

AGENDA

Regular Meeting of the

CITY COUNCIL OF THE CITY OF TROY

SEPTEMBER 20, 2004

CONVENING AT 7:30 P.M.

**Submitted By
The City Manager**

TO: The Honorable Mayor and City Council
Troy, Michigan

FROM: John Szerlag, City Manager

SUBJECT: Background Information and Reports

Ladies and Gentlemen:

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

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

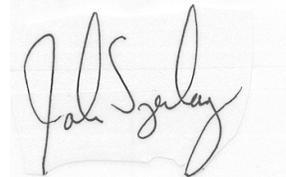
Identified below are goals for the City, which have been advanced by the governing body; and Agenda items submitted for your consideration is on course with these goals.

Goals

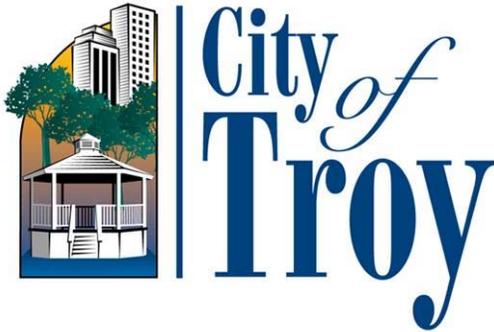
1. Minimize cost and increase efficiency of City government.
2. Retain and attract investment while encouraging redevelopment.
3. Effectively and professionally communicate internally and externally.
4. Creatively maintain and improve public infrastructure.
5. Protect life and property.

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 blue rectangular stamp or watermark.

John Szerlag, City Manager



CITY COUNCIL

AGENDA

September 20, 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: Pastor Richard A. Peacock – First United Methodist Church 1

ROLL CALL: 1

CERTIFICATES OF RECOGNITION: 1

A-1 No Presentations or Certificates of Recognition presented. 1

CARRYOVER ITEMS: 1

B-1 No Agenda Items Carried Over. 1

PUBLIC HEARINGS: 1

C-1 No Public Hearings presented. 1

POSTPONED ITEMS: 1

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CALL TO ORDER:

INVOCATION & PLEDGE OF ALLEGIANCE: Pastor Richard A. Peacock – First United Methodist 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:

A-1 No Presentations or Certificates of Recognition presented.

CARRYOVER ITEMS:

B-1 No Agenda Items Carried Over.

PUBLIC HEARINGS:

C-1 No Public Hearings presented.

POSTPONED ITEMS:

D-1 Sole Source – X26 Advanced Taser – Less than Lethal Electrical Impulse Devices

Suggested Resolution

Resolution #2004-09-

Moved by

Seconded by

WHEREAS, Michigan Taser Distributing is the sole source provider in Michigan of the X26 Advanced Taser and Accessories.

WHEREAS, This electrical impulse tool has now become legal for Michigan law enforcement to use to reduce injury and potential liability for the City.

NOW, THEREFORE, BE IT RESOLVED, That a contract is hereby **AWARDED** to Michigan Taser Distributing, the sole source provider for the X26 Advanced Tasers and accessories at an estimated total cost of \$23,950.00 which includes freight.

Yes:

No:

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 #2004-09-

Moved by

Seconded by

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Item(s) _____, which shall be considered after Consent Agenda (E) items, as printed.

Yes:

No:

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

E-2 Minutes: Regular Meeting of September 13, 2004

Suggested Resolution

Resolution #2004-09-

RESOLVED, That the Minutes of the 7:30 PM Regular Meeting of September 13, 2004 be **APPROVED** as submitted.

E-3 Proposed City of Troy Proclamations:

Suggested Resolution

Resolution #2004-09-

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

- (a) National Alcohol and Drug Addiction Recover Month – September 27, 2004
- (b) Family Day – A Day to Eat Dinner With Your Children – September 27, 2004

E-4 Request for Acceptance of a Permanent Easement for Roadway, Sanitary Sewer, Water Main, Public Utilities, Sidewalk, Storm Sewer and Surface Drainage, and Warranty Deeds for Street Right-of-Way and Detention Pond Site Booth Parcel Splits – Project No. 03.949.3 – Sidwell #88-20-03-401-003

Suggested Resolution
Resolution #2004-09-

RESOLVED, That the Permanent Easement for Roadway, Sanitary Sewer, Water Main, Public Utilities, Sidewalk, Storm Sewer and Surface Drainage, and the Warranty Deeds for Street Right-of-Way and Detention Pond Site from Milano Building Company, owner of property in the southeast ¼ of Section 3, having Sidwell #88-20-03-401-003 are hereby **ACCEPTED**; 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.

E-5 Request for Acceptance of Purchase Agreement, Saoud Jamo and Nidhal Jamo, 2907 Thames, Sidwell #88-20-25-229-001, Big Beaver, Rochester to Dequindre Road Project #01-105.5

Suggested Resolution
Resolution #2004-09-

RESOLVED, That the Agreement to Purchase with conditions between Saoud Jamo and Nidhal Jamo and the City of Troy, having Sidwell #88-20-25-229-001, for the acquisition of property at 2907 Thames is hereby **APPROVED**; and

BE IT FURTHER RESOLVED, That authorization is hereby **GRANTED** to purchase the property in the Agreement referenced above in the amount of \$180,000.00, plus closing costs.

E-6 Request for Acceptance of Purchase Agreement and Price Differential Payment for Mahmoud and Nahla Abdallah, 2851 Thames – Sidwell #88-20-25-226-006 – Project No. 01.105.5 – Big Beaver Road Improvements – Rochester to Dequindre

Suggested Resolution
Resolution #2004-09-

RESOLVED, That the Agreement to Purchase between Mahmoud and Nahla Abdallah, and the City of Troy, having Sidwell #88-20-25-226-006, for the acquisition of property at 2851 Thames is hereby **APPROVED**; and

BE IT FURTHER RESOLVED, That authorization is hereby **GRANTED** to purchase the property in the Agreement referenced above in the amount of \$185,000.00, plus closing costs; and

BE IT FINALLY RESOLVED, That as required by Michigan Laws and Federal Regulations, a Price Differential Payment, not to exceed \$22,000.00 is hereby **APPROVED**.

E-7 Request for Acceptance of Purchase Agreement and Price Differential Payment for Emad and Niran Youno, 2955 Thames – Sidwell #88-20-25-229-005 – Project No. 01.105.5 – Big Beaver Road Improvements – Rochester to Dequindre

Suggested Resolution
Resolution #2004-09-

RESOLVED, That the Agreement to Purchase between Emad and Niran Youno, and the City of Troy, having Sidwell #88-20-25-229-005, for the acquisition of property at 2955 Thames is hereby **APPROVED**; and

BE IT FURTHER RESOLVED, That authorization is hereby **GRANTED** to purchase the property in the Agreement referenced above in the amount of \$190,000.00, plus closing costs; and

BE IT FINALLY RESOLVED, That as required by Michigan Laws and Federal Regulations, a Price Differential Payment, not to exceed \$17,900.00 is hereby **APPROVED**.

E-8 Request for Approval of Private Agreement for Pro Car Wash – Project No 02.914.3

Suggested Resolution
Resolution #2004-09-

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) Between the City of Troy and Pro Car Wash is hereby **APPROVED** for the installation of paving and storm sewer 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-9 Application for New Specially Designated Merchant (SDM) License by ALDI, Inc. (Michigan)

Note: A copy of the Draft Liquor Advisory Committee Minutes of September 13, 2004 is located under Agenda Item **J-02 (I)**.

(a) Request for New SDM Licensed Business

Suggested Resolution
Resolution #2004-09-

RESOLVED, That the request from ALDI, Inc. (Michigan) for a Specially Designated Merchant (SDM) licensed business, located at 2967 E. Big Beaver Rd. - Troy, MI 48084, Oakland County [MLCC REQ ID #268630], be considered for **APPROVAL**; and

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

(b) Request for Approval of Agreement

Suggested Resolution

Resolution #2004-09-

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 ALDI, Inc. (Michigan) which shall become effective upon approval of the request for a new Specially Designated Merchant (SDM) licensed business located at 2967 E. Big Beaver Rd. – Troy, MI 48084, Oakland County, 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.

E-10 Announcement of Public Hearing – Community Development Block Grant (CDBG) Re-Programming of Year 2002 Funds

Suggested Resolution

Resolution #2004-09-

RESOLVED, That a Public Hearing be **SCHEDULED** before the Troy City Council on October 4, 2004 at 7:30 PM or as soon thereafter as the agenda will permit for the purpose of hearing public comments on the re-programming of year 2002 funds.

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: 1. Downtown Development Authority; 2. Economic Development Corporation, and **(b) City Council Appointments:** No appointments submitted.

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 AppointmentsSuggested Resolution

Resolution #2004-09-

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:

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

Term expires 07-01-2005 (Student)

CURRENT MEMBERS

NAME	TERM EXPIRES
Culpepper, Michael W	09/30/04
Frankel, Stuart	09/30/07

Hay, David	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
Schroeder, Douglas J	09/30/06
Weiss, Harvey	09/30/05
Schilling, Louise E	09/30/04
Wong, Fred (Student)	07/01/04

INTERESTED STUDENT APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
None on file		

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

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
Hoef, Paul V.	04/30/09
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-	09/17/01-05/03/04

	04/2006	
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

Yes:
No:

F-2 Petition Analysis – Paving of Big Oak Trail – SAD #04.201.1 – Standard Resolutions #1, #2 and #3

(a) Standard Resolution #1

Suggested Resolution
Resolution #2004-09-
Moved by
Seconded by

RESOLVED, That Standard Resolution #1 be hereby **ADOPTED** to direct the preparation of plans and costs estimates for the Special Assessment to pay all or part of the cost of Asphalt Paving of Big Oak Trail in Section 18, Project No. 04.201.1, all pursuant to Sections 1.1 and 1.2 of Chapter 5 of the Code of the City of Troy.

Yes:
No:

(b) Standard Resolution #2

Suggested Resolution
Resolution #2004-09-
Moved by
Seconded by

RESOLVED, That Standard Resolution #2 be hereby **ADOPTED** to approve plans and cost estimates for a Special Assessment to pay all or part of the cost of Asphalt Paving of Big Oak Trail, in Section 18, Project No. 04.201.1, all pursuant to Sections 1.1 and 1.2 of Chapter 5 of the Code of the City of Troy:

Total Estimated Cost	\$163,000.00
Assessment (5 units @ \$5,170.00 ea)	25,850.00
City's Share	137,150.00

BE IT FURTHER RESOLVED, That the City Assessor is hereby **ORDERED AND DIRECTED** to prepare a Special Assessment Roll in Accordance with Chapter 5 of the Code of the City of Troy.

Yes:

No:

(c) Standard Resolution #3

Suggested Resolution

Resolution #2004-09-

Moved by

Seconded by

RESOLVED, That Standard Resolution #3 be hereby **ADOPTED** to set a Public Hearing date on the Special Assessment Roll for Asphalt Paving of Big Oak Trail in Section 18, Project No. 04. 201.1, all pursuant to Chapter 5 of the Code of the City of Troy, with said **Public Hearing** to be **ESTABLISHED** for October 4, 2004.

Yes:

No:

F-3 Tentative Preliminary Subdivision Approval – Wyngate of Troy Subdivision, East Side of Coolidge Highway, North of Square Lake Road – Section 5 – R-1B

Suggested Resolution

Resolution #2004-09-

Moved by

Seconded by

RESOLVED, That Final Approval of the Preliminary Plat for Wyngate of Troy Subdivision located on the east side of Coolidge Highway, north of Square Lake Road, within Section 5, is hereby **GRANTED**; and

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are hereby **AUTHORIZED TO EXECUTE** the Subdivision Agreement; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes:

No:

F-4 Section 2 Ferry Drain Restoration Project

Suggested Resolution

Resolution #2004-09-

Moved by

Seconded by

WHEREAS, Hubbell, Roth & Clark in accordance with the General Engineering Contract, was authorized by City Council Resolution No. 2002-06-379 to provide engineering services to the City of Troy.

WHEREAS, There is a problem with stream bank erosion on the Ferry Drain.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy is providing **AUTHORIZATION** to proceed with the design services for the Section 2 Ferry Drain Restoration Project at a cost of \$32,088.00 plus an additional 10% for contingencies which must first be approved by City Management.

Yes:

No:

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings: No Public Hearing announcements submitted.

G-2 Green Memorandums: No Green Memorandums submitted.

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

H-1 Holiday/Religious Displays on City Hall Lawn – Advanced by Council Member Beltramini

Note: Per City Charter Section 5.6 (b) (7) – Special Requirements for Certain Council Actions, that the affirmative vote of a majority of the members elect of the Council is required for reconsidering or rescinding any vote of the Council.

Suggested Resolution

Resolution #2004-09-

Moved by

Seconded by

RESOLVED, That Resolution #2004-09-467, Moved by Schilling and Seconded by Howrylak, as it appears below be **RESCINDED** by City Council:

*RESOLVED, That the City of Troy **ADD** to its existing Winter Holiday display other secular and religious symbols of the Season which may include a Menorah and Nativity Scene; and*

*BE IT FURTHER RESOLVED, That City Management **ENSURE** that the Winter Holiday Display is in full compliance with the law and relevant court decisions; and*

*BE IT FURTHER RESOLVED, That City Management **ADOPT** policies and procedures to accept monetary and other donations for these added elements from individuals and organizations; and*

*BE IT FURTHER RESOLVED, That City Management **LOCATE** these added elements on the front lawn of City Hall to coincide with the Annual Holiday Tree Lighting Ceremony; and*

BE IT FINALLY RESOLVED, That no City funds shall be expended for the holiday displays.

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

MOTION CARRIED

Yes:
No:

COUNCIL COMMENTS:

I-1 No Council Comments advanced.

REPORTS:

J-1 Minutes – Boards and Committees:

- (a) Advisory Committee for Senior Citizens/Final – June 3, 2004
- (b) Advisory Committee for Persons with Disabilities/Draft – August 4, 2004
- (c) Advisory Committee for Persons with Disabilities /Final – August 4, 2004
- (d) Liquor Advisory Committee/Final – August 9, 2004
- (e) Employees' Retirement System Board of Trustees/Final – August 11, 2004
- (f) Planning Commission Special-Study/Draft – August 24, 2004
- (g) Board of Zoning Appeals/Draft – August 31, 2004
- (h) Animal Control Appeal Board/Draft – September 1, 2004
- (i) Building Code Board of Appeals/Draft – September 1, 2004
- (j) Advisory Committee for Senior Citizens/Draft – September 2, 2004
- (k) Library Board/Draft – September 9, 2004
- (l) Liquor Advisory Committee/Draft – September 13, 2004

J-2 Department Reports:

- (a) Monthly Financial Report – August 31, 2004
- (b) Troy Parks and Recreation – Annual Report 2003

J-3 Letters of Appreciation:

- (a) E-mail from Audre Zembruski to John Szerlag and City Council in Appreciation of Vicki Richardson in DPW for Her Assistance With Her Recyclables
 - (b) Letter from Zoe Alpern to Tim Richnak – DPW Thanking Dana Calhoun for Her Assistance in Explaining the Installation of Storm Drains on the Kingsley Drive Cul-De-Sac
 - (c) Letter from Mr. and Mrs. Thomas J. Burke to Assistant Fire Chief David Roberts Thank Lt. Rodney Bovensiep for Personally Investigating a Noise They Believed to Be Coming from Their Smoke Alarm
-

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

J-5 Calendar

J-6 Memorandum, Re: Methodology to Solicit Advertising for the 2005 Calendar

STUDY ITEMS:

K-1 International City/County Management Association (ICMA) Citizen Survey

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:

L-1 Closed SessionSuggested Resolution

Resolution #2004-09-

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), Nancy Cook V City of Troy.

Yes:

No:

RECESSED

RECONVENED

ADJOURNMENT

Respectfully submitted,

John Szerlag, City Manager

September 14, 2004

TO: John Szerlag, City Manager
FROM: Charles T. Craft, Chief of Police
SUBJECT: Agenda Item – Additional Information TASER Purchase

Pursuant to your request for additional information regarding the request for authorization to purchase additional TASER's, I provide the following information.

Although I have not seen any documentation regarding TASER misuse, members of the police department administrative staff have advised me that they are aware of some media reports documenting such problems. As with any tool, if one was so inclined, or if one was improperly trained, misuse could occur. We have taken the following steps to ensure department issued TASER's are properly utilized:

- All officers receive in-service training on TASER use and must pass both a written and operational certification test. Annual recertification is required.
- Detailed guidelines on TASER use have been incorporated into department policy regarding resistive subject control.
- Department policy requires that medical personnel respond to the scene of all TASER deployments and provide all necessary medical care.
- All TASER's electronically record the date and time of discharge, and individual TASER assignment is documented.
- TASER deployment is reviewed through the chain of command, as is the use of all techniques and weapons utilized to overcome resistive subjects, to ensure compliance with department policy.

