. Savidant presented a summary of the Planning Department report for the proposed site condominium. Mr. Savidant reported that it is the recommendation of the Planning Department to approve the alternate layout provided by the petitioner at the request of the Planning Department. The alternate layout provides an extension of Fadi Drive to the north and east, without a direct connection to Wattles Road.

Mr. Savidant noted that Stone Haven Woods is located on the west of the parcel. A narrow undeveloped parcel breaks Rothwell Street and Provincial Street to the west of the proposed development. Both sets of stub streets line up with each other. Clearly, these developments were designed to connect to one another in the future. When this parcel is developed as intended in the future, there will be two points of access into the proposed residential development, one from Wattles Road (Stone Haven) and one from Crooks Road (Rothwell). This will be consistent with City Management's policy of street interconnection, without creating a layout that is convenient to cut-through traffic.

The petitioner, Kamal Shouhayib of Choice Development, 755 W. Big Beaver Road, Suite 1275, Troy, was present. Mr. Shouhayib distributed letters to the Commissioners and addressed the importance of an access from Wattles Road to the proposed development. Mr. Shouhayib said the sale of homes has been slow because some prospective homebuyers are uncomfortable living in the proximity of a cemetery. He stressed that residents would not have to drive by the cemetery if a direct connection was provided to Wattles Road. Mr. Shouhayib demonstrated how the cemetery comes into play with the entrance off of Crooks Road only. Mr. Shouhayib acknowledged ownership of parcels to the east and south of the proposed development.

**Resolution # PC-2004-06-065**

Moved by: Chamberlain  
Seconded by: Schultz

**RESOLVED**, That the Planning Commission recommends to City Council that the Preliminary Site Plan (Section 34.30.00 Unplatted One-Family Residential Development) as requested for Stone Haven Woods East No. 2 Site Condominium, including 4 units, located south of Wattles Road and west of Crooks Road, Section 20, within the R-1B zoning district, Alternate 2 Layout, be granted; and

**FURTHER RESOLVED**, That should the City Council choose the Alternate 1 Layout, the City recommendation of a deceleration lane on Wattles Road shall not be implemented.

Yes: Chamberlain, Littman, Schultz, Waller  
No: Drake-Batts, Khan, Vleck  
Absent: Strat, Wright

**MOTION CARRIED**

Mr. Vleck said he is not in favor of the motion because he would like to see the connection go directly to Wattles Road.

Ms. Drake-Batts agreed. She also stated the Alternate 2 Layout would reduce the value of the properties and make it more difficult for the developer to sell those homes that back up to Wattles Road, versus the original layout that provides two internal home sites.

Mr. Khan said he would like to see the connection go directly to Wattles Road to promote development of the parcels.

5. **PUBLIC HEARING – SPECIAL USE REQUEST (SU-324) – Proposed Dog Day Care/Commercial Kennel (Revised), BARK! LLC, North side of Industrial Row, East of Coolidge, Section 32 – M-1**

Chair Waller announced that the Commission received late this evening a request from the petitioner to table the item. Chair Waller sought the advice of the Assistant City Attorney with respect to the procedure to follow because this is the second request from the petitioner to table the item.

Mr. Motzny cited three alternative procedures the Commission could follow at its discretion: (1) After discussion, hold the Public Hearing and make a decision; (2) Hold the Public Hearing and postpone its decision to a future meeting date; or (3) Postpone both the Public Hearing and its decision to a future meeting date.

Mr. Savidant reported the petitioner requested the matter to be tabled because of a serious family illness.

After a brief discussion, Chair Waller resolved that the Public Hearing would be opened for those in attendance at tonight's meeting and continued to a future meeting date, and further that the Commission would postpone its decision to a future meeting date.

Mr. Savidant briefly explained the minor changes to the site plan application. He reported the applicant added an additional 6-foot high chain line fence with vinyl privacy strips, 5 feet to the west of the privacy fence to be located on the eastern boundary line. Mr. Savidant noted that this results in a slight decrease in the outdoor dog run area. In addition, the outdoor play area hours are 7:00 a.m. to 8:30 a.m. and 5:30 p.m. to 7:00 p.m., and only 10 dogs would be allowed outside at any one time.

#### PUBLIC HEARING OPENED

Gregory Need of Adkison Need & Allen law firm, 39533 Woodward Avenue, Bloomfield Hills, was present to represent the Dako Group, owners of the property at 2966 Industrial Row located immediately to the west of the proposal. Mr. Need said he would reserve his substantive comments for the next meeting. Mr. Need said that because the matter has been before the Commission once and also tabled twice, he would appreciate the Commission informing the petitioner that this would be the last time such a request would be entertained and that a decision would be made next month unless the Commission sees some reason to do something different.

Larry Ianni of 3330 Adams Road, Troy, was present. Mr. Ianni said he would save his comments for the next meeting. Mr. Ianni addressed the Special Use Request sign posted at the proposed development. He said the owner has taken down the sign several times, and that he had put up the sign himself. Mr. Ianni requested if enforcement action could be taken against the owner.

Tyner Mayer, property owner of 2900 Industrial Row, Troy, was present. Mr. Mayer said his business would be closed for vacation and representatives would not be able to attend the July meeting. He requested that consideration be given to postponing the matter to another date other than the July meeting.

A. P. Hascall of 2921 Industrial Road, Troy, was present. Mr. Hascall said he would reserve his substantive comments for a future meeting date. He said that historically facilities in the area have shut down for the 4<sup>th</sup> of July vacation, and requested the matter be postponed after the month of July. Mr. Hascall also requested that notification of future postponements be given to affected residents and businesses. Mr. Hascall said he is not in favor of the proposed Special Use. He said he has witnessed the Special Use sign being taken down, and speculates the sign was taken down by the real estate agent to assist in the showing of the property to prospective tenants.

Deborah Plumm Lambourn, President of Tyner Mayer Laboratory, 2900 Industrial Row, Troy, was present. Ms. Lambourn submitted two photographs, dated 6-8-04, which shows the Special Use sign removed and placed at the rear of property. Ms. Lambourn requested postponement of the item to a meeting other than July, as a consideration to her and her employees who would be vacationing in the month of July.

There was no one else who wished to speak at this time.

A brief discussion followed.

Mr. Chamberlain informed the audience that City signs posted for proposed developments and rezonings are not legally required and are posted as a courtesy to the surrounding residents. He said that because there is no legal requirement to post the signs, no code enforcement action could be taken if the signs are removed.

Ms. Drake-Batts requested business owners who have a concern that the proposed special use would devalue their property, to provide proof of such at the next meeting.

Mr. Khan questioned if there is a limit on the number of times a petitioner can request a postponement.

Mr. Motzny replied there are no requirements in the Zoning Ordinance or in the Planning Commission Bylaws that place a limit on the number of postponements for one item. He emphasized it is the discretion of the Commission whether or not to postpone an item.

After a brief discussion, Chair Waller announced the Public Hearing would continue and the item would be postponed to the August 10, 2004 Regular Meeting.

**Resolution # PC-2004-06-066**

Moved by: Chamberlain

Seconded by: Khan

**RESOLVED**, That the Public Hearing and Special Use Approval request for the proposed BARK! Commercial Kennel, located on the north side of Industrial Row, east of Coolidge, Section 32, within the M-1 Zoning District, be postponed and continued to the August 10, 2004 Regular Meeting.

Yes: All present (7)

No: None

Absent: Strat, Wright

**MOTION CARRIED**

## REZONING REQUEST

6. PUBLIC HEARING – PROPOSED REZONING (Z 402-C) – San Marino Club, North side of Big Beaver, West of John R, Section 23 – From R-1E to E-P and From E-P to O-1

Mr. Savidant presented a summary of the Planning Department report for the proposed rezoning. Mr. Savidant noted that in addition to the 50-foot buffer along the northern property line, there is an existing gas line easement in which no structural development can take place, creating a greater distance between the residential development and the O-1 zoning. Clarification was provided with respect to a previous rezoning request for a similar “L” shaped parcel to the west of the proposed rezoning. Mr. Savidant reported that it is the recommendation of the Planning Department to approve the rezoning request as submitted.

Mr. Vleck asked if the Planning Department is aware of future residential or commercial development on the R-1E zoned property to the west abutting the E-P zoned property.

Mr. Savidant replied in the negative. He also confirmed that the property owners to the west were notified of the proposed rezoning request.

Mr. Schultz questioned the location of the proposed 2,700 square foot recreational shelter.

Mr. Savidant replied the Planning Department reviewed the proposal with respect to the rezoning only. He said it is the intent of the petitioner to submit a Special Use Request for future recreational development, which is a permitted use in the R-1E zoning district.

David Endreszl of Endreszl & Associates Engineering, 8700 Pine Knob Road, Clarkston, and Bob Casadei, Trustee for the San Marino Club, Chairman of the Renovation and Improvement Committee and member of the Future Committee, were present on behalf of the San Marino Club.

Mr. Khan asked if there is existing landscaping on the E-P zoning parcel.

Mr. Casadei replied in the negative.

Mr. Endreszl said the substantial landscaping of 10” to 16” pine trees to the north, located on the parcel that is proposed for E-P rezoning, would remain as is.

Mr. Littman questioned the facility’s intent to put a soccer field.

Mr. Casadei said the northern third portion of the property (approximately 4 acres) would continue its existing use. Mr. Casadei said the existing soccer field would continue as a recreational area. He said it is planned to reorient the field so that it runs east to west, rather than north to south.

Mr. Endreszl stated the proposed O-1 zoning would be consistent with and align with the B-2 zoning on the adjacent property to the east, the Troy Sports Center property.

Mr. Schultz asked if the petitioner would entertain making the existing E-P zoned property to the north 75' wide instead of 50' wide.

Mr. Casadei said they would prefer not to make the E-P zoned parcel larger than what is required.

Chair Waller asked the reasoning behind the north/south E-P zoning on the property.

Mr. Casadei said at that time, the San Marino Club had no expansion plans and it was the recommendation of the City to relocate the E-P zoning to the north property lot line.

#### PUBLIC HEARING OPENED

No one was present to speak.

#### PUBLIC HEARING CLOSED

Mr. Savidant reported that non-commercial outdoor recreational facilities are permitted by Special Use in the E-P zoning district.

#### **Resolution # PC-2004-06-067**

Moved by: Vleck  
Seconded by: Khan

**RESOLVED**, That the Planning Commission hereby recommends to the City Council that the R-1E to E-P and E-P to O-1 rezoning request, located on the north side of Big Beaver and west of John R, within Section 23, being 11.08 acres in size, be granted.

Yes: Chamberlain, Drake-Batts, Khan, Littman, Vleck, Waller  
No: Schultz  
Absent: Strat, Wright

### **MOTION CARRIED**

Mr. Schultz was not in favor of the motion because he thinks environmentally protected property should be replaced in kind and size, and the E-P zoned property should be 75 feet instead of 50 feet.

### **SITE PLAN**

7. SITE PLAN REVIEW (SP 908) – Proposed Travis Office Plaza, Proposed Office Building, South side of Maple, West of Dequindre, Section 36 – O-1 and E-P

Mr. Savidant presented a summary of the Planning Department report for the proposed office building. Mr. Savidant reported that it is the recommendation of the Planning Department to approve the site plan with the conditions that (1) the applicant land banks one off-street parking space per the requirements of Article 40.20.13; (2) the applicant installs the land banked parking space at the request of the City should there be a need for the additional parking space; and (3) the Planning Commission hereby reduces the number of required off-street parking spaces to 62, when a total of 75 spaces are required, per Article 40.20.12. Mr. Savidant reported that the Planning Department recognizes that the proposed basement uses indicated on the site plan shall not generate any additional traffic onto the site. He also emphasized that any uses proposed for the basement other than those shown on the site plan shall require site plan approval.

Mr. Chamberlain questioned the 3 land banked parallel parking spaces noted on the site plan.

Mr. Savidant said the Planning Department does not believe the 3 land banked parallel parking spaces noted on the site plan are functional or safe given their proximity to the cross access easement.

It was determined that the motion on this item should reflect removing the notation on the site plan designating 3 land banked parallel parking spaces.

There was discussion on the following:

- Land banked parking spaces and related landscaping requirements.
- Proposed landscaping of the wall along the property line.
- Location of the trash enclosure.
- Sidewalks within the E-P zoning district.
- Requirement of a cross access easement and removal of the wall should there be future redevelopment of the property to the east:
- Use of the basement area and enforcement of its proposed use.

The petitioner, Art Kalajian of 1871 Austin, Troy, was present to represent the owner, Travis Realty. Mr. Kalajian displayed renderings that showed the building elevation and proposed landscaping. He addressed the E-P buffer, the proposed landscaping and parking. Mr. Kalajian said the real estate/title company would occupy approximately two-thirds of the building and three small tenants would occupy the remainder of the space. Mr. Kalajian said that more than one-half of the basement area would be used for storage and archived material. Mr. Kalajian clarified that there would be approximately 15,400 square feet of usable space.

Mr. Savidant noted that the wall must be designated on the site plan, but it is the intent of the petitioner to request a variance from the Board of Zoning Appeals for removal of the wall in lieu of extensive landscaping.

**Resolution # PC-2004-06-068**

Moved by: Chamberlain  
Seconded by: Schultz

**RESOLVED**, That the landscaping design within the 15-foot wide E-P landscape buffer has been approved by the Department of Parks and Recreation and has been accepted by the Planning Commission, as per Article 08.50.07.B.

**FURTHER RESOLVED**, That the applicant may land bank one off-street parking space as per the requirements of Article 40.20.13. The applicant shall install the land banked parking space at the request of the City should there be a need for the additional parking space.

**FURTHER RESOLVED**, That the Planning Commission hereby reduces the number of required off-street parking spaces to 62, when a total of 75 spaces are required, as per Article 40.20.12. This reduction recognizes that the proposed

basement uses indicated on the site plan shall not generate any additional traffic onto the site. Any uses proposed for the basement other than those shown on the site plan shall require site plan approval.

**FURTHER RESOLVED**, That the Preliminary Site Plan Approval, as requested for the proposed Travis Office Plaza, located on the south side of Maple, west of Dequindre, Section 36, within the O-1 and E-P Zoning Districts be granted, subject to the following conditions:

1. That the cross access easement on the southeast side corner of the parcel be filed.
2. That the notation in the lower third of the site plan providing for 3 land banked parallel parking spaces on Drawing A-O be removed from the site plan proposal.

Yes: All present (7)  
No: None  
Absent: Strat, Wright

**MOTION CARRIED**

**GOOD OF THE ORDER**

Mr. Chamberlain requested the Planning Department establish a DVD library of Planning Commission meetings.

**ADJOURN**

The Regular Meeting of the Planning Commission was adjourned at 8:57 p.m.

Respectfully submitted,

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David T. Waller, Chair

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Kathy L. Czarnecki, Recording Secretary



## **POSTPONED ITEMS**

Resolution #LB 2004-06-004  
Moved by Gregory  
Seconded by Allen

**RESOLVED, That Brian Griffen be elected Chairman, Audre Zembrzuski be elected Vice-Chairman, and Joanne Allen be elected Secretary.**

**Yes: 4—Allen, Gregory, Griffen, Zembrzuski**

**No: 0**

## **MOTION CARRIED**

## **REGULAR BUSINESS**

Resolution #LB 2004-06-005  
Moved by Zembrzuski  
Seconded by Allen

**RESOLVED, That regular meetings will not be held in the months of July and August, 2004. The next regular meeting will be September 9, 2004.**

**Yes: 4—Allen, Gregory, Griffen, Zembrzuski**

**No: 0**

## **MOTION CARRIED**

## **REPORTS & COMMUNICATIONS**

### **Director's Report.**

Major programs this summer include Summer Reading Clubs for Adults, Teens and Children; Shared Inheritances; Festival for the Arts for both Teens and Children. Checking out of materials has begun in Youth Services and the patrons really like the new service. The Friend's gift Shop pulled back from the corridor and has dramatically helped the flow of patron traffic.

### **Board Member comments.**

Zembrzuski asked if the Library and Museum were budgeted together as one unit. The Library and Museum have separate accounts in the budget and are funded as separate entities.

### **SLC Report**

Gregory reported that he will be the next Chairman of the SLC Board. The respondents to the RFP for auditing services are being reviewed. A new "Talk-to-me" server will be purchased. The report generator "Director's Station" software for Sirsi information will be purchased.

### **Friends of the Library.**

Allen reported that the Annual Meeting and Election of new Officers was held. The Friend's Board will not meet in July or August.

**Gifts.**

One gift totaling \$50.00 was received.

**Informational Items.**

June TPL Calendar

**Contacts and Correspondence.**

18 written comments from the public were reviewed.

**Public Participation.** There was no public participation.

The Library Board meeting adjourned at 8:05 P.M.

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Joanne Allen  
Chair

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Brian Stoutenburg  
Recording Secretary

A regular meeting of the Liquor Advisory Committee was held on Monday, June 14, 2004 in Conference Room C of Troy City Hall, 500 West Big Beaver Road. Chairman Max K. Ehlert called the meeting to order at 6:58 p.m.

**ROLL CALL:**

**PRESENT:** Max K. Ehlert, Chairman  
Henry W. Allemon  
Alex Bennett  
Anita Elenbaum  
W. Stan Godlewski  
James R. Peard  
Carolyn Glosby, Assistant City Attorney  
Sergeant Thomas J. Gordon  
Pat Gladysz

**ABSENT:** James C. Moseley  
Emily Polet, Student Representative

**Resolution to Excuse Committee Member James C. Moseley**

Resolution #LC2004-06-113  
Moved by Allemon  
Seconded by Bennett

RESOLVED, that the absence of Committee member Moseley at the Liquor Advisory Committee meeting of June 14, 2004 BE EXCUSED.

Yes: 6  
No: 0  
Absent: Moseley

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**Resolution to Approve Minutes of May 10, 2004 Meeting**

Resolution #LC2004-06-114  
Moved by Elenbaum  
Seconded by Ehlert

RESOLVED, that the Minutes of the May 10, 2004 meeting of the Liquor Advisory Committee be approved.

Yes: 6  
No: 0

Absent: Moseley

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**Agenda Items:**

1. **BABYLON RESTAURANT GROUP, INC.** requests a **new full year (quota) Class C** license with Sunday Sales and Official Permit (Food) to be located at 888 W. Big Beaver Rd., Troy, MI 48084, Oakland County. *Proposed restaurant to be called The Melting Pot, featuring fondue based menu*

Present to answer questions from the Committee were Aaron VanDeMark, Ryan Husaynu, and Jonathan Brateman.

Mr. VanDeMark informed the Committee that The Melting Pot is an upscale, dinner-only restaurant with a fondue-based menu that will occupy space on the first floor vacated by Fidelity Bank. There are currently Melting Pot establishments in 30 states in the nation, with the proposed Troy location being the first in Michigan. There is the possibility for future restaurants in Ann Arbor and Novi. The Melting Pot attracts couples for special occasion and romantic events, with over 80% of the revenue resulting from food sales. There will be 198 seats in the restaurant and 14 seats at the bar. Mr. VanDeMark has been in the restaurant management business for several years, the past two years spent as manager of a Melting Pot in Raleigh, North Carolina. He is an owner with a 60% share of the business and will be the on-site manager with approximately 40 employees. His partner, Bill Holt, will own 40% of the business. All employees will be trained in the TIPS/TAMS program and will be required to sign the company's "Statement of Liquor Dispensing Policies" at the time of hire.

Sgt. Gordon reported that his background investigation revealed one incident in Greensboro, North Carolina in 1998 involving restaurant employees smoking marijuana while on duty. At the time of this incident, Bill Holt was the manager of the restaurant. The employees were terminated.

Resolution #LC2004-06-115

Moved by Allemon

Seconded by Elenbaum

RESOLVED, that BABYLON RESTAURANT GROUP, INC. be granted new full year (quota) Class C license with Sunday Sales and Official Permit (Food) to be located at 888 W. Big Beaver Rd., Troy, MI 48084, Oakland County.

Yes: 6

No: 0

Absent: Moseley

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**Informational Items**

**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*

This item will be handled by Sgt. Gordon and no action is required by the Committee.

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**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; Zoning issues may prevent transfer*

No information to report on this item.

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**EMERALD FOOD SERVICE, INC.** requests a **new full year (quota) Class C** license with Sunday Sales, Official Permit (Food), and Outdoor Service Area, to be located at 1450 E. South Blvd., Troy, MI 48085, Oakland County. *This request is anticipated to be made by the food service vendor for the new Sanctuary Lakes golf course; not yet in process*

Assistant City Attorney Carolyn Glosby reported that the City is currently negotiating a food vendor contract for Sanctuary Lakes Golf Course. There was a discussion by the Committee as to the anticipated request for a quota Class C license and the small number of seats available in the club house.

The meeting adjourned at 7:43 p.m.

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Max K. Ehlert, Chairman

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Patricia A. Gladysz, Clerk-Typist

The Vice-Chairperson, Marcia Gies, called the Board of Zoning Appeals meeting to Order at 7:30 P.M., in Council Chambers of City Hall, on Tuesday, June 15, 2004.

PRESENT: Kenneth Courtney  
Christopher Fejes  
Marcia Gies  
Mark Maxwell  
Thomas Strat

ABSENT: Michael Hutson  
Matthew Kovacs

ALSO PRESENT: Mark Stimac, Director of Building & Zoning  
Susan Lancaster, Assistant City Attorney  
Pamela Pasternak, Recording Secretary

Motion by Maxwell  
Supported by Fejes

MOVED, to excuse Mr. Hutson and Mr. Kovacs from this meeting.

Yeas: All – 5

MOTION TO EXCUSE MR. HUTSON & MR. KOVACS CARRIED

**ITEM #1 – APPROVAL OF MINUTES – MEETING OF MAY 18, 2004**

Motion by Courtney  
Supported by Fejes

MOVED, TO APPROVE THE MINUTES OF THE MEETING OF MAY 18, 2004 AS WRITTEN

Yeas: 4 – Maxwell, Strat, Courtney, Fejes  
Abstain: 1 – Gies

MOTION TO APPROVE MINUTES CARRIED

**ITEM #2 – VARIANCE REQUEST. MR. & MRS. PRADEEP, 3839 WAYFARER,** for relief of the rear yard setback to construct additions to their home, which would result in 35.23' rear yard setbacks where Section 30.10.04 requires a 40' minimum rear yard setback in R-1C Zoned Districts.

**ITEM #2 – con't.**

Petitioners are requesting relief of the rear yard setback to construct additions to their home. The site plan submitted indicates separate dining room and master bedroom additions on the rear of the home with proposed 35.23' rear yard setbacks to each one. ~~Section 30.10.04 requires 40' minimum rear yard setbacks in R-1C Zoned Districts.~~

This item first appeared before this Board at the meeting of April 20, 2004 and was postponed until the meeting of May 18, 2004 to allow the petitioners to meet with the Architectural Committee to bring back their recommendations to the Board.

This request was postponed from the meeting of May 18, 2004 to this meeting at the request of the petitioners.

Ms. Gies stated that this Board had received a written request from the petitioner to withdraw this request. No further action taken by the Board of Zoning Appeals.

**ITEM #3 – VARIANCE REQUEST. MR. & MRS. MASAO TAKAI, 4412 WHISPER WAY,** for relief of the rear yard setback to construct a porch enclosure, which would result in a 37.5' setback to the rear property line where Section 30.10.02 requires a 45' minimum rear yard setback in R-1B Zoning Districts.

Mr. Stimac explained that the petitioners are requesting relief of the Zoning Ordinance to construct a porch enclosure. The site plan submitted indicates a rear porch enclosure with a proposed 37.5' setback to the rear property line. Section 30.10.02 requires a 45' minimum rear yard setback in R-1B Zoning Districts.

Mr. Rick Hadad of Mr. Enclosure was present, representing Mr. & Mrs. Masao Takai. Mr. Hadad explained that this property is on a curve and this sunroom would not be visible to surrounding property due to mature trees and foliage. Mr. Hadad also said that this was the only location for this sunroom in order for it to be aesthetically pleasing and also match the roofline of the house. Mr. Hadad further stated that presently there is an existing deck and gazebo on the property and this room would actually encroach less than the deck to the rear yard setback. A smaller room would not be functional and Mr. Hadad said would not benefit the homeowners. This room would also have the same pitch as the existing roofline, as well as matching shingles. There is ample room to put this addition to the side, however, Mr. Hadad said this would result in a room that looks like a box and would not match the rest of the home.