To date, we have only utilized the TASER on one occasion. That subject did not sustain any injury, and the use of the TASER complied with policy.

August 24, 2004

RECEIVED

SEP 07 2004

TO: John Szerlag, City Manager

FROM: Jeanette Bennett, Purchasing Director
Charles Craft, Chief of Police

CITY OF TROY
CITY MANAGER'S OFFICE

SUBJECT: **Agenda Item - Sole Source – X26 Advanced Taser, Less than Lethal Electrical Impulse Devices**

RECOMMENDATION

City management requests approval to purchase twenty (20) X26 Advanced Tasers, less than lethal resistive subject control devices, as described on Appendix I, from Michigan Taser Distributing. The estimated total cost for the X26 Advanced Tasers and accessories is \$23,950.00, freight included. Michigan Taser is the sole provider in Michigan for this equipment.

BACKGROUND

The X26 Taser will greatly assist the Troy Police Department in controlling resistive subjects they encounter in the field. This device operates by discharging an electrical impulse into the subject immediately ending the resistive behavior. The X26 Taser is a greatly improved model over the M26 model currently in use. It is half the size and weight of our current M26 model. The most impressive feature of the X26 was that it was designed with an integrated flashlight system. This feature alone increases both officer and subject safety, as officers will be able to see much better in low-level light situations.

The X26 Taser has a proven successful history in numerous states, including Michigan. By utilizing these devices, the Police Department will not only be able to provide a tool that will allow officers to successfully control resistive subjects without the risk of a "hands on" approach that could result in a high possibility of injury to both the suspect and the officers, but significantly reduce potential liability for the City.

BUDGET

The Police Department Drug Enforcement Capital Account# 401305.7978.065 has been designated for the funding of this purchase.

Michigan Taser Distributing

**32938 Scone Street
Livonia, MI 48154-4140**

BID

Office Fax #
734-525-8273 734-525-8272

ron@michigantaser.com

Date	BID #
8/3/2004	48

Name / Address
Troy Police Department Sgt. Michael Bjork 300 West Big Beaver Rd. Troy, Michigan 48064

Item	Description	Qty	Rate	Total
26000	X26E Taser Black	20	799.95	15,999.00
34228	15 ft (Box of 28) Air Cartridges	14	475.16	6,652.24
44228	21" (Box of 28), Air Cartridge	2	531.16	1,062.32
S & H	Shipping & Handling		237.13	237.13
			Total	\$23,950.69

Acceptance of Proposal

All prices, specifications and terms are satisfactory and are hereby accepted

All order are charged 1% shipping and handling charge on net invoice price.

NET 10-DAY TERMS *** ALL SALES ARE FINAL**

Date: _____

Signature: _____

A Regular Meeting of the Troy City Council was held Monday, September 13, 2004, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:33: P.M.

The Invocation was given by Pastor John R. Monson – St. Augustine Lutheran Church 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/Excused)

Resolution to Excuse Council Member Stine

Resolution #2004-09-453
Moved by Lambert
Seconded by Beltramini

RESOLVED, That Council Member Stine’s absence at the Regular City Council and Closed Session meetings of Monday, September 13, 2004 **BE EXCUSED** due to illness.

Yes: All-6
No: None
Absent: Stine

CERTIFICATES OF RECOGNITION:

A-1 No Certificates of Recognition presented.

CARRYOVER ITEMS:

B-1 No Agenda Items Carried Over

PUBLIC HEARINGS:

C-1 No Public Hearings Scheduled

POSTPONED ITEMS:

CONSENT AGENDA:

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

Resolution #2004-09-454

Moved by Beltramini

Seconded by Broomfield

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

E-2 Minutes: Regular Meeting of August 23, 2004 and August 30, 2004

Resolution #2004-09-454-E-2

RESOLVED, That the Minutes of the 7:30 PM Regular Meeting of August 23, 2004 as amended and the Minutes of the 7:30 PM Special Meeting of August 30, 2004 be **APPROVED** as submitted.

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

E-4 Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – Troy Community Coalition

Resolution #2004-09-454-E-4

RESOLVED, That approval to expend funds budgeted in the 2004/2005 fiscal year to the Troy Community Coalition to provide community services to prevent drug and alcohol abuse in the amount of \$100,000.00 is hereby **APPROVED** and the Mayor and City Clerk are **AUTHORIZED** on behalf of the City of Troy to sign the Agreement; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-5 Acceptance of a Permanent Easement for Public Utilities and a Warranty Deed for Street Right-of-Way – Cedar Pines Estates Site Condos – Project No. 03.926.3 – Sidwell #88-20-04-100-016 and Sidwell #88-20-04-100-048

Resolution #2004-09-454-E-5

RESOLVED, That the Permanent Easement for public utilities and the Warranty Deed for street right-of-way from Pratt Building Company, owner of property in the northwest ¼ of Section 4, having Sidwell #88-20-04-100-016 and Sidwell #88-20-04-100-048 are hereby **ACCEPTED**; 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.

E-6 Waiver of Parking Restrictions – Congregation Shir Tikvah

Resolution #2004-09-454-E-6

RESOLVED, That the City Council of the City of Troy does hereby **WAIVE** the “NO PARKING” restrictions on the east side of Northfield Parkway from the entrance to Boulan Park to the entrance to Congregation Shir Tikvah, on Wednesday; September 15, 2004 from 7:00 pm - 11:00 pm; Thursday, September 16, 2004 from 9:00 am -5:00 pm; Friday, September 24, 2004 from 7:00 pm - 11:00 pm; and Saturday, September 25, 2004 from 9:00 am - 9:00 pm.

E-7 Fireworks Permit for the 2004 Troy Daze Festival

Resolution #2004-09-454-E-7

RESOLVED, That a fireworks permit be **ISSUED** to Melrose Pyrotechnics, Inc. of Kingsbury, Indiana for the display of fireworks at the conclusion of the 2004 Troy Daze Festival.

E-8 Acceptance of Warranty Deed for Detention Basin from Heatherwood Homes, Inc. – Sidwell #88-20-24-226-043 and -044

Resolution #2004-09-454-E-8

RESOLVED, That the Warranty Deed from Heatherwood Homes, Inc. for a detention basin, being part of Sidwell #88-20-24-226-043 and -044, is hereby **APPROVED**; and

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

E-9 Approval of Purchase Agreement for John Cionca, Sr., John Cionca, Jr., and George Daniel Cionca – 2931 Thames – Sidwell #88-20-25-229-003, Big Beaver, Rochester to Dequindre Road – Project #01.105.5

Resolution #2004-09-454-E-9

RESOLVED, That the Agreement to Purchase with conditions between John Cionca, Sr., John Cionca, Jr., and George Daniel Cionca, and the City of Troy, having Sidwell #88-20-25-229-003, for the acquisition of property at 2931 Thames is hereby **APPROVED**; and

BE IT FURTHER RESOLVED, That authorization is hereby **GRANTED** to purchase the property in the Agreement referenced above in the amount of \$170,000.00, plus closing costs.

E-10 Approval of Purchase Agreement – William Franklin Asbury – 2956 Sparta – Sidwell #88-20-25-203-001, Project No. 01.105.5 – Big Beaver Road Improvements, Rochester to Dequindre

Resolution #2004-09-454-E-10

RESOLVED, That the Agreement to Purchase between William Franklin Asbury, and the City of Troy, having Sidwell #88-20-25-203-001, for the acquisition of property at 2956 Sparta is hereby **APPROVED**; and

BE IT FURTHER RESOLVED, That authorization is hereby **GRANTED** to purchase the property in the Agreement referenced above in the amount of \$175,000.00, plus closing costs.

E-11 Approval of Purchase Agreement – Virginia H. Newman and Jeanette R. Lepinski – 2815 Thames – Sidwell #88-20-25-226-003, Big Beaver, Rochester to Dequindre Road – Project #01.105.5

Resolution #2004-09-454-E-11

RESOLVED, That the Agreement to Purchase between Virginia H. Newman and Jeanette R. Lepinski, and the City of Troy, having Sidwell #88-20-25-226-003, for the acquisition of property at 2815 Thames is hereby **APPROVED**; and

BE IT FURTHER RESOLVED, That authorization is hereby **GRANTED** to purchase the property in the Agreement referenced above in the amount of \$175,000.00, plus closing costs.

E-12 Standard Purchasing Resolution 4: State of Michigan MiDEAL Program – Four Wheel Drive Pick-up Truck

Resolution #2004-09-454-E-12

RESOLVED, That a contract to purchase one (1) Dodge, Model DR6L61, four-wheel drive pick-up truck from Bill Snethkamp Lansing Dodge, Inc. is hereby **APPROVED** through the State of Michigan MiDEAL Program (formerly the Extended Purchasing Program) at an estimated cost of \$19,481.78.

E-13 Standard Purchasing Resolution 3: Exercise Renewal Option – Snow Removal Rental Equipment Including Operators

Resolution #2004-09-454-E-13

WHEREAS, On October 6, 2003, seasonal contracts with an option to renew for one additional season to provide snow removal rental equipment including operators was awarded to low bidders, Sterling Topsoil & Grading, Inc. and Brooks Landscaping, Inc. (Resolution #2003-10-496-E-4).

WHEREAS, Both awarded bidders have agreed to exercise the option to renew under the same unit prices, terms and conditions.

NOW, THEREFORE, BE IT RESOLVED, That the options to renew the contract are hereby **EXERCISED** with Sterling Topsoil & Grading, Inc. and Brooks Landscaping, Inc. to provide seasonal snow removal rental equipment including operators under the same contract prices, terms and conditions expiring April 15, 2005; and

BE IT FURTHER RESOLVED, That City Staff is **AUTHORIZED** to extend the hourly contract prices to other contractors, after the successful bidders have been employed, to speed the snow removal process during times of snow emergencies.

E-14 Private Agreement for Troy Commons Retail Center – Project No. 03.930.3

Resolution #2004-09-454-E-14

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Stuart Frankel Development Company, is hereby **APPROVED** for the installation of sanitary sewer, storm sewer, water main and soil erosion 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-15 Approval of Purchase Agreement, Tarek Nagia and Lina M. Magia – 2943 Thames, Sidwell #88-20-25-229-004 – Big Beaver, Rochester to Dequindre Road Project – No. 01.105.5

Resolution #2004-09-454-E-15

RESOLVED, That the Agreement to Purchase with conditions between Tarek Nagia and Lina M. Nagia, and the City of Troy, having Sidwell #88-20-25-229-004, for the acquisition of property at 2943 Thames is hereby **APPROVED**; and

BE IT FURTHER RESOLVED, That authorization is hereby **GRANTED** to purchase the property in the Agreement referenced above in the amount of \$183,000.00, plus closing costs.

E-16 Municipal Credit and Community Credit Agreement

Resolution #2004-09-454-E-16

RESOLVED, That the request that the City transfer Municipal Credit funds in the amount of \$76,084.00 and Community Credit funds in the amount of \$94,827.00 to Troy Medi-Go Plus for the operation of transportation service for senior citizens and persons with disabilities is hereby **APPROVED**, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the documents; copies of which shall be **ATTACHED** to the original Minutes of this meeting.

E-17 Standard Purchasing Resolution 3: Exercise Renewal Option – Snow Removal Service / Home Chore Program

Resolution #2004-09-454-E-17

WHEREAS, On November 3, 2003, a contract for seasonal requirements of snow removal services for the home chore program with an option to renew for one additional season was awarded to the low bidder, Advanced Services 1, Inc. as the primary contractor, for Proposal A and Proposal B (Resolution #2003-11-560-E-20).

WHEREAS, Advanced Services 1, Inc. has agreed to exercise the option to renew the contract under the same pricing, terms and conditions.

NOW, THEREFORE, BE IT RESOLVED, That the option to renew the contract is hereby **EXERCISED** with Advanced Services 1, Inc. to provide seasonal requirements of Snow Removal Services for the Home Chore Program at an estimated cost of \$11,150.00, under the same prices, terms and conditions expiring April 1, 2005.

E-18 Authorization of the Mayor and City Clerk to Sign an Easement to Detroit Edison on City Owned Parcel – Sidwell #88-20-03-401-050 – Vacant Storm Detention Area

Resolution #2004-09-454-E-18

RESOLVED, That the Permanent Easement for overhead and underground utility facilities from the City of Troy to Detroit Edison Company, being part of property having Sidwell #88-20-03-401-050, is hereby **APPROVED**, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the document; copies of which shall be **ATTACHED** to the original Minutes of this meeting.

E-19 Standard Resolution 9: Membership Renewal – Macomb County Criminal Justice Training Consortium and Approval to Use Training Services and the Macomb Police Academy

Resolution #2004-09-454-E-19

WHEREAS, Macomb Community College has provided the City of Troy Police Department with training at their Criminal Justice Training Facility.

WHEREAS, It is desirable to continue all standardized reduced cost training services that result from this membership for the Macomb Police Academy, and in-service and specialized training programs such as re-certification of police officers in Emergency Vehicle Operations and utilize the state of the art Computerized Simulated Shooting Scenario System and Crime Lab.

NOW, THEREFORE, BE IT RESOLVED, That a one-year membership renewal is hereby **APPROVED** with the Macomb Community College to become a member of the Macomb County Criminal Justice Training Consortium at an annual fee of \$21,400.00 and approval is hereby **GRANTED** to use the Macomb Police Academy and all other training services provided through consortium membership on a reduced cost or no cost basis.

E-20 Temporary Sales Trailer – Stonehaven Woods East Subdivision

Resolution #2004-09-454-E-20

RESOLVED, That the request from Joseph Maniaci representing Mondrian Properties for the placement of a temporary office trailer on one of the lots of the Stonehaven Woods East Subdivision, is hereby **APPROVED** for a twelve-month period in accordance with Chapter 47, House Trailers and Trailer Courts, Section 6.41(3), of the Code of the City of Troy.

E-21 Standard Resolution 4: MICTA Cooperative Purchasing Program

Resolution #2004-09-454-E-21

RESOLVED, That the City Council of the City of Troy **AUTHORIZES** participation in MICTA contracts and **AUTHORIZES** the City Manager of the City of Troy to **ADMINISTRATIVELY AUTHORIZE** the use of this program above the \$10,000.00 limit when deemed to be in the City of Troy's best interest, except for those "Capital" (401 account) purchases which shall be presented for Troy City Council review and pending approval.

E-22 Waiver of Parking Restrictions – 1921 Northwood

Resolution #2004-09-454-E-22

Moved by

Seconded by

RESOLVED, That the City Council of the City of Troy does hereby **WAIVE** the "NO PARKING" restrictions on Northwood Street directly in front of 1921 Northwood on September 14 and September 16, 2004.

PUBLIC COMMENT: Limited to Items Not on the Agenda

REGULAR BUSINESS:

F-3 Final Plan Review – Cedar Pines Site Condominium, South of South Boulevard, East of Crooks Road – Section 4 – R-1B

Resolution #2004-09-455

Moved by Beltramini

Seconded by Eisenbacher

RESOLVED, That the Final Plan as submitted by the petitioner, under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Site Condominium known as Cedar Pines Site Condominium, located on the east of Crooks Road, south of South Boulevard, including 17 home sites, within the R-1B Zoning District, being 10.99 acres in size, is hereby **APPROVED**, as recommended by City Management.