Mr. Courtney asked if Mr. Hadad had prepared the application and he stated that he had not. Mr. Courtney asked why the shape of the lot is stated as the hardship and Mr. Hadad said he had not prepared the application, and the shape of the lot is not applicable in this instance. Mr. Courtney then asked why the room could not be placed where the bay window is located, and Mr. Hadad said that is the location of the living room and would necessitate removing the bay window, blocking natural light in the living room and it would be the least pleasing solution.

**ITEM #3 – con't.**

Mr. Fejes asked if the deck was going to be increased and Mr. Hadad said that the deck goes out 14' and they are proposing to only go out 10'. In addition they are removing the deck and the gazebo. Mr. Fejes also asked why the homeowners wished to add this room and Mr. Hadad explained that they are a retired couple and spend all their time at home and this three-season room would enable them to enjoy their yard in the evenings. Mr. Fejes then asked about the roofline. Mr. Hadad said that if the room were added anywhere else, the roofline would not match the existing roofline of the home.

Ms. Gies opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are no written approvals or objections on file.

Mr. Stimac asked whom Darryl Meyers, the person that signed the application for appeal was and Mr. Hadad stated that he is the owner of Mr. Enclosure and he is the person who signs all applications.

Motion by Fejes  
Supported by Strat

MOVED, to grant Mr. & Mrs. Masao Takai, 4412 Whisper Way, relief of the rear yard setback to construct a porch enclosure, which would result in a 37.5' setback to the rear property line where Section 30.10.02 requires a 45' minimum rear yard setback in R-1B Zoning Districts.

- Variance is not contrary to public interest.
- Variance does not establish a prohibited use in a Zoning District.
- Variance does not have an adverse effect to surrounding property.
- Encroachment into rear yard will be less than existing deck and gazebo.
- Lot is somewhat odd in shape.

Yeas: All – 5

MOTION TO GRANT VARIANCE CARRIED

**ITEM #4 – VARIANCE REQUEST. MR. & MRS. TIMOTHY CAROWICK, 2018 JOHN R. (PROPOSED ADDRESS),** for relief of the Zoning Ordinance to construct a new house, which will result in a total of 14' side yard setbacks where Section 30.10.06 requires a 15' minimum total for both side yard setbacks in the R-1E Zoning District.

**ITEM #4 – con't.**

Mr. Stimac explained that the petitioners are proposing to construct a new house on an existing lot at 2018 John R. Because this property is a legal non-conforming lot of record as regulated by Section 40.50.02, the construction of a house is permitted even though the lot does not meet width and area regulations. Building setbacks, however, must still comply with Section 30.10.06, which requires a 15' minimum total for both side yard setbacks. The plot plan submitted indicates both side yard setbacks total 14', (5' on the north side and 9' on the south side).

Mr. & Mrs. Carowick were present and stated that they had looked at different plans for houses that would fit on this lot, but they did not have attached garages. Mr. Carowick explained that a detached garage would take up most of the yard and they would prefer to have an attached garage. This is a pre-built home, and the manufacturer does not make any homes smaller than this one with an attached garage.

Mr. Maxwell asked what the square footage of this home was and Mr. Carowick stated that it is a two-story home, that is approximately 1,641 square feet. Mr. Maxwell then asked how far this home would be from the house next door and Mr. Carowick said he thought it was nine and one-half feet. Mr. Maxwell then asked how far they would be from the nearest structure to the north and Mr. Carowick said he thought it would be between 65 and 70 feet. Mr. Maxwell then suggested that this proposed home be moved further north, which would make it farther away from the home to the south.

Mr. Courtney asked what the minimum side yard setbacks were in this Zoning District. Mr. Stimac replied that in the R-1E Zoning District, the minimum side yard setback would be five feet and a total of 15' for both side yard setbacks. Mr. Stimac also said that if this proposed home was moved farther north, it would result in a side yard setback of less than 5' and a new Public Hearing notice would have to be published before a vote was taken on this proposal.

Mr. Carowick said that they hoped to update this section of John R. and also took into consideration the future widening of John R., when they determined the location of the home.

Ms. Gies opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There is one (1) written approval on file. There is one (1) written objection on file.

Mr. Courtney asked how long ago the home at 2006 John R. was built and Mr. Stimac stated that he was unable to find any permits that were issued after 1954, and felt that this home was constructed sometime in the early 50's. Mr. Courtney then asked about the ownership of the property, and Mr. Stimac said that after investigation it was determined that this parcel has been separately owned since 1955.

**ITEM #4 – con't.**

Mr. Strat asked if there was a garage on the north side of 2006 John R. Mr. Stimac said that there is not an attached garage on 2006 John R., but there is a detached garage at the east end of the property.

Motion by Maxwell  
Supported by Fejes

MOVED, to grant Mr. & Mrs. Timothy Carowick, 2018 John R. (proposed address) relief of the Zoning Ordinance to construct a new house, which will result in a total of 14' side yard setbacks where Section 30.10.06 requires a 15' minimum total for both side yard setbacks in the R-1E Zoning District.

- Variance is not contrary to public interest.
- Variance will not have an adverse effect to surrounding property.
- Size of home is reasonable for the size of the lot.

Yeas: All – 5

MOTION TO GRANT VARIANCE CARRIED

**ITEM #5 – VARIANCE REQUEST. RWT BUILDING, LLC, 1309 BOYD (PROPOSED ADDRESS)**, for relief of the Zoning Ordinance to divide a parcel of land, which will result in two 7,200 square foot parcels, where Section 30.10.06 of the Ordinance requires a minimum lot area of 7,500 square feet in the R-1E Zoning District.

Mr. Stimac explained that the petitioner is requesting relief of the Zoning Ordinance to divide a parcel and construct a new single-family residence. The existing home at 1321 Boyd is located on Lot #29 with a portion of the attached garage located on Lot #28. Although these two lots are shown as two separate parcels for tax purposes, since the same individual owns them, Section 40.50.02 of the Zoning Ordinance considers this to be an undivided parcel. Individually these lots are only 7,200 square feet in area. Section 30.10.05 of the Ordinance requires a minimum lot area of 7,500 square feet in the R-1E Zoning District. The plans submitted propose to remove the garage, separate the lots creating two 7,200 square foot parcels, and build a new home on Lot #28.

Mr. Deagle of RWT Building, LLC asked that this request be postponed until the meeting of July 20, 2004.

Motion by Maxwell  
Supported by Fejes

**ITEM #5 – CON'T.**

MOVED, to postpone the request of RWT Building, LLC, 1309 Boyd (proposed address), for relief of the Zoning Ordinance to divide a parcel of land, which will result in two 7,200 square foot parcels, where Section 30.10.06 of the Ordinance requires a minimum lot area of 7,500 square feet in the R-1E Zoning District.

- To allow the petitioner the benefit of a full Board.

Yeas: 4 – Strat, Fejes, Gies, Maxwell

Nays: 1 – Courtney

MOTION TO POSTPONE REQUEST UNTIL JULY 20, 2004 CARRIED

Mr. Fejes stated that he would not be at the meeting of July 20, 2004 as he would be out of town.

**ITEM #6 – VARIANCE REQUEST. MR. & MRS. KEVIN LINDSEY, 6890 NORTON,** for relief of the Ordinance to park a camper in the front yard of residential property where Section 40.65.02 requires parking of recreation vehicles behind the front face of the principal building.

Mr. Stimac explained that the petitioner is requesting relief of the Zoning Ordinance to park their camper in the front yard of residential property. Section 40.65.02 of the Zoning Ordinance requires that recreational vehicles be parked in a building or behind the front face of the principal building on residential property.

Mr. & Mrs. Lindsey were present. Mr. Lindsey stated that he and his wife have been tent campers for twenty-five (25) years, and they bought this camper because their daughter had back surgery and they wanted to make camping more comfortable for her. When they bought this camper they thought they had enough room to store this camper on the property. Mr. Lindsey also explained that his home is considered a Historic property and before they can do any alterations they have to get permission from the Historic Commission. Mr. Lindsey also stated that there is an existing barn on the property, but it was built in 1830 and is timber framed and also the camper is too wide to fit inside the barn. Mr. Lindsey further stated that this property goes from a flood plain to a hill and the hill is not accessible to park the camper. There are also several trees, a stone garden and a historic cobblestone building, which is labeled as a shed, behind the front face of the home, which also prohibits parking the camper in this location. Mr. Lindsey said that they would have to alter the barn in order to fit the camper inside, which would require approval from the Historic Commission. Mr. Lindsey also said that they are a family of six, with three children in college and all of their children drive and putting the camper in the barn would make access to the driveway very difficult, and storing the camper offsite would be an expense that they did not count on.

**ITEM #6 – con't.**

Mr. Lindsey said that this property was known as the Norton Farm, and he did obtain a variance to move the barn across the property line. Mr. Lindsey also said that they did not want to destroy the barn, and in this location, the camper is shielded by many trees and therefore not very visible to surrounding property.

Mr. Courtney asked Mr. Lindsey about moving the barn. Mr. Lindsey said that they had moved the barn 20' over the property line. Mr. Courtney thought that Mr. Lindsey could alter the barn to fit the camper inside without destroying the barn. Mr. Lindsey said that they had measured the camper, and it was too wide to fit inside the barn. Mrs. Lindsey said that she had looked at the possibility of enlarging the barn door, and said that there is only one board that could be removed without affecting the main structure, and she did not believe that would give them enough clearance to get the camper inside.

Mr. Maxwell asked how large the camper was and Mr. Lindsey said that it was a 10' box.

Mr. Strat asked if the barn was slab on grade and Mr. Lindsey said that it was. Mr. Strat said that the entrance to the barn could be made larger in order to fit the camper inside without destroying the appearance of the barn. Mr. Strat also asked where the camper would be stored during the winter months and Mr. Lindsey said that they have left it outside and that was what they thought they would continue doing.

Ms. Gies asked how long Mr. & Mrs. Lindsey have owned the camper and Mr. Lindsey said that it's been slightly over a year.

Mr. Courtney said that many of his neighbors have campers and they park them off-site at storage facilities during the winter months. He further stated that if the Historic District Commission would not grant approval for the modifications to the barn they could request removal from the Historic District list to remove the restrictions.

Mr. Stimac said that the decision as to whether or not the petitioner's property stayed on the Historic List ultimately was City Council's. Mr. Lindsey would have to make a petition to City Council to have his property removed and City Council would have to amend the Ordinance to take this property off the Historic District property list. Mr. Courtney then stated it was the petitioner's choice as to whether they buy the property or not.

Mr. Strat asked what modifications could be made and still maintain the Historic Property classification. Mr. Stimac said that the Historic Commission is concerned with the exterior appearance of structures and changes could be made to the inside of the building, which would not effect the outside appearance. The Historic District Commission is the Board, which would have to approve outside alterations, rather than inside alterations.

**ITEM #6 – con't.**

Mr. Strat then asked how large the barn was and Mr. Lindsey stated that it is 18' x 24' and is one and one-half stories. Mr. Strat again stated that he thought this structure could be modified to accommodate this camper.

Ms. Gies opened the Public Hearing.

Mr. Timothy Northrup, 642 Amberwood, who lives at the property directly to the north was present, and stated he is in favor of this variance request. Mr. Northrup said that this location for the camper is very well hidden and feels that this is the best place to store this camper.

No one else wished to be heard and the Public Hearing was closed.

There are three (3) written approvals on file. There are two (2) written objections on file.

Motion by Courtney  
Supported by Strat

MOVED, to postpone the request of Mr. & Mrs. Kevin Lindsey, 6890 Norton, for relief of the Ordinance to park a camper in the front yard of residential property where Section 40.65.02 requires parking of recreation vehicles behind the front face of the principal building until the meeting of July 20, 2004.

- To allow the petitioner the opportunity to determine if the existing barn could be used to store this camper.

Yeas: All – 5

MOTION TO POSTPONE REQUEST UNTIL THE MEETING OF JULY 20, 2004  
CARRIED

Mrs. Lindsey asked what the Board wished them to do and Mr. Courtney stated that the first step was to determine if the barn could be altered structurally to house the camper and then they could approach the Historic District Commission for approval. Mr. Strat suggested that any approvals from the Historic District Commission be put in writing and presented to this Board.

**ITEM #7 – VARIANCE REQUEST. DARRELL TIEDEMAN, 649 TROYWOOD,** for relief of the Ordinance to construct a new 900 square foot garage where Section 40.57.04 of the Ordinance limits the size of an accessory building on this site to 600 square feet.

Mr. Stimac explained that the petitioner is requesting relief of the Zoning Ordinance to construct a detached garage at 649 Troywood. The permit application indicates

**ITEM # 7 – con't.**

removing an existing 600 square foot detached garage and replacing it with a new 900 square foot detached garage. Section 40.57.04 limits the area of all accessory buildings on a site to 600 square feet or one-half the ground floor area of the main building whichever is greater. The house footprint is 1,200 square feet; therefore, accessory buildings are limited to 600 square feet on this site.

Mr. Tiedeman was present and stated that his lot is 94' wide and 250' deep and requires a lot of equipment to maintain. Mr. Tiedeman stated that this work cannot be done with a riding mower alone as there are ditches. Mr. Tiedeman also said that they plan to use this building as their primary garage and the existing building is very old and will be demolished. They had explored the possibility of adding an attached garage, however, the cost would be double and because he would remove the existing building, the new structure would add value to his property as well as improve the appearance of his lot. Mr. Tiedeman further stated that his home is 1200 square feet, his proposed garage would be 900 square feet and his lot is 23,500 square feet, and the addition of the proposed building would result in using 9% of his lot.

Mr. Courtney asked how much space was required for the lawn equipment. Mr. Tiedeman stated that the vehicles take up approximately 500 square feet, which leaves him with 89 square feet to store the lawn equipment, patio furniture and also enough room to get in and out of the building. Mr. Courtney stated that people in his neighborhood fit two cars plus lawn equipment in a standard two-car garage. Mr. Tiedeman stated that he found that hard to believe and believes that his lot would support a larger garage.

Mr. Strat asked if Mr. Tiedeman planned on using this building for any type of business equipment. Mr. Tiedeman said that his vehicle was 20' long and would not fit into a standard garage. Mr. Strat then pointed out that he was adding another 10' in length of the building and also 10' in width. Mr. Tiedeman also said that he was adding two 10' doors. Mr. Strat asked how wide this vehicle was and Mr. Tiedeman stated it was 8' wide, measuring mirror to mirror. Mr. Strat then confirmed that Mr. Tiedeman was asking for a building that was 30' x 30' in order to store his vehicles and equipment. Mr. Tiedeman stated that he felt this would be a sufficient size.

Ms. Gies opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are two (2) written approvals on file. There are no written objections on file.

Ms. Gies asked how large the garage was across the street from this address. Mr. Tiedeman stated that it was approximately the same size.

Mr. Strat stated that he thought the homes in this area were very well maintained and he was quite impressed with this area.

**ITEM #7 – con't.**

Motion by Maxwell  
Supported by Courtney

MOVED, to grant Darrell Tiedeman, 649 Troywood, relief of the Ordinance to construct a new 900 square foot garage where Section 40.57.04 of the Ordinance limits the size of an accessory building on this site to 600 square feet.

- Property is large enough to sustain a building of this size.
- Petitioner needs to have the space available to store the equipment to maintain this lot.
- Variance is not contrary to public interest.
- Variance will not have an adverse effect to surrounding property.
- This will be the only accessory building on this lot.

Yeas: All – 5

MOTION TO GRANT VARIANCE GRANTED

The Board of Zoning Appeals meeting adjourned at 8:23 P.M.

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Marcia Gies – Vice Chairperson

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Pamela Pasternak – Recording Secretary

**ELECTION COMMISSION MINUTES – DRAFT**

June 22, 2004

A meeting of the Troy Election Commission was held Wednesday, June 22, 2004, at City Hall, 500 W. Big Beaver Road. Member Timothy Dewan called the Meeting to order at 7:32 P.M.

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**Roll Call:**

PRESENT: David Anderson, Timothy Dewan  
ABSENT: City Clerk Tonni Bartholomew  
ALSO PRESENT: Deputy City Clerk Barbara Holmes

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**Minutes: Regular Meeting of March 1, 2004**

Resolution # EC-2004-06-05  
Motion by Anderson  
Seconded by Dewan

RESOLVED, That the Minutes of March 1, 2004 are approved as submitted.

YES: Anderson, Dewan  
ABSENT: Bartholomew

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**Approval of Election Inspector Appointment for Tuesday, August 3, 2004 Primary Election:**

Deputy City Clerk Holmes presented the proposed listing of Election Inspectors for appointment for the Primary Election of Tuesday, August 3, 2004.

Resolution # EC-2004-06-06  
Motion by Dewan  
Seconded by Anderson

RESOLVED, That Election Inspectors be appointed for the Tuesday, August 3, 2004 Primary Election, as presented by the Deputy City Clerk, is hereby **APPROVED**.

YES: Dewan, Anderson  
ABSENT: Bartholomew

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**Adjournment:**

The meeting was adjourned at 7:36 PM.

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Barbara A. Holmes  
Deputy City Clerk

**CITY OF TROY**  
**MONTHLY FINANCIAL REPORT**  
**31-May-04**

CITY OF TROY  
Monthly Financial Report  
General Fund  
For the Period Ending May 31, 2004

CITY OF TROY GENERAL FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
<b>GENERAL FUND REVENUES</b>					
TAXES	30,399,278	31,065,440	8,008	32,133,209	103.44
BUSINESS LICENSES & PERMITS	39,234	44,000	2,661	37,300	84.77
NON-BUS. LICENSES & PERMITS	1,409,770	1,524,500	115,361	1,434,552	94.10
FEDERAL GRANTS	213,137	50,000	0	52,979	105.96
STATE AGENCIES	7,749,165	7,637,000	854,894	6,185,644	81.00
CONTRIBUTIONS-LOCAL	142,450	120,000	0	46,328	38.61
CHARGES FOR SERVICES - FEES	1,037,337	1,109,500	292,928	806,380	72.68
CHARGES FOR SERVICES - REND.	2,386,758	1,719,100	83,822	966,470	56.22
CHARGES FOR SERVICES - SALES	47,490	159,000	65,967	272,112	171.14
CHARGES FOR SERVICES - REC	2,190,857	2,694,160	283,192	2,499,551	92.78
FINES & FORFEITS	896,833	1,027,000	103,549	854,148	83.17
INTEREST AND RENTS	696,307	1,040,700	8,492	680,488	65.39
OTHER REVENUE	367,207	350,940	91,610	427,959	121.95
OTHER FINANCING SOURCES	7,899,144	9,378,040	1,487,920	9,378,040	100.00
<b>TOTAL GENERAL FUND REVENUE</b>	<b>55,474,967</b>	<b>57,919,380</b>	<b>3,398,404</b>	<b>55,775,160</b>	<b>96.30</b>
<b>EXPENDITURES</b>					
LEGISLATIVE	1,853,599	1,956,950	143,444	1,714,706	87.62
FINANCE	4,168,062	4,642,530	303,138	3,829,406	82.49
OTHER GEN GOVERNMENT	2,157,616	2,555,680	163,949	1,990,421	77.88
POLICE	19,837,794	21,426,110	1,683,054	18,102,891	84.49
FIRE	3,579,858	3,683,410	334,857	3,226,051	87.58
BUILDING INSPECTION	1,811,704	1,978,860	142,962	1,720,670	86.95
STREETS	4,930,824	5,324,500	368,127	4,073,285	76.50
ENGINEERING	2,600,192	3,018,400	218,778	2,389,096	79.15
RECREATION	7,247,260	7,910,940	624,391	6,621,933	83.71
LIBRARY	4,474,276	4,744,000	336,733	3,893,816	82.08
TRANSFERS OUT	10,000	678,000	0	678,000	100.00
<b>TOTAL GEN FUND EXPENDITURES</b>	<b>52,671,185</b>	<b>57,919,380</b>	<b>4,319,433</b>	<b>48,240,275</b>	<b>83.29</b>

CITY OF TROY  
 Monthly Financial Report  
 Refuse Fund  
 For the Period Ending May 31, 2004

REFUSE FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
<b>REVENUES</b>					
TAXES	3,800,178	3,870,000	11,652-	3,892,510	100.58
CHARGES FOR SERVICES - REND.	205,650	0	0	152,700	.00
CHARGES FOR SERVICES - SALES	723	500	184	1,201	240.20
INTEREST AND RENTS	61,289	60,000	1,880	39,565	65.94
OTHER FINANCING SOURCES	280,340	455,230	0	455,230	100.00
<b>TOTAL REVENUE</b>	<b>4,348,180</b>	<b>4,385,730</b>	<b>9,588-</b>	<b>4,541,206</b>	<b>103.55</b>
<b>EXPENDITURES</b>					
CONTRACTORS SERVICE	4,031,670	4,200,000	323,484	3,579,169	85.22
OTHER REFUSE EXPENSE	46,522	50,380	6,605	34,861	69.20
RECYCLING	119,948	135,350	11,604	83,410	61.63
<b>TOTAL EXPENDITURES</b>	<b>4,198,140</b>	<b>4,385,730</b>	<b>341,693</b>	<b>3,697,440</b>	<b>84.31</b>

CITY OF TROY  
 Monthly Financial Report  
 Capital Fund  
 For the Period Ending May 31, 2004

CAPITAL FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
<b>REVENUES</b>					
TAXES	7,417,214	7,594,000	22,743-	7,597,429	100.05
FEDERAL GRANTS	78,805	0	0	1,010	.00
STATE AGENCIES	6,157,117	7,533,300	0	1,171,190	15.55
CHARGES FOR SERVICES - REND.	168,206	160,000	65,734-	165,014	103.13
INTEREST AND RENTS	454,612	400,000	22,808	346,351	86.59
OTHER REVENUE	287,882	0	60	135,330	.00
OTHER FINANCING SOURCES	47,050,522	24,869,520	2,375,000	14,608,910	58.74
<b>TOTAL REVENUE</b>	<b>61,614,358</b>	<b>40,556,820</b>	<b>2,309,391</b>	<b>24,025,234</b>	<b>59.24</b>
<b>EXPENDITURES</b>					
FINANCE	20,805	168,900	305	7,694	4.56
OTHER GEN GOVERNMENT	222,101	2,526,990	439,088	1,630,654	64.53
POLICE	307,687	1,803,310	1,330,718	1,465,466	81.27
FIRE	451,731	1,436,860	1,324,504	1,332,448	92.73
BUILDING INSPECTION	20,871	76,220	83,679-	50,811	66.66
STREETS	14,879,320	23,456,650	656,942	7,440,461	31.72
ENGINEERING	18,835	47,160	0	0	.00
RECREATION	10,486,899	5,131,895	321,331	2,070,575	40.35
LIBRARY	249,018	595,010	348	145,843	24.51
MUSEUM	244,196	1,756,170	89,569	1,207,706	68.77
STORM DRAINS & RET PONDS	411,374	1,918,720	133,660	492,879	25.69
INFORMATION TECHNOLOGY	152,996	1,638,935	0	82,440	5.03
<b>TOTAL EXPENDITURES</b>	<b>27,465,833</b>	<b>40,556,820</b>	<b>4,212,786</b>	<b>15,926,977</b>	<b>39.27</b>

CITY OF TROY  
 Monthly Financial Report  
 Sanctuary Lake Golf Course  
 For the Period Ending May 31, 2004

SANCTUARY LK GOLF COURSE FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
<b>REVENUES</b>					
CHARGES FOR SERVICES - SALES	0	2,000	389	900	45.00
CHARGES FOR SERVICES - REC	0	100,000	13,887	46,227	46.23
INTEREST AND RENTS	0	1,000	12	85	8.50
OTHER REVENUE	0	0	14	50	.00
OTHER FINANCING SOURCES	0	0	0	0	.00
<b>TOTAL REVENUE</b>	<b>0</b>	<b>103,000</b>	<b>14,274</b>	<b>47,262</b>	<b>45.89</b>
<b>EXPENDITURES</b>					
SANCTUARY LAKE GREENS	0	0	24	1,030	.00
SANCTUARY LAKE PRO SHOP	0	58,910	7,348	24,349	41.33
SANCTUARY LAKE CAPITAL	0	0	0	0	.00
<b>TOTAL EXPENDITURES</b>	<b>0</b>	<b>58,910</b>	<b>7,372</b>	<b>25,379</b>	<b>43.08</b>

CITY OF TROY  
 Monthly Financial Report  
 Sylvan Glen Golf Course  
 For the Period Ending May 31, 2004