Yes: All-6
No: None
Absent: Stine

F-6 2005 City Calendar

Resolution #2004-09-456
Moved by Lambert
Seconded by Broomfield

RESOLVED, That the City of Troy **PRINT** a quantity of 40,000 2005 City Calendars including postage and an 8-page spread for the Popular Annual Financial Report (PAFR) and an 8-page spread for advertising at an estimated net cost of \$23,695.000

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

MOTION CARRIED

F-10 Display Policy for Troy City Plaza

Resolution
Moved by Lambert
Seconded by Broomfield

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

*RESOLVED, That the City of Troy **ADD** to its existing Winter Holiday display a Menorah, Nativity Scene, and other secular and religious symbols of the Season; and*

*BE IT RESOLVED, That City Management **ENSURE** that the Winter Holiday Display is in full compliance with the law and relevant court decisions; and*

*BE IT FURTHER RESOLVED, That City Management **ADOPT** policies and procedures to accept monetary and other donations for these added elements from individuals and organizations; and*

*BE IT FINALLY RESOLVED, That City Management **LOCATE** these added elements on the front lawn of City Hall to coincide with the 2004 Holiday Tree Lighting Ceremony.*

Vote on Resolution to Reconsider

Resolution #2004-09-457
Moved by Lambert

Seconded by Broomfield

RESOLVED, That Resolution #2004-08-407, Moved by Schilling and Seconded by Howrylak, as it appears below be **RECONSIDERED** by City Council:

*BE IT RESOLVED, That the Troy City Council **DIRECTS** City Management and the City Attorney to formulate a policy statement for Cultural, Religious and Historical Displays based upon discussion at the Council Table on Monday, August 9, 2004 and submit the policy statement to City Council at the Regular City Council meeting scheduled on Monday, September 13, 2004; and*

*BE IT FURTHER RESOLVED, That Troy City Council **DESIGNATES** the southeastern quadrant of Town Center and Civic Center Drive as the Cultural, Religious and Historical Displays site.*

Yes: All-7

MOTION CARRIED

Yes: All-5
No: Howrylak
Absent: Stine

MOTION CARRIED

Proposed Resolution to Amend Reconsidered Resolution #2004-08-407 by Substitution

Resolution
Moved by Beltramini
Seconded by Schilling

RESOLVED, That Reconsidered Resolution #2004-08-407 be **AMENDED** by **STRIKING** it in its entirety and **SUBSTITUTE** with the following:

*RESOLVED, That the City of Troy **ADD** to its existing Winter Holiday display a Menorah, Nativity Scene, and other secular and religious symbols of the Season; and*

*BE IT RESOLVED, That City Management **ENSURE** that the Winter Holiday Display is in full compliance with the law and relevant court decisions; and*

*BE IT FURTHER RESOLVED, That City Management **ADOPT** policies and procedures to accept monetary and other donations for these added elements from individuals and organizations; and*

*BE IT FINALLY RESOLVED, That City Management **LOCATE** these added elements at the southeastern quadrant of Town Center and Civic Center Drive to coincide with the 2004 Holiday Tree Lighting Ceremony.*

Proposed Resolution to Amend Substituted Resolution

Resolution
Moved by Eisenbacher
Seconded by Beltramini

RESOLVED, That the Resolution to Substitute Reconsidered Resolution be **AMENDED** by **STRIKING**, "That City Management **LOCATE** these added elements at the southeastern quadrant of Town Center and Civic Center Drive" and **INSERT**, "at a place to be determined at a later date."

There was a consensus of Council not to move forward with the above proposed amendment.

Proposed Resolution to Amend Substituted Resolution

Resolution
Moved by Howrylak
Seconded by Lambert

RESOLVED, That the Resolution to Substitute Reconsidered Resolution be **AMENDED** by **INSERTING**,

*"BE IT FURTHER RESOLVED, That the attached Display Policy for Troy City Plaza is **ADOPTED** as recommended by the City's Administration."*

Proposed Resolution to Amend Substituted Resolution

Resolution
Moved by Eisenbacher
Seconded by Lambert

RESOLVED, That the Resolution to Substitute Reconsidered Resolution be **AMENDED** by **INSERTING**,

*BE IT FURTHER RESOLVED, That **NO** City of Troy funding be used to purchase the displays."*

The meeting **RECESSED** at 9:12 PM.

The meeting **RECONVENED** at 9:25 PM.

Vote on Resolution to Amend Substituted Resolution

Resolution #2004-09-458
Moved by Eisenbacher
Seconded by Lambert

RESOLVED, That the Resolution to Substitute Reconsidered Resolution be **AMENDED** by **INSERTING**,

*BE IT FURTHER RESOLVED, That **NO** City of Troy funding be used to purchase the displays.”*

Yes: All-6
No: None
Absent: Stine

Vote on Resolution to Amend Substituted Resolution

Resolution #2004-09-459
Moved by Howrylak
Seconded by Lambert

RESOLVED, That the Resolution to Substitute Reconsidered Resolution be **AMENDED** by **INSERTING**,

*“BE IT FURTHER RESOLVED, That the attached Display Policy for Troy City Plaza is **ADOPTED** as recommended by the City’s Administration.”*

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

MOTION FAILED

Vote on Resolution to Amend Substituted Resolution

Resolution #2004-09-460
Moved by Beltramini
Seconded by Lambert

RESOLVED, That the Resolution to Substitute Reconsidered Resolution be **AMENDED** by **STRIKING**, “and” and **INSERTING**, “or” **BEFORE** “other secular” in the first paragraph.

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

MOTION FAILED

Vote on Resolution to Amend Substituted Resolution

Resolution #2004-09-461
Moved by Eisenbacher
Seconded by Lambert

RESOLVED, That the Resolution to Substitute Reconsidered Resolution be **AMENDED** by **STRIKING**, "2004" and **INSERTING**, "Annual".

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

MOTION CARRIED

Vote on Resolution to Amend Substituted Resolution

Resolution #2004-09-462
Moved by Eisenbacher
Seconded by Lambert

RESOLVED, That the Resolution to Substitute Reconsidered Resolution be **AMENDED** by **STRIKING**,

*"RESOLVED, That the City of Troy **ADD** to its existing Winter Holiday display a Menorah, Nativity Scene, and other secular and religious symbols of the Season;"*

and **INSERTING**,

*"RESOLVED, That the City of Troy **ADD** to its existing Winter Holiday display other secular and religious symbols of the Season which may include a Menorah and Nativity Scene;"*

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

MOTION CARRIED

Vote on Proposed Substitute Resolution

Resolution #2004-09-463
Moved by Beltramini
Seconded by Schilling

RESOLVED, That Reconsidered Resolution #2004-08-407 be **AMENDED** by **STRIKING** it in its entirety and **SUBSTITUTED** with the following:

*RESOLVED, That the City of Troy **ADD** to its existing Winter Holiday display a Menorah, Nativity Scene, and other secular and religious symbols of the Season; and*

*BE IT RESOLVED, That City Management **ENSURE** that the Winter Holiday Display is in full compliance with the law and relevant court decisions; and*

*BE IT FURTHER RESOLVED, That City Management **ADOPT** policies and procedures to accept monetary and other donations for these added elements from individuals and organizations; and*

*BE IT FINALLY RESOLVED, That City Management **LOCATE** these added elements at the southeastern quadrant of Town Center and Civic Center Drive to coincide with the 2004 Holiday Tree Lighting Ceremony.*

Yes: None

No: All-6

Absent: Stine

MOTION FAILED

Vote on Proposed Amended Substitute Resolution

Resolution #2004-09-464

Moved by Lambert

Seconded by Broomfield

RESOLVED, That the proposed **AMENDED** Substitute Resolution be **APPROVED** as amended:

*RESOLVED, That the City of Troy **ADD** to its existing Winter Holiday display other secular and religious symbols of the Season which may include a Menorah and Nativity Scene; and*

*BE IT FURTHER RESOLVED, That City Management **ENSURE** that the Winter Holiday Display is in full compliance with the law and relevant court decisions; and*

*BE IT FURTHER RESOLVED, That City Management **ADOPT** policies and procedures to accept monetary and other donations for these added elements from individuals and organizations; and*

*BE IT FURTHER RESOLVED, That City Management **LOCATE** these added elements on the front lawn of City Hall to coincide with the Annual Holiday Tree Lighting Ceremony; and*

BE IT FINALLY RESOLVED, That no City funds shall be expended for the holiday displays.

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

MOTION CARRIED

Vote on Resolution to Lay Improper Resolution on the Table

Resolution #2004-09-465
Moved by Eisenbacher
Seconded by: None

RESOLVED, That the proposed substitute resolution, Moved by Lambert and Seconded by Broomfield, be **LAID ON THE TABLE INDEFINITELY**.

Yes: All-6
No: None
Absent: Stine

Vote on Resolution to Postpone Vote on the Proposed Substituted Resolution for Original Resolution #2004-08-407

Resolution #2004-09-466
Moved by Howrylak
Seconded by Beltramini

RESOLVED, That the proposed substituted resolution for original resolution #2004-08-407 be **POSTPONED** until the next Regular City Council Meeting scheduled for Monday, September 20, 2004.

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

MOTION FAILED

Vote on Proposed Substituted Resolution for Original Resolution #2004-08-407

Resolution #2004-09-467
Moved by Schilling
Seconded by Howrylak

RESOLVED, That the City of Troy **ADD** to its existing Winter Holiday display other secular and religious symbols of the Season which may include a Menorah and Nativity Scene; and

BE IT FURTHER RESOLVED, That City Management **ENSURE** that the Winter Holiday Display is in full compliance with the law and relevant court decisions; and

BE IT FURTHER RESOLVED, That City Management **ADOPT** policies and procedures to accept monetary and other donations for these added elements from individuals and organizations; and

BE IT FURTHER RESOLVED, That City Management **LOCATE** these added elements on the front lawn of City Hall to coincide with the Annual Holiday Tree Lighting Ceremony; and

BE IT FINALLY RESOLVED, That no City funds shall be expended for the holiday displays.

Yes: Broomfield, Eisenbacher, Lambert, Beltramini

No: Howrylak, Schilling

Absent: Stine

MOTION CARRIED

F-4 Extension of Preliminary Plat – Tentative Approval – Beachview Estates – West Side of Beach, South of Long Lake – Section 18

Resolution

Moved by Eisenbacher

Seconded by Broomfield

RESOLVED, That a one-year extension of the Tentative Approval be **GRANTED** to the Preliminary Plat of Beachview Estates Subdivision, on the west side of Beach, south of Long Lake in Section 18, **CONDITIONAL** on the petitioner completing a wetlands report or providing a letter of “no permit required” from the MDEQ, prior to receiving Final Preliminary Approval.

Vote on Amendment

Resolution #2004-09-468

Moved by Beltramini

Seconded by Howrylak

RESOLVED, That the Resolution for a one-year extension of the Tentative Approval for the Preliminary Plat of Beachview Estates Subdivision be **AMENDED** by **STRIKING** “receiving” and **INSERTING** “requesting”.

Yes: All-6

No: None

Absent: Stine

Vote on Amended Resolution

Resolution #2004-09-469
 Moved by Eisenbacher
 Seconded by Broomfield

RESOLVED, That a one-year extension of the Tentative Approval be **GRANTED** to the Preliminary Plat of Beachview Estates Subdivision, on the west side of Beach, south of Long Lake in Section 18, **CONDITIONAL** on the petitioner completing a wetlands report or providing a letter of "no permit required" from the MDEQ, prior to requesting Final Preliminary Approval.

Yes: All-6
 No: None
 Absent: Stine

Vote on Resolution to Suspend Rules of Procedure for the City Council, Rule #5

Resolution #2004-470
 Moved by Lambert
 Seconded by Eisenbacher

RESOLVED, That City Council **SUSPEND** Rules of Procedure for the City Council, Rule #5 – Order of Business and move forward agenda items H-1, Reconsideration of Long Lake/Crooks Road/I-75 Interchange Project and H-2, 3129 Alpine on the current agenda.

Yes: All-6
 No: None
 Absent: Stine

COUNCIL REFERRALS: Items Advanced to the City Manager by Individual City Council Members for Placement on the Agenda**H-1 Reconsideration of Long Lake/Crooks Road/I-75 Interchange Project (Resolution #2004-07-368 – Advanced by Council Members Howrylak and Lambert**

Resolution #2004-09-471
 Moved by Lambert
 Seconded by Howrylak

RESOLVED, That Resolution #2004-07-368, Moved by Lambert and Seconded by Howrylak, as it appears below be **RECONSIDERED** by City Council:

*RESOLVED, That Troy City Council **DIRECTS** the City Attorney to research and draft ballot language for the Long Lake/Crooks Road/I-75 Interchange project that will allow voters to provide input on this project.*

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

MOTION FAILED

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

MOTION CARRIED**Proposed Resolution to Amend Reconsidered Resolution #2004-07-368 by Substitution**

Resolution
Moved by Lambert
Seconded by Howrylak

RESOLVED, That Reconsidered Resolution #2004-07-368 be **AMENDED** by **SUBSTITUTING** it with the following language:

*“RESOLVED, That Troy City Council **DIRECTS** the City Attorney to research and draft ballot language for the Long Lake/Crooks Road/I-75 Interchange project that will allow voters to provide input on this project;*

*RESOLVED, That the City Attorney shall **RESEARCH** ballot language to amend the City Charter to read as follows: “In January of each year, the Mayor of the City shall issue a written proclamation requesting the Governor and the members of the Michigan legislature to use their best efforts to prevent the building of exit and entrance ramps on I-75 where it intersects Long Lake Road.*

*BE IT FURTHER RESOLVED, That the proclamation shall be **DELIVERED** to the Governor, and each State Senator and State Representative whose district includes any part of the city.”*

Vote on Proposed Resolution to Amend Reconsidered Resolution Substitution

Resolution #2004-09-472
Moved by Howrylak
Seconded by Lambert

That the proposed Resolution to **AMEND** Substituted Reconsidered Resolution #2004-07-368 be **AMENDED** by **INSERTING**:

*“RESOLVED, That the proposed ballot language to amend the City Charter drafted by the City Attorney’s office **GOES TO** the Charter Revision Committee prior to submission to City Council.”*

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

MOTION CARRIED

Vote on Resolution to Separate Proposed Amendments for Voting Purposes

Resolution #2004-09-473

Moved by Broomfield

Seconded by Schilling

RESOLVED, That the following language:

*“RESOLVED, That Troy City Council **DIRECTS** the City Attorney to research and draft ballot language for the Long Lake/Crooks Road/I-75 Interchange Improvement project that will allow voters to provide input on this project.”*

from the proposed amendment, Moved by Lambert and Seconded by Howrylak, to Amend Reconsidered Resolution be **SEPARATED** from:

*“RESOLVED, That Troy City Council **DIRECTS** the City Attorney to research and draft ballot language for the Long Lake/Crooks Road/I-75 Interchange Improvement project that will allow voters to provide input on this project.”*

*“RESOLVED, That the City Attorney shall **RESEARCH** ballot language to amend the City Charter to read as follows: “In January of each year, the Mayor of the City shall issue a written proclamation requesting the Governor and the members of the Michigan legislature to use their best efforts to prevent the building of exit and entrance ramps on I-75 where it intersects Long Lake Road; and*

*BE IT FURTHER RESOLVED, That the proclamation shall be **DELIVERED** to the Governor, and each State Senator and State Representative whose district includes any part of the city; and*

*RESOLVED, That the proposed ballot language to amend the City Charter drafted by the City Attorney’s office **GOES TO** the Charter Revision Committee prior to submission to City Council.”*

proposed resolution to amend Reconsidered Resolution, Moved by Lambert and Seconded by Howrylak be separated for voting purposes.

Yes: All-6
 No: None
 Absent: Stine

Vote on Proposed Separated Resolution to Substitute Reconsidered Resolution #2004-07-368 as Amended

Resolution #2004-09-474
 Moved by Lambert
 Seconded by Howrylak

RESOLVED, That Separated Substituted Reconsidered Resolution #2004-07-368 be **AMENDED** by **SUBSTITUTING** it with the following language:

*“RESOLVED, That the City Attorney shall **RESEARCH** ballot language to amend the City Charter to read as follows: “In January of each year, the Mayor of the City shall issue a written proclamation requesting the Governor and the members of the Michigan legislature to use their best efforts to prevent the building of exit and entrance ramps on I-75 where it intersects Long Lake Road; and*

BE IT FURTHER RESOLVED, That the proclamation shall be delivered to the Governor, and each State Senator and State Representative whose district includes any part of the city; and

RESOLVED, That the proposed ballot language to amend the City Charter drafted by the City Attorney’s office goes to the Charter Revision Committee prior to submission to City Council.”

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

MOTION FAILED

Proposed Resolution to Amend Separated Reconsidered Resolution #2004-07-368

Resolution
 Moved by Broomfield
 Seconded by Eisenbacher

RESOLVED, That the Resolution to Amend Reconsidered Resolution #2004-07-368 be **AMENDED** by **INSERTING**, “for the election scheduled for November 2005”.

Vote on Resolution to Amend Amendment to Separated Reconsidered Resolution #2004-07-368

Resolution #2004-09-475
Moved by Broomfield
Seconded by Eisenbacher

RESOLVED, That the Resolution to amend Reconsidered Resolution #2004-07-368 be **AMENDED** by **STRIKING**, “for the election scheduled for November 2005” and **INSERTING**, “for the next scheduled city regular election”.

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

MOTION CARRIED

Vote on Proposed Resolution to Amend Separated Reconsidered Resolution #2004-07-368 as Amended

Resolution #2004-09-476
Moved by Lambert
Seconded by Howrylak

RESOLVED, That Reconsidered Resolution #2004-07-368 be **AMENDED** by **SUBSTITUTING** it with the following language:

*“RESOLVED, That Troy City Council **DIRECTS** the City Attorney to **RESEARCH** and draft ballot language for the Long Lake/Crooks Road/I-75 Interchange Improvement project that will allow voters to provide input on this project for the next scheduled city regular election.”*

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

MOTION CARRIED

Vote on Separated Reconsidered Resolution #2004-07-368 as it was Amended

Resolution #2004-09-477
Moved by Lambert
Seconded by Howrylak

RESOLVED, That Troy City Council **DIRECTS** the City Attorney to **RESEARCH** and draft ballot language for the Long Lake/Crooks Road/I-75 Interchange Improvement project that will allow voters to provide input on this project for the next scheduled city regular election.

Yes: Beltramini, Broomfield, Eisenbacher, Howrylak, Lambert

No: Schilling
Absent: Stine

MOTION CARRIED

H-2 3129 Alpine – Advanced by Council Member Stine

Resolution #2004-09-478
Moved by Beltramini
Seconded by Lambert

RESOLVED, That City Management continue negotiating with the residents at 3129 Alpine to reduce the footprint and change the exterior of the 6,000 square foot attached accessory garage which is under construction so that the dual purpose of achieving neighborhood compatibility and a functioning attached garage for the residents can be accomplished.

Yes: All-6
No: None
Absent: Stine

F-1 Appointments to Boards and Committees: (a) Mayoral Appointments: 1. No appointments made. (b) City Council Appointments: No appointments submitted.

Appointments Carried-Over as Item F-1 on the Next Regular City Council Meeting Agenda Scheduled for Monday, September 20, 2004:

(a) Mayoral Appointments

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

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

Term expires 07-01-2005 (Student)

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

Term expires 04-30-2009

F-2 Designation of Congress of Cities Voting and Alternate Voting Delegates

Resolution #2004-09-479
Moved by Beltramini
Seconded by Lambert

RESOLVED, That Council Member Beltramini is hereby **DESIGNATED** as Voting Delegate and Mayor Schilling is hereby **DESIGNATED** as the Alternate Voting Delegate to cast the vote for

the City of Troy at the Annual Meeting of the National League of Cities to be held on December 4, 2004 at Indianapolis, Indiana.

Yes: All-6
No: None
Absent: Stine

F-5 Sole Source – X26 Advanced Taser – Less than Lethal Electrical Impulse Devices**Vote on Resolution to Postpone**

Resolution #2004-09-480
Moved by Eisenbacher
Seconded by Beltramini

RESOLVED, That Item F-5, Sole Source – X26 Advanced Taser be **POSTPONED** until the Regular Meeting Scheduled for Monday, September 20, 2004.

Yes: All-6
No: None
Absent: Stine

F-7 Scheduling of Annual Goals and Objectives Workshop

Resolution #2004-09-481
Moved by Lambert
Seconded by Beltramini

RESOLVED, That City Council **SCHEDULE** their annual Goals and Objectives Workshop with Dr. Lew Bender of the Southern Illinois University on December 10, 2004 from 6:00 PM to 10:00 PM, and on December 11, 2004, from 8:00 AM to 1:00 PM at the Police/Fire Training Center located at 4850 John R – Troy, Michigan.

Yes: All-6
No: None
Absent: Stine

F-8 Scheduling of a Joint Meeting with the Downtown Development Authority (DDA)

Resolution
Resolution Moved by Beltramini
Seconded by Broomfield

RESOLVED, That a joint meeting with the Downtown Development Authority (DDA) is **SCHEDULED** for Wednesday, September 22, 2004 at 7:30 AM at the offices of Doeren Mayhew on the 22nd floor of the Top of Troy building located at 755 W. Big Beaver – Troy, Michigan.

Vote on Resolution to Amend

Resolution #2004-09-482
Moved by Beltramini
Seconded by Lambert

RESOLVED, That the proposed Resolution for Scheduling of a Joint Meeting with the Downtown Development Authority (DDA) be **AMENDED** by **STRIKING**, "the offices of Doeren Mayhew on the 22nd floor of" .

Yes: All-6
No: None
Absent: Stine

Vote on Amended Resolution

Resolution #2004-09-483
Moved by Beltramini
Seconded by Broomfield

RESOLVED, That a joint meeting with the Downtown Development Authority (DDA) is **SCHEDULED** for Wednesday, September 22, 2004 at 7:30 AM at the Top of Troy building located at 755 W. Big Beaver – Troy, Michigan.

Yes: All-6
No: None
Absent: Stine

F-9 Municipal Civil Infractions Ordinance – Chapter 100

Resolution #2004-09-484
Moved by Lambert
Seconded by Beltramini

RESOLVED, That an ordinance to be known and cited as Chapter 100, Municipal Civil Infractions, of the Code of the City of Troy 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: All-6
No: None
Absent: Stine

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings:

- (a) Proposed Zoning Ordinance Text Amendment (ZOTA 479-B) Northeast Corner of Rochester Road and Charrington Road – Section 23 – B-1 to H-S – Scheduled for September 27, 2004
- (b) Proposed Zoning Ordinance Text Amendment (ZOTA 182)) for Section 12.50, R-1T – One Family Attached Residential Districts – Scheduled for September 27, 2004
- (c) Parking Variance Request – 1800 W. Big Beaver – Scheduled for September 27, 2004
- (d) Proposed Zoning Ordinance Text Amendment (ZOTA 200) for Article 34.70.00 – One Family Cluster Option – Scheduled for September 27, 2004
- (e) Proposed Zoning Ordinance Text Amendment (ZOTA 199) for Section 03.40 – Site Plan Review / Approval – Scheduled for September 27, 2004
- (f) Proposed Zoning Ordinance Text Amendment (ZOTA 203) Article II (Changes, Amendments and Approvals) – Scheduled for September 27, 2004
Noted and Filed

G-2 Green Memorandums:

- (a) State of Michigan Election Consolidation - Elimination of City of Troy, April General / Regular Election Date and the Establishment of New City General / Regular Election Date

Noted and Filed

COUNCIL COMMENTS:

- I-1 No Council Comments were brought forward.

REPORTS:

J-1 Minutes – Boards and Committees:

- (a) Youth Council/Final – May 26, 2004
(b) Historic Commission/Draft – July 27, 2004
(c) Planning Commission Special-Study/Draft – August 3, 2004
(d) Planning Commission Special-Study/Draft – August 3, 2004
(e) Building Code Board of Appeals/Final – August 4, 2004
(f) Planning Commission/Draft – August 10, 2004
(g) Planning Commission/Final – August 10, 2004
(h) Board of Zoning Appeals/Draft – August 17, 2004
(i) Youth Council/Draft – August 25, 2004

Noted and Filed

J-2 Department Reports:

- (a) Permits Issued During the Month of August 2004
(b) Medi-Go Plus Report
(c) Preliminary Report from the Historic District Study Committee Concerning the Robert and Marilyn Miller Property

Noted and Filed

J-3 Letters of Appreciation:

- (a) Letter from Lori Hebert - Program Coordinator-Academy of Counter-Terrorist Education for Louisiana State University to Sgt. Donald Ostrowski Thanking Him for Hosting the Law Enforcement Response to Weapons of Mass Destruction Courses Held in Pontiac, Michigan
(b) Letter from Richard R. Weiler - Director of the Police Officers Labor Council to Chief Craft Thanking Captain Dane Slater, Lt. Thomas Houghton and Sgt. Robert Redmond for Their Assistance in Filming a Promotion for their Law Enforcement Education Program Targeted for High School Students
(c) Letter from Jim Townsend - Executive Director, Tourism Economic Development Council (TEDC) to City Council Congratulating the City of Troy on the Enactment of an Ordinance Allowing Reciprocal Licensing of Taxicabs in the City of Troy
(d) Letter from Joseph S. Novitsky - AIA, Joseph S. Novitsky Architecture to John Szerlag Thanking Him and All the City Staff Responsible for Giving JSN the Opportunity to Perform as the City's Architect for Fire Station #3
(e) Letter from Jeffrey T. Newton, Sgt Miarnng – Rear Detachment NCOIC – Michigan Army National Guard Recognizing Detective Mike Meinzinger for His Assistance in Facilitating

the Donation and Transportation of Donated Equipment to Soldiers Stationed Overseas for Operation Iraqi Freedom II

- (f) Letter from Lori Podsiadlik, Program Director for Troy Community Coalition to Sgt. R. Kowalski for His Help and Support of the Rochester Villas Summer Program
Noted and Filed

J-4 Proposed Proclamations/Resolutions from Other Organizations:

- (a) City of Hamtramck – Objection to the SEMCOG 2030 Regional Transportation Plan
(b) Village of Beverly Hills – Opposition to the Elimination of 20J Funding for the Birmingham School District

Noted and Filed

J-5 Calendar

Noted and Filed

J-6 Letter from Dan G. Dirks-General Manager of SMART, Re: SMART Update

Noted and Filed

J-7 Letter from *Crain's Detroit Business*, Re: Recognizing Lori Bluhm as one of *Crain's Detroit Business's* 40 Under 40 Honorees for 2004

Noted and Filed

J-8 Letter from International Municipal Lawyers Association, Informing Lori Bluhm That She Has Met the Criteria to be Awarded the Designation of IMLA Local Government Fellow

Noted and Filed

J-9 Memorandum, Re: City of Troy v. White Chapel Memorial Association

Noted and Filed

J-10 Letter from Stop Interchange Now! Citizens' Coalition (SIN), Re: I-75/Long Lake Road Interchange Issue

Noted and Filed

J-11 Letter from Tom Krent, Re: Industrial Style Garage at 3129 Alpine

Noted and Filed

STUDY ITEMS:

-
- K-1 International City/County Management Association (ICMA) Citizen Survey - Removed at the request of City Management.**

PUBLIC COMMENT: Address of "K" Items

CLOSED SESSION:

-
- L-1 Closed Session**

Resolution #2004-09-485
Moved by Beltramini
Seconded by Broomfield

BE IT RESOLVED, That the City of Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL 15.268 (e), Troy v. Premium Construction (John Pavone and Mukesh Mangela).

Yes: All-6
No: None
Absent: Stine

The meeting **RECESSED** at 12:53 AM on Tuesday, September 14, 2004.

The meeting **RECONVENED** at 1:07 AM on Tuesday, September 14, 2004.

The meeting **ADJOURNED** at 1:08 AM on Tuesday, September 14, 2004.

Louise E. Schilling, Mayor

Barbara A. Holmes, CMC
Deputy City Clerk

PROCLAMATION
National Alcohol and Drug Addiction Recovery Month
September 27, 2004

WHEREAS, Barriers to accessing treatment facilities are a significant problem for people with alcohol or drug use disorders; and

WHEREAS, Such barriers include failures to identify affected people and direct them to treatment, adequate public and private insurance coverage for treatment services and shrinking state budgets that limit funding for treatment programs; and

WHEREAS, Saluting people who are in recovery from alcohol and drug use disorders, as well as those who have helped them obtain treatment, helps to overcome such barriers by educating the community about the benefits of treatment, and affirming the goal that all people with alcohol and drug use disorders should have access to treatment services; and

WHEREAS, To help achieve this goal, the U.S. Department of Health and Human Services, the Substance Abuse and Mental Health Services Administration, the Office of National Drug Control Policy, and local treatment facilities invite all residents in Troy to participate in National Alcohol and Drug Addiction Recovery Month; and

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy hereby proclaims **the Month of September 2004 as National Alcohol and Drug Addiction Recovery Month**.

BE IT FURTHER RESOLVED, That we invite **all Troy residents to** recognize and participate in its observance.

Proclaimed this 20th day of September 2004.

PROCLAMATION
Family Day – A Day to Eat Dinner With Your Children
September 27, 2004

WHEREAS, The use of illegal drugs and the abuse of alcohol and nicotine constitute the greatest threats to the well-being of America's children; and

WHEREAS, Surveys conducted by The National Center on Addiction and Substance Abuse (CASA) at Columbia University has consistently found that the more often children and teenagers eat dinner with their families, the less likely they are to smoke, drink and use illegal drugs; and

WHEREAS, Teenagers who virtually never eat dinner with their families are 72 percent more likely than the average teenager to use illegal drugs, alcohol and cigarettes; and

WHEREAS, Teenagers who almost always eat dinner with their families are 31 percent less likely than the average teenager to use illegal drugs, alcohol and cigarettes; and

WHEREAS, The correlation between family dinners and reduced risk for teen substance abuse are well documented; and

WHEREAS, Parental influence is known to be one of the most crucial factors in determining the likelihood of substance abuse by teenagers; and

WHEREAS, Family dinners have long constituted a substantial pillar of family life in America;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Troy hereby proclaims **Monday, September 27, 2004 as Family Day – A Day to Eat Dinner with Your Children** in the City of Troy;

BE IT FURTHER RESOLVED, That we invite **all Troy residents** to recognize and participate in the observance of Family Day, and encourage everyone to eat dinner together with their children.

Proclaimed this 20th day of September 2004.

September 14, 2004

TO: John Szerlag, City Manager

FROM: Brian P. Murphy, 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 A PERMANENT EASEMENT FOR ROADWAY, SANITARY SEWER, WATER MAIN, PUBLIC UTILITIES, SIDEWALK, STORM SEWER AND SURFACE DRAINAGE AND WARRANTY DEEDS FOR STREET RIGHT-OF-WAY AND DETENTION POND SITE BOOTH PARCEL SPLITS - PROJECT NO. 03.949.3 Sidwell #88-20-03-401-003

In connection with the development of property on Booth Road, west of Oberlin, in the southeast ¼ of Section 3, the Real Estate and Development Department has acquired the following documents from Milano Building Company:

Permanent Easement for Roadway, Sanitary Sewer, Water Main, Public Utilities, Sidewalk, Storm Sewer & Surface Drainage

Warranty Deed for Street Right-of-Way

Warranty Deed for Detention Pond Site

The consideration on each document is \$1.00

Management recommends that City Council accept the attached documents.

PERMANENT EASEMENT

Sidwell # 88-20-03-401-003
Project # 03.949.3

Milano Building Company, Inc., a Michigan Corporation, Grantor, whose address is 47858 Van Dyke, Shelby Township, MI 48317 for and in consideration of the sum of: One and no/100 (\$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 roadway, sanitary sewer, water main, public utilities, sidewalk and storm sewer surface drainage, said easements for land situated in the City of Troy, Oakland County, Michigan, described as:

SEE ATTACHED EXHIBIT "A"
FOR PARENT PARCEL LEGAL DESCRIPTIONS AND EASEMENT LEGAL DESCRIPTIONS

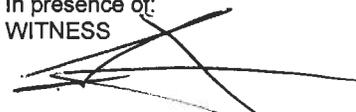
and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

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

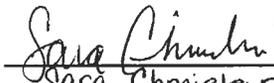
This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed his signature(s) this 2nd day of August A.D. 2004.

In presence of:
WITNESS



Gian Luigi Tamassini



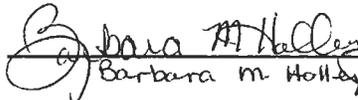
Sara Chmielowski

Milano Building Company, Inc.

By _____ (L.S.)
Franco Mancini, President

STATE OF MICHIGAN)
COUNTY OF)

The foregoing instrument as acknowledged before me this 2nd day of August, 2004, by Franco Mancini, President of Milano Building Company, Inc., a Michigan Corporation, on behalf of the corporation.



Barbara M. Holley
Notary Public, Macomb County, Michigan

(Corporations)

My Commission Expires 8-13-10

Prepared by:
Patricia A. Petitto
City of Troy, Real Estate & Dev.
500 West Big Beaver
Troy, Michigan 48084

Return to:
City Clerk, City of Troy
500 West Big Beaver Road
Troy, Michigan 48084

WARRANTY DEED

Sidwell #88-20-03-401-003
Project #03.949.3

The Grantor(s), Milano Building Company, a Michigan Corporation, whose address is 47858 Van Dyke, Shelby Township, Michigan 48017 convey(s) and warrant(s) to The City of Troy, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan 48084, the following described premises situated in the City of Troy, County of Oakland and State of Michigan:

SEE ATTACHED EXHIBIT "A"
FOR DESCRIPTION OF ROADWAY BEING CONVEYED & PARENT PARCEL DESCRIPTION

For the sum of One and no/100 Dollar (\$1.00)

subject to easements and building and use restrictions of record and further subject to

Dated this 2nd day of August, 2004

Signed in presence of:

Gian Luigi To Grassini

Sara Chmielowski
Sara Chmielowski

Signed by:

MILANO BUILDING COMPANY,
A MICHIGAN CORPORATION

By Franco Mancini
Its: President

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 2nd day of August, 2004, by Franco Mancini, President of Milano Building Company, a Michigan corporation, on behalf of the corporation.