SYLVAN GLEN GOLF COURSE FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
<b>REVENUES</b>					
CHARGES FOR SERVICES - SALES	58,910	48,000	5,564	36,743	76.55
CHARGES FOR SERVICES - REC	1,142,907	1,241,530	120,190	871,272	70.18
INTEREST AND RENTS	112,639	90,000	8,108	94,640	105.16
OTHER REVENUE	16,057	0	178	846	.00
OTHER FINANCING SOURCES	180,690	11,530	0	11,530	100.00
<b>TOTAL REVENUE</b>	<b>1,511,203</b>	<b>1,391,060</b>	<b>133,684</b>	<b>1,013,339</b>	<b>72.85</b>
<b>EXPENDITURES</b>					
SYLVAN GLEN GREENS	912,507	892,090	104,587	735,366	82.43
SYLVAN GLEN PRO SHOP	333,980	353,970	40,686	295,966	83.61
SYLVAN GLEN CAPITAL	217,552	145,000	9,659	87,357	60.25
<b>TOTAL EXPENDITURES</b>	<b>1,464,039</b>	<b>1,391,060</b>	<b>154,932</b>	<b>1,118,689</b>	<b>80.42</b>

CITY OF TROY  
 Monthly Financial Report  
 Aquatic Center  
 For the Period Ending May 31, 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	58,602	188,905	43.77
INTEREST AND RENTS	33,848	28,000	0	21,820	77.93
OTHER REVENUE	7	0	0	7-	.00
TOTAL REVENUE	417,245	459,620	58,602	210,718	45.85
EXPENDITURES					
AQUATIC CENTER	475,739	578,120	48,618	413,735	71.57
CAPITAL	11,684	50,000	7,563	7,563	15.13
TOTAL EXPENDITURES	487,423	628,120	56,181	421,298	67.07

CITY OF TROY  
 Monthly Financial Report  
 Sewer Fund  
 For the Period Ending May 31, 2004

SEWER FUND

Description	Last Year Actual	2003-04 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - FEES	210,191	200,000	12,330	174,048	87.02
CHARGES FOR SERVICES - REND	8,973,121	9,430,000	0	6,454,015	68.44
INTEREST AND RENTS	334,579	300,000	13,997	203,644	67.88
OTHER REVENUE	0	0	0	0	.00
<b>TOTAL REVENUE</b>	<b>9,517,891</b>	<b>9,930,000</b>	<b>26,327</b>	<b>6,831,707</b>	<b>68.80</b>
EXPENDITURES					
ADMINISTRATION	8,216,629	8,185,750	501,004	7,431,158	90.78
MAINTENANCE	1,412,032	1,734,630	295,254	1,447,047	83.42
CAPITAL	1,812,800	3,379,600	55,492	488,402	14.45
<b>TOTAL EXPENDITURES</b>	<b>11,441,461</b>	<b>13,299,980</b>	<b>851,750</b>	<b>9,366,607</b>	<b>70.43</b>

CITY OF TROY  
Monthly Financial Report  
Water Fund  
For the Period Ending May 31, 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	47,285	921,013	110.97
CHARGES FOR SERVICES - SALES	10,270,198	9,465,500	87	6,381,887	67.42
INTEREST AND RENTS	404,796	448,000	132,281	300,851	67.15
OTHER REVENUE	0	0	0	0	.00
TOTAL REVENUE	11,700,362	10,743,500	179,653	7,603,751	70.78
EXPENDITURES					
ADMINISTRATION	8,457,741	8,277,780	549,305	7,063,298	85.33
TRANS AND DISTRIBUTION	173,842	246,330	19,827	199,025	80.80
CUSTOMER INSTALLATION	0	108,370	10,411	20,574	18.98
CONTRACTORS SERVICE	156,818	200,260	22,279	151,296	75.55
MAIN TESTING	60,822	187,610	12,633	55,963	29.83
MAINTENANCE OF MAINS	397,601	335,420	17,031	269,337	80.30
MAINTENANCE OF SERVICES	191,824	197,190	18,755	180,617	91.60
MAINTENANCE OF METERS	189,104	250,480	13,851	179,077	71.49
MAINTENANCE OF HYDRANTS	252,574	336,530	26,094	226,273	67.24
METERS AND TAP-INS	152,435	346,930	68,775	230,356	66.40
WATER METER READING	121,940	83,270	11,303	82,910	99.57
ACCOUNTING AND COLLECTING	59,813	72,140	9,890	48,669	67.46
CAPITAL	3,285,483	8,911,000	359,079	1,512,134	16.97
TOTAL EXPENDITURES	13,499,997	19,553,310	1,139,233	10,219,529	52.26

CITY OF TROY  
 Monthly Financial Report  
 Motor Pool  
 For the Period Ending May 31, 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	304,708	3,253,447	91.41
OTHER REVENUE	351,740	147,400	63,813	281,267	190.82
OTHER FINANCING SOURCES	1,760,280	1,422,810	0	1,422,810	100.00
<b>TOTAL REVENUE</b>	<b>5,694,929</b>	<b>5,134,250</b>	<b>368,521</b>	<b>4,957,524</b>	<b>96.56</b>
EXPENDITURES					
ADMINISTRATION	472,753	488,890	42,544	422,339	86.39
OPERATION AND MAINTENANCE	2,772,608	2,937,310	233,865	2,582,434	87.92
DPW FACILITY MAINTENANCE	334,450	347,650	13,623	261,063	75.09
CAPITAL	1,353,989	1,360,400	20,914	555,357	40.82
<b>TOTAL EXPENDITURES</b>	<b>4,933,800</b>	<b>5,134,250</b>	<b>310,946</b>	<b>3,821,193</b>	<b>74.43</b>

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	6	3	9	ML	2004	3	12	.930	TBILL	2,129,000		2,124,647.38
	2004	6	4	7	REPUBLIC	2004	1	30	1.250	CD	2,009,633		2,009,633.37
	2004	6	10	9	ML	2004	3	18	.910	TBILL	2,170,000		2,165,443.00
	2004	6	11	7	MW GTY	2003	3	4	1.320	CD	1,007,178		1,007,178.49
	2004	6	11	7	HUNT BANK	2004	3	5	1.090	CD	4,018,460		4,018,460.00
	2004	6	17	9	ML	2004	4	2	.920	TBILL	2,510,000		2,505,178.01
	2004	6	18	7	FLAGSTAR	2004	3	12	1.260	CD	3,051,072		3,051,071.69
	2004	6	24	9	ML	2004	4	2	.920	TBILL	2,444,000		2,438,872.35
	2004	6	25	7	FLAGSTAR	2004	3	19	1.160	CD	1,022,929		1,022,929.05
	2004	6	25	7	REPUBLIC	2004	3	19	1.250	CD	2,012,753		2,012,752.84
	2004	6	29	7	MIDW GUART	2004	3	25	1.320	CD	2,125,374		2,125,373.64
	2004	6	30	8	FITB	1998	12	4	.550	LUG/INV	1,418,888		1,418,888.41
	2004	6	30	8	HUNT BANK	2001	11	20	.480	LUG	516,320		516,320.11
	2004	6	30	8	FITB	2003	2	27	.950	MAX SAVER	5,109,746		5,109,745.77
	2004	6	30	8	STAND FED	2003	3	27	.750	MM	4,687,801		4,687,801.31
	2004	6	30	8	NAT CITY	2004	1	1	.850	DREYFUS MM	23,773		23,773.06
	2004	6	30	8	FITB	2004	1	1	.950	MONEY FUND	369,441		369,440.58
	2004	7	1	9	ML	2004	4	2	.940	TBILL	3,676,000	8,356.77	3,667,453.30
	2004	7	2	7	FLAGSTAR	2004	4	1	1.360	CD	2,013,951	6,848.10	2,013,950.87
	2004	7	8	9	ML	2004	4	13	.920	TBILL	2,499,000	4,864.02	2,493,567.45
	2004	7	9	7	FLAGSTAR	2004	4	2	1.360	CD	2,014,482	6,773.79	2,014,482.16
	2004	7	15	7	MW GTY	2004	4	5	1.320	CD	2,016,036	6,357.98	2,016,036.44
	2004	7	15	9	ML	2004	4	23	.940	TBILL	2,096,000	3,627.82	2,091,505.83
	2004	7	16	7	FLAGSTAR	2004	4	16	1.390	CD	3,019,102	8,742.75	3,019,101.86
	2004	7	22	7	MW GTY	2004	4	6	1.310	CD	1,023,547	3,166.25	1,023,546.92
	2004	7	22	9	ML	2004	4	29	.930	TBILL	2,965,000	4,622.10	2,958,635.13
	2004	7	23	7	FLAGSTAR	2004	4	9	1.390	CD	2,014,445	6,377.96	2,014,445.49
	2004	7	29	9	ML	2004	5	7	1.000	TBILL	2,495,000	3,636.46	2,489,305.16
	2004	7	30	7	FLAGSTAR	2004	4	16	1.390	CD	2,016,022	5,838.00	2,016,021.99
	2004	8	5	9	ML	2004	5	14	.960	TBILL	2,236,000	2,714.25	2,231,102.54
	2004	8	6	7	FLAGSTAR	2004	4	23	1.670	CD	3,040,728	5,218.85	3,040,727.86
	2004	8	12	9	ML	2004	5	21	.930	TBILL	2,004,000	1,997.32	1,999,749.29
	2004	8	13	7	FLAGSTAR	2004	4	30	1.670	CD	2,048,498	5,796.22	2,048,498.46
	2004	8	19	9	ML	2004	5	27	1.030	TBILL	3,092,000	2,891.02	3,084,641.04
	2004	8	20	7	FLAGSTAR	2004	4	30	1.670	CD	3,032,161	8,579.65	3,032,161.39
	2004	8	27	7	FLAGSTAR	2004	4	30	1.670	CD	2,000,000	5,658.97	2,000,000.00
	2004	9	3	7	REPUBLIC	2004	5	21	1.250	CD	1,038,898	1,406.73	1,038,898.45
	2004	9	3	7	FLAGSTAR	2004	5	28	1.440	CD	2,000,000	2,640.00	2,000,000.00
	2004	9	10	7	FLAGSTAR	2004	5	28	1.440	CD	2,030,598	2,680.26	2,030,597.93
	2004	10	30	8	FITB	2003	6	30	5.000	FHRWI2632A	140,000		131,862.51
	2004	10	30	8	FITB	2003	10	30	5.000	FNR03 97CB	1,862,727		849,961.31
	2004	12	30	8	NATL CITY	2003	6	30	1.050	FHLB	1,000,000		1,000,000.00
	2004	12	30	8	FITB	2003	7	30	3.600	FHR03 2640	1,308,938		1,018,624.17

7 = CD 8 = Paper 9 = T-Bills

Fund	Mat Yr.	Mat Mo.	Mat Day	Type	Loc	Pur Yr.	Pur Mo.	Pur Day	Rate	Name	Face	Accrue 6/30	Book
112	2004	12	30	8	FITB	2003	7	30	5.000	FNR03 79WE	1,500,000		819,877.38
	2004	12	30	8	FITB	2004	1	27	5.500	FNR 55YA	462,554		428,240.59
	2004	12	30	8	FITB	2004	1	30	4.250	FHR 2537LA	1,172,380		954,365.77
	2004	12	30	8	FITB	2004	1	30	4.000	FHR 2535LK	3,520,000		3,520,000.00
	2004	12	30	8	FITB	2004	2	3	4.000	FNR03 24MN	2,350,000		2,339,080.56
	2004	12	30	8	FITB	2004	2	25	2.000	FHR03 2602	750,000		685,760.46
	2004	12	30	8	FITB	2004	3	25	4.500	FHR 2669DT	700,000		709,000.00
	2005	3	1	8	FITB	2002	10	9		KENT DTAN	209,000		209,000.00
	2005	5	30	8	FITB	2003	5	19	5.000	FHLMC95237	1,020,671		853,730.61
	2005	6	30	8	FITB	2004	4	23	3.000	FHLB	1,000,000		996,562.50
	2005	6	30	8	FITB	2004	5	25	4.000	FHR03 2582	1,000,000		995,468.75
	2005	9	29	8	NATL CITY	2004	3	29	1.500	FHLB	1,000,000		1,000,000.00
	2005	12	22	8	NATL CITY	2004	3	22	2.030	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		108,795.27	106,168,473.23
591	2004	6	30	7	COMERICA	1997	7	1	.816	GOV'T POOL	1,835,401		1,835,401.48
	2004	6	30	8	HUNT BANK	2001	11	21	.480	LUG	150,545		150,545.42
	2004	6	30	8	STAND FED	2003	2	20	.980	M MKT	2,685,670		2,685,669.81
	2004	6	30	8	FITB	2003	11	25	1.000	GOVT M MKT	6,768		6,768.19
	2004	6	30	7	REPUBLIC	2004	1	26	1.250	CD	137,427		137,426.81
	2004	6	30	8	NATCITY	2004	3	25	1.000	DREYFUS MM	19,984		19,984.15
	2005	3	4	8	NATL CITY	2004	3	25	1.200	FNMA	1,500,000		1,483,803.33
	2005	6	30	8	FITB	2004	4	14		FHLB	1,000,000		994,062.50
	2027	1	25	8	FITB	2004	2	2	3.750	FNR03 24MN	1,015,000		1,015,000.00
										TOTAL			8,328,661.69
688	2004	6	30	7	BANK ONE	1997	7	1	.700	GOV'T POOL	1,299,814		1,299,814.45
										TOTAL			1,299,814.45
										TOTAL	108,795.27		116,057,311.55

\*\*\* END OF REPORT \*\*\*

7 = CD 8 = Paper 9 = T-Bills

April 30, 2004 to  
May 28, 2004

Fifth Third Securities, Inc.

38 Fountain Square • MDT.COM13 • Cincinnati, OH 45202  
888 889 1025 • 513 531 8870  
Internet Address "www.53.com"

YOUR ACCOUNT

30707214  
CITY OF TROY - GENERAL ACCOUNT**Your investments — cash account**

	Quantity	Price on 5/28/04 (\$)	Value on 5/28/04 (\$)	Est. annual income (\$)	Est. yield (%)
<b>Cash and equivalents</b>					
5/3 INSTL GOVT MM PREF CLASS			369,440.58		0.73
<b>Total cash and equivalents</b>			<b>369,440.58</b>		
<b>Fixed income — taxable</b>					
<b>Government and agency bonds</b>					
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	98.6250	1,676,625.00	38,250.00	2.28
FEDERAL HOME LN BKS CONS BD CALLABLE CPN RATE = 1.5% TO 10/0 THEREAFTER 3% dDtd 04/23/04 CPN/MATY 1.5% 04/24/07 FC 05/24/04 @ 100 MOODYS Aaa S&P AAA 3133X5Q50	1,000,000	98.2810	982,810.00	15,000.00	1.52
<b>Total government and agency bonds</b>			<b>2,659,435.00</b>		
<b>Mortgage &amp; asset-backed securities</b>					
FHLMC PARTN CTF POOL E95237 dDtd 03/01/03 CPN/MATY 5% 03/01/13 FACTOR IS 0.83498 FHLMC E95237	1,000,000	100.2750	837,285.73	41,749.47	4.98
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	97.6060	2,293,741.00	94,000.00	4.09
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 0.85426 FNR03 55YA	500,000	98.7350	421,728.02	23,492.21	5.57
FEDERAL NATL MTG ASSN MULTICLA MTG PARTN CTF REMIC 2003 CL 79 dDtd 07/01/03 CPN/MATY 5% 11/25/32 FACTOR IS 0.56399 FNR03 79WE	1,500,000	95.9720	811,912.55	42,299.44	5.20
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 0.43401 FHR02 2537LA	2,000,000	100.5790	873,063.25	36,891.58	4.22
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	99.0320	3,466,120.00	140,000.00	4.03
FEDERAL HOME LN MTG CORP MULTICLASS MTG PARTN CTF SER 2003 CL 2582 PL dDtd 03/01/03 CPN/MATY 4% 01/15/27 FACTOR IS 1.00000 FHR03 2582PL	1,000,000	98.8860	988,860.00	40,000.00	4.04
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 0.85720 FHR03 2602JA	800,000	100.4840	689,079.53	37,716.82	5.47
FEDERAL NATL MTG ASSN GTD PASSTHRU CTF REMIC 2003 CL 97 dDtd 09/01/03 CPN/MATY 5% 05/25/18 FACTOR IS 0.42861 FNR03 97CB	2,000,000	100.0770	857,881.72	42,861.08	4.99
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	140,000	99.9620	139,946.80	7,000.00	5.00



Fifth Third Securities, Inc.

38 Fountain Square • MD1 COM13 • Cincinnati, OH 45202  
 888-889-1025 • 513-534-8820  
 Internet Address "www.53.com"

YOUR BROKERAGE ACCOUNT STATEMENT

April 30, 2004 to  
 May 28, 2004

YOUR ACCOUNT  
 30707214  
 CITY OF TROY - GENERAL ACCOUNT

**Your investments — cash account** cont'd

	Quantity	Price on 5/28/04 (\$)	Value on 5/28/04 (\$)	Est. annual income (\$)	Est. yield (%)
<b>Mortgage &amp; asset-backed securities</b> 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 0.78908 FHR03 2640WA	1,300,000	98.7360	1,012,849.83	35,903.56	3.54
FEDERAL HOME LN MTG CORP MUTLI MTG PARTN CTF REMIC 2003 CL 26 dDtd 08/01/03 CPN/MATY 4.5% 11/15/32 FACTOR IS 1.00000 FHR03 2669DT	700,000	98.1430	687,001.00	31,500.00	4.58
<b>Total mortgage &amp; asset-backed securities</b>			<b>13,079,469.43</b>		
<b>Municipal bonds</b>					
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		
<b>Total municipal bonds</b>			<b>209,000.00</b>		
<b>Total taxable fixed income</b>			<b>15,947,904.43</b>		
<b>Total fixed income</b>			<b>15,947,904.43</b>		
<b>Value of your cash account</b>			<b>16,317,345.01</b>		
<b>Total value of your account</b>			<b>\$16,317,345.01</b>		

**Activities in your account — cash account**

Date	Activity	Details	Quantity	Price (\$)	Amount added to (deducted from) your account (\$)
05/04/04	TAXABLE BND INT	KENT CNTY MICH VAR RATE TAXABL TAX NTS BOOK ENTRY ONLY OPT PU DIV13 CPN/MATY 0% 03/01/05			234.08
05/05/04	SWEEP	SWEPT TO 5/3 INSTL GOVT MM PR AUTOMATIC PURCHASE			(234.08)
05/14/04	SELL	FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF REMIC 2002 CL 25 CPN/MATY 4.5% 10/15/17	(1,540,000)	100.0000	971.15
05/14/04	SWEEP	SWEPT TO 5/3 INSTL GOVT MM PR AUTOMATIC PURCHASE			(971.15)
05/17/04	SELL	FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF REMIC 2003 CL 26 CPN/MATY 5% 06/15/31	(410,000)	100.0000	410,000.00
05/17/04	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
05/17/04	TAXABLE BND INT	FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF SER 2002 CL 2537 ON 2000000 CPN/MATY 4.25% 05/15/30			3,331.74
05/17/04	TAXABLE BND INT	FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF REMIC 2003 CL 26 ON 550000 CPN/MATY 5% 06/15/31			2,291.66
05/17/04	TAXABLE BND INT	FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF REMIC 2002 CL 25 ON 1540000 CPN/MATY 4.5% 10/15/17			3.85

**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	Currer 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.										
<b>Government and Agency Securities <sup>1</sup></b>										
2,129,000	U.S. TREASURY BILL ZERO% JUN 03 2004	03/12/04	99.79	2,124,647	99.98	2,128,680	N/A			
2,170,000	U.S. TREASURY BILL ZERO% JUN 10 2004	03/18/04	99.79	2,165,443	99.96	2,169,283	N/A			
2,510,000	U.S. TREASURY BILL ZERO% JUN 17 2004	04/02/04	99.80	2,505,178	99.94	2,508,719	N/A			
2,444,000	U.S. TREASURY BILL ZERO% JUN 24 2004	04/02/04	99.79	2,438,872	99.93	2,442,313	N/A			
3,676,000	U.S. TREASURY BILL ZERO% JUL 01 2004	04/02/04	99.76	3,667,453	99.91	3,672,838	N/A			
2,499,000	U.S. TREASURY BILL ZERO% JUL 08 2004	04/12/04	99.78	2,493,567	99.89	2,496,401	N/A			
2,096,000	U.S. TREASURY BILL ZERO% JUL 15 2004	04/22/04	99.78	2,091,505	99.87	2,093,463	N/A			
2,965,000	U.S. TREASURY BILL ZERO% JUL 22 2004	04/29/04	99.78	2,958,635	99.85	2,960,700	N/A			
2,495,000	U.S. TREASURY BILL ZERO% JUL 29 2004	05/07/04	99.77	2,489,305	99.83	2,490,883	N/A			
2,004,000	U.S. TREASURY BILL ZERO% AUG 12 2004	05/20/04	99.78	1,999,749	99.79	1,999,851	N/A			
2,236,000	U.S. TREASURY BILL ZERO% AUG 05 2004	05/13/04	99.78	2,231,102	99.81	2,231,796	N/A			
3,092,000	US TREASURY BILL ZERO% AUG 19 2004	05/27/04	99.76	3,084,641	99.75	3,084,517	N/A			
<b>Total Government and Agency Securities <sup>1</sup></b>				<b>30,250,100</b>		<b>30,279,451</b>				

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CITY OF TROY

DATE: July 1, 2004  
 TO: John Szerlag, City Manager  
 FROM: Mark Stimac, Director of Building & Zoning  
 SUBJECT: Permits issued during the Month of June 2004

	NO.	VALUATION	PERMIT FEE
<b><u>INDUSTRIAL</u></b>			
Fnd./Shell New	1	\$2,500,000.00	\$13,807.00
Completion (New)	1	\$140,000.00	\$663.00
Tenant Completion	1	\$100,000.00	\$713.50
Add/Alter	4	\$760,430.00	\$4,923.75
<b>Sub Total</b>	<b>7</b>	<b>\$3,500,430.00</b>	<b>\$20,107.25</b>
<b><u>COMMERCIAL</u></b>			
New	2	\$1,900,000.00	\$16,792.00
Shell New	1	\$1,184,000.00	\$7,156.50
Completion Less Tenant	2	\$44,000.00	\$626.50
Add/Alter	27	\$3,768,750.00	\$25,906.25
Wreck	1	\$6,000.00	\$200.00
<b>Sub Total</b>	<b>33</b>	<b>\$6,902,750.00</b>	<b>\$50,681.25</b>
<b><u>RESIDENTIAL</u></b>			
New	15	\$2,899,344.00	\$42,189.50
Add/Alter	42	\$1,070,319.00	\$10,639.00
Garage/Acc. Structure	11	\$68,617.00	\$1,385.00
Pool/Spa/Hot Tub	12	\$157,889.00	\$1,985.00
Repair	1	\$2,200.00	\$105.00
Wreck	6	\$7,800.00	\$710.00
Fnd./Slab/Rat Wall	1	\$1,500.00	\$40.00
Fnd./Slab/Footing	3	\$9,200.00	\$345.00
<b>Sub Total</b>	<b>91</b>	<b>\$4,216,869.00</b>	<b>\$57,398.50</b>
<b><u>TOWN HOUSE/CONDO</u></b>			
New	12	\$1,100,616.00	\$8,897.00
Add/Alter	8	\$26,750.00	\$615.00
Repair	1	\$70,000.00	\$545.00
<b>Sub Total</b>	<b>21</b>	<b>\$1,197,366.00</b>	<b>\$10,057.00</b>
<b><u>MULTIPLE</u></b>			
Add/Alter	2	\$8,000.00	\$260.00
<b>Sub Total</b>	<b>2</b>	<b>\$8,000.00</b>	<b>\$260.00</b>
<b><u>MISCELLANEOUS</u></b>			
Satellite/Antennas	2	\$22,450.00	\$307.00
Signs	58	\$0.00	\$6,340.00
Fences	22	\$0.00	\$340.00
<b>Sub Total</b>	<b>82</b>	<b>\$22,450.00</b>	<b>\$6,987.00</b>

**TOTAL**

**236**

**\$15,847,865.00**

**\$145,491.00**

**PERMITS ISSUED DURING JUNE 2004**

	NO.	PERMIT FEE
Mul. Dwel. Insp.	29	\$290.00
Cert. of Occupancy	65	\$3,738.50
Plan Review	157	\$8,223.00
Microfilm	42	\$530.00
Building Permits	236	\$145,491.00
Electrical Permits	259	\$16,814.00
Heating Permits	223	\$11,360.00
Air Cond. Permits	77	\$3,770.00
Refrigeration Permits	4	\$755.00
Plumbing Permits	191	\$11,959.00
Storm Sewer Permits	28	\$1,038.00
Sanitary Sewer Permits	21	\$701.00
Sewer Taps	21	\$9,164.00
<b>TOTAL</b>	<b>1353</b>	<b>\$213,833.50</b>