Barbara M. Holley
Barbara M. Holley
Notary Public, Macomb County,
My commission expires: 8-13-10

County Treasurer's Certificate		City Treasurer's Certificate	
When recorded return to: City Clerk City of Troy 500 West Big Beaver Troy, MI 48084	Send subsequent tax bills to: Grantee	Drafted by: Patricia A. Petitto City of Troy 500 West Big Beaver Troy, MI 48084	

Tax Parcel # Recording Fee Transfer Tax

*TYPE OR PRINT NAMES UNDER SIGNATURES

EXHIBIT "A"

PAGE 1 OF 2

804.56' M.

N 01°37'20" W 161.38'

CENTERPOST
SEC. 3, T.2N., R.11E.,
CITY OF TROY,
OAKLAND CO.

NORTH LINE OF "GOLF ESTATES"
SUBDIVISION, L.58 P.23, O.C.R.

N 89°36'33" W 533.97'

20-03-401-003

30' WIDE ROADWAY DEDICATION (0.460 Ac.)

S 89°39'08" E 537.05'

SOUTH LINE OF "BASSETT &
SMITH FLOWING SPRING ACRES"
SUBDIVISION, L.37 P.9, O.C.R.

BOOTH ROAD



NORTH

SCALE: 1"=60'

30' WIDE ROADWAY
DEDICATION (0.460 Ac.)

S 00°31'30" E 161.70'

OBERLIN ST.

P.O.B. PROPERTY DESCRIPTION
& S.E. CORNER OF "BASSETT
& SMITH FLOWING SPRING ACRES"
SUBDIVISION

N 89°39'08" W 1,338.66 FT.
EAST-WEST 1/4 LINE SECTION 3

EAST 1/4 CORNER
SEC. 3, T.2N., R.11E.,
CITY OF TROY,
OAKLAND CO.
L.17277, P.651, O.C.R.

5/19/04 REVISED
4/28/04 REVISED

APEX
ENGINEERING GROUP INC.
CIVIL ENGINEERING & LAND PLANNING CONSULTANTS

47745 VAN DYKE AVENUE
SHELBY TOWNSHIP, MI 48317

PHONE: 588-730-5200
FAX: 588-254-5314

PROJECT:

**"BOOTH ROAD
PARCEL SPLITS"**

PT. OF THE S.E. 1/4 OF SEC. 3, T.2N., R.11E.,
CITY OF TROY, OAKLAND CO., MICHIGAN

CLIENT:
MR. FRANCO C. MANGINI
ABBOTSFORD DEV. CO.
47858 VAN DYKE AVE., STE. 410
SHELBY TWP., MI 48317
(588) 726-1231

JOB NO: 03-010
DATE: 4/19/04
DRAWN BY: N.P.R.
CHECKED BY: W.E.M.

EXHIBIT "A"
PAGE 2 OF 2

A THIRTY (30.00) FOOT WIDE ROADWAY DEDICATION, PART OF THE SOUTHEAST ¼ OF SECTION 3, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE NORTH THIRTY (30.00) FEET AND THE EAST THIRTY (30.00) FEET, BEING PART OF THE FOLLOWING DESCRIBED PARCEL:

A PARCEL OF LAND IN THE SOUTHEAST ¼ OF SECTION 3, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE EAST ¼ CORNER OF SAID SECTION 3; THENCE NORTH 89°39'08" WEST ALONG THE EAST-WEST ¼ LINE OF SAID SECTION 3, 1,338.66 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°31'30" EAST 161.70 FEET TO A POINT ON THE NORTH LINE OF "GOLF ESTATES" A SUBDIVISION AS RECORDED IN LIBER 58 OF PLATS, PAGE 23, OAKLAND COUNTY RECORDS; THENCE NORTH 89°36'33" WEST ALONG THE NORTH LINE OF SAID "GOLF ESTATES", 533.97 FEET; THENCE NORTH 01°37'20" WEST, 161.38 FEET TO A POINT ON THE SOUTH LINE OF "BASSETT & SMITH FLOWING SPRING ACRES" A SUBDIVISION AS RECORDED IN LIBER 37 OF PLATS, PAGE 9, OAKLAND COUNTY RECORDS; THENCE SOUTH 89°39'08" EAST, 537.05 FEET TO THE SOUTHEAST CORNER OF SAID "BASSETT & SMITH FLOWING SPRING ACRES" TO THE POINT OF BEGINNING. CONTAINING 1.985 ACRES OF LAND.

WARRANTY DEED

Sidwell #88-20-03-401-003
Project #03.949.3

The Grantor(s), Milano Building Company, a Michigan Corporation, whose address is 47858 Van Dyke, Shelby Township, Michigan 48317 convey(s) and warrant(s) to The City of Troy, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan 48084, the following described premises situated in the City of Troy, County of Oakland and State of Michigan:

SEE ATTACHED EXHIBIT "A"
FOR DESCRIPTION OF DETENTION POND SITE BEING CONVEYED & PARENT PARCEL DESCRIPTION

For the sum of One and no/100 Dollar (\$1.00)

subject to easements and building and use restrictions of record and further subject to

Dated this 2nd day of August, 2004.

Signed in presence of:

[Signature]
* Gian Luigi Tammasini

[Signature]
* Sara Chmielewski

Signed by:

[Signature]
MILANO BUILDING COMPANY,
A MICHIGAN CORPORATION

By [Signature]
Franco Mancini
Its: President

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 2nd day of August 2004, by Franco Mancini, President of Milano Building Company, a Michigan corporation, on behalf of the corporation.

[Signature]
Barbara M. Holley
Notary Public, Macomb County,
My commission expires: 8-13-10

County Treasurer's Certificate		City Treasurer's Certificate	
When recorded return to: City Clerk City of Troy 500 West Big Beaver Troy, MI 48084	Send subsequent tax bills to: Grantee	Drafted by: Patricia A. Petitto City of Troy 500 West Big Beaver Troy, MI 48084	

Tax Parcel # Recording Fee Transfer Tax

*TYPE OR PRINT NAMES UNDER SIGNATURES

EXHIBIT "A"

PAGE 1 OF 2

804.56' M.

N 01°37'20" W 161.38'

CENTERPOST
SEC. 3, T.2N., R.11E.,
CITY OF TROY,
OAKLAND CO.

NORTH LINE OF "GOLF ESTATES"
SUBDIVISION, L.58 P.23, O.C.R.

SOUTH LINE OF "BASSETT &
SMITH FLOWING SPRING ACRES"
SUBDIVISION, L.37 P.9, O.C.R.

N 89°36'33" W 533.97'

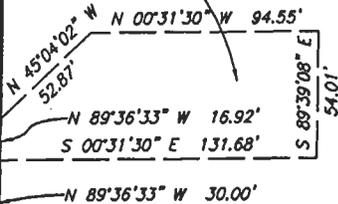
20-03-401-003

S 89°39'08" E 537.05'

BOOTH ROAD

P.O.B. EASEMENT FOR
DETENTION POND

EASEMENT FOR
DETENTION POND,
0.147 Ac.



NORTH

SCALE: 1"=60'

S 00°31'30" E 161.70'

OBERLIN ST.

P.O.B. PROPERTY DESCRIPTION
& S.E. CORNER OF "BASSETT
& SMITH FLOWING SPRING ACRES"
SUBDIVISION

N 89°39'08" W 1,338.66 FT.
EAST-WEST 1/4 LINE SECTION 3

EAST 1/4 CORNER
SEC. 3, T.2N., R.11E.,
CITY OF TROY,
OAKLAND CO.,
L.17277, P.651, O.C.R.

5/10/04 REVISED

APEX

ENGINEERING GROUP INC.
CIVIL ENGINEERING & LAND PLANNING CONSULTANTS

47745 VAN DYKE AVENUE
SHELBY TOWNSHIP, MI 48317

PHONE: 588-739-5200
FAX: 588-254-5314

PROJECT:

DETENTION FOR
"BOOTH ROAD
PARCEL SPLITS"

PT. OF THE S.E. 1/4 OF SEC. 3, T.2N., R.11E.,
CITY OF TROY, OAKLAND CO., MICHIGAN

CLIENT:

MR. FRANCO G. MANCINI
ABBOTSFORD DEV. CO.
47868 VAN DYKE AVE. STE. 410
SHELBY TWP., MI 48317
(588) 728-1221

JOB NO: 03-010

DATE: 4/23/04

DRAWN BY: N.P.R.

CHECKED BY: W.E.M.

EXHIBIT "A"

PAGE 2 OF 2

PROPERTY DESCRIPTION PARENT PARCEL (NOT BEING CONVEYED)

A PARCEL OF LAND IN THE SOUTHEAST 1/4 OF SECTION 3, T.2N., R.11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 3; THENCE N.89°39'08"W. ALONG THE EAST-WEST 1/4 LINE OF SAID SECTION 3, 1338.66 FT. TO THE POINT OF BEGINNING; THENCE S.00°31'30"E., 161.70 FT. TO A POINT ON THE NORTH LINE OF "GOLF ESTATES" A SUBDIVISION AS RECORDED IN LIBER 58 OF PLATS, PAGE 23, OAKLAND COUNTY RECORDS; THENCE N.89°36'33"W. ALONG THE NORTH LINE OF SAID "GOLF ESTATES", 533.97 FT.; THENCE N.01°37'20"W., 161.38 FT. TO A POINT ON THE SOUTH LINE OF "BASSETT & SMITH FLOWING SPRING ACRES" A SUBDIVISION AS RECORDED IN LIBER 37 OF PLATS, PAGE 9, OAKLAND COUNTY RECORDS; THENCE S.89°39'08"E., 537.05 FT. TO THE SOUTHEAST CORNER OF SAID "BASSETT & SMITH FLOWING SPRING ACRES" TO THE POINT OF BEGINNING. CONTAINING 1.985 ACRES OF LAND. SUBJECT TO ANY EASEMENTS, RESTRICTION AND/OR RIGHT-OF-WAYS, IF ANY.

DETENTION POND CONVEYANCE

AN EASEMENT FOR DETENTION POND, PART OF THE SOUTHEAST 1/4 OF SECTION 3, T.2N., R.11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 3; THENCE N.89°39'08"W. ALONG THE EAST-WEST 1/4 LINE OF SAID SECTION 3, 1338.66 FT.; THENCE S.00°31'30"E., 161.70 FT. TO A POINT ON THE NORTH LINE OF "GOLF ESTATES" A SUBDIVISION AS RECORDED IN LIBER 58 OF PLATS, PAGE 23, OAKLAND COUNTY RECORDS; THENCE N.89°36'33"W. ALONG THE NORTH LINE OF SAID "GOLF ESTATES", 30.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID LINE N.89°36'33"W., 16.92 FEET; THENCE N.45°04'02"W., 52.87 FEET; THENCE N.00°31'30"W., 94.55 FEET; THENCE S.89°39'08"E., 54.01 FEET; THENCE S.00°31'30"E., 131.68 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.147 ACRES.

APEX
ENGINEERING GROUP INC.
CIVIL ENGINEERING & LAND PLANNING CONSULTANTS

47745 VAN DYKE AVENUE
SHELBY TOWNSHIP, MI 48317

PHONE: 588-739-5200
FAX: 588-254-5314

PROJECT:

DETENTION FOR
"BOOTH ROAD
PARCEL SPLITS"

PT. OF THE S.E. 1/4 OF SEC. 3, T.2N., R.11E.,
CITY OF TROY, OAKLAND CO., MICHIGAN

5/10/04 REVISED

CLIENT:

MR. FRANCO G. MANCINI
ABBOTSFORD DEV. CO.
47858 VAN DYKE AVE., STE. 410
SHELBY TWP., MI 48317
(588) 728-1231

JOB NO: 03-010

DATE:

4/18/04

DRAWN BY:

N.P.R.

CHECKED BY:

W.E.M.

September 14, 2004

TO: John Szerlag, City Manager

FROM: Brian P. Murphy Assistant City Manager/Services
Douglas J. Smith, Real Estate & Development Director
Dennis C. Stephens, Right of Way Representative

RE: AGENDA ITEM - Request for Approval of Purchase Agreement,
Saoud Jamo and Nidhal Jamo, 2907 Thames, Sidwell #88-20-25-
229-001, Big Beaver, Rochester to Dequindre Road Project
#01.105.5

As part of the proposed Big Beaver Road Widening Project – Rochester to Dequindre, the Real Estate & Development Department has reached an agreement with Saoud Jamo and Nidhal Jamo to purchase property at 2907 Thames, having Sidwell #88-20-25-229-001. The subject parcel is approximately 0.199 acres of land with a single family home and attached garage totaling 1,222 square feet. The sellers have requested that they be allowed to retain ownership of the items listed in Condition #10 of the Agreement to Purchase

Based on an appraisal performed by R.S. Thomas & Associates, Inc., and reviewed by Kimberly Harper, Deputy Assessor, staff believes that \$180,000.00, the compensation agreed upon, is a justifiable value to this acquisition.

In order for the City to proceed with the acquisition of this parcel, staff requests that City Council approve the attached Purchase Agreement with Saoud Jamo and Nidhal Jamo in the total amount of \$180,000.00, plus closing costs. Funds will come from the Big Beaver – Rochester to Dequindre Road Project #01.105.5.



Exhibit "A"

Section 25, Big Beaver Widening Project
Parcel: 88-20-25-229-001
Owner: Saoud Jamo and Nidhal Jamo
Parcel #10

Parent Parcel Description (Title Commitment #63-510801)

Situated in the City of Troy, Oakland County, Michigan, described as:
Lot 104, Yorkshire Subdivision, according to the plat thereof as recorded in liber
115, pages 29-30 of Plats, Oakland County Records.

Proposed Right of Way Acquisition

Situated in the City of Troy, Oakland County, Michigan, described as:
Lot 104, Yorkshire Subdivision, according to the plat thereof as recorded in liber
115, pages 29-30 of Plats, Oakland County Records. Containing 8,660 Square
Feet or 0.199 Acres and being subject to all easements of record.

CITY OF TROY
AGREEMENT TO PURCHASE REALTY
FOR PUBLIC PURPOSES

The CITY OF TROY (the "Buyer"), agrees to purchase from Saoud Jamo and Nidhal Jamo, husband and wife (the "Sellers"), the following described premises (the "Property"):

SEE ATTACHED EXHIBIT "A"

for a public project within the City of Troy and to pay the sum of One Hundred, Eighty Thousand and no/100 Dollars (\$180,000.00) under the following terms and conditions:

1. Seller shall assist Buyer in obtaining all releases necessary to remove all encumbrances from the property so as to vest a marketable title in Buyer.

2. Seller shall pay all taxes, prorated to the date of closing, including all special assessments, now due or which may become a lien on the property prior to the conveyance.

3. Seller shall deliver the Warranty Deed upon payment of the purchase money by check drawn upon the account of the City of Troy.

4. Buyer shall, at its own expense, provide title assurance information to the Buyer, and the Seller shall disclose any encumbrances against the property.

5. This Agreement is binding upon the parties and closing shall occur within ninety (90) days of the date that all liens have been released and encumbrances have been extinguished to the satisfaction of the Buyer, unless extended by agreement of the parties in writing. It is further understood and agreed that this period of time is for the preparation and authorization of purchase money.

6. Buyer shall notify the Seller immediately of any deficiencies encumbering marketable title, and Seller shall then proceed to remove the deficiencies. If the Seller fails to remove the deficiencies in marketable title to Buyer's approval, the Buyer shall have the option of proceeding under the terms of this Agreement to take title in a deficient condition or to render the Agreement null and void, and any deposit tendered to the Seller shall be returned immediately to the Buyer upon demand.

7. The City of Troy's sum paid for the property being acquired represents the property being free of all environmental contamination. Although the City of Troy will not withhold or place in escrow any portion of this sum, the City reserves its rights to bring Federal and/or State and/or local cost recovery actions against the present owners and any other potentially responsible parties, arising out of a release of hazardous substances at the property.

8. Seller acknowledges that this offer to purchase is subject to final approval by Troy City Council.

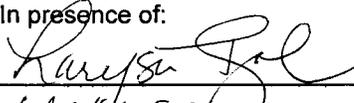
9. Seller agrees to vacate the premises on or before December 1, 2004; or sign a Short-Term Rental Agreement for continued occupancy on a short term basis, which shall be determined by the City. Seller will not be required to pay rent after the closing and prior to December 1, 2004. Beginning on December 1, 2004, rent will be at a rate of \$1,222 per month and shall be pro-rated if Seller occupies the property for a period less than one full month. Seller shall be responsible for and pay all utility bills for this property as long as Seller occupies the premises. At Seller's expense, Seller shall be responsible for maintaining the property until the premises are vacated.

10. Additional conditions, if any: SELLORS: ~~WILL~~ REMOVE JAPANESE
MAPLE & TWO TIKI IKU AT THEIR OWN EXPENSE
AND BASEMENT PEDASTAL SINK *PH AJG*
SJ

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

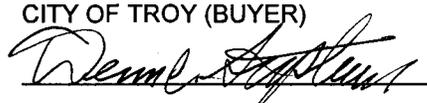
IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures this _____ day of _____, A.D. 2004.

In presence of:



LARISA FIGO

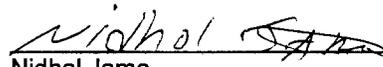
CITY OF TROY (BUYER)



SELLER:



Saoud Jamo



Nidhal Jamo

Exhibit "A"

Wednesday, May 19, 2004

Section 25, Big Beaver Widening Project
Parcel: 88-20-25-229-001
Owner: Saoud Jamo and Nidhal Jamo
Parcel #10

Parent Parcel Description (Title Commitment #63-510801)

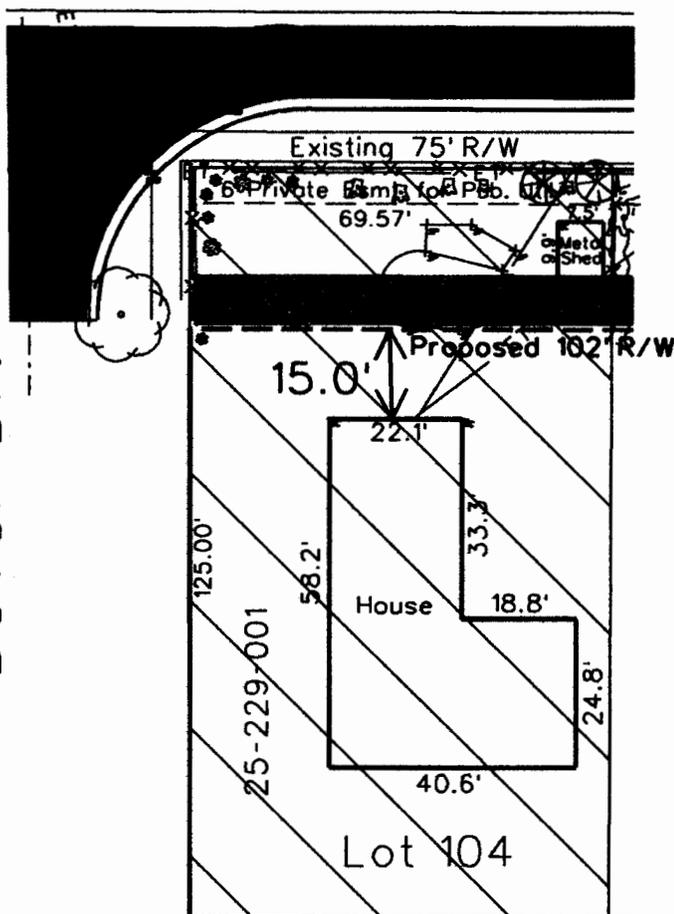
Situated in the City of Troy, Oakland County, Michigan, described as:
Lot 104, Yorkshire Subdivision, according to the plat thereof as recorded in liber
115, pages 29-30 of Plats, Oakland County Records.

Proposed Right of Way Acquisition

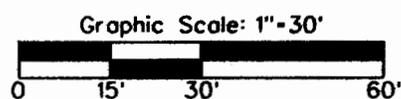
Situated in the City of Troy, Oakland County, Michigan, described as:
Lot 104, Yorkshire Subdivision, according to the plat thereof as recorded in liber
115, pages 29-30 of Plats, Oakland County Records. Containing 8,660 Square
Feet or 0.199 Acres and being subject to all easements of record.

Big Beaver Rd.

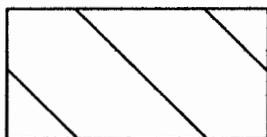
Dover Dr.



#2907
Thames



Parcel #10



Right of Way
Acquisition
Area=8,660 Sq.Ft.

DATE REV.

DOCUMENT PREPARED BY
George J. Ballard III
LAND SURVEYOR

CONTRACT No.



500 W. Big Beaver Rd.
Troy, Michigan 48064
(248) 524-3594
www.ci.troy.mi.us

#2907 Thames
Right of Way
Acquisition Sketch

SCALE	DRAWN BY	CHECKED	FILE
HDR.	NAME GJB III	NAME	See Above
VER.	DATE 5-19-04	DATE	VIEW *1
DOCUMENT PREPARED BY George J. Ballard III LAND SURVEYOR		SHEET No.	JOB No.
CONTRACT No.		1 of 1	01.105.5
STEVEN J. VANDETTIE CITY ENGINEER			

September 14, 2004

TO: John Szerlag, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Services
Douglas J. Smith, Real Estate & Development Director
Larysa Figol, Right of Way Representative

RE: AGENDA ITEM – REQUEST FOR APPROVAL OF
PURCHASE AGREEMENT & PRICE DIFFERENTIAL
PAYMENT, MAHMOUD AND NAHLA ABDALLAH, 2851
THAMES, SIDWELL #88-20-25-226-006, PROJECT NO.
01.105.5 – BIG BEAVER ROAD IMPROVEMENTS,
ROCHESTER TO DEQUINDRE

As part of the proposed Big Beaver Road Widening Project – Rochester to Dequindre, the Real Estate & Development Department has reached an agreement with Mahmoud and Nahla Abdallah, owners of property located at 2851 Thames, having Sidwell #88-20-25-226-006. The subject parcel is approximately 0.17 acres of land with a single family home and attached garage totaling 1,317 square feet.

Based on an appraisal prepared by R.S. Thomas & Associates, Inc., and reviewed by Kimberly Harper, Deputy Assessor, staff believes that \$185,000.00, the compensation agreed upon, is a justifiable value for this acquisition.

In accordance with Michigan Laws and Federal Regulations, the property owners are eligible for a Price Differential Payment. This amount has been calculated and is not to exceed \$22,000.00, the amount necessary to acquire a comparable replacement dwelling.

The property owners are eligible for additional relocation costs, including such expenses as mortgage differential payments, moving, storage, and closing costs connected to the replacement dwelling. Submission of these claims will be made at a later date.

In order for the City to proceed with the acquisition of this parcel, staff requests that City Council approve the attached Purchase Agreement with Mahmoud and Nahla Abdallah in the total amount of \$185,000.00, plus closing costs, and to approve a replacement housing payment not to exceed \$22,000.00. Funds will come from the Big Beaver Road–Rochester to Dequindre project.

2851 Thames
Property Acquisition for Big Beaver Road Improvements
Rochester to Dequindre
Project #01.105.5



CITY OF TROY
AGREEMENT TO PURCHASE REALTY
FOR PUBLIC PURPOSES

The CITY OF TROY (the "Buyer"), agrees to purchase from Mahmoud Abdallah and Nahla Abdallah, husband and wife (the "Sellers"), the following described premises (the "Property"):

Situated in the City of Troy, Oakland County, Michigan, described as:
Lot 43, Yorkshire Subdivision, according to the plat thereof as recorded in liber 115,
pages 29-30 of Plats, Oakland County Records. Containing 7,500 Square Feet or
0.172 Acres and being subject to all easements of record.

for a public project within the City of Troy and to pay the sum of One Hundred, Eighty-Five Thousand and no/100 Dollars (\$185,000.00) under the following terms and conditions:

1. Seller shall assist Buyer in obtaining all releases necessary to remove all encumbrances from the property so as to vest a marketable title in Buyer.
2. Seller shall pay all taxes, prorated to the date of closing, including all special assessments, now due or which may become a lien on the property prior to the conveyance.
3. Seller shall deliver the Warranty Deed upon payment of the purchase money by check drawn upon the account of the City of Troy.
4. Buyer shall, at its own expense, provide title assurance information to the Buyer, and the Seller shall disclose any encumbrances against the property.
5. This Agreement is binding upon the parties and closing shall occur within ninety (90) days of the date that all liens have been released and encumbrances have been extinguished to the satisfaction of the Buyer, unless extended by agreement of the parties in writing. It is further understood and agreed that this period of time is for the preparation and authorization of purchase money.
6. Buyer shall notify the Seller immediately of any deficiencies encumbering marketable title, and Seller shall then proceed to remove the deficiencies. If the Seller fails to remove the deficiencies in marketable title to Buyer's approval, the Buyer shall have the option of proceeding under the terms of this Agreement to take title in a deficient condition or to render the Agreement null and void, and any deposit tendered to the Seller shall be returned immediately to the Buyer upon demand.
7. The City of Troy's sum paid for the property being acquired represents the property being free of all environmental contamination. Although the City of Troy will not withhold or place in escrow any portion of this sum, the City reserves its rights to bring Federal and/or State and/or local cost recovery actions against the present owners and any other potentially responsible parties, arising out of a release of hazardous substances at the property.
8. Seller acknowledges that this offer to purchase is subject to final approval by Troy City Council.
9. Seller agrees to vacate the premises on or before December 31, 2004; or sign a Short-Term Rental Agreement for continued occupancy on a short term basis, which shall be determined by the City. Seller will not be required to pay rent after the closing and prior to December 31, 2004. Beginning on January 1, 2005, rent will be at a rate of \$1,317 per month and shall be pro-rated if Seller occupies the property for a period less than one full month. Seller shall be responsible for and pay all utility bills for this property as long as Seller occupies the premises. At Seller's expense, Seller shall be responsible for maintaining the property until the premises are vacated.

10. Additional conditions, if any: _____

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

IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures this 13th day of September A.D. 2004.

In presence of:

Patricia A. Pettit

CITY OF TROY (BUYER)
Larisa Figli
LARISA FIGLI

SELLER:

Mahmoud Abdallah
Mahmoud Abdallah
Nahla Abdallah
Nahla Abdallah

RELOCATION ELIGIBILITY NOTICE

TO: Mahmoud Abdallah and Nahla Abdallah

Based on information available as of July 23, 2004, you are eligible for the following benefits. You will NOT be required to move before October 21, 2004. The Department will issue a written notification giving you not less than 90 days notice of your required move date.

NON-RESIDENTIAL

BUSINESS, FARM, NON PROFIT

Ineligible

Eligible

Estimated/ actual cost move (with inventory) plus re-establishment or Fixed (In Lieu of) Payment, to be determined

RESIDENTIAL

HOUSING PAYMENT

Ineligible

Eligible to claim up to:

\$207,000.00

\$185,000.00

\$22,000.00

D.S & S. Comparable Housing

Value of House Being Acquired & Typical Lot

RENTAL PAYMENT

Ineligible

Eligible to claim up to:

\$

\$

\$

\$

Comparable Monthly Rent + Utilities

Less Actual/Market Rent + Utilities or 30% of Monthly Income

Monthly Difference

Monthly Difference x 42 Months

DOWN PAYMENT

Ineligible

Eligible to claim up to:

\$

MOVING PAYMENT

Ineligible

Eligible to claim up to:

\$1,800.00

\$1,800.00

Fixed Schedule

or Actual Cost of Move (Commercial Mover)

REPLACEMENT HOUSING OFFERED FOR SALE OR RENT

SALE ADDRESS	BDRMS	RENTAL ADDRESS	BDRMS
2173 Hempstead, Troy	4		
38326 Lincolndale Drive, Sterling Heights	3		
3233 Franklin Park, Sterling Heights	3		

YOUR REPLACEMENT PROPERTY FOR 6 PERSONS IN THE FAMILY WILL NEED TO MEET ALL REQUIREMENTS NOTED ON THE BACK OF THIS FORM.

Claim must be filed within the prescribed time limits as noted on claim forms. Claims can not be paid until all the conditions on the claim form have been met. You may file your appeal at any time up to six months after you have received a written determination of the relocation payments which you are entitled to receive. You should normally receive the payments within sixty days from the date of filing a claim. Relocation payments are mailed to your new address.

SEE RELOCATION BOOKLET FOR COMPLETE DESCRIPTION OF THE RELOCATION PROGRAM.

REAL ESTATE AGENT (Signature)

Patricia A. Petitto

REGION AGENT

Patricia A. Petitto

ADDRESS

2851 Thames

DATE

09/07/04

PHONE

(248) 524-3498

CONTROL SECTION

STU 63459 25-226-006

PARCEL

8

NAME

Mahmoud Abdallah & Nahla Abdallah

JOB NUMBER

49878

FEDERAL ITEM NUMBER

HH 2855

FEDERAL PROJECT NUMBER

STP 0163 (039) 01.105.5

September 14, 2004

TO: John Szerlag, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Services
Douglas J. Smith, Real Estate & Development Director
Larysa Figol, Right of Way Representative

RE: AGENDA ITEM – REQUEST FOR APPROVAL OF PURCHASE AGREEMENT & PRICE DIFFERENTIAL PAYMENT, EMAD AND NIRAN YOUNO, 2955 THAMES, SIDWELL #88-20-25-229-005, PROJECT NO. 01.105.5 – BIG BEAVER ROAD IMPROVEMENTS, ROCHESTER TO DEQUINDRE

As part of the proposed Big Beaver Road Widening Project – Rochester to Dequindre, the Real Estate & Development Department has reached an agreement with Emad and Niran Youno, owners of property located at 2955 Thames, having Sidwell #88-20-25-229-005. The subject parcel is approximately 0.26 acres of land with a single family home totaling 1.230 square feet and a detached garage

Based on an appraisal prepared by R.S. Thomas & Associates, Inc., and reviewed by Kimberly Harper, Deputy Assessor, staff believes that \$190,000.00, the compensation agreed upon, is a justifiable value for this acquisition. The owners have also requested to retain ownership of the items listed in Condition #10 of the Agreement to Purchase.

In accordance with Michigan Laws and Federal Regulations, the property owners are eligible for a Price Differential Payment. This amount has been calculated and is not to exceed \$17,900.00, the amount necessary to acquire a comparable replacement dwelling.

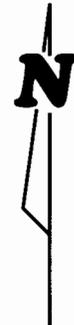
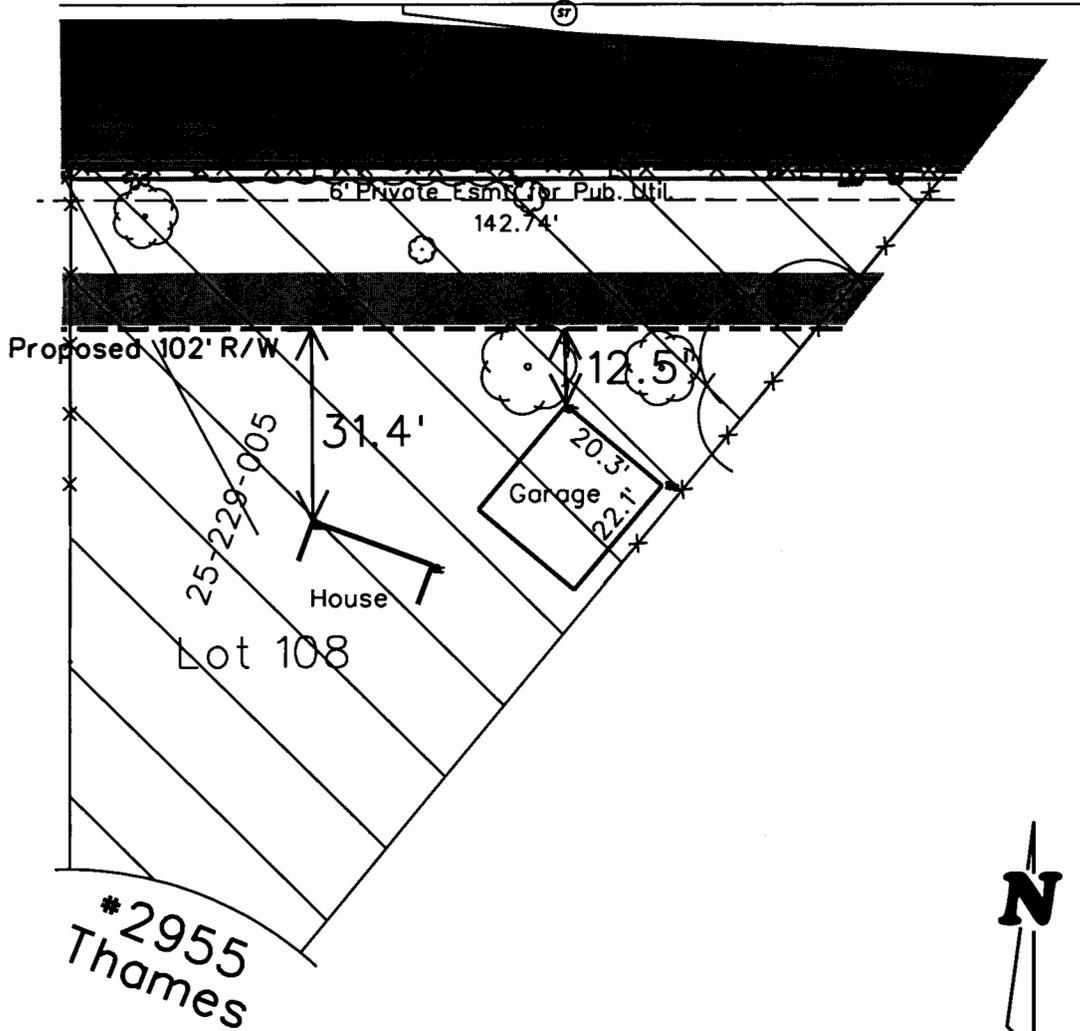
The property owners are eligible for additional relocation costs, including such expenses as mortgage differential payments, moving, storage, and closing costs connected to the replacement dwelling. Submission of these claims will be made at a later date.