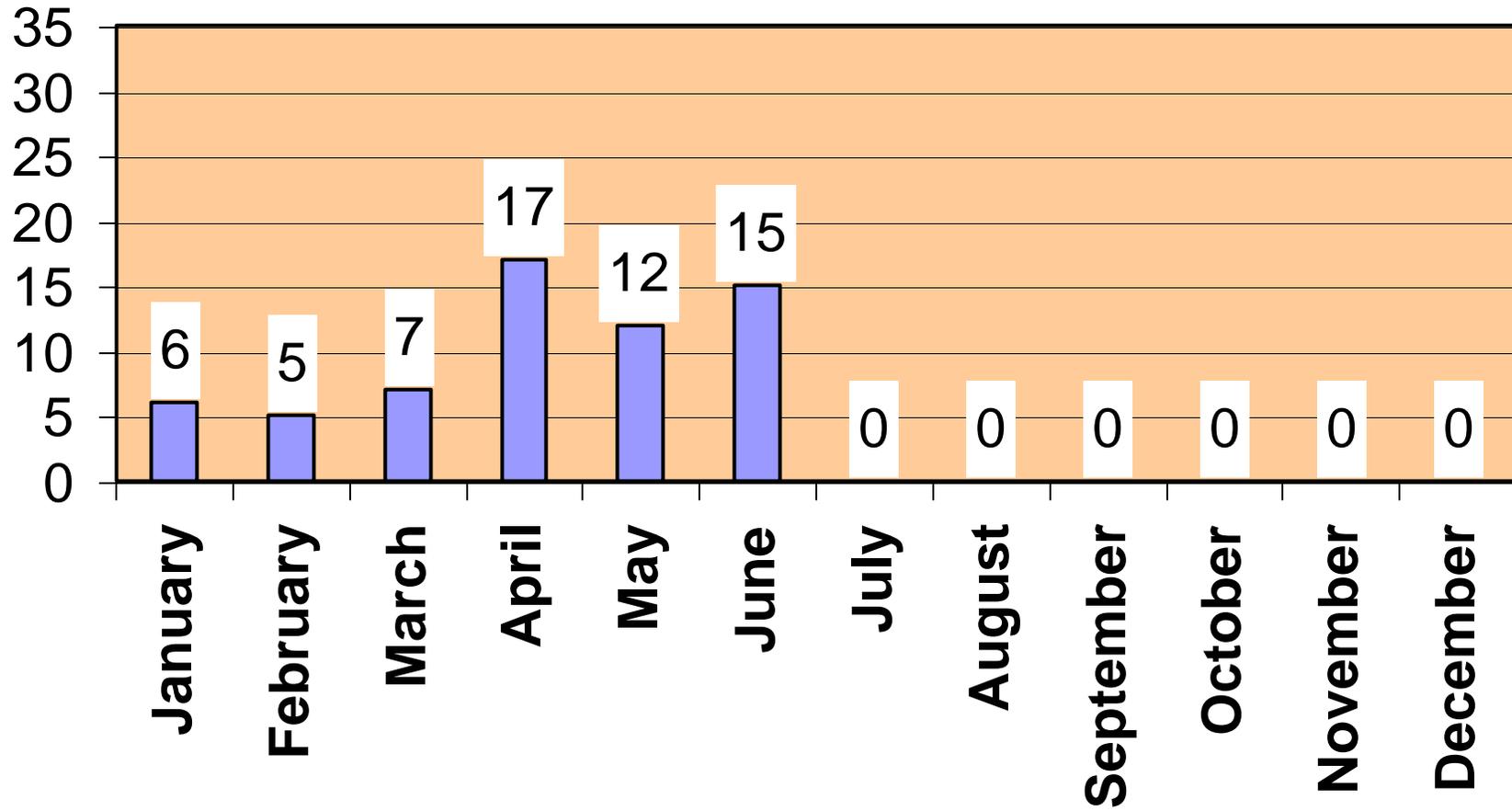
**LICENSES & REGISTRATIONS ISSUED DURING JUNE 2004**

	NO.	LICENSE FEE
Mech. Contr.-Reg.	32	\$160.00
Elec. Contr.-Reg.	32	\$480.00
Master Plmb.-Reg.	43	\$43.00
Sewer Inst.-Reg.	5	\$250.00
Sign Inst. - Reg.	5	\$50.00
E. Sign Contr-Reg.	5	\$60.00
Fence Inst.-Reg.	8	\$80.00
Bldg. Contr.-Reg.	45	\$450.00
F.Alarm Contr.-Reg.	1	\$15.00
<b>TOTAL</b>	<b>176</b>	<b>\$1,588.00</b>

## 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	159	\$9,372,242.00
APRIL	150	\$7,185,781.00	180	\$14,158,227.00
MAY	269	\$13,984,618.00	236	\$11,511,644.00
JUNE	209	\$20,116,880.00	236	\$15,847,865.00
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
<b>TOTAL</b>	<b>1984</b>	<b>\$135,885,515.00</b>	<b>1041</b>	<b>\$77,479,955.00</b>

# SINGLE FAMILY DWELLING PERMITS 2004



BRIEF BREAKDOWN OF NON-RESIDENTIAL BUILDING PERMITS  
ISSUED DURING THE MONTH OF JUNE 2004

Type of Construction	Builder or Company	Address of Job	Valuation
Commercial, Add/Alter	TRAVIS R. YOREK	2800 W BIG BEAVER S-214	185,000.00
Commercial, Add/Alter	GEOFF HUTCHINSON	2800 W BIG BEAVER T-245	360,000.00
Commercial, Add/Alter	L & R CONSTRUCTION SERVICES	3672 ROCHESTER	115,000.00
Commercial, Add/Alter	JAMES HUNT CONSTRUCTION	2800 W BIG BEAVER U-201	104,950.00
Commercial, Add/Alter	JCS CONSTRUCTION SERVICES	5225 CROOKS	150,000.00
Commercial, Add/Alter	MICCO, L L C	700 TOWER 7TH FL	125,000.00
Commercial, Add/Alter	MICCO, L L C	700 TOWER 1ST FL	125,000.00
Commercial, Add/Alter	EJH CONSTRUCTION INC	700 W FOURTEEN MILE	1,700,000.00
Commercial, Add/Alter	NEMER PROPERTY GROUP	3001 W BIG BEAVER 704	110,000.00
Total Commercial, Add/Alter			2,974,950.00
Commercial, New Building	BARTON MALOW COMPANY	2675 BELLINGHAM	1,600,000.00
Commercial, New Building	CORDELL CRAIG	366 W MAPLE	300,000.00
Total Commercial, New Building			1,900,000.00
Commercial, Shell New	WORKSTAGE LLC	2595 BELLINGHAM	1,184,000.00
Total Commercial, Shell New			1,184,000.00
Industrial, Add/Alter	PCI INDUSTRIES	1522 E BIG BEAVER	672,430.00
Total Industrial, Add/Alter			672,430.00
Industrial, Completion New	BEHR AMERICA INC	2708 DALEY	140,000.00
Total Industrial, Completion New			140,000.00
Industrial, Fnd./Shell New	SALSBERY & ASSOCIATES	1515 EQUITY	2,500,000.00
Total Industrial, Fnd./Shell New			2,500,000.00
Records 16			Total Valuation: 9,371,380.00

DATE: July 1, 2004  
 TO: John Szerlag, City Manager  
 FROM: Mark Stimac, Director of Building & Zoning  
 SUBJECT: Permits issued July 2003 through June 2004

	NO.	VALUATION	PERMIT FEE
<b><u>INDUSTRIAL</u></b>			
New	1	\$260,000.00	\$2,404.50
Fnd. New	1	\$60,000.00	\$1,087.50
Fnd./Shell New	1	\$2,500,000.00	\$13,807.00
Completion (New)	3	\$710,000.00	\$4,251.50
Completion Less Tenant	1	\$75,000.00	\$546.75
Tenant Completion	4	\$190,000.00	\$1,700.50
Accessory Structure	1	\$10,000.00	\$434.00
Add/Alter	59	\$12,579,432.00	\$88,818.50
<b>Sub Total</b>	<b>71</b>	<b>\$16,384,432.00</b>	<b>\$113,050.25</b>

<b><u>COMMERCIAL</u></b>			
New	8	\$8,252,675.00	\$58,889.75
Fnd. New	2	\$286,800.00	\$7,590.25
Shell New	3	\$1,416,000.00	\$8,797.50
Fnd./Shell New	6	\$6,203,065.00	\$63,153.40
Completion (New)	5	\$2,779,767.00	\$16,875.50
Completion Less Tenant	3	\$94,000.00	\$1,261.50
Tenant Completion	26	\$3,774,995.00	\$34,479.31
Add/Alter	232	\$30,343,319.00	\$218,382.30
Wreck	8	\$26,000.00	\$1,400.00
Kiosk	2	\$1,000.00	\$50.00
<b>Sub Total</b>	<b>295</b>	<b>\$53,177,621.00</b>	<b>\$410,879.51</b>

<b><u>RESIDENTIAL</u></b>			
New	136	\$24,039,552.00	\$300,757.90
Add/Alter	355	\$8,488,262.00	\$89,774.00
Garage/Acc. Structure	92	\$948,023.00	\$12,876.50
Pool/Spa/Hot Tub	53	\$709,486.00	\$9,380.00
Ent. Wall/Masonry Fence	1	\$5,000.00	\$85.00
Repair	21	\$484,324.00	\$5,141.50
Fire Repair	6	\$353,488.00	\$2,759.00
Temporary Sales Trailer	1	\$25,000.00	\$296.75
Wreck	50	\$18,600.00	\$7,300.00
Fnd./Slab/Rat Wall	3	\$4,900.00	\$170.00
Fnd./Slab/Footing	12	\$49,300.00	\$1,180.00
<b>Sub Total</b>	<b>730</b>	<b>\$24,264,760.00</b>	<b>\$269,255.05</b>

<b><u>TOWN HOUSE/CONDO</u></b>			
New	193	\$20,556,183.00	\$182,952.75
Add/Alter	47	\$233,485.00	\$4,285.00
Ent. Wall/Masonry Fence	1	\$80,000.00	\$600.00

Repair	1	\$70,000.00	\$545.00
<b>Sub Total</b>	<b>242</b>	<b>\$20,939,668.00</b>	<b>\$188,382.75</b>

**MULTIPLE**

Add/Alter	22	\$198,420.00	\$3,137.25
Garage/Acc. Structure	3	\$36,100.00	\$760.00

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<b>Sub Total</b>	<b>25</b>	<b>\$234,520.00</b>	<b>\$3,897.25</b>
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**INSTITUTIONAL/HOSPITAL**

Add/Alter	8	\$8,492,247.00	\$48,842.75
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<b>Sub Total</b>	<b>8</b>	<b>\$8,492,247.00</b>	<b>\$48,842.75</b>
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**MUNICIPAL**

New	2	\$18,000.00	\$0.00
Add/Alter	5	\$1,036,750.00	\$0.00

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<b>Sub Total</b>	<b>7</b>	<b>\$1,054,750.00</b>	<b>\$0.00</b>
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**RELIGIOUS**

New	1	\$13,000,000.00	\$22,786.50
Add/Alter	3	\$2,910,000.00	\$18,258.00

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<b>Sub Total</b>	<b>5</b>	<b>\$15,913,200.00</b>	<b>\$41,165.50</b>
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**MISCELLANEOUS**

Satellite/Antennas	15	\$362,728.00	\$4,119.50
Signs	544	\$0.00	\$58,620.00
Fences	168	\$0.00	\$2,665.00

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<b>Sub Total</b>	<b>727</b>	<b>\$362,728.00</b>	<b>\$65,404.50</b>
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<b>TOTAL</b>	<b>2110</b>	<b>\$140,823,926.00</b>	<b>\$1,140,877.56</b>
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**PERMITS ISSUED JULY 2003 THROUGH JUNE 2004**

	NO.	PERMIT FEE
Mul. Dwel. Insp.	912	\$9,120.00
Cert. of Occupancy	658	\$35,035.30
Plan Review	1368	\$73,220.64
Microfilm	389	\$5,228.00
Building Permits	2110	\$1,301,343.16
Electrical Permits	2520	\$176,412.00
Heating Permits	2120	\$100,370.00
Air Cond. Permits	666	\$29,549.00
Refrigeration Permits	16	\$1,525.00
Plumbing Permits	1640	\$139,035.00
Storm Sewer Permits	202	\$10,360.00
Sanitary Sewer Permits	170	\$5,955.00
Sewer Taps	343	\$102,111.60
<b>TOTAL</b>	<b>13114</b>	<b>\$1,989,264.70</b>

**LICENSES & REGISTRATIONS ISSUED JULY 2003 THROUGH JUNE 2004**

	NO.	LICENSE FEE
Mech. Contr.-Reg.	434	\$2,170.00
Elec. Contr.-Reg.	396	\$5,940.00
Master Plmb.-Reg.	274	\$274.00
Sewer Inst.-Reg.	55	\$2,700.00
Sign Inst. - Reg.	73	\$730.00
E. Sign Contr-Reg.	27	\$390.00
Fence Inst.-Reg.	35	\$350.00
Bldg. Contr.-Reg.	251	\$2,500.00
F.Alarm Contr.-Reg.	31	\$465.00
<b>TOTAL</b>	<b>1576</b>	<b>\$15,519.00</b>

DATE: July 1, 2004  
 TO: John Szerlag, City Manager  
 FROM: Mark Stimac, Director of Building & Zoning  
 SUBJECT: Permits issued January through June 2004

	NO.	VALUATION	PERMIT FEE
<b><u>INDUSTRIAL</u></b>			
Fnd./Shell New	1	\$2,500,000.00	\$13,807.00
Completion (New)	1	\$140,000.00	\$663.00
Tenant Completion	1	\$100,000.00	\$713.50
Accessory Structure	1	\$10,000.00	\$434.00
Add/Alter	38	\$6,268,545.00	\$44,807.75
<b>Sub Total</b>	<b>42</b>	<b>\$9,018,545.00</b>	<b>\$60,425.25</b>
<b><u>COMMERCIAL</u></b>			
New	6	\$6,666,675.00	\$47,247.25
Fnd. New	1	\$236,800.00	\$6,350.25
Shell New	3	\$1,416,000.00	\$8,797.50
Fnd./Shell New	2	\$1,608,065.00	\$29,329.15
Completion (New)	2	\$1,050,000.00	\$6,736.50
Completion Less Tenant	2	\$44,000.00	\$626.50
Tenant Completion	13	\$1,050,231.00	\$13,616.50
Add/Alter	125	\$18,477,811.00	\$131,782.75
Wreck	5	\$6,000.00	\$1,000.00
<b>Sub Total</b>	<b>159</b>	<b>\$30,555,582.00</b>	<b>\$245,486.40</b>
<b><u>RESIDENTIAL</u></b>			
New	62	\$11,796,448.00	\$149,961.35
Add/Alter	169	\$3,909,002.00	\$42,351.50
Garage/Acc. Structure	39	\$263,544.00	\$4,590.00
Pool/Spa/Hot Tub	29	\$473,541.00	\$5,510.00
Ent. Wall/Masonry Fence	1	\$5,000.00	\$85.00
Repair	12	\$289,736.00	\$3,061.50
Fire Repair	3	\$165,460.00	\$1,314.00
Temporary Sales Trailer	1	\$25,000.00	\$296.75
Wreck	20	\$18,600.00	\$2,770.00
Fnd./Slab/Rat Wall	2	\$2,500.00	\$65.00
Fnd./Slab/Footing	5	\$13,700.00	\$490.00
<b>Sub Total</b>	<b>343</b>	<b>\$16,962,531.00</b>	<b>\$210,495.10</b>
<b><u>TOWN HOUSE/CONDO</u></b>			
New	58	\$6,101,356.00	\$50,029.50
Add/Alter	26	\$62,313.00	\$1,620.00
Repair	1	\$70,000.00	\$545.00
<b>Sub Total</b>	<b>85</b>	<b>\$6,233,669.00</b>	<b>\$52,194.50</b>
<b><u>MULTIPLE</u></b>			

Add/Alter	10	\$102,420.00	\$1,577.25
Parking Lot		\$0.00	\$0.00
<b>Sub Total</b>	<b>10</b>	<b>\$102,420.00</b>	<b>\$1,577.25</b>

**INSTITUTIONAL/HOSPITAL**

Add/Alter	4	\$1,255,000.00	\$7,900.75
<b>Sub Total</b>	<b>4</b>	<b>\$1,255,000.00</b>	<b>\$7,900.75</b>

**RELIGIOUS**

New	1	\$13,000,000.00	\$22,786.50
Add/Alter	2	\$110,000.00	\$935.50
<b>Sub Total</b>	<b>3</b>	<b>\$13,110,000.00</b>	<b>\$23,722.00</b>

**MISCELLANEOUS**

Satellite/Antennas	7	\$242,208.00	\$2,321.50
Signs	299	\$0.00	\$33,170.00
Fences	89	\$0.00	\$1,405.00
<b>Sub Total</b>	<b>395</b>	<b>\$242,208.00</b>	<b>\$36,896.50</b>

<b>TOTAL</b>	<b>1041</b>	<b>\$77,479,955.00</b>	<b>\$638,697.75</b>
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**PERMITS ISSUED JANUARY THROUGH JUNE 2004**

	NO.	PERMIT FEE
Mul. Dwel. Insp.	484	\$4,840.00
Cert. of Occupancy	299	\$16,381.00
Plan Review	745	\$39,668.50
Microfilm	209	\$2,812.00
Building Permits	1041	\$638,697.75
Electrical Permits	1385	\$92,418.00
Heating Permits	1109	\$51,110.00
Air Cond. Permits	332	\$15,924.00
Refrigeration Permits	10	\$1,140.00
Plumbing Permits	893	\$66,538.00
Storm Sewer Permits	91	\$5,732.00
Sanitary Sewer Permits	105	\$3,643.00
Sewer Taps	121	\$44,732.00

<b>TOTAL</b>	<b>6824</b>	<b>\$983,636.25</b>
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**LICENSES & REGISTRATIONS ISSUED DURING THE MONTH OF JANUARY THROUGH JUNE 2004**

	NO.	LICENCE FEE
Mech. Contr.-Reg.	165	\$825.00
Elec. Contr.-Reg.	259	\$3,885.00
Master Plmb.-Reg.	152	\$152.00
Sewer Inst.-Reg.	28	\$1,350.00
Sign Inst. - Reg.	42	\$420.00
E. Sign Contr-Reg.	22	\$315.00
Fence Inst.-Reg.	22	\$220.00
Bldg. Contr.-Reg.	122	\$1,210.00

F.Alarm Contr.-Reg.	19	\$285.00
<b>TOTAL</b>	<b>831</b>	<b>\$8,662.00</b>

**CITY COUNCIL EXPENSE REPORT**  
**Month of APRIL 2004**

<u>Council Person</u>	<u>Expense /Reimbursement Date</u>	<u>Purpose</u>	<u>Amount</u>	<u>Totals</u>
Beltramini, Robin	4/6/2004	Quarterly Fax & Web Charge 4/04 to 6/04	\$ 123.72	
Broomfield, Cristina				\$ 123.72
Eisenbacher, David				
Howrylak, Martin F.	4/20/2004	FAX LINE	\$ 22.95	
Lambert, David	4/6/2004	Quarterly Fax & Web Charge 4/04 to 6/04	\$ 212.85	
Schilling, Louise				\$ 212.85
Stine, Jeanne M.				
<b>Total for Month</b>				<b>\$ 336.57</b>

NOTE: This report is presented in compliance with Rules of Procedure for the City Council, Item 18. Miscellaneous Expenses

Date Prepared: 06/01/04  
 Final Preparation By: J. Nash

**CITY COUNCIL EXPENSE REPORT**  
**Month of May 2004**

<u>Council Person</u>	<u>Expense/Reimbursement Date</u>	<u>Purpose</u>	<u>Amount</u>	<u>Totals</u>
Beltramini, Robin				
Broomfield, Cristina				
Eisenbacher, David				
Howrylak, Martin F.	5/19/2004	FAX LINE	\$ 21.70	
Lambert, David				\$ 21.70
Pryor, Matt				
Stine, Jeanne M.				
<b>Total for Month</b>				<b>\$ 21.70</b>

NOTE: This report is presented in compliance with Rules of Procedure for the City Council, Item 18. Miscellaneous Expenses

Date Prepared: 6/1/2004  
 Final Preparation By: J. Nash

To: Ste Alderman

J-03a

SCHOOL DISTRICT OF THE CITY OF ROYAL OAK

Wood Elementary School  
26 West Twelve Mile Road  
Royal Oak, Michigan 48073-3997



Kathryn M. Wilson, Interim Principal  
(248) 541-0229  
Fax (248) 541-4709

REC'D MAY 18 2004

May 11 2004

Charles R. Barnes  
Nature Center Manager  
Lloyd A. Stage Nature Center  
6685 Coolidge Highway  
Troy, Michigan 48098-1943

Dear Mr. Barnes,

On the afternoon of Thursday, May 6<sup>th</sup> the third grade classes from our school took part in a field trip to your facility. I am writing to extend my personal thanks to you and your staff for the assistance that was provided to Mr. Lawson and one of his students.

Mr. Lawson was very appreciative of the support he received as he was trying to deal with the out of control student. I understand that it was necessary to call the police and EMS. We appreciate your prompt response to the extremity of the situation.

We look forward to being at your facility in the future with our students. Thank you again for your professionalism and support.

Sincerely,

Kathryn M. Wilson

TO:

- Carol Anderson
- Ste Alderman

J-3a



C O U N T Y M I C H I G A N  
D E P A R T M E N T O F H U M A N S E R V I C E S

L. BROOKS PATTERSON, OAKLAND COUNTY EXECUTIVE

HEALTH DIVISION  
George J. Miller, M.A., Manager

June 2, 2004

Sgt. Donald Ostrowski  
City of Troy Police Department  
500 W. Big Beaver Road  
Troy, MI 48084

Dear Sgt Ostrowski:

Thank you for taking the time out of your busy schedule to present at the Oakland County PPE in service training on April 23, 2004. The in service was key in educating the Oakland County staff on weapons of mass destruction. The role of emergency response and how the Health Division may become part of that response. The information presented was thorough and comprehensive and we thank you again.

The staff found the presentation very informative. If there is anything in the future that we can assist in, please contact us at (248) 424-7036.

Sincerely,

**OAKLAND COUNTY HEALTH DIVISION**  
**Department of Human Services**

Christy Lupu, R.S.  
Senior Public Health Sanitarian  
Environmental Health Services

CC: City Mgr.  
DEPT. FILE

**RECEIVED**  
Chief of Police  
6/17/04 CTC



**ASSOCIATION OF BLOOMFIELD TOWNSHIP  
POLICE OFFICERS**  
4200 TELEGRAPH RD.  
BLOOMFIELD HILLS, MI 48302



City of Troy Police Department  
500 W. Big Beaver Rd.  
Troy, MI 48084

June 4, 2004

To Our Brothers and Sisters at the Troy Police Department;

Words cannot express the profound gratitude that we feel for the generous help and support you have given us during the loss of our brother, Gary Davis.

In a time of need, those of us in law enforcement are truly a family, and this was never better exemplified than your performance on those days following the loss of Gary.

Rest assured that your sacrifices and kind thoughts will never be forgotten.

With the utmost respect,

Mark Davis  
President

CC: CITY MGR.  
CAPTAINS  
SGT. FEDMAN  
OFF. BREIDENBACH  
Bulletin Boards

RECEIVED  
Chief of Police  
6/9/04 CE

To The Troy Police Department

CC: City Mgr.  
Capt. Mayse  
File



It was really nice of you.

It was our privilege to attend the Open House tour for Seniors last week, all aspects of the program were well presented and informative. We are proud to say we live in Troy.

Sincerely  
Ken and Sarah Linton

**Brian Stoutenburg**

---

**From:** Brian Stoutenburg  
**Sent:** Thursday, June 24, 2004 9:36 AM  
**To:** Mary Ann Nemshick  
**Subject:** Letter of appreciation - Museum

June 19,2004

You did an outstanding job presenting "Cheddar's Trunk" to both my AM class and my PM class. I've been with many classes on many field trips and the trip to the Museum and Village is the best. It is in close proximity to the school, it is the history of where these students live now, and it is wonderfully age appropriate.

Thank you so much for your time and effort on our behalf. We had an awesome experience!