In order for the City to proceed with the acquisition of this parcel, staff requests that City Council approve the attached Purchase Agreement with Emad and Niran Youno in the total amount of \$190,000.00, plus closing costs, and to approve a replacement housing payment not to exceed \$17,900.00. Funds will come from the Big Beaver Road– Rochester to Dequindre project.

2955 Thames
Property Acquisition for Big Beaver Road Improvements
Rochester to Dequindre
Project #01.105.5



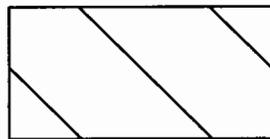
Big Beaver Rd.



Graphic Scale: 1"=30'



Parcel #14



Right of Way Acquisition
Area=11,234 Sq.Ft.

DATE	REV.

DOCUMENT PREPARED BY
George J. Ballard III
LAND SURVEYOR

CONTRACT No.



500 W. Big Beaver Rd.
Troy, Michigan 48084
(248) 524-3594
www.ci.troy.mi.us

#2955 Thames Right of Way Acquisition Sketch

SCALE	DRAWN BY	CHECKED	FILE
HOR.	NAME GJB III	NAME	See Above
VER.	DATE 5-19-04	DATE	VIEW *1
STEVEN J. VANDETTE CITY ENGINEER		SHEET No. 1 of 1	JOB No. 01.105.5

CITY OF TROY
AGREEMENT TO PURCHASE REALTY
FOR PUBLIC PURPOSES

The CITY OF TROY (the "Buyer"), agrees to purchase from Emad Youno and Niran Youno, husband and wife (the "Sellers"), the following described premises (the "Property"):

SEE ATTACHED EXHIBIT "A"

for a public project within the City of Troy and to pay the sum of One Hundred, Ninety Thousand and no/100 Dollars (\$190,000.00) under the following terms and conditions:

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

8. Seller acknowledges that this offer to purchase is subject to final approval by Troy City Council.

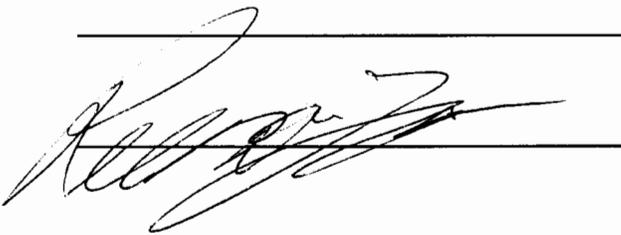
9. Seller agrees to vacate the premises on or before December 31, 2004; or sign a Short-Term Rental Agreement for continued occupancy on a short - term basis, which shall be determined by the City. Seller will not be required to pay rent after the closing and prior to December 31, 2004. Beginning on January 1, 2005, rent will be at a rate of \$1,230 per month and shall be pro-rated if Seller occupies the property for a period less than one full month. Seller shall be responsible for and pay all utility bills for this property as long as Seller occupies the premises. At Seller's expense, Seller shall be responsible for maintaining the property until the premises are vacated.

10. Additional conditions, if any: 3 bedroom doors, 2 kitchen & living room chandeliers

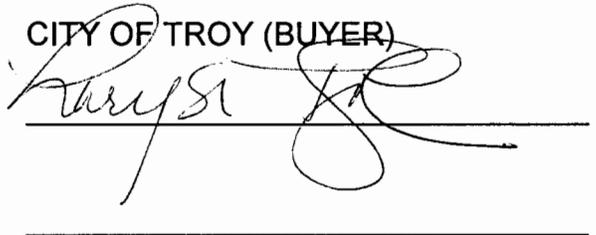
SELLER HEREBY ACKNOWLEDGES THAT NO PROMISES WERE MADE EXCEPT AS CONTAINED IN THIS AGREEMENT.

IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures this 13th day of September A.D. 2004.

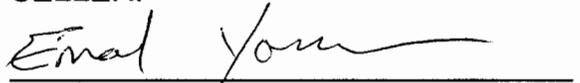
In presence of:



CITY OF TROY (BUYER)



SELLER:


Emad Youno


Niran Youno

Exhibit "A"

Section 25, Big Beaver Widening Project
Parcel: 88-20-25-229-005
Owner: Emad Youno
Parcel #14

Parent Parcel Description (Title Commitment #63-510808)

Situated in the City of Troy, Oakland County, Michigan, described as:
Lot 108, Yorkshire Subdivision, according to the plat thereof as recorded in liber
115, pages 29-30 of Plats, Oakland County Records.

Proposed Right of Way Acquisition

Situated in the City of Troy, Oakland County, Michigan, described as:
Lot 108, Yorkshire Subdivision, according to the plat thereof as recorded in liber
115, pages 29-30 of Plats, Oakland County Records. Containing 11,234 Square
Feet or 0.258 Acres and being subject to all easements of record.

RELOCATION ELIGIBILITY NOTICE

TO: Emad Youno and Niran Youno

Based on information available as of August 4, 2004, you are eligible for the following benefits. You will **NOT** be required to move before November 4, 2004. The Department will issue a written notification giving you not less than 90 days notice of your required move date.

NON-RESIDENTIAL

BUSINESS, FARM, NON PROFIT

Ineligible
 Eligible \$ Estimated/ actual cost move (with inventory) plus re-establishment or Fixed (In Lieu of) Payment, to be determined

RESIDENTIAL

HOUSING PAYMENT \$207,900.00 D.S & S. Comparable Housing
 Ineligible \$190,000.00 Value of House Being Acquired & Typical Lot
 Eligible to claim up to: \$17,900.00

RENTAL PAYMENT \$ Comparable Monthly Rent + Utilities
 \$ Less Actual/Market Rent + Utilities or 30% of Monthly Income
 Ineligible \$ Monthly Difference
 Eligible to claim up to: \$ Monthly Difference x 42 Months

DOWN PAYMENT
 Ineligible
 Eligible to claim up to: \$

MOVING PAYMENT
 Ineligible \$1,800.00 Fixed Schedule
 Eligible to claim up to: \$ or Actual Cost of Move (Commercial Mover)

REPLACEMENT HOUSING OFFERED FOR SALE OR RENT

SALE ADDRESS	BDRMS	RENTAL ADDRESS	BDRMS
6485 Provost Drive, Sterling Heights	3+		
2224 Atlas Drive, Troy	3		
2870 Downey, Troy	3		

YOUR REPLACEMENT PROPERTY FOR 5 PERSONS IN THE FAMILY WILL NEED TO MEET ALL REQUIREMENTS NOTED ON THE BACK OF THIS FORM.

Claim must be filed within the prescribed time limits as noted on claim forms. Claims can not be paid until all the conditions on the claim form have been met. You may file your appeal at any time up to six months after you have received a written determination of the relocation payments which you are entitled to receive. You should normally receive the payments within sixty days from the date of filing a claim. Relocation payments are mailed to your new address.

SEE RELOCATION BOOKLET FOR COMPLETE DESCRIPTION OF THE RELOCATION PROGRAM.

REAL ESTATE AGENT (Signature) <i>Patricia A. Petitto</i>	DATE 9/14/2004
REGION AGENT Patricia A. Petitto	PHONE (248) 524-3498

ADDRESS
2955 Thames Drive

CONTROL SECTION STU 63459 25-229-005	PARCEL 14	NAME Emad Youno & Niran Youno
JOB NUMBER 49878	FEDERAL ITEM NUMBER HH 2855	FEDERAL PROJECT NUMBER STP 0163 (039) 01.105.5

September 14, 2004

TO: John Szerlag, City Manager

FROM: Brian Murphy, Assistant City Manager/Services
Steve Vandette, City Engineer SJV wjh

SUBJECT: Agenda Item - Private Agreement for Pro Car Wash
Project No. 02.914.3

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

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

Approval is recommended.

Prepared by: Gary Streight
Civil Engineer

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

G:\Projects\Projects - 02.914.3\Private Agreement Cover Letter.doc

Enclosed Private Agreement, Detailed Summary, Sketch

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

PROJECT NO. 02.914.3

PROJECT LOCATION:

3785 Rochester Rd.

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 Pro Car Wash whose address is 3785 Rochester Rd, Troy, MI 48063 and whose telephone number is (248)778-5390 hereinafter referred to as "Owners".

WITNESSETH, FIRST: That the City agrees to allow the installation of paving and storm sewer in accordance with plans prepared by Project Control Engineering, Inc. whose address is 2420 Pte. Tremble Rd., Aigonac, MI 48001 and whose telephone number is (810)794-1931, 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 \$16,170.00. This amount will be transmitted to the City Clerk for installation of said improvements in the form of (check one):

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

Said funds shall be placed on deposit with the City upon the execution of this contract and shall be disbursed to the owner 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 the following cash fees:

* Plan Review and Construction Inspection Fee (Public Improvements)	\$	1,309.77
Engineering Review Fee (Private Improvements)	\$	323.40
Water Main Testing Fee	\$	
Street Cleaning/Road Maintenance (Refundable)	\$	2,000.00
TOTAL:	\$	\$3,633.17

* 8.1% (.081) of approximate contract price

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

PROJECT NO. 02.914.3

PROJECT LOCATION:

3785 Rochester Rd.

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 \$ 19,803.17 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. 02.914.3

PROJECT LOCATION:

3785 Rochester Rd.

RESOLUTION NO.

DATE OF COUNCIL APPROVAL:

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed in duplicate on this 25 day of AUGUST, 2004.

OWNERS

CITY OF TROY

By:

By:

ROBERT WALDRON

Please Print or Type

Louise E. Schilling, Mayor

Please Print or Type

Tonni Bartholomew, City Clerk

STATE OF MICHIGAN, COUNTY OF OAKLAND

On this 25 day of August, A.D. 2004, before me personally appeared Robert Ray Waldron 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.

MARtha V. Ross

NOTARY PUBLIC, Oakland County, Michigan

MARtha V. ROSS
Notary Public, Wayne County, MI
Acting in Oakland Co., MI
My Commission Expires 08/25/2008

My commission expires: _____

DETAILED SUMMARY OF REQUIRED ESCROW DEPOSITS AND CASH FEES
PRIVATE AGREEMENT FOR PRO CAR WASH
PROJECT NO. 02.914.3

The estimated costs of public improvements for the aforementioned project are as follows:

Escrow Deposits:

paving	13,890.00
Storm sewer	2,280.00

Total Escrow Deposits: (check) **\$ 16,170.00**

Cash Fees:

Review & Inspection	\$1,309.77
Engineering Review	323.40
Water Main Testing Fee	
Street Cleaning/Road Maintenance	<u>2,000.00</u>

Total Cash Fees: (check) **\$ 3,633.17**

September 14, 2004

TO: John Szerlag, City Manager

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

SUBJECT: Agenda Item - Application for new Specially Designated Merchant (SDM) license by **ALDI INC. (MICHIGAN)**

ALDI INC. (MICHIGAN), requests a **new SDM license**, located at 2967 E. Big Beaver Rd., Troy, MI 48084, Oakland County. [MLCC REQ ID# 268630]

At its September 13th meeting, the Liquor Advisory Committee entertained this request. Present to answer questions from the Board was Dean Pearson, a district manager with Aldi. Aldi is a limited-selection grocery store chain. They have several stores in the metro Detroit area, all of which sell beer and wine. The store also carries a limited variety of fresh, frozen, produce, and bakery goods. All employees are trained in alcohol sales with a nationally recognized program, and the stores cash registers require that the buyer's date of birth be entered before the sale is made. The Committee unanimously approved the request.

The police department's background investigation revealed no disqualifying factors or criminal activity. Consequently, we have no objection to this request.

opening 09/02/04



JENNIFER M. GRANHOLM
GOVERNOR

NIDA R. SAMONA
CHAIRPERSON

STATE OF MICHIGAN
LIQUOR CONTROL COMMISSION
DEPARTMENT OF LABOR & ECONOMIC GROWTH
DAVID C. HOLLISTER, DIRECTOR

POLICE INVESTIGATION REQUEST

(Authorized by MCL 436.1(4))

August 2, 2004

Troy Police Department
Chief of Police
500 W. Big Beaver Road
Troy MI 48084-5285

Request ID#: 268630

Chief Law Enforcement Officer

Applicant: Aldi Inc. (Michigan) Request new SDM License located 2967 E. Big Beaver, Troy MI 48084, Oakland County.

Contact Person: Sue Chamberlain, P.O. Box 619, Webberville MI 48892, 517-521-3907, ext. 113

Please make an investigation of this application. If you do not believe that the applicants are qualified for licensing, give your reasons in detail. Complete the Police Inspection Report on Liquor License Request, LC-1800, or for Detroit police, the Detroit Police Investigation of License Request, LC-1802. If there is not enough room on the front of the form, you may use the back.

Forward your report and recommendations of the applicant to the Licensing Division.

(NA) Please include fingerprint card(s) and \$30.00 for each card, and mail to the Michigan Liquor Control Commission.

If you have any questions, contact the Licensing Division at (517) 322-1400.

cl

LC-1972 Rev 01/02
4880-1658

INSPECTION REPORT ON LIQUOR LICENSE REQUEST
(Authorized by MCL 436.1217)

Michigan Department of Consumer & Industry Services
MICHIGAN LIQUOR CONTROL COMMISSION
7150 Harris Drive
P.O. Box 30005
Lansing, Michigan 48909-7505

8/19/04
Donley

RID: 268630 cl

Important: Please conduct your investigation as soon as possible and complete all four sections of this report. Return the completed report and fingerprint cards to the Commission.

BUSINESS NAME AND ADDRESS: (include zip code)
ALDI INC. (MICHIGAN), 2967 E. BIG BEAVER, TROY MI 48084, OAKLAND COUNTY

REQUEST FOR: NEW SDM LICENSE

Section 1. APPLICANT INFORMATION

APPLICANT #1: <i>ALDI, INC.</i>	APPLICANT #2: <i>X</i>
HOME ADDRESS AND AREA CODE/PHONE NUMBER:	HOME ADDRESS AND AREA CODE/PHONE NUMBER:
DATE OF BIRTH: If the applicant is not a U.S. Citizen: <input type="radio"/> Does the applicant have permanent Resident Alien status? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="radio"/> Does the applicant have a Visa? Enter status: Date fingerprinted: <i>N/A</i>	DATE OF BIRTH: If the applicant is not a U.S. Citizen: <input type="radio"/> Does the applicant have permanent Resident Alien status? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="radio"/> Does the applicant have a Visa? Enter status: Date fingerprinted:

Attach the fingerprint card and \$30.00 for each card and mail to the Michigan Liquor Control Commission.

ARREST RECORD: <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)	ARREST RECORD: <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)
---	---

Section 2. Investigation of Business and Address to be Licensed

Does applicant intend to have dancing or entertainment?
 No Yes, complete LC-693N, Police Investigation Report: Dance/Entertainment Permit

Are gas pumps on the premises or directly adjacent? No Yes, explain relationship:

Section 3. Local and State Codes and Ordinances, and General Recommendations

Will the applicant's proposed location meet all appropriate state and local building, plumbing, zoning, fire, sanitation and health laws and ordinances, if this license is granted? Yes No

If you are recommending approval subject to certain conditions, list the conditions: (attach a signed and dated report if more space is needed)

Section 4. Recommendation

From your investigation:

1. Is this applicant qualified to conduct this business if licensed? Yes No
2. Is the proposed location satisfactory for this business? Yes No
3. Should the Commission grant this request? Yes No
4. If any of the above 3 questions were answered no, state your reasons: (Attach a signed and dated report if more space is needed)

Signature (Sheriff or Chief of Police) _____ Date _____
Troy Police Department

AGREEMENT REGARDING LIQUOR LICENSE REQUEST

This Agreement, made this ____ day of _____, 2004, by and between the CITY OF TROY, MICHIGAN, a municipal corporation, with offices located at 500 W. Big Beaver Road, Troy, Michigan, 48064, hereinafter known as THE CITY, and ALDI, INC. (MICHIGAN), whose address is 2967 E. Big Beaver Rd., 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 request for a new Specially Designated Merchant licensed business located at 2967 E. Big Beaver Rd., Troy, by ALDI, INC. (MICHIGAN).
2. In consideration of the City of Troy's recommendation for approval of the transfer, the applicant hereby agrees that:
 - (a) It has read and is aware of the provisions of City of Troy Ordinances, Chapter No. 67, Chapter No. 68 and Chapter No. 98, 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.