Sincerely,

Cindy Kollsar

JUN 30 2004 PM 2:36

June 28, 2004  
City of Troy  
City Attorney's Office

Lori Bluhm, City Atty  
City of Troy  
City Hall  
500 West Big Beaver Rd  
Troy, MI 48084

Subject: 6<sup>th</sup> Annual MAMA / PCLS Summer Educational  
Conference

Dear Lori:

Your participation in the 6<sup>th</sup> Annual MAMA / PCLS Summer Educational Conference contributed to making it the best attended in recent years.

Your presentation of SEWER LIABILITY AND LITIGATION: PAST, PRESENT AND FUTURE. Including, *Pohutski* and its prospective application, Act 222 (MCL 691.1416 et seq.) and practical techniques to insulate the local governments from claims, was exceptionally well done and very well received. Thank you.

I hope that you will be able to attend future conferences.

Sincerely,



PETER A. LETZMANN  
Chair, MAMA Professionalism and  
Education Committee

/pal

PC: Louise Schilling, Mayor

**Mary F Redden**

---

**From:** Dave Lambert [dave@lambert.net]  
**Sent:** Wednesday, June 30, 2004 4:48 PM  
**To:** John Szerlag  
**Subject:** Fw: Awesome Lifeguards!

John:

I thought you would like to see the email below. Please pass on my compliments to the staff for a job well-done!

Dave Lambert

----- Original Message -----

**From:** [GSFaubert@aol.com](mailto:GSFaubert@aol.com)  
**To:** [blizzardam@ci.troy.mi.us](mailto:blizzardam@ci.troy.mi.us)  
**Cc:** [andersonck@ci.troy.mi.us](mailto:andersonck@ci.troy.mi.us) ; [dave@lambert.net](mailto:dave@lambert.net)  
**Sent:** Wednesday, June 30, 2004 4:20 PM  
**Subject:** Awesome Lifeguards!

Ms. Blizzard,

I just had to tell you that I thought the lifeguards did a wonderful job today working as a team to save a little boy's life. I happened to have a front row seat for the incident and was impressed with how quickly and calmly the lifeguards responded.

I am sure the boy's parents are thankful but I am too. As a parent with two small children that swim at both the Aquatic Center and the Community Center, it is reassuring to know that the lifeguards do their job and do it well!

Please let them know how important we think they are and that we appreciate all that they do.

Sincerely,

Susan Faubert & Family

**CITY OF BIRMINGHAM****RESOLUTION # 05-186-04****Urging Regulation of Cable Television Rates**

- WHEREAS, In an effort to bring effective competition to the market, Congress deregulated cable television rates with The Telecommunications Act of 1996; and**
- WHEREAS, evidence from the General Accounting Office (GAO) indicates that when an incumbent cable operator faces competition from another cable provider, rates are approximately 15% lower, service levels higher and new services are added without an increase in cost to subscribers; and**
- WHEREAS, such competition is not available for most cable subscribers; and**
- WHEREAS, the 2004 annual report on the Status of Competition in the Market for Delivery of Video Programming by the Federal Communications Commission (FCC) describes regulatory and other barriers that limit the ability of prospective video program distributors to compete with incumbent cable operators with long-term and/or exclusive contracts; and**
- WHEREAS, those barriers include a significant infrastructure investment that potential competitors regard as a high-cost expenditure with little or no assured return; and**
- WHEREAS, between April 2000 and April 2004 cable prices for subscribers in Birmingham Area Cable Board communities rose 50.3%, while the Consumer Price Index (CPI) increased 9.5%;**
- NOW, THEREFORE, be it resolved that the City of Birmingham urges Congress to reinstate cable rate regulation;**
- BE IT ALSO RESOLVED that a copy of this resolution be sent to Michael Powell, Chairman of the FCC; to the Honorable Congressmen Joseph Knollenberg and Sander Levin; to the Honorable Senators Carl Levin and Debbie Stabenow; to the chairs of appropriate House and Senate Committees, and to government officials in neighboring communities.**

# July 2004

July 2004							August 2004						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
4	5	6	7	8	9	10	1	2	3	4	5	6	7
11	12	13	14	15	16	17	8	9	10	11	12	13	14
18	19	20	21	22	23	24	15	16	17	18	19	20	21
25	26	27	28	29	30	31	22	23	24	25	26	27	28
							29	30	31				

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
			July 1		2
					3
					4
5	6	7	8	9	10
	7:00pm Ethnic Issues Advisory Board (Conference Room C) 7:30pm Planning - Study (Council Boardroom)	8:30am BUILDING CODE BOARD OF APPEALS (Conference Room L) 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)	7:30am Updated: DDA Meeting (Conference Room Lower Level) 12:00pm Retirement System Board of Trustees (Conference Room C)	7:00pm Cable Adv (Conference Room C)		18
19	20	21	22	23	24
7:30pm City Council-Regular (Council Chambers) 7:30pm Study Session (Council Boardroom)	2:00pm Board of Review (Conference Room D) 7:30pm BZA (Chambers) 7:30pm Historic District (Conference Room C) 7:30pm BOARD OF ZONING				25
26	27	28	29	30	31
	7:30pm Planning-Study (Council Boardroom) 7:30pm Historical Commission (Troy Museum) 7:30pm Troy Daze (Community Center)				

7/19 Park Var. Req. 230 W. Maple  
 7/19 Park Var. Req. 1915 E. Maple  
 7/19 PH Rezoning App. Z-582 Sec. 25 B-3 to H-S

J-5

# August 2004

August 2004						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

September 2004						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
					August 1
2	3	4	5	6	7
	<b>Election - State Primary</b> 7:30pm Planning - Study (Council Boardroom)	8:30am BUILDING CODE BOARD OF APPEALS (Conference Room L)  7:00pm Persons w/Dis (Conference Room)			8
9	10	11	12	13	14
7:30pm City Council-Regular (Council Chambers)  7:30pm Tentative Study Session (Council Boardroom)	7:30pm Planning Commission - Reg (Council Chambers)	12:00pm Retirement System Board of Trustees (Conference Room C)	7:30pm Library Adv (Library Conference Room)  7:30pm Parks and Recreation Bd (Community Center)		15
16	17	18	19	20	21
	8:00am Historic District (Conference Room C)  7:30pm BZA (Chambers)  7:30pm BOARD OF ZONING APPEALS (Council C	7:30am DDA Meeting (Conference Room Lower Level)			22
23	24	25	26	27	28
7:30pm City Council-Regular (Council Chambers)  7:30pm Study Session (Council Boardroom)	7:30pm Planning-Study (Council Boardroom)  7:30pm Historical Commission (Troy Museum)  7:30pm Troy Daze	7:00pm Troy Youth (Conference Room Lower Level)			29
30	31				

# September 2004

September 2004						
S	M	T	W	T	F	S
		1	2	3	4	
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

October 2004						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
		September 1	2	3	4
		8:30am BUILDING CODE BOARD OF APPEALS (Conference Room L) 7:00pm Persons w/Dis (Conference Room Lower Level)	10:00am Senior Advisory (Community Center)		5
6	7	8	9	10	11
	7:00pm Ethnic Issues Advisory Board (Conference Room C) 7:30pm Planning - Study (Council Boardroom)	12:00pm Retirement System Board of Trustees (Conference Room C)	7:30pm Library Adv (Library Conference Room) 7:30pm Parks and Recreation Bd (Community Center)		12
13	14	15	16	17	18
7:30pm City Council-Regular (Council Chambers) 7:30pm Tentative Study Session (Council Boardroom)	7:30pm Planning Commission - Reg (Council Chambers)	7:30am DDA Meeting (Conference Room Lower Level)			19
20	21	22	23	24	25
7:30pm City Council-Regular (Council Chambers) 7:30pm Study Session (Council Boardroom)	7:30pm BZA (Chambers) 7:30pm Historic District (Conference Room C) 7:30pm BOARD OF ZONING APPEALS (Council Chambers)	7:00pm Troy Youth (Conference Room Lower Level)			26
27	28	29	30		
7:30pm City Council-Regular (Council Chambers)	7:30pm Planning-Study (Council Boardroom) 7:30pm Historical Commission (Troy Museum)				

**To:** Mayor and Members of City Council  
cc: John Szerlag, City Manager  
Lori Grigg Bluhm, City Attorney

**From:** Robin Beltramini, Mayor Pro Tem 

**Subject:** NLC Committee and Panel Meetings  
Chicago IL June 10-12, 2004

**Date:** June 24, 2004

Attached you will find the "work product" from my weekend meeting of the Municipalities in Transition—Democratic Governance Panel. I am particularly excited about this work as it can be applied in Troy. Our community has had, and will continue to have, difficult and complex decisions to face. This methodology may provide a mechanism for better involvement of all stakeholders in these decisions. As you can see from the draft, more information will be available at the NLC meeting in November in Indianapolis. The process is ongoing.

Thank you for the opportunity to represent Troy at the meetings and as part of this undertaking.

REB

**National League Of Cities**  
**MUNICIPALITIES IN TRANSITION PANEL ON DEMOCRATIC GOVERNANCE**

**Why this panel?**

The purpose of the Panel on Democratic Governance is to support NLC members seeking to more effectively engage citizens in responding to their cities' most daunting challenges and promising opportunities.

Across the country cities are exploring a diverse array of approaches to reengage the broader public, not just as taxpayers and consumers of services, but as full-on partners to meet many of the challenges faced by their local communities and governments. The challenges confronting our cities emerge from multiple sources, including:

- Budget crises arising from declining revenues, increasing costs, and increasing service demands;
- Changing demographics that strain existing service delivery systems and challenge long-standing patterns of neighborhoods and community; and
- Eroding trust in government, coupled with historically low rates of voting and participation in traditional government processes.

The causes and scope of our cities' challenges often require more than simple management solutions. City governments have begun to pursue a myriad of participatory processes, inviting citizens to help forge solutions to even the most complex and daunting problems. Through these processes, city officials, both elected and appointed, are learning about the potential for meaningful citizen engagement to dramatically improve results; they are also learning first hand the inherent tensions between participatory democracy, representative democracy, and local government administration.

**What will the panel do?**

As part of its work over the next several years, the Panel will develop concrete tools and products that address three inter-related questions:

1. What lessons can we draw from cities that already are evolving new forms of civic engagement and public deliberation? In particular, what processes have:
  - Fully engaged diverse constituencies, and addressed differences in power within the city?
  - Effectively addressed issues of ethics and trust?
  - Led to significant breakthroughs in budget and/or policy dilemmas, or significant improvements in quality of life measures?
  - Continued over time, leading to a sustained change in how the city conducts its business?
  - Not worked well, and why?
2. How can cities accelerate the development of new forms and processes of democratic governance? In particular:
  - What roles should local elected officials and staff play in these efforts?
  - What issues or policy dilemmas best lend themselves to these efforts?
  - What processes have begun to help communities successfully engage regional issues?
  - When is it appropriate for these processes to offer input to traditional representative processes of decision-making, and when is it appropriate for these processes to have more direct decision-making authority?
  - What structures do communities need to evolve to support these processes over time?
3. What do elected officials and professional staff members require to better facilitate and lead these efforts?

## MEMORANDUM

TO: Members of the NLC Democratic Governance Panel  
FROM: John Ott  
DATE: Wednesday, June 23, 2004  
RE: **Summary of data and decisions from our Chicago meeting**

---

Hello all. For those of you who were present at the meeting in Chicago, congratulations on some terrific work. For those of you who were not able to be with us, know that you were missed. Also know that we very much look forward to you participating in one or more of the workgroups that we have formed, and in the work that we will conduct during the December NLC meeting. What follows is my summary of the data and decisions that emerged from the Chicago meeting.

I. **The message of the Panel:** please see attached draft of the message the committee has drafted to summarize its focus. Please send feedback to me no later than Friday, June 25<sup>th</sup> so we can prepare the final document for the upcoming NLC meeting.

### II. Products the panel will commit to create

#### A. Products the Panel will create by November 2004

1. The hook: A paper outlining the reasons for pursuing democratic governance, and some of the challenges communities and their elected officials and staff may encounter when they do. (Including concrete examples that speak to all size cities; not just theory)
2. Prototypes of:
  - a. A how to get started document
  - b. An assessment tool that will help cities understand where they are on a continuum and what next steps might best suit them.
  - c. A toolkit and clearinghouse of best practices to support cities
    - (1) Distinction between one-times and sustained infrastructure.
    - (2) Leadership development and facilitation tools
    - (3) Video from San Jose
  - d. A document outlining potential performance measures, including data sources
  - e. A bibliography and a list of resources, including best practices, organizations, consultants, etc.
3. A long-term budget for the products to emerge from the prototypes
4. A learning session for the November 2004 NLC gathering in Indianapolis, IN
  - a. Potential title: "Building trust through civic engagement"
  - b. Include focus on facilitation skills
  - c. Include specific pitch at the meeting for newly electeds
  - d. Could include Lakewood lab results
5. An additional roundtable with the chairs/vice-chairs of FAIR/others (including constituency groups) at November meeting

John G. Ott & Associates

517 Muskingum Place • Pacific Palisades CA 90272 • Ph: 310.454.3832 • Fx: 310.943.2629 • Em: jgott@earthlink.net

## B. Products for 2005

1. Review and possible revision/expansion of the Panel structure
2. A session on Democratic Governance at the March 2005 NLC session
3. First stages of organizing a Leadership Summit on Democratic Governance
4. Results from the Lakewood Lab
5. Implementation and dissemination of products developed to date

## C. Products for beyond 2005

1. Connecting Democratic Governance to Inter-governmental relations
2. Connecting Democratic Governance to Regionalism

## III. Work groups to take the next steps on the products

- A. The hook: Bev Perry, Lois Giess, Robin Beltramini, Bob Porter
- B. The prototypes: Mark Linder; Kevin Frazell; Bev Perry; Henrietta Davis (feedback only)
- C. The roundtable: Steve Cassano; Steve Burkholder; Bob Porter
- D. The learning session: Jacqueline McHenry; Henrietta Davis; Sylvia Lovely; Mark Linder
- E. Long-term budget: Steve Burkholder, Bev Perry, Sylvia Lovely; staff
- F. Conference calls or other efforts to brief folks not here: Robin Beltramini; Henrietta Davis; Lois Giess; Mark Linder; Steve Burkholder; Bev Perry

## IV. Beginning progress on products

### A. Performance measures

1. Voting participation rates
2. Measures of volunteerism
3. Occurrence of and participation in community-organized events—e.g., block parties
4. Quality of life measures—e.g., crime rates; perceptions of safety, etc.
5. Measures of trust in and satisfaction with local government
6. Property valuation rates
7. Emergence of action that goes beyond City-sponsored projects
8. Measures of cross-neighborhood cooperation and collaboration
9. Measures of regional cooperation and collaboration
10. Participation at City Council meetings
11. Additional performance measures suggested by Henrietta following the meeting
  - a. Voter *registration* rates
  - b. Number of communications from city government to residents
  - c. Measures that would document participation by sub-groups:
    - (1) Minorities
    - (2) Youth
    - (3) Older (by age) citizens
    - (4) Newer citizens
    - (5) Older citizens (by length of time living in the city)
  - d. Changes by city government in response to citizen engagement

- B. What are **the reasons to pursue democratic governance** in our communities?
1. Decreased \$
  2. Better government
    - a. Better understanding of issues
    - b. More feedback
  3. Ability to communicate about more complex issues
    - a. E.g., taxes and what they pay for and why they are essential
    - b. Mandates
    - c. Decision-making and other processes have changed
    - d. Ability to communicate about more complex issues
  4. Restore trust
  5. Leadership development
  6. Declining participation—e.g., voting and other traditional forms of participation
    - a. Empowering the disempowered
    - b. Diversity
    - c. Fewer organizations to be a part of
    - d. Creating new forms of engagement
  7. Changes in technology
    - a. More ways to communicate
    - b. More reasons to communicate—e.g., best practices
  8. Creating different processes that can lead to better decisions on community challenges
  9. A way to create a better vision for your community
  10. People support that which they help create
- C. What are **the barriers or places of resistance** we have encountered?
1. Legal requirements—e.g., zoning; other regulations
  2. Perception: this is a done deal
  3. Financial: this cost dollars and staff time
  4. Same people always show up
  5. We don't like to be criticized
  6. Can be threatening to electeds and staff
  7. Lack of sincere commitment
  8. Question: what is meaningful involvement?
  9. Do we have benchmarks for what we are trying to achieve?
  10. TIME: both takes personal time and can lengthen time for decision
  11. Sustainability: how? What does this cost? Will and can it be sustained?
  12. Parochialism
    - a. If organize people, can become parochial
    - b. Particularly related to financial resources
  13. Diversity (not just race and ethnicity)
  14. Personal bias (I've got the answer)
  15. Communicating results (**can be a barrier if we don't; can be an asset if we do**)
    - a. Celebrating results
    - b. Who we give credit to
  16. No follow-through is a huge barrier

17. Editorial reports or changing what gets reported
18. Lack of understanding of what is being done and why; clear expectations about outcomes
19. Threat to business
20. Different learning styles
21. Coordinating the multiple efforts that are there
22. Training our own competition
23. "Already doing that"
24. Threatening loss of "authority" "control" and "power" (ego)
25. "Professional standards" (City manager: this is how I do this; Mayor/Council: I am doing something the rest of the world thinks is weird)
26. Knowing which process or method to use when?
27. Naysayers come forward: referendum
28. Changes in communications technology
  - a. Disinformation more readily disbursed
  - b. We need to develop more effective ways to use the technology

**D. What structures and supports do communities need to support the transition to democratic governance?**

1. A vision
2. Need an invitation
  - a. Systemic (to confer legitimacy)
  - b. Personal (to build a relational connection)
3. Need structures and ground rules to make it safe
4. Assurance that input means something
5. A facilitator
6. Champion(s)
7. Issue/substance/reason to gather that matters to the communities being invited
8. Neutral meeting space
9. Realistic parameters so no surprises at the end
10. Ways to identify and develop leaders and participants
11. Multiple ways/levels to participate
12. Have a sense of belonging to the community
  - a. Who's not here?
  - b. Need some of this at the beginning; will create more if the process succeeds
13. Buy-in of government at some point (at the beginning?)
14. Edge that we will explore throughout the work of the panel: What is the relationship between governance and government

**E. What structures and supports do elected officials and staff need to support this transition?**

1. Vision
  - a. About what the process can/should be
  - b. Might develop a vision for the City over time
2. Permission or an intentional act: by the electeds to themselves or to staff
3. Courage

4. Desire to empower and enable others
5. Partnerships
  - a. Staff and electeds
  - b. Staff, electeds, and community
6. Resources: money, people, etc.
7. Education for both bodies at both concrete and theoretical level
8. Toolbox or ways to get started; a process to start and follow at the beginning
9. Flexibility
10. Will organizational structure support the process?
11. Can't be a fad or the "flavor of the month"
12. Listening skills
13. Connect this analysis to the previous barriers conversation
14. Facilitation training
15. Data about current reality; and data about progress over time

## V. Assessment of the meeting

Worked well	Could be improved
Rooms big enough (!)	Natural light
General meeting first	Information a little earlier
Needed separate session; worth the tradeoff this time to not meet with others for the entire gathering	Attendance
Flexibility about time	Possibility to improve outreach
Reading materials	Make sure phone numbers and emails are accurate
Inclusion of the folks not present at March	Increase opportunities for participate
Structure of the meeting	Case study structure: 1-time vs. on-going
Facilitation	
Participation	
Additional staff resource allocation	
Meeting planning	
Case studies	
Energy & attitude of members	
Leadership of the panel	
Panel size works	
Worked to stay on task	

## VI. Next steps

- A. If you are interested in serving on one of the work groups identified in III. above, please notify Gwen.
- B. Gwen and John will work over the next week to develop a support structure for the work groups to conduct their work. We will send out an email outlining the process and next steps within the next 10 days.



**TO:** MAYOR AND MEMBERS OF TROY CITY COUNCIL  
**FROM:** LORI GRIGG BLUHM, CITY ATTORNEY  
ALLAN T. MOTZNY, ASSISTANT CITY ATTORNEY  
**DATE:** June 30, 2004  
**SUBJECT:** ROY RATHKA, JR. v CITY OF TROY

---

Roy Rathka, Jr. filed a lawsuit against the City of Troy, based on the City's denial of his request for a building permit to construct a duplex fronting on Canham. Canham is a 25-foot gravel drive which is not considered a public street, since it is not approved for maintenance by the City of Troy, which is required by the zoning ordinance. Mr. Rathka asserted several legal theories in his case, including but not limited to, the argument that the City's denial of the permit was an unconstitutional taking without just compensation. Mr. Rathka sought both equitable and legal relief. He wanted the City to accept Canham as a public road, which would allow him to build his proposed duplex (equitable relief). The suit also sought money damages, costs and attorney fees (legal relief).

Our office actively pursued discovery, and used the documentary evidence gathered during the discovery phase to prepare and file a motion for summary disposition. The motion was supported by the affidavits and deposition testimony of Mark Stimac, the Director of Building and Zoning, Steven J. Vandette, the City of Troy Engineer, and Thomas Rosewarne, the Superintendent of Streets and Drains. We were also able to utilize admissions made by the Plaintiff, Roy Rathka, Jr., during his deposition in support of the City's arguments.

In response, Mr. Rathka's attorney filed a counter motion requesting summary disposition in his favor. Oakland County Judge Colleen O'Brien heard the oral arguments on the motions on May 19, 2004. She took the matter under advisement, indicating a written decision would be issued. On June 17, 2004, the Court issued its written opinion and order GRANTING the City of Troy's motion for summary disposition and dismissing Plaintiff's complaint in its entirety. A copy of the opinion and order is attached.<sup>1</sup>

As a result of the dismissal, it is not necessary to proceed to trial that was scheduled to begin September 13, 2004 and would have lasted several days. However, on June 28, 2004, Plaintiff filed a Claim of Appeal with the Michigan Court of Appeals. Absent any objection from City Council, our office will continue to represent the City on appeal.

Please let us know if you should have any questions.

---

<sup>1</sup> The opinion and order of the Court does not address Count I of Plaintiff's Complaint based on breach of contract because Plaintiff voluntarily agreed to dismiss the contract claim in its response to the City's motion for summary disposition.

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

ROY RATHKA, JR.,

Plaintiff,

v

Case No. 03-050647-CH  
Hon. Colleen A. O'Brien

CITY OF TROY,

Defendant.

\_\_\_\_\_/   
Michael F. Plourde (P18954)  
Attorney for Plaintiff  
2525 Telegraph Road, Ste. 300  
Bloomfield Hills, MI 48302  
(248) 335-5220

City of Troy – City Attorney's Office  
Lori Grigg Bluhm (P46908)  
Allan T. Motzny (P3780)  
Attorneys for Defendant  
500 W. Big Beaver Road  
Troy, MI 48084  
(248) 524-3320  
\_\_\_\_\_ /

**OPINION AND ORDER**

This matter is before the Court on Defendant City of Troy's motion for summary disposition pursuant to MCR 2.116(C)(10). The Court heard oral arguments and took the motion under advisement.

Plaintiff, a licensed builder, owns the south ½ of lot 20, lot 22 and lot 21. These lots are located in the Pleasant View Subdivision in the City of Troy (the "Property"). The plat of the subdivision was approved in 1923. Lots 20, 21, and

22 were located near the southwest corner of Haddon Street and Edward Street. Haddon was platted as a 50-foot street and Edward was platted as a 25-foot street. In 1949, Haddon Street became Haldane and Edward Street became Canham.

Prior to 1994, the only building on Canham was a house on lots 23, 24 and 25 of the subdivision, now parcel # 20-09-231-014. This home was built prior to the enactment of Section 40.10.01 of the zoning ordinance. Accordingly, this home exists as a valid nonconforming structure.

In 1993, Plaintiff owned lots 18, 19, and the north ½ portion of lot 20, in addition to the subject Property (the south ½ portion of lot 20, and lots 21 and 22). Plaintiff applied for a variance to combine and split lots 18 through 22 to create two parcels with frontage on Haldane Street. The variance was requested in order to create two 65' by 130' lots fronting Haldane Street. The variance was denied. In addition, Plaintiff's request for a rehearing before the ZBA was denied.

Thereafter, on June 29, 1993, Plaintiff applied for and received a land division from the City Assessor consolidating lots 18, 19, and the north ½ portion of lot 20 with lots 21 and 22 into what is now parcel # 20-09-231-024, the Property. Plaintiff's Property is zoned R-2. This zoning classification allows both single-family and two-family residential dwellings.

In 1994, Plaintiff built a duplex on the northern portion of the parcel with frontage on Haldane Street. In 1999, Plaintiff applied for a building permit to construct a duplex on the Property. The proposed frontage for the duplex was on

Canham. Canham is approximately 200 feet long. Located at the end of Canham is a residential home, owned by Mr. and Mrs. Derryl Rayle. Plaintiff's duplex, which he built in 1994, is located at the end of Canham. The Property is located between the Rayle home and his duplex.

The permit was denied based upon Section 40.10.01 of the zoning ordinance. This zoning ordinance requires proposed buildings in one or two family residential districts to front on a public street that has "been accepted for maintenance by the city." The City has not accepted Canham for maintenance.

In 2001, Plaintiff again applied for a permit to build a duplex on the Property with frontage on Canham. Again, the permit was denied based on Section 40.10.01.

On June 20, 2003, Plaintiff filed the present cause of action alleging Breach of Contract (Count I), Estoppel (Count II) and Constitutional Violations (Count III), and Acquiescence (Count IV). Plaintiff agrees to dismissal of the breach of contract claim (Count I). Plaintiff seeks a judgment against the City of Troy requiring the City to accept Canham as a public road, which would allow him to build a duplex.

Defendant's motion is brought pursuant to MCR 2.116(C)(10). A motion for summary disposition under MCR 2.116(C)(10) tests the factual support of a claim. Spiek v Dep't of Transportation, 456 Mich 331, 337 (1998). When deciding the motion, the court must consider the pleadings, affidavits, depositions, admissions, and other documentary evidence in the light most favorable to the nonmoving party. Ritchie-Gamester v Berkley, 461 Mich 73, 76 (1999). The

moving party has the initial burden of supporting its position with documentary evidence, and the party opposing the motion then has the burden of showing that a genuine issue of fact exists. Smith v Globe Life Ins Co, 460 Mich 446, 455 (1999). The nonmoving party may not rest on mere allegations or denials but must set forth specific facts--through documentary evidence--showing that a genuine issue of fact exists. Karbel v Comerica Bank, 247 Mich App 90, 97 (2001).

In Count II of his Complaint, Plaintiff claims the City should be estoppel from refusing to grant Plaintiff a building permit because the City has graded, snowplowed, chemically treated, and otherwise maintained Canham Street for use by the public. This Court disagrees.

Under an equitable estoppel theory, a plaintiff may be able to obtain relief from a municipality if the positive acts of municipal officials induce plaintiff to act in a certain manner, and if plaintiff relied upon the officials' actions by incurring a change of position or making expenditures in reliance upon the official actions. Kern v City of Flint, 125 Mich App 24, 28 (1983). An equitable estoppel arises only where: (1) a party by representation, admissions or silence, intentionally or negligently induces another party to believe facts; (2) the other party justifiably relies and acts on this belief; and (3) the other party will be prejudiced if the first party is permitted to deny the existence of the facts. Howard Twp Board of Trustees v Waldo, 168 Mich App 565, 575 (1988), citing Cook v Grand River Hydroelectric Power, Co Inc, 131 Mich App 821, 828 (1984).

Here, Plaintiff was advised as early as 1993 that he could not build two duplex structures upon the five lots that he owned at that time. Furthermore, contrary to Plaintiff's arguments, the evidence does not establish that the City has maintained Canham Street on a regular basis. Therefore, Plaintiff cannot prevail on an equitable estoppel theory.

In Count III, Plaintiff contends that denying a permit for a duplex constitutes a taking under the Fifth Amendment of the Constitution and a violation of the equal protection clause of the Fourteenth Amendment. In order to prevail on a constitutional taking claim, a plaintiff must show that the restrictions imposed by an ordinance on the use of the property precludes its use for any purpose for which it is reasonably adapted. Troy Campus v City of Troy, 132 Mich App 441, 452-453 (1984).

Plaintiff contends that the City's refusal to accept Canham Street for maintenance pursuant to zoning ordinance is unreasonable and confiscatory in its application as it renders Plaintiff's lot useless. Plaintiff contends that if it was the City of Troy's intent to deny Plaintiff the use of his lot, it makes no sense that the City allowed a land division in 1993 creating the subject lot by dividing it from Plaintiff's larger lot.

However, as correctly noted by Defendant, prior to requesting and receiving a lot split and building a duplex on the northern portion of the Property, Plaintiff could have utilized his property to construct a duplex and a single-family residence as determined by the Board of Zoning Appeals. The approval of a land division is not a guarantee the resulting parcel is buildable. MCL 560.109(6).

Furthermore, the fact that Plaintiff is precluded from building two duplexes on the property does not constitute a taking in violation of the Constitution. Mere diminution in value does not amount to a taking. Bevan v Brandon Twp, 438 Mich 385, 402-403 (1991).

Plaintiff argues that summary disposition as to Count IV should be denied because the City has maintained Canham for the use of the public for a period of time in excess of 15 years; thus, the City has acquiesced to the same.

The doctrine of acquiescence usually arises in the context of border disputes. Genaja v Ritter, 132 Mich App 206, 210 (1984). Here, there is no evidence to support the Plaintiff's contention that the City for the use of the public has maintained Canham for over 15 years.

THEREFORE, IT IS HEREBY ORDERED that Defendant's motion for summary disposition is GRANTED.

IT IS FURTHER ORDERED that this Opinion and Order resolves the last pending claim and closes the case.

IT IS SO ORDERED.

Dated: JUN 17 2004

COLLEEN A. O'BRIEN

Hon. Colleen A. O'Brien

A TRUE COPY  
G. WILLIAM CADDELL  
Oakland County Clerk-Register of Deeds  
By: J. Edens  
Deputy

CITY OF TROY  
TRAVEL EXPENSE REPORT

Name: Robin Beltramini Position: Mayor Pro Tem

Other Employees Included in Request: \_\_\_\_\_

Trip Destination: Chicago IL Date From: June 10, 2004 To: June 12, 2004

Purpose of Trip: NLC Municipalities in Transition - Panel meeting

Items	Sun	Mon	Tues	Wed	Thurs	Fri	Sat	TOTAL
<b>Miles</b> (Personal Car)					314	21	304	639
Enter Current Mileage Rate: \$ 0.37 /mile					\$116.18	7.77	112.48	\$236.43
<b>City Car Expense</b> (Details on Bottom)								
<b>Air/Bus/Train</b>								
<b>Registration</b>								
<b>Room</b> (Attach all Receipts)					\$148.22	\$148.22		296.44
<b>Meals</b> (Include tips and taxes. Note meals included with registration)								
Breakfast:								
Lunch:								
Dinner:					19.40			19.40
<b>Other</b> Tolls - no receipts < \$1.00					2.00		\$2.00	5.30
Detail, Explain Below					.50		2.80	
<b>Additional Other</b> *						10 *	60.	70.00
Detail, Explain Below								
<b>TOTAL EXPENSE</b>					286.30	165.99	175.28	627.57

Details of City Car Expense

Total Mileage	
Gasoline/Oil Purchased (Attach Receipts)	
Maintenance Work (Attach Receipts)	
Parking/Storage	
Other ( )	
Total	

Cash Advanced	\$315.84
Balance Due Employee	\$311.73
(or) Balance Due City	#VALUE!

Robin E. Beltramini  
Requested By

Date  
6/30/04  
Date

[Signature]  
Department Head

Approved - Human Resources Director  
[Signature]  
Approved - Financial Services Director

Date  
6.29.04  
Date

**Notes and Explanations:**  
\* Parking - \$60 - Hotel  
(+10 offsite/no receipt)

Charge to: Education & Training

Dept. Account # 102.7960

June 23, 2004

TO: John Szerlag, City Manager

FROM: Charles T. Craft, Chief of Police

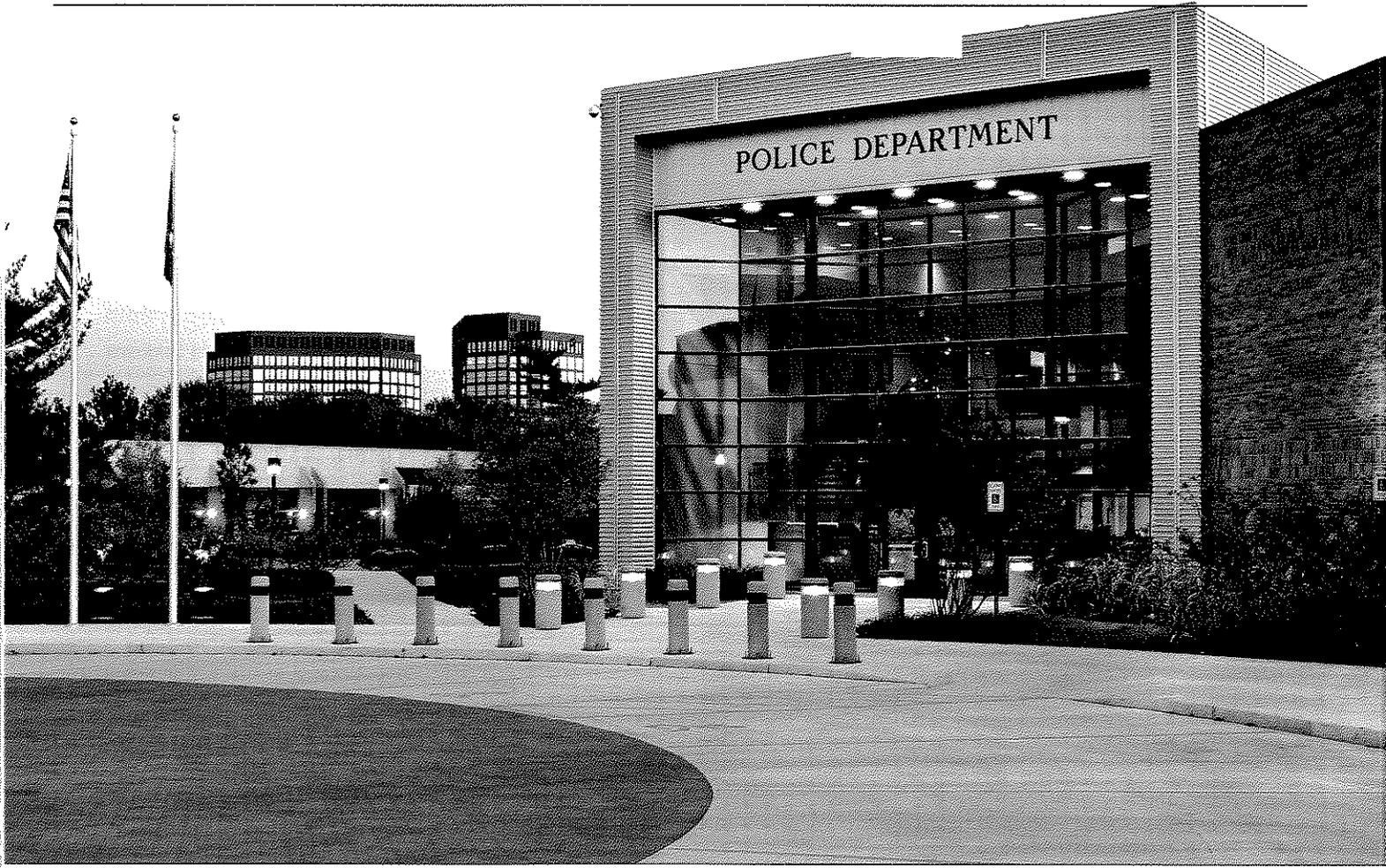
SUBJECT: Agenda Item – Report on TASER Usage

In May of 2003, City Council authorized the purchase of 25 TASER M26 less than lethal devices. The TASER delivers an electrical impulse into the body of an aggressive subject, temporarily interrupting their ability to physically resist arrest. This allows police officers to take into custody aggressively violent subjects with minimal hands-on techniques, greatly reducing the risk of injury to both the subject and officer. At the time Council approved the purchase they requested a one-year report on TASER usage.

The TASER units were purchased in June of 2003 and have been issued to road patrol officers on a daily basis since that time. To date, there have been no discharges of the TASERS into any aggressive subjects. However, several officers report they have displayed the TASER and given verbal warnings to aggressive individuals, who then immediately cooperated with the officer's requests.

Press coverage regarding Michigan law enforcement officers being allowed to carry TASERS, has been extensive. It appears many of those who are inclined to physically resist arrest reconsider when the TASER is displayed. The objective of any arrest is to take the individual into custody utilizing the least amount of force possible. We believe that TASERS are an important tool for officers to have at their disposal, and the lack of actual deployments does not minimize the need for their availability.

Prepared By: Sergeant Michael Bjork



# CALL TO DUTY

By David R. Miller, Associate Editor

Photography by Michael A. Raffin, MIA Photography

There is no such thing as a typical day for police officers. In a single day, an officer may apprehend a fugitive, take a report to help a citizen recover stolen property, or assist injured motorists at the scene of an accident. What is typical about these activities is the level of gratitude that the officer can expect to receive. Criminals are usually not particularly happy about being caught, crime victims can become so upset about being victimized that they frequently forget to appreciate the officer who is helping them, and injured drivers rarely have the presence of mind to offer a simple "thank you" to the first responder on the scene. Although the job can be thankless at times, the intangible reward that comes with helping one's fellow man still compels many dedicated men and women to become professional police officers.



Contractors and design professionals who choose to serve law enforcement agencies have also answered a demanding call to duty. The project team must understand the nature of police work to design a facility that will meet the needs of the department, while contractors must carefully plan their work so that it does not interfere with the department's ability to serve the community. Much like the police officers they served, project team members from Redstone Architects, Inc. and JM Olson Corp. rarely had a typical day on the job as they designed and built the Fire Administration/Police Department Addition/Renovation for the City of Troy.

#### CHANGING NEEDS

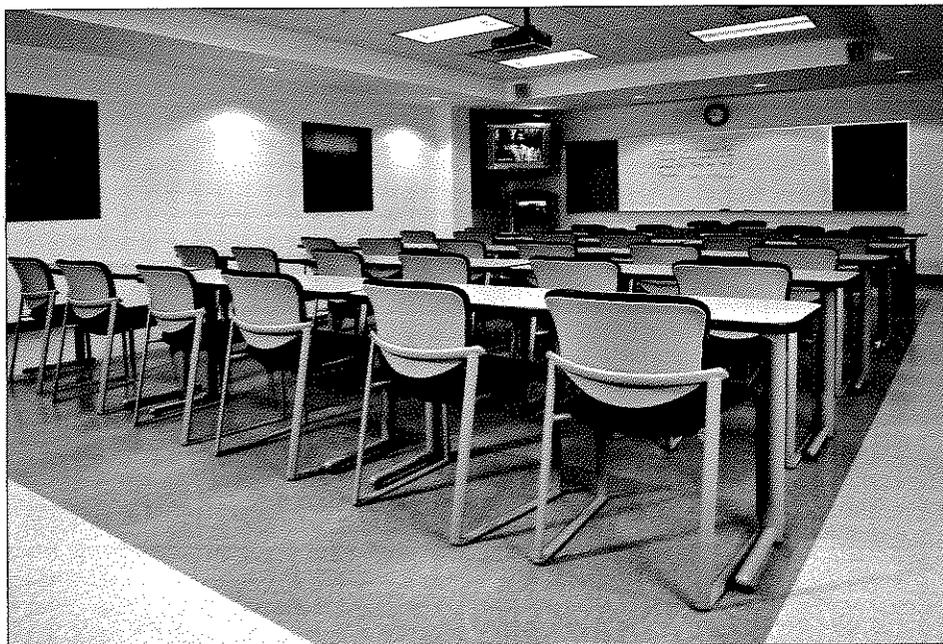
The former home of the Troy Police Department was built in 1979 as an addition to the existing City Hall. Fewer than 130 employees were needed when the building was first occupied, but the force has expanded to 203 employees in direct response to the growth of the surrounding community.

"We had outgrown our old building," said Captain Gary Mayer of the Troy Police Department's Support Services Division. "It was too small for the number of police officers working at the facility. There were also legal and technological changes that made it difficult for us to operate."

The changes to which Mayer referred could not be addressed with quick fixes. The interior layout of lock-up spaces designed to serve as a temporary holding area for prisoners made it difficult for officers to keep juveniles separated from adults, as mandated by laws enacted after the facility was constructed. These lock-up spaces also did not allow for continuous direct observation of prisoners. Video systems were used instead, but this made small contraband items more difficult to detect.

Technology that has changed police work was also difficult to integrate into the existing facility. The building was not designed to accommodate the advanced wiring needed for computerized records management or the instantaneous transmission of law enforcement data via the Internet.

Much of the equipment used by officers today was not in use when the original facility was built. Patrol rifles, TASERs, Automatic External Defibrillators (AEDs) and preliminary breath testers enable officers to perform their duties more effectively, but gear lockers at the existing building did not provide sufficient storage space for these items, nor did the narrow corridors facilitate their easy transfer to police cars. The new facility was designed with ample space for these items, which Mayer proudly points out, can save lives. In the short time since offi-



The Troy Police Department has expanded in direct response to the growth of the community. This briefing room provides ample space to meet the department's changing needs.

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The inviting lobby seen here provides an attractive setting for interactions between the public and the Troy Police Department.



Many complex electrical systems come together in the communications room, which serves as the "nerve center" of the department.

cers began carrying AEDs, for example, the department has already achieved a couple "saves" where an officer delivers an electrical shock to restart a person's heart. Although they were not as dramatic as those performed by the officers, the project team was able to utilize a thorough understanding the unique operation of police departments to make a few of their own "saves" in terms of efficient design and project implementation.

"For the past 20 years, we have developed a specialty with public safety facilities and police departments," said Daniel

Redstone, FAIA, NCARB, president of Redstone Architects. "We've done between 15-20 police facilities, as either the architects of record or design architects."

JM Olson, likewise, has a long tradition of building to meet community needs, having built five projects in the past six years for the City of Troy, alone.

The combined experience of Redstone Architects and JM Olson allowed the two firms to create a building tailor made to fit the community's needs. The Troy Police Department headquarters

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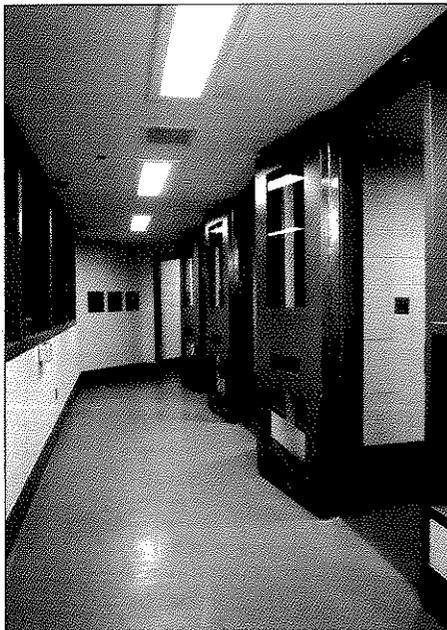
Ph (248) 647-2500 • Fax (248) 647-4689

is now located in a 50,000-square-foot addition to the existing City Hall, and the 23,000-square-foot space that the department occupied in the existing City Hall has been renovated to house administrative functions of the Troy Fire Department. The addition and renovations are customized to meet the needs of each department. Large corridors to prevent officers from becoming bogged down with their bulky equipment were incorporated into the addition, while break areas, mailboxes and restrooms are also situated to encourage free interaction between divisions and group problem solving. Before these officers could apply their problem solving techniques, the project team needed to solve some difficulties associated with the site of the building.

**SITE LOGISTICS**

"The site was the biggest challenge on this project because we were building onto an existing Civic Center and City Hall that was built in the 1960s, with an addition from the 1970s," said Leonardo Fabilli, AIA, project manager for Redstone Architects. "The site included a library and a court building that was originally a senior center. A lot of recreational activities also take place on the northern portion of the site."

The responsibility for keeping people

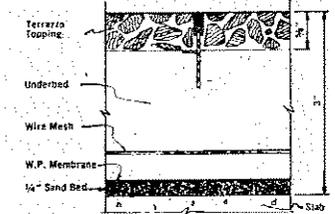


At the former home of the Troy Police Department, the interior layout made it difficult to keep juveniles separated from adults, but the new facility includes separate spaces for each.

Visit us at [www.cam-online.com](http://www.cam-online.com)



3" THICK SAND CUSHION TERRAZZO

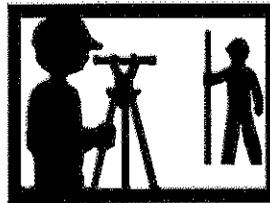


# THICK OR THIN

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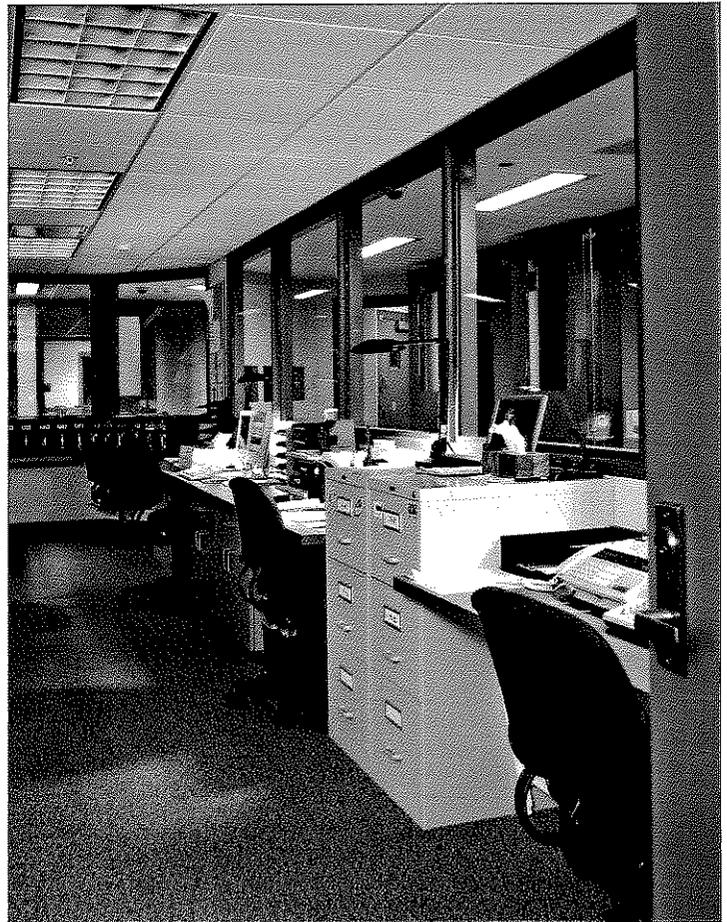
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on the construction site safe fell upon JM Olson.

"We needed to create a separation between us and the general public," said Steve Braun, project manager for JM Olson. "We provided barricades, fencing and signage. We also told the construction workers where they could and couldn't go. It really involved a lot of communication. We needed to let the owner know what we would be doing and when shutoffs needed to be made. All of those coordination issues were dealt with on a day-to-day basis."

The addition was created not simply to function with the existing buildings, but to complement them, as well. The exterior wall facing the library was curved to create a more gentle transition between the new and existing portions of the building while creating a more attractive frame for the Peace Garden that lies between the Civic Center and the library. The layout of the site combined with the project budget also forced the project team to squeeze all of the desired functions into a very small footprint. A unique dual-level fitness area provides excellent economy of space while still providing ample room for all of the desired exercise equipment. The space is accessible from the second floor, allowing officers to utilize existing locker rooms, while a space-saving spiral staircase provides vertical access between the two levels. Space and budget conservation were not limited to within the walls of the addition; the building footprint was oriented so that an existing parking lot could be reconfigured into a secure lot for officers to use. In fact, the entire building was designed into two efficient halves, a section that is open to the public and a secure half that is reserved for police officers who are performing their duties. By grouping like functions in one half of the

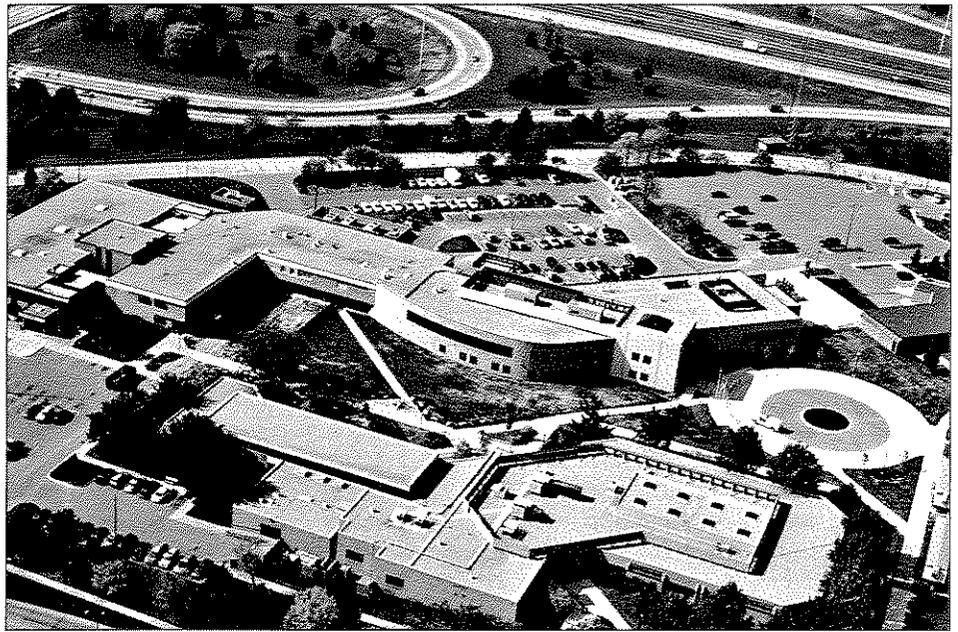
building, the project team was able to fit more functions into a smaller space and allow the police department to operate more efficiently. Even before the space was ready for occupancy, the project team needed to give careful consideration to the efficient operation of the Department.

**CONTINUOUS OPERATION**

Citizens set high standards for the police officers who protect them; therefore few of them would have tolerated a disruption in service.

“The Police Department needed to stay in operation during this entire process,” said Bassam Yaldo, project designer for Redstone Architects. “We located the cell-block and the communications center on the side of the building that is closest to the courthouse because we wanted to have those sections finished before we disturbed the existing parts. It is pretty difficult to keep a cell block in operation while you are renovating it.”

Mayer also credits JM Olson with the successful implementation that allowed for a smooth transition from the old facilities to the new ones.



The layout of the site, combined with the project budget, forced the project team to squeeze all of the desired functions into a very small footprint.

“They needed to coordinate everything so that we could tell them well ahead of time when the best time to switch over the generators was,” he said. “They needed to coordinate with all of their people to get it

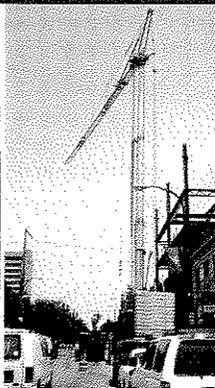
done at that time and they needed to have people on site to manage the switchover. Everything was seamless to the point where no one even realized that it was happening.”

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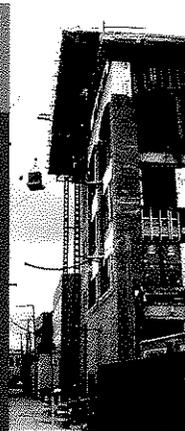
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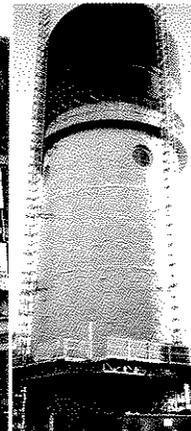
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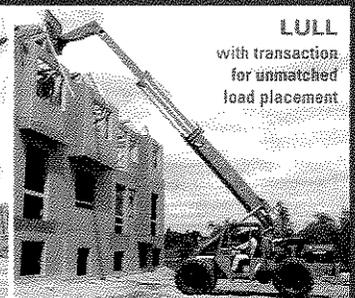
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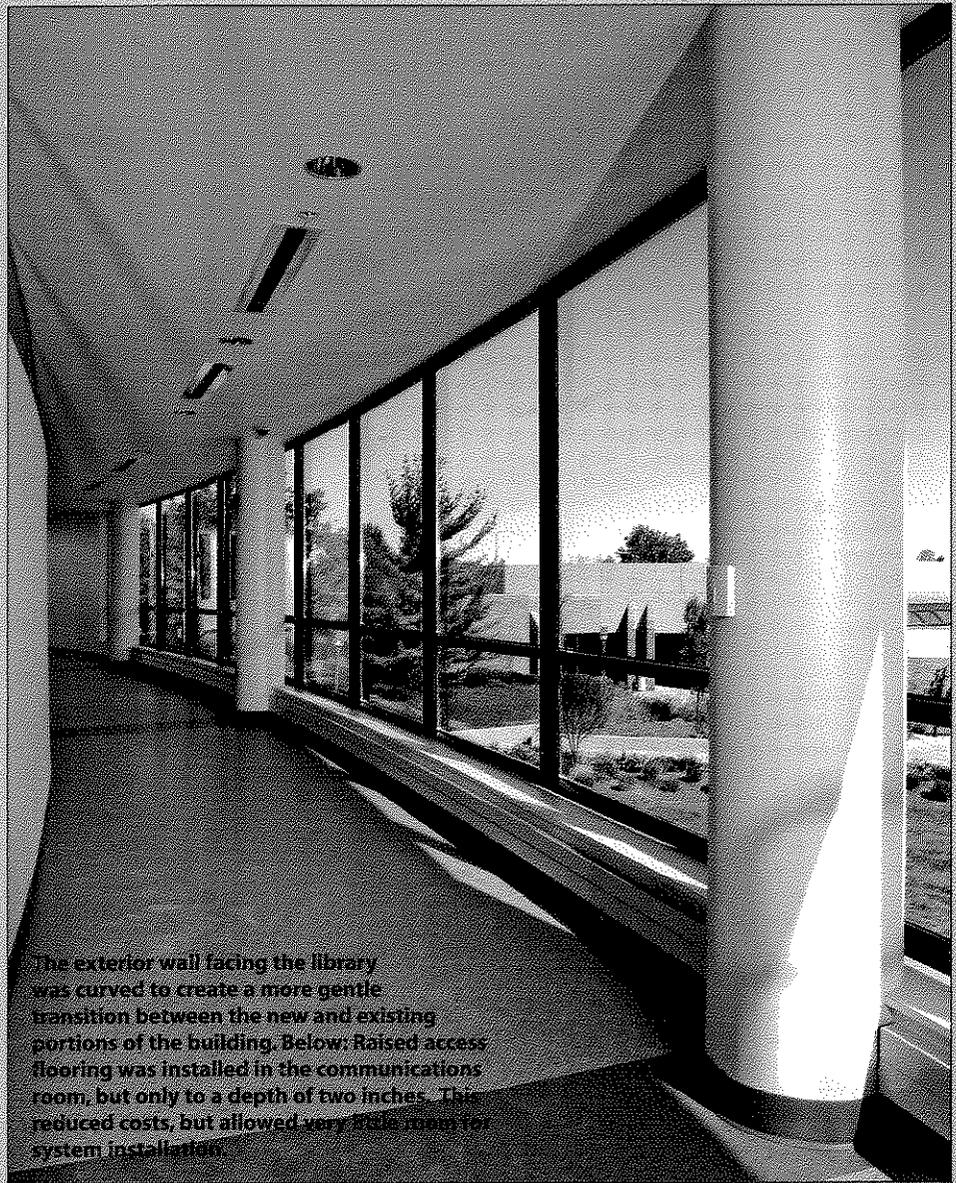
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The exterior wall facing the library was curved to create a more gentle transition between the new and existing portions of the building. Below: Raised access flooring was installed in the communications room, but only to a depth of two inches. This reduced costs, but allowed very little room for system installation.



One outside event impacted the project in a way that could not be ignored: the August 2003 blackout. Although the incident took place at an inopportune time, right as the police were moving into their new facility, it could have been much worse. Fortunately, Dynalectric of Michigan had already installed a 350kv backup generator that was much larger than the existing emergency generator.

"The generator supplies more than sufficient power for the entire building," said Dennis Copley, project manager for Dynalectric. "When the power went out, they didn't even notice it."

Since some parts of the existing building were without power, JM Olson quickly changed the project schedule to accommodate an orderly move in. Finding people who could perform the additional work that was suddenly needed was not an easy task. "A lot of people needed to stay home and take care of their families, or they couldn't get gas," said Tony Pagano, project superintendent for JM Olson. "It took quite an effort to bring in all of the people that we needed to keep the job rolling along."

Since the backup generator was already in place the blackout did not create too many difficulties for Dynalectric. Even so, their portion of the project was quite complex because of the sophisticated data and security/fire alarm systems that were needed. Many of these systems come together in the communications room, which serves as the "nerve center" of the department.

Raised access flooring was installed in the room, but only to a depth of two inches. This allowed the project team to reduce costs by not dropping the floor slab to a greater depth. Separate fire alarms for the under floor space would also be required by code if a larger void was created under the floor. The elimination of echoes that can be created as people walk across deeper access systems is an added benefit with the two-inch depth, but there is little room for the installation of systems.

"The biggest challenge is that you can't cross anything," said Copley. "Two inches is the overall height. With the braces underneath the floor, you really only have about an inch or an inch-and-a-quarter to work with. You need to plan everything out to make sure that nothing crosses."

Project challenges were not limited to

under floor spaces, the project team also worked to create a welcoming environment above the floor.

#### THE NOT SO BLUE LINE

The new Troy Police headquarters will serve as an introduction to the correctional system for a percentage of visitors before they are transported to facilities for

longer terms of incarceration. For the remainder of visitors, as well as the law enforcement officers who work at the facility, the project team worked diligently to create a warm and inviting space that did not resemble a prison cell.

"I don't think that a lot of architects really understand the unique nature of police operations," said Redstone. "It is a

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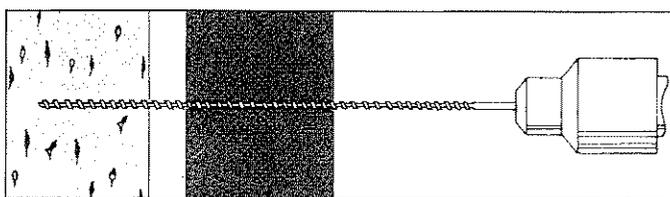
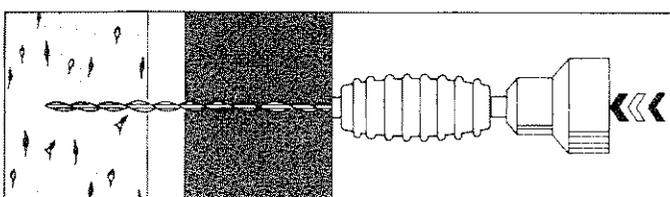
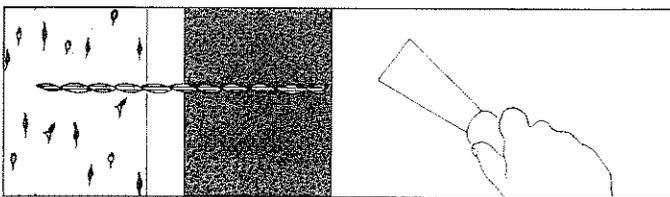
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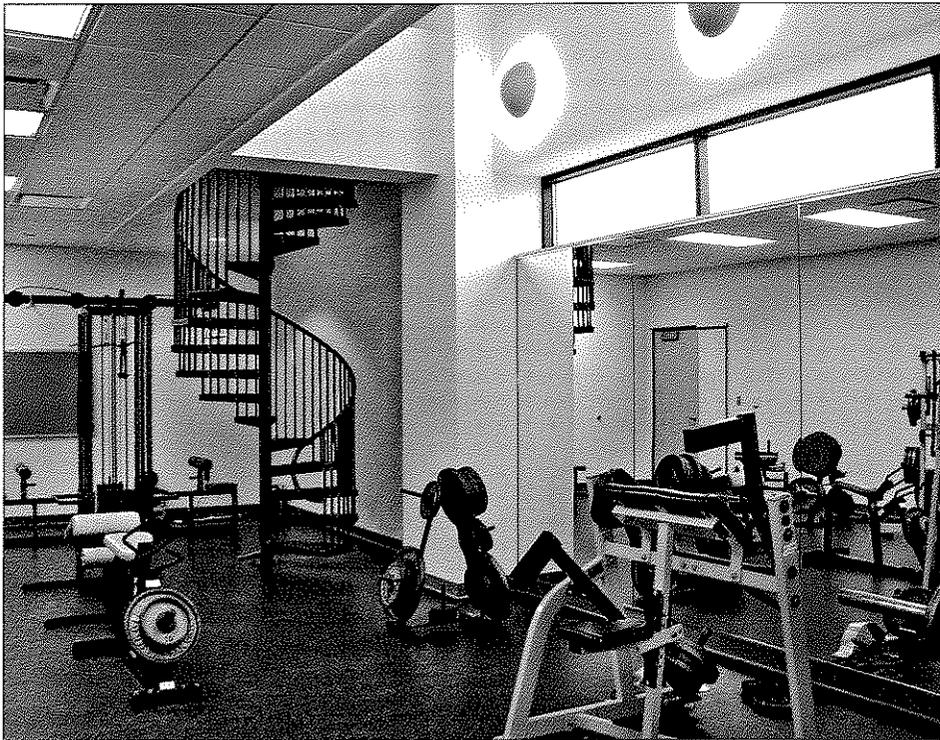
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very intense, 24/7 occupation. We pride ourselves on designing pleasant places for police and fire departments to work. They are efficient and well lit, with an abundance of natural light. If you look at the public buildings built over the last 40 years, you see a lot of painted block with a dull, mundane appearance. The rooms are almost like little cells. They are not exciting places to go to work each day."

Brick, split-faced concrete block, and metal panels were used as exterior finishes to artfully camouflage the building's large footprint. Officers reporting for duty at the building pass through an attractive entry, accented with planters and a large glass curtain wall, which closely resembles the entrance to any upscale professional office building. Interior finishes were carefully selected to provide a balanced combination of aesthetic appeal and durability. Natural light pervades the space through exterior glass and a centrally located skylight. Clerestory windows were utilized to allow natural light to spill over into interior offices without compromising privacy.



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"The curtain wall at the main entrance was quite a challenge because of the size and unusual angles," said Joe Grocholski, project manager for Modern Mirror and Glass.

The double-pane exterior glass that was used features a low-E coating that is applied to the number two surface, or the inside surface of the outermost pane. Generally speaking, it is easier to apply the low-E coating to the inside surface of the innermost pane because this glass usually is not tinted. Glass with the low-E coating on the number 2 surface is more energy efficient, but it also requires a longer lead-time because fewer manufacturers produce it. To deliver the project on time, Grocholski needed to factor in a six-week lead-time along with the labor-intensive fieldwork that accompanied the installation. Like the rest of the able project team, Modern Mirror met this challenge and the end result is a police and fire facility that will serve the City of Troy well into the future. ☺

**THE FOLLOWING SUBCONTRACTORS AND PROFESSIONAL CONSULTANTS CONTRIBUTED THEIR SKILLS TO THE PROJECT:**

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- Ceramic Tile/Quarry Tile – B & B Tile & Marble, Inc., Fair Haven
- Civil Engineer – PEA, Troy
- Computer Room Access Flooring – Park-McPherson Design & Construction, Inc., Grand Blanc
- Communications Furniture – Watson Dispatch Furniture, Poulosbo, WA
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July 1, 2004

TO:

Steven J. Vandette, Acting Assistant City Manager/Services  
William J. Huotari, Acting City Engineer  
Timothy L. Richnak, Public Works Director

FROM: John Szerlag, City Manager

SUBJECT: 1) Methodology to Advance Local Street Reconstruction Projects;  
2) Timeline for Section 23 Street Replacement Project

With approximately 175 miles of local streets within our system, there will be times when a total reconstruction is necessary. Thus for each project of this magnitude we'll need to develop a business case selecting the optimal reconstruction/replacement method, i.e., petromat, concrete replacement, deep strength asphalt. The crack/seal method will not be considered as an option because of possible damage to homes adjacent to the project.

Our business case will be predicated on a life cycle basis, and variables to be examined will include but not be limited to the following:

- 1) Project cost.
- 2) Project timeline.
- 3) Maintenance costs.
- 4) Weight-bearing capacity issues, i.e., construction vehicles, school buses, garbage/compost trucks, snowplows.
- 5) Level of inconvenience to adjacent property owner.

With reference to the public education/citizen input component, we need to do the following:

- a. Project justification, as well as preliminary scope of work, which is underpinned by a business case for optimum efficiency.
- b. Specify stages of construction, and estimated timeframes therein.
- c. Indicate that the project as proposed is funded by the City at large.

An informal meeting will be held on the matter, which will address any concerns and/or questions advanced by people affected by the project.

July 1, 2004  
Page Two

Our professionalism requires that we don't come across as being sales people, nor do we wish to cause a schism between neighbors. Having said that, if a majority of residents would like an enhancement to the public project, i.e., landscaping or construction elements beyond our standard scope of work, you should indicate that an added cost can be special assessed if the majority of property owners fund the difference between at large and enhancement costs, and City Council approves the special assessment.

I'd like this methodology to be retroactive to our Section 23 replacement program. Given this, please schedule an informational meeting incorporating the above elements.

As a point of information for Mayor and Council, the Hansen Pavement Management System is expected to be operational by year-end. This system will provide project justification for all manner of street maintenance work.

As always, contact me if you have any questions.

c: Mayor and City Council  
John M. Lamerato, Assistant City Manager/Finance & Administration  
Nino Licari, City Assessor

July 1, 2004

TO: John Szerlag, City Manager

FROM: Steven J. Vandette, Acting Assistant City Manager \ Services  
Timothy L. Richnak, Public Works Director  
Jeanette Bennett, Purchasing Director

SUBJECT: Agenda Item - Auction – Vehicle Sale  
On June 12, 2004 in St. Clair Michigan

### **SUMMARY**

In compliance with Resolution #2002-12-644-E-9, a final auction report is hereby submitted to City Council.

The awarded City auctioneer, Mid-Thumb Auctioneering Service, LLC, took Motor Pool vehicles, miscellaneous equipment and a “Drug Forfeiture” vehicle to an auction held in Port Huron, Michigan. The auction was held on Saturday, June 12, 2004. A list of the vehicles and equipment 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 this criterion.

The income from the sale is as follows:

Motor Pool Vehicles	\$27,350.00
	3,900.00
“Drug Forfeiture” (df) Vehicle	\$300.00
Miscellaneous Equipment	<u>\$841.50</u>
 Total gross sales	 \$32,391.50
Costs: Auction Fee	\$ 2,028.15
(6% for cleaned Motor Pool vehicles;	
9% for hauled (df) vehicle;	
15% for miscellaneous equipment)	
 <b>Net Income</b>	 <b>\$30,362.85*</b>

Note: One unsold vehicle was re-run for auction on June 26, 2004.

### **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.

\* The auctioneer made a \$.42 error in his favor; the amount will be added to future auction proceeds since we will continue to use the auctioneer’s services.

AUCTION FINAL SETTLEMENT

AUCTION HELD FOR: City of TROY  
 PROPRIETOR OF SALE: City of TROY  
 LOCATION OF AUCTION: Corner St.  
Port Huron  
 DATE AUCTION WAS HELD: Saturday June 12 2004  
TROY Fleet.

TOTAL PROCEEDS OF VEHICLES SOLD \*\*\*\*\* \$ 27,350.00  
 TOTAL PROCEEDS OF ALL OTHER ITEMS SOLD \*\*\*\*\* \$ 841.00  
 EXPENSES: TOTAL \$ 28,191.00  
 AUCTION FEE ON VEHICLES: 6 \*\*\*\*\* \$ 1,641.00  
 AUCTION FEE ON ALL OTHER ITEMS: 15 \*\*\*\*\* \$ 126.15  
 Net \$ 26,423.00

**TROY POLICE DTF**  
 TOTAL PROCEEDS OF VEHICLES SOLD \*\*\*\*\* \$ 300.00  
 TOTAL PROCEEDS OF ALL OTHER ITEMS SOLD \*\*\*\*\* \$ -  
 EXPENSES:  
 AUCTION FEE ON VEHICLES: 9 \*\*\*\*\* \$ 27.18  
HAILED.  
 AUCTION FEE ON ALL OTHER ITEMS: - \*\*\*\*\* \$ -  
 DTF Net \$ 273.00

**TROY Fleet.**  
 TOTAL PROCEEDS OF VEHICLES SOLD \*\*\*\*\* \$ 39,000.00  
 TOTAL PROCEEDS OF ALL OTHER ITEMS SOLD \*\*\*\*\* \$ -  
 EXPENSES:  
 AUCTION FEE ON VEHICLES: 6 \*\*\*\*\* \$ 234.18  
 AUCTION FEE ON ALL OTHER ITEMS: - \*\*\*\*\* \$ -  
 TOTAL EXPENSES \$ 234.18

NET PROCEEDS \*\*\*\*\* \$ 36,666.00

PROPRIETOR APPROVAL & RELEASE SIGNATURE: \_\_\_\_\_

AUCTIONEER'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_ OFFICE \_\_\_\_\_

# VEHICLE AUCTION REPORT

NUMBER	MAKE	MODEL	YEAR	AUCTION FEE	AUCTION PRICE
57	STONE	GENENT WOX	88	\$25.00	\$500.00
58	DODGE/RAM/500	PICKUP 500 2WD	88	\$25.00	\$450.00
59	CHRYSLER/CRUISER	CRUISER 4-DOOR	88	\$25.00	\$250.00
60	CHEVY/MALIBU	MALIBU 4DR	88	\$24.00	\$230.00
61	FORD/EXPLORER	EXPLORER 4DR 4X4	88	\$25.00	\$230.00
62	FORD	CROWN VICTORIA	88	\$15.00	\$200.00
63	FORD/CROWN VICTORIA	FORD CROWN VIC	88	\$24.00	\$230.00
64	FORD/CROWN VICTORIA	FORD CROWN VIC	88	\$25.00	\$450.00

VEHICLES	——	62 AUCTION FEE	TOTALS	\$1,650.00	\$15,500.00
MISC EQUIP	——	152 AUCTION FEE		+126.15	+841.00
			TOTAL AUCTION FEES	2,000.15	32,091.00

FINANCE: PLEASE CREDIT ACCOUNT #6610.4693 WITH SALE OF DEPRECIATED FIXED ASSETS

TOTAL SALE:	32,091.00
LESS AUCTION FEES:	<u>-2,000.15</u>
TOTAL	30,090.85

*Prepared by: Samuel P. Lameran, Superintendent of Fleet Maintenance*



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 SERVICE, L.L.C.  
 AUCTION PROCEEDS TRUST ACCOUNT  
 1218 MORRIS RD.  
 GOODFELS, WI 53027  
 PHONE 278 235-2525

DESCRIPTION	AMOUNT
Net Auction Proceeds	
Match Gr. Sold	

74-51724  
 7899

FOR Three Thousand Six Hundred Sixty Six <sup>00/100</sup> DOLLARS

CHECK AMOUNT

DATE	TO THE ORDER OF	DESCRIPTION	CHECK NO.	AMOUNT
6-29-04	City of TROY	Auction Proceed	7899	\$ 3666.00

JOHN TOMASCHKO



*John Tomaschko*

⑆007899⑆ ⑆073404977⑆ ⑆5460⑆8⑆



MID-THUMB AUCTIONEERING  
 SERVICE, L.L.C.  
 AUCTION PROCEEDS TRUST ACCOUNT  
 1218 MORRIS RD.  
 GOODFELS, WI 53027  
 PHONE 278 235-2525

DESCRIPTION	AMOUNT

74-51724  
 7884

FOR Twenty Six Thousand Four Hundred Twenty Three DOLLARS

CHECK AMOUNT

DATE	TO THE ORDER OF	DESCRIPTION	CHECK NO.	AMOUNT
6-29-04	City of TROY	Item Sold	7884	\$ 26423.00

JOHN TOMASCHKO



*John Tomaschko*

⑆007884⑆ ⑆073404977⑆ ⑆5460⑆8⑆



MID-THUMB AUCTIONEERING  
 SERVICE, LLC  
 AUCTION PROCEEDS TRUST ACCOUNT  
 1755 MORRIS RD  
 COODELLS, WI 53007  
 PHONE (262) 235-9925

SPAN/DA	AMOUNT
A-3005 6-17-11	
Sub	

74-51724

7883

PAY Two Hundred Seventy Three <sup>10</sup>/<sub>100</sub> DOLLARS

CHECK AMOUNT

DATE	TO THE ORDER OF	DESCRIPTION	CHECK NO.	AMOUNT
6-29-11	City of Troop	SOLD CADUCE	7883	\$ 273. <sup>00</sup>
	Drug Task Force Fund			

JOHN TOMASZKO

 Tri-County Bank

*John Tomaszko*

⑆007883⑆ 4072404977⑆ 2-5480-8⑆

Police  
DEPT.

Date: 06-12-2004

ST CLAIR CO Sheriff

**MID-THUMB AUCTIONEERING SERVICE L.L.C.**  
**8769 MORRIS ROAD**  
**GOODELLS, MI 48027**  
**810-325-9595**

Settlement  
Seller: 40

City Of Troy

Page: 1

Item	Description	Price	Qty	Total
902	FORD EXPLORER BLUE ML77564 VIN 5226		1	5,300.00
889	1999 CHEV MALIBU BLUE VIN Y164753 ML97956	*** Not sold ***		
<b>939</b>	96CAR W/ 98ASSEMBLE TITLE ML72186 CRN VIC		1	3,200.00
885	98 DODGE RAM 1500 2WD PICK UP VIN 5704664 ML89384		1	4,450.00
982	98 FORD CRN VIC LIGHT BL VIN X152672 ML70266		1	4,250.00
946	2001 CRN VIC VIN X180799 ML71833		1	5,800.00
947	2001 CRN VIC ELK VIN X180800 ML72005	*** Not sold ***		
<b>537</b>	STONE CEMENT MIXER W/ MOTER		1	500.00
887	99 chrysler cirrus 4dr vin654693 ml99934		1	3,850.00
Items: 9				Amount: 27,350.00

**THANK-YOU !!**  
**MID-THUMB AUCTION**

Date: 06-12-2004

ST CLAIR CO Sheriff

MID-THUMB AUCTIONEERING SERVICE L.L.C.  
8769 MORRIS ROAD  
GOODELLS, MI 48027  
810-325-9595

Settlement TROY POLICE DTF  
Seller: 11

Page: 1

Item	Description	Price	Qty	Total
DRUG FORFEITURE (Police)	88 CADILLAC SEDAN DEVILLE VJ4297699		1	300.00
	Items: 1	Amount:		300.00

THANK-YOU !!  
MID-THUMB AUCTION

Date: 06-12-2004

ST CLAIR CO Sheriff

MID-THUMB AUCTIONEERING SERVICE L.L.C.  
8769 MORRIS ROAD  
GOODELLS, MI 48027  
810-325-9595

Settlement  
Seller: 4

CITY OF TROY

Page: 1

Item	Description	Price	Qty	Total
-	Trailer hitch draw tie blue		1	5.00
-	Rims silver 2 w/ wheels trailer wheel		1	7.00
-	14 inch tire		1	2.00
-	Ford rims	1.00	4	4.00
-	Fuel tank		1	20.00
-	JACK red		1	27.50
-	Air jakes <i>JACK</i>	60.00	3	240.00
-	Thermostates a box		1	2.00
-	Motor parts		1	4.00
-	Auto parts		1	3.00
-	Head lights a box full		1	7.50
-	Craftsman tool box		1	55.00
-	Craftsman tool box		1	55.00
-	4 rims		1	1.00
-	Balance of Truck rims 8 50" tires 56" tire		1	1.00
-	Big truck tire 1100		1	20.00
-	Big rim		1	1.00
-	Tractor tire 16928		1	10.00
-	Car ramps		1	15.00
-	Chalk board		1	8.00
-	A metal piece to a dump truck		1	1.00
-	Shop manuals by the lot	25.00	3	75.00
-	A stack of chairs	15.00	3	45.00
-	Trailer hitch with reciever		1	5.00
-	TIRES FOR TRUCKS	50.00	4	200.00
-	TIRES	5.00	4	20.00
-	BALLANCE OF TIRES		1	7.50
	Items:	27	Amount:	841.50

THANK-YOU !!  
MID-THUMB AUCTION

Date: 06-26-2004

FURSTENAU PROPRIETOR

**MID-THUMB AUCTIONEERING SERVICE L. L. C.**  
8769 MORRIS ROAD  
GOODELLS, MI 48027  
810-325-9595

Listing For Seller + *City of Troy* Page: 1

SN	BN	Item	Description	Tax	Price	Qty	Total
4	475	<b>889</b>	1999 chevy malibu 97,200 miles	Y		1	3,500.00

Items: 1 Amount: 3,500.00

*Faint, illegible text or stamp in the bottom right corner.*



## SALE NOTICE

**To: All Interested Parties**

**From: City of Troy Purchasing Department**

**Date: June 3, 2004**

**Re: Sale of Out of Service Vehicles**

Mid-Thumb Auctioneering Service, LLC is the designated auction company authorized to dispose of well-used City of Troy vehicles and miscellaneous items on **Saturday, June 12, 2004, at 10:00 a.m.**

You are invited to participate in the sale. If you have any questions, please call the City of Troy Purchasing Department at (248) 524-3576 or the auctioneer at (810) 325-9595.

**AUCTIONEER: Mid-Thumb Auctioneering Service, LLC**

**AUCTION ADDRESS: Don's American Towing , 2547 Connor Street, Port Huron, MI**  
 (from I-94 & Range Rd. Interchange, take Dove Rd. East 2 miles to 32<sup>nd</sup> St, then South approximately 6 blocks, turn East onto Connors. Watch for auction signs. Or from Business Loop I-69 Freeway (Oak St) Corner go South 3-1/2 miles on 24<sup>th</sup> Street to Connor St, then West)

**PHONE: (810) 325-9595**

**DATE AND TIME: Saturday, June 12, 2004 @10:00 a.m.**

The vehicles from the City of Troy to be auctioned include but are not limited to the following:

MODEL	QUANTITY	CITY #	DESCRIPTION
1980	1	537	Stone Cement Mixer - Trailer Mounted
1999	1	887	Chrysler Cirrus 4 Door - Black
1999	1	889	Chevrolet Malibu 4 Door - Blue
1996	1	939	Ford Crown Victoria - Blue
2001	1	946	Ford Crown Victoria - Black
2001	1	947	Ford Crown Victoria - Black
1998	1	982	Ford Crown Victoria - Lt. Blue
1988	1	Police	Cadillac (Drug Forfeiture)
			Miscellaneous Garage Equipment (jacks, tool box, Books, etc.)
			Miscellaneous Office Equipment
			Miscellaneous Auto and Truck Parts, and tires

**NOTES:** (1) There is an auction reserve on these vehicles; (2) The City of Troy reserves the right to withdraw vehicles from the auction at their discretion; (3) Synthetic oils were used exclusively on all patrol vehicles, and in transmissions and rear axles on all other vehicles.

# PUBLIC AUCTION

## SATURDAY JUNE 12, 2004

SALE COMMENCING AT 10:00 A.M.

AUCTION LOCATED AT DON'S AMERICAN TOWING, 2547 CONNOR ST PORT HURON MI FROM I-94 & RANGE RD INTERCHANGE, TAKE DOVE RD EAST 2 MILES TO 32<sup>ND</sup> ST, THEN SOUTH APPROX. 6 BLOCKS, TURN EAST ONTO CONNORS WATCH FOR AUCTION SIGNS OR FROM BUSINESS LOOP I-69 FREEWAY (OAK ST) CORNER GO SOUTH 1 1/2 MILES ON 24<sup>TH</sup> STREET TO CONNOR ST THEN WEST.

### ST. CLAIR CO SHERIFF

STOLEN/RECOVERED UNCLAIMED:  
BIEP GRAND (TON) 6 SPD, BUFFY 26' & MAXX MOUNTAIN SCHWINN MAFIC MOTORBIKE, PEDESTAL, MURRAY 5 SPD, ROYAL UNION SCOOTER, 151 (DOD) HUBCAPS, TOOL BOX, 2) CORDLESS DRILL, HK PORTER BUILT CUTTERS, CAMPBELL HAUSFELD SANDBLAST'R, PORT CABLE (10) CIRCULAR SAW, AMBER BOSCH PLASTER KUSS RECEIVER & EQUALIZER & CD DIGITAL FACEPLATE, YAMAHA CASSETTE RECEIVER, FORD CASSETTE/RADIO, 2) CDS CASSETTE/RADIO, BLAUPUNKT -VANCOMPUTER CD, EMERSON CD CASSETTE/RADIO, PIONEER CASSETTE PLAYER & CD PLAYER, ALPINE CD PLAYER & MAIN AMPLIFIER, AUDIOVOX RAMPAGE CD & CD-RADIO, JENSEN CD, 2) CD-RADIO, 2) KENWOOD CD-RADIO, QTY OF CD'S, WHITE-WESTINGHOUSE CD PLAYER, SONY RADIO/CD & CD PLAYER, CLARION MAGNATONE TUNER CD PLAYER, SCIENTIFIC -VIEWSTAR & 2) HOVAVISION CABLE BOX, CYBERHOME, TRAC STEREO, MAJESTIC AMP, IVC DOHC, PARTS & CIRCUIT BOARDS, CLOTHING, ALISON BATHERY CHAIR/ST. BALL, JOINT TOOL SET, SPLITTING MALL, ENGINE STAND, FREE CLIMBING HARNESS, BOX OF CONNECTORS, 2) PULLEY/BLOCK, BUSHING, FOUJAN PRO 295 CHAIN SAW, 20", LOG ROLLER, 2) SAMPSON "BLUE STREAK" TREE ROPE "X"120", TREE PRUNERS W/CASE, NON-TANGLE ROPE, 3" X 10' BULL ROPE DOG TIE OUT CABLE 1/2", LADIES MANUFACTURED RUBY RED STONE 6K GOLD RING

S.C.C.S. DRUG TASK FORCE  
SHARP 20' & 30FT 277V BURST UNLIMITED WARNING ALARMS, SAMSUNG MAXIMA ZIOM CAMERA, "TIP" SADDLEBAG, BANG, HIGLO, RUBBERMAID-COLEMAN COOLERS 4 W/ BELL PHONE, 3) PORTABLE SPOTLIGHTS, ACER COMPUTER, PAIR MIX SPEAKERS, GATEWAY 2996 W/HOPPER, NINTENDO 64 SYSTEM, 1) X CRAZY REAL TALK CD'S, PUNCH-2) KENWOOD-ACOUSTIK -MAJESTIC, PIONEER-LEGACY AMP'S, KICKER COMP SPEAKERS, MIX SPEAKER BOX, PAIR OF JBL SPEAKERS, SPEAKER BOX W/ 2) SUB-WOOFERS, HAMP-TON BEACH-NR COFFEE-BRAIN COFFEE MAKER "LITE POWERCELL" BASEBALL BAT, CURTIS MATHEWS DVD PLAYER, SYMPHONIC VCR, LENMARK 722 COLOR 3ET PRINTER, PIONEER CENTER CHANNEL SPEAKER, DEH-2100 CD PLAYER, ALPHA STEREO SYSTEM 3 SPEAKERS, 4) 260W BLUHD, 649 SPEAKERS BOXES W/ 4) 150 SPEAKERS, ACOUSTIK PZL, SONY DOUBLE CASSETTE, MAGNAVOX DVD RECORDER, SONY CD RECORDER, RYOH SPEED SAW-RECIPROCATING SAW, 80" TABLE SAW, DEWALT RECIPROCATING SAW, BOSCH BLE DRILL, PISHA NAILER, ROOSTER COIL NAILER, BRONX & STRAIGHT GENERATOR, SONY 37" PROJECTION TV, DIGITAL PHOTO PRINTER, WHIRLPOOL DIET DRYER - HIT WASHER, 2) SPRAY TECH 50 FT RECOS BUMP PAINT SPRAYER, PORTER CABLE 3HP 3 GAL AIR COMPRESSOR, CRAFTSMAN 20" CHAIN SAW, PANASONIC HOME THEATER SOUND SYSTEM, SHARP 36" TV, COLUMBIAN POWERMATE GENERATOR, PHR, PIONEER STEREO RECEIVER, KENWOOD MULTIPLE CD PLAYER - AUDIOVIDEO STEREO RECORDER - AUDIO RECORDER - SUB-SPEAKER - DVD/CD PLAYER, WERNER W/10' FOLDING LADDER, ALUMINUM, 3) DASHABLE SATELLITE SPEAKERS, PORTAL CHAIN SAW, GTX AUDIO CD RECORDER, DARWOOD 11TV & 100CT AIR ORFENSE GUN KIT, TWIN PERSONAL TV & SECURITY MONITOR, INSTANT POWER JUMP START BOX, PORTER CABLE DRILL, ELE WRENCH, 2) HALOGEN LIGHT STAND, CRAFTSMAN FLOOR JACK, 1) TON, WAGNER SANDER,

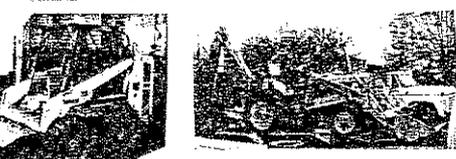
DRIFTWAY PATROL INFRARED WIRELESS ALERT SYSTEM APER COLOR TV, REACTOR SUB WOOFER BOX, BLACK & DECKER 12V CORDLESS DRILL, HARD ALUMINUM CASE W/COOLS, GRIP 10 PIECE GRINDER KITCHEN, TRUE TEMPER WOOD CUTTING AX, POWERCRAFT HATCHET, MIT LARGE CUTTING CUTTER, PASOLDE NAILER, BOREEM SCOOTER, LIGZ WOMAN'S BOOTS SIZE 7-12 & 2)SZE 3, NINTENDO 64 - 2)GAME CUBE W/GAMES, SHOXMIN SUITCASE W/TWHEELS, INITIAL DVD PLAYER, PANASONIC -MINTK PORTABLE DVD PLAYER, PLAYSTATION 2 - X-BOX W/ CONTROLLERS, KENWOOD SPEAKERS - AMP MOSFET - AMERICAN LEGACY AMP, 1) 12" - 2) 12" AMERICAN PRO, KENWOOD AUDIO SUB-WOOFERS, RCA 27" TV, PELLE -PEPE JACKET, COBRA - RADIO SHACK SCANNER, TEXAS INSTRUMENTS TIR PLUS, RCA PORTABLE CD PLAYER.

1989 LINCOLN TOWN CAR STYLE 10 PASS  
LIMO BLUE LEATHER-SUNROOF-LOADED  
1994 CHRYSLER NEW YORKER SUN ROOF  
4DR WHITE  
1991 HONDA ACCORD 4DR WHITE  
1984 CHEVY CORVETTE GLASS TOP  
BROWN/TAN "SPIT FIRE" 73581 MILES  
1994 JAYCO POP-UP SERIES 10 TRAILER  
1995 DODGE RAM SLT PICKUP 6' BOX  
4WD WHITE/GRAY W/FIBERGLASS TOPPER  
1992 BUICK PARK AVE CHROME WHEELS  
4 DOOR TAN  
1991 CHEVY LUMINA 2 DOOR RED  
ARTIC CAT 580 EXT SNOWMOBILE  
3191 MILES  
POLARIS INDY XLT SNOWMOBILE  
4296 MILES  
JOHN DEERE L109 5hp 42" CUT RIDING MOWER  
BOMBARDIER TRAX-TER XT 4WD FOUR  
WHEELER W/FRONT WHEEL 528 MILES  
CUSHMAN EDELBRÖCK 3 WHEEL UTILITY  
CART W/SM DUMP BOX GAS ENGINE  
CRAFTSMAN 9hp/21" REAR TINE ROTOTILLER  
1979 YAMAHA XL SPECIAL 1199 C/C  
MOTORCYCLE HARD SADDLE BAGS &  
FRONT FAIRING



1979 FORD 6 yrd DUMP TRUCK  
F600 370 V-8 5spd 2 spd rear  
AXLE WHITE/RED

SPORTS MEMORABILIA W/PROOF OF AUTHENTICITY-CA, AUTOGRAPHED- MICHAEL JORDAN RARE AIR CARD SET BY UPPER DECK, REGGIE JACKSON HOME RUN HITTER'S PRINT -CA FROM UPPER DECK, REGGIE JACKSON-A BASEBALL -CA, REGGIE JACKSON PRINT -CA, WIN 1994 SALUTE TO MICHAEL JORDAN MAGAZINE W/ 22.93 UPPER DECK JUMBO MICHAEL JORDAN CARD SERIAL#120000, RICKEY HENDERSON /LOU BROCK STOLEN BASES PLAQUE W/RICKEY HENDERSON/LOU BROCK BASEBALL CARD, YOKI BERRA/DON LARSEN -A PHOTO SERIAL #1341000 -CA FROM SCORE BOARD, GAME USED JOE MONTANA SAN FRANCISCO -A AUTHENTIC RIDDELL HELMET, JOE DIMAGGIO -A GAME ACTION PHOTO SERIAL#243/1941, KEN GRIFFEY SR/JR -A LOUISVILLE SLUGGER BASEBALL BAT, REGGIE JACKSON -A PLAQUE/PRINT LARRY BIRD -A AND FRAMED BOSTON GLOBE FRONT PAGE NEWSPAPER DATED 4-19-92 ANNOUNCING RETIREMENT -CA FROM SCOREBOARD INC SERIAL #643/2509, MICHAEL JORDAN -A 1997 NBA CHAMP PHOTO -CA FROM UPPER DECK, REGGIE JACKSON -A AUTHENTIC RUSSELL NY YANKEES JERSEY -CA FROM UDA, PHOTOGRAPH OF BABE RUTH, BOX OF -A BASEBALLS: ROGER CLEMENS, KEN GRIFFEY, REGGIE JACKSON, DAVID JUSTICE, TERRY PENDLTON, DENNIS ECKERSLEY, DAVE W/FIELD, STEVE CARLTON, ROLLIE FINGERS, TOM SEAVER, MO VAUGHN, RICKEY HENDERSON, GARY SHEFFIELD, CAL RIPKEN JR, TOM GLAVINE, MCKEY MANTLE, NOLAN RYAN, STEVE AVERY, SANDY KOUFAX, BARRY BONDS, 30ME HAYE -CA, PHOTO OF BABE RUTH, LOU GEHRIG, TY COBB, TRIS SPEAKER FROM THE BRUCE MURRAY COLLECTION, REGGIE JACKSON -A AUTHENTIC NY YANKEES BATTING HELMET -CA FROM UDA, MICKEY MANTLE/WILLIE MAYS -A PHOTO -CA FROM SCORE BOARD INC, JOE DIMAGGIO/MICKEY MANTLE -A PHOTO -CA FROM SCORE BOARD INC, REGGIE JACKSON PLAQUE, UPPER DECK 96 NBA FINALS MICHAEL JORDAN UDA -A CARD SERIAL # 26575000, SHAQUILLE O'NEAL -A PLAQUE, UPPER DECK SPECIAL EDITION MICHAEL JORDAN COLLECTOR CARD SET, BLOW UP 3 1/2 X 5, DAN MARINO -A FOOTBALL IN UDA FELT BAG, SHAQUILLE O'NEAL -A BASKETBALL, LAWRENCE TAYLOR -A #56 FOOTBALL, CHRIS WEBBER -A 1991 CLASSIC COLLEGE CARD -CA BY SCORE BOARD INC SERIAL #2604-3000, ANFERNEE HARDAWAY -A 1994 CLASSIC COLLEGE CARD -CA BY SCORE BOARD INC, BARRY BONDS -A 1987 TOPPS ROOKIE CARD, NOLAN RYAN -A BASEBALL ON PLAQUE SERIAL # 1/5000, JOES CANSECO -A RECORD BREAKER 4040 CLUB 1/2 MEMBER PRINT PLAQUE LIMITED EDITION 155752500, REGGIE JACKSON -A COOPERS/TOWN BASEBALL BAT SERIAL # 97250, LARRY BIRD -A HACKNEY PRINT -CA SERIAL # 625/1000, ART MONK -A RECORD BREAKER PHOTO PLAQUE SERIAL # 264820 -CA BY SCORE BOARD, NOLAN RYAN -A COMMEMORATIVE PRINT SERIAL # 5771500 -CA BY SCORE BOARD, LIMITED EDITION LEGACY SERIES BABE RUTH PRINT SERIAL # 189/500



CASE G530 TC GAS LOADER/BACKHOE  
CONSTRUCTION KING  
TRI-AXLE TRAILER 16' DOVE TAIL RED  
W/RAMP PINAL HITCH  
TANDEM AXEL 12' W/4' DOVE TAIL  
W/RAMP PINAL HITCH

INSPECTION DAY OF SALE NOTHING TO BE REMOVED UNTIL SETTLED FOR  
TERMS OF SALE: PAYMENT IS EXPECTED IN FULL DAY OF SALE IN CASH OR CERTIFIED FUNDS. MEANS BANK CASHIERS CHECK OR MONEY ORDER DAY OF SALE. A \$200.00 NON-REFUNDABLE CASH DEPOSIT AT THE TIME OF ACTION ON VEHICLES AND EQUIPMENT. BUYERS TO HAVE UNTIL MONDAY, JUNE 14, 2004 FROM 2:24 TO 5 PM TO PAY BALANCE IN CERTIFIED FUNDS OR DEPOSIT WILL BE FORFEITED AT AUCTION SITE. (NO PERSONAL OR COMPANY CHECKS WILL BE ACCEPTED ON VEHICLE OR EQUIPMENT) "NO EXCEPTIONS" NOTE: 2% BUYERS PREMIUM. ALL ITEMS SOLD "AS IS - WHERE IS". ALL SALES FINAL. SALES ARE SUBJECT TO A 6% SALES TAX.  
SALE PRINCIPLES, AUCTIONEERS, CLERKS AND OWNERS OF PROPERTY ARE NOT RESPONSIBLE OR LIABLE FOR ACCIDENTS, OR LOSS OR STOLEN GOODS AFTER SOLD. AUCTIONEERS AND CLERKS ARE ACTING AS AGENTS ONLY AND ASSUME NO GUARANTEES OR LIABILITIES. STATEMENTS MADE DAY OF SALE TAKE PRECEDENCE OVER PRINTED MATTER HEREIN.

Come prepared to bid & buy. There will be two auction rings selling.

### CITY OF WARREN:

CITY OF TROY:  
STACKING CHAIRS, CAR RAMPS, MITCHELL & CHILTON REPAIR MANUALS, 2) CRAFTSMAN UPPER & BASE ROLL AROUND TOOL BOXES, "STONE" TRAILER TYPE 8hp CEMENT MIXER.



1986 FORD 6610 DSL TRACTOR W/MO  
DOUBLE WING INTERSTATE FLAIL MOW  
& MOTT 3PT 7 FLAIL MOWER 18' CUT



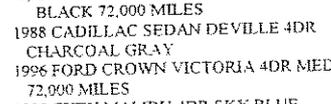
1998 DODGE RAM LARAMIE SLT 1500  
PICK-UP VS BLACK W/BED LINER  
89000 MILES



1995 CHEVY LUMINA 4DR GRAY  
CHARCOAL GRAY 57,390 MILES  
1995 DODGE INTREPID 4DR  
BROWNISH 98,250 MILES



1999 FORD EXPLORER 4WD 4DR BLUE  
77550 MILES



1996 FORD CROWN VICTORIA 4DR  
LIGHT BLUE  
2) 2001 FORD CROWN VICTORIA 4DR  
BLACK 72,000 MILES  
1988 CADILLAC SEDAN DEVILLE 4DR  
CHARCOAL GRAY  
1996 FORD CROWN VICTORIA 4DR MED BLUE  
72,000 MILES  
1999 CHEVY MALIBU 4DR SKY BLUE  
DETECTIVE CAR  
1999 CHRYSLER CIRRRUS 4DR BLACK



1995 CHEVY LUMINA 4DR GRAY  
CHARCOAL GRAY 57,390 MILES  
1995 DODGE INTREPID 4DR  
BROWNISH 98,250 MILES

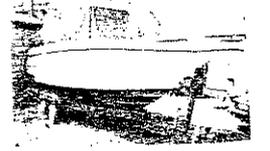


1996 FORD CROWN VICTORIA WHITE  
2) 1997 FORD CROWN VICTORIA WHITE

1991 CHEVY LUMINA 4 DR  
1995 CHEVY CAPRICE 4DR WHITE  
1996 OLDSMOBILE CUTLESS SUPREME  
2DR BLACK 78,125 MILES  
2000 FORD EXPLORER 4DR 4WD  
WHITE 127,000 MILES.

BONANZA 2 PLACE HORSE TRAILER 14'  
LONG FRONT TANDEM AXLE  
LIVESTOCK GATED BACK AREA  
74" WIDE X 10' LONG SINGLE AXLE  
STEEL DECK TRAILER.

1988 SEA RAY 24' CENTER CONSOLE BOAT  
EZ-LOADER TANDEM AXLE TRAILER  
1993 SEA RAY 24' CENTER CONSOLE BOAT  
ALLOY TANDEM AXLE TRAILER  
MERCURY 115 & MERCURY 3) 150 OPTI-MAX &  
MERCURY 225 OPTI-MAX OUTBOARD  
MOTORS ALL NEED REPAIR.  
1995 CHEVY WINDOW VANDURA 2500 VAN



### MID-THUMB AUCTIONEERING SERVICE, L.L.C.

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Auctioneer's Reality JOHN TOMASZAK