Authorized Representative

ALDI INC. (MICHIGAN)

Witnesses:

Donny Young
[Signature]

Subscribed and sworn to before me
this 10th day of Sept., 2004

Sue K Chamberlain

Notary Public, Ingham
County, Michigan
My commission expires Jan 4, 2008

SUE K. CHAMBERLAIN
Notary Public, Ingham County, MI
My Commission Expires Jan. 4, 2008

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
My commission expires:

A regular meeting of the Liquor Advisory Committee was held on Monday, September 13, 2004 in the Lower Level Conference Room of Troy City Hall, 500 West Big Beaver Road. Chairman Max K. Ehlert called the meeting to order at 7:00 p.m.

ROLL CALL:

PRESENT: Max K. Ehlert, Chairman
Henry W. Allemon
Alex Bennett
James R. Peard
Emily Polet, Student Representative
Carolyn Glosby, Assistant City Attorney
Sergeant Thomas J. Gordon
Pat Gladysz

ABSENT: Anita Elenbaum
W. Stan Godlewski
James C. Moseley

Resolution to Excuse Committee Members Elenbaum, Godlewski, and Moseley

Resolution #LC2004-09-119
Moved by Allemon
Seconded by Ehlert

RESOLVED, that the absence of Committee members Elenbaum, Godlewski, and Moseley at the Liquor Advisory Committee meeting of September 13, 2004 BE EXCUSED.

Yes: 4
No: 0
Absent: Elenbaum, Godlewski, and Moseley

Resolution to Approve Minutes of August 9, 2004 Meeting

Resolution #LC2004-09-120
Moved by Peard
Seconded by Allemon

RESOLVED, that the Minutes of the August 9, 2004 meeting of the Liquor Advisory Committee be approved.

Yes: 4
No: 0
Absent: Elenbaum, Godlewski, and Moseley

Agenda Items:

1. **MAYUR INDIAN CUISINE, INC.**, requests to **transfer ownership** of 2003 Class C licensed business, located in escrow at 770 N. Lapeer, Lake Orion, MI 48362, Orion Township, Oakland County, from Boathouse Billiards, Inc.; and **transfer location** (governmental unit MCL 436.1531(1)) to 5113 Rochester Rd., Troy, MI 48085, Oakland County; and also requests to cancel dance permit. [MLCC REQ ID# 262973]

Present to answer questions from the Committee were Venkat Sunkara and Vijay Kambhampati.

This Indian restaurant opened in March of 2004. Currently, they have 98 seats but plan to reduce that number to approximately 90 in an effort to provide a more elegant atmosphere. The restaurant is approximately 3,000 square feet, with 1,800 square feet of general dining space. They do not plan to have a bar area with seats but will serve alcoholic beverages from a service bar that will be installed near the buffet tables. The two owners and their husbands are the basis of the staff. They all passed the TAMS program training. Their hours of operation are 11:30 to 3:30 for the lunch buffet and 5:30 to 9:30 (10:00 on Friday and Saturday) for dinner. Carry-out items are available.

According to Sergeant Gordon, the only outstanding issue is a final inspection by the Oakland County Health Department.

Resolution #LC2004-09-121
Moved by Allemon
Seconded by Peard

RESOLVED, that MAYUR INDIAN CUISINE, INC., be allowed to transfer ownership of 2003 Class C licensed business, located in escrow at 770 N. Lapeer, Lake Orion, MI 48362, Orion Township, Oakland County, from Boathouse Billiards, Inc.; and transfer location (governmental unit MCL 436.1531(1)) to 5113 Rochester Rd., Troy, MI 48085, Oakland County; and to cancel dance permit.

Yes: 4
No: 0
Absent: Elenbaum, Godlewski, and Moseley

2. **ALDI INC. (MICHIGAN)**, requests a **new SDM license**, located at 2967 E. Big Beaver Rd., Troy, MI 48084, Oakland County. [MLCC REQ ID# 268630] *New grocery store*

Present to answer questions from the Committee was Dean Pearson, district manager.

Aldi is a limited-selection grocery store chain with headquarters in Webberville, Michigan. They have several stores in the metro Detroit area, all of which sell beer and wine. The stores accept cash, debit cards, and food stamps, but do not accept manufacturer's coupons. They carry a limited variety of fresh, frozen, produce, and bakery goods. The store is approximately 18,550 square feet and is open 9:00 a.m. to 7:00 p.m. Monday through Saturday. There is a store manager, assistant store manager, and at least two cashiers employed at this location. All employees are trained in alcohol sales with a program that is used nationwide. The cash registers require that the birth date of the buyer be entered prior to a sale of alcohol.

Resolution #LC2004-09-122

Moved by Allemon

Seconded by Bennett

RESOLVED, that ALDI INC. (MICHIGAN) be granted a new SDM license, located at 2967 E. Big Beaver Rd., Troy, MI 48084, Oakland County. [MLCC REQ ID# 268630]

Yes: 4
No: 0
Absent: Elenbaum, Godlewski, and Moseley

Sergeant Gordon provided the following update regarding Informational Items on the Agenda:

1. **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] *Building inspections in process*

The application has been received and is being processed.
No action will be required by this Committee.

2. **HOLLYWOOD SUPER MARKET, INC.**, requests to transfer stock interest in 2003 SDD & SDM licensed corporation with Direst Connections – 1, and four various locations wherein stockholder, William D. Welch transferred 37 shares of

stock each to existing stockholders Kelly L. Blett, Kimberly Welch Harlan, and William M. Welch, on July 1, 2003. (Step 2) [MLCC REQ ID#258022] *Does not require any action by the Committee or Council*

The application has been approved.
No action will be required by this Committee.

3. **DT MANAGEMENT, INC. (AN ARIZONA CORPORATION)**, requests to **drop** FCH/DT Holdings, L.P. (A Delaware Limited Partnership) and FCH/DT Leasing, L.L.C. (A Delaware Limited Liability Company) as co-licensees and requests to **add** Felcor/JPM Troy Hotel, L.L.C. (A Delaware Limited Liability Company) and DJONT/JPM Troy Leasing, L.L.C. (A Delaware Limited Liability Company) as co-licensees in a 2004 B-Hotel licensed business with dance permit, official permit (food), outdoor service (1 area), 1 direct connection, 3 bars, and 251 rooms, located at 850 Tower Dr., Troy, MI 48098, Oakland County. [MLCC REQ ID# 260602] *Change in partnership at Embassy Suites Hotel; waiting for inspections*

Since this is a change in investors and will require a City Council Resolution, the Committee will need to act on this Item.

The meeting adjourned at 7:25 p.m.

Max K. Ehlert, Chairman

Patricia A. Gladysz, Clerk-Typist

- (3) "Professional account" means an account established for a person by a class C licensee or tavern licensee whose major business is the sale of food, by which the licensee extends credit to the person for not more than 30 days.
- (4) "Residence" means the premises in which a person resides permanently.
- (5) "Retailer" means a person licensed by the commission who sells to the consumer in accordance with rules promulgated by the commission.
- (6) "Sacramental wine" means wine containing not more than 24% of alcohol by volume which is used for sacramental purposes.
- (7) "Sale" includes the exchange, barter, traffic, furnishing, or giving away of alcoholic liquor. In the case of a sale in which a shipment or delivery of alcoholic liquor is made by a common or other carrier, the sale of the alcoholic liquor is considered to be made in the county within which the delivery of the alcoholic liquor is made by that carrier to the consignee or his or her agent or employee, and venue for the prosecution for that sale may be in the county or city where the seller resides or from which the shipment is made or at the place of delivery.
- (8) "School" includes buildings used for school purposes to provide instruction to children in grades kindergarten through 12, when that instruction is provided by a public, private, denominational, or parochial school, except those buildings used primarily for adult education or college extension courses. School does not include a proprietary trade or occupational school.
- (9) "Small wine maker" means a wine maker manufacturing or bottling not more than 50,000 gallons of wine in 1 calendar year.
- (10) "Special license" means a contract between the commission and the special licensee granting authority to that licensee to sell beer, wine, mixed spirit drink, or spirits. The license shall be granted only to such persons and such organization and for such period of time as the commission shall determine so long as the person or organization is able to demonstrate an existence separate from an affiliated umbrella organization. If such an existence is demonstrated, the commission shall not deny a special license solely by the applicant's affiliation with an organization that is also eligible for a special license.
- (11) "Specially designated distributor" means a person engaged in an established business licensed by the commission to distribute spirits and mixed spirit drink in the original package for the commission for consumption off the premises.
- (12) "Specially designated merchant" means a person to whom the commission grants a license to sell beer or wine, or both, at retail for consumption off the licensed premises.
- (13) "Spirits" means a beverage that contains alcohol obtained by distillation, mixed with potable water or other substances, or both, in solution, and includes wine containing an alcoholic content of more than 21% by volume, except sacramental wine and mixed spirit drink.
- (14) "State liquor store" means a store established by the commission under this act for the sale of spirits in the original package for consumption off the premises.
- (15) "Supplier of spirits" means a vendor of spirits, a manufacturer of spirits, or a primary source of supply.

History: 1998, Act 58, Imd. Eff. Apr. 14, 1998.

436.1113 Definitions; T to W.

- Sec. 113. (1) "Tavern" means any place licensed to sell at retail beer and wine for consumption on the premises only.
- (2) "Vehicle" means any means of transportation by land, by water, or by air.
- (3) "Vendor" means a person licensed by the commission to sell alcoholic liquor.
- (4) "Vendor of spirits" means a person selling spirits to the commission.

DATE: September 20, 2004

TO: John Szerlag, City Manager

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

SUBJECT: Agenda Item – Community Development Block Grant (CDBG) Re-programming of Year 2002 Funds

We are respectfully requesting approval to re-program unexpended Year 2002 funds as detailed below.

Existing (From):		
ACCOUNT #	ACTIVITY DESCRIPTION	AMOUNT
2400	Remove Architectural Barriers	\$8,000.00
 Proposed (To)		
ACCOUNT #	ACTIVITY DESCRIPTION	AMOUNT
3616	Special Assessment	\$8,000.00

Reprogramming year 2002 funds will allow us to be reimbursed for the outstanding special assessment cost of asphalt paving for Philatha Street.

September 13, 2004

To: John Szerlag, City Manager

From: John Lamerato, Assistant City Manager – Finance/Administration
Brian Murphy, Assistant City Manager – Services
Steve Vandette, City Engineer
Nino Licari, City Assessor

Re: Petition Analysis, Paving of Big Oak Trail SAD# 04.201.1

Attached is a petition from residents and property owners on Big Oak Trail, in Section 18, requesting asphalt paving of the street, and the creation of a Special Assessment District to finance the project.

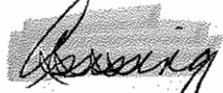
There are five (5) assessable units in the project area. Three (3) of the affected unit owners have signed the petition in favor of the project. This equates to 60% of the owners being in favor of the paving.

It is recommended that you request City Council approve Standard Resolution #1 (preparation of plans and cost estimates for the project), Standard Resolution #2 (approval of the cost estimates, and directing the Assessor to create the roll), and Standard Resolution #3 (setting a Public Hearing for the project) as submitted.

Gary Matkovich
4955 Big Oak Trail
Troy, MI 48089

RECEIVED
CITY OF TROY

2004 SEP -9 PM 3: 50

cc: 
Engineering

September 8, 2004

City of Troy
500 West Big Beaver
Troy, MI 48084
Attn: Mr. Gary Streight, P.E.
Civil Engineer

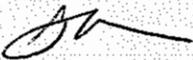
Re: Request for Public Improvements
Big Oak Trail

Dear Mr. Streight:

Please find enclosed the original executed Request for Public Improvements form. Would you please walk this through, as the last time I sent my form, it was somehow lost in the system.

If you have any questions, or would like to discuss this further, please feel free to contact me at my place of business: Charles L. Pugh Co., Inc. at (248) 548-8366 and ask for Gar. Thanking you in advance for your assistance in this regard.

Sincerely,



Gary A. Matkovich
/cdd

RECEIVED

SEP 09 2004

ENGINEERING

**REQUEST FOR PUBLIC IMPROVEMENTS
(TO BE USED ONLY FOR SPECIAL ASSESSMENT IMPROVEMENTS)**

To the Honorable,
the Mayor and City Council
Troy, Michigan

We, the undersigned, owners of property in the city of Troy to be benefited by the proposed improvements, description of which property and addresses are set forth opposite our respective names hereto, do hereby request the following public improvements to wit:

Bituminous paving on Big Oak Trail, contingent on Community Development Block Grant funds being available for qualified households.

This request is not made for the purpose of initiating such improvement, but only for advising the City Council of our desire for such improvement and willingness to have our property assessed if the City Council, in the exercise of its discretion, orders such improvement to be made

NAME	ADDRESS	DATE	SUBDIVISION	LOT #	TELEPHONE #
<i>Ann O. Malkovich</i>	<i>4955 Big Oak</i>	<i>7-8-04</i>	<i>18-126-008</i>		<i>(248) 598-8366</i>
<i>Marilyn K Malkovich</i>	<i>4955 Big Oak</i>	<i>7-8-04</i>	<i>18-126-008</i>		
<i>Ed Phillips</i>	<i>2681 W. Long Lake Rd</i>	<i>7-19-04</i>	<i>18-127-001</i>		
<i>Charlene Phillips</i>	<i>2681 W. Long Lake Rd</i>	<i>7-19-04</i>	<i>18-127-001</i>		
<i>Ann O. Malkovich</i>	<i>4929 BIG OAK TR.</i>	<i>9-1-04</i>	<i>18-126-009</i>		<i>(248) 597-1869</i>

In case of joint ownership, both husband and wife and/or other joint owner must sign. Affidavit on reverse side of this page must be filled out.

State of Michigan}
County of Oakland}

I, JOHN P. CAPONIGRO, being duly sworn, say that I reside at address _____; that I know of my own personal knowledge that each of the persons purporting to sign the foregoing request did sign the same and that all or said signers are property owners of the City of Troy.

Signed,



Signed, subscribed and sworn to before me, a Notary Public, in and for said County this 1st
day of September, 2004.

Signed,



My commission expires: 6/11/05

State of Michigan
County of Oakland

I, Cornelia Sigrid Caponigro, being duly sworn, say that I reside at address 4929 Big Oak Trail Troy Mi 48098; that I know of my own personal knowledge that each of the persons purporting to sign the foregoing request did sign the same and that all of said signers are property owners of the City of Troy.

Signed,

Cornelia S. Caponigro

Signed, subscribed and sworn to before me, a Notary Public, in and for said County this 13th day of September, 2004.

Signed,

Barbara A. Holmes

My commission expires: Dec. 16, 2004

BARBARA A. HOLMES
Notary Public, Oakland County, MI
My Commission Expires December 16, 2004

Big Oak Trail Petition Analysis for Paving

Parcel ID	Address	Owner	Units	Owners	Owners Signed	Valid Vote	
88-20-18-126-008	4955	Big Oak Trail	Gary & Marilyn Matkovich	1	2	2	1
88-20-18-126-009	4929	Big Oak Trail	John & Cornelia Caponigro	1	2	2	1
88-20-18-126-010	4901	Big Oak Trail	Robert & Shari Kraus	1	2	0	0
88-20-18-127-001	2681	W Long Lake	Edward & Charlotte Philips	1	2	2	1
88-20-18-127-002	4930	Big Oak Trail	Choice Development	1	1	0	0

5 9 6 3

3 of 5 units in favor of project = 60%

Preliminary Cost Estimate

June 15, 2004

Project Location: Big Oak Trail

Project No.: 04.201.1

Proposed Improvement: 720 lf, 24' Bituminous Asphalt Pavement with Underdrain

Item	Quantity	Description	Unit Cost	Total Cost
SAD Share - Asphalt Section (720')				
1.	340	Tons Bit. Mix No. 500, 20C - 3"	45.00	15,300.00
2.	170	Tons Bit. Mix No. 1100T, 20AA - 1 1/2"	50.00	8,500.00
3.	25	Tons Bit. Mix No. 1100T, 36B - 4" Driveway	100.00	2,500.00
4.	120	Tons 21AA Aggregate for Shoulders	20.00	2,400.00
Sub-Total				28,700.00
Engineering, Admin. And Contingencies, 25%				7,150.00
Maintenance Savings				(10,000.00)
Total Special Assessment Share - Asphalt				25,850.00
City Share				
5.	100	SY Remove Pavement	10.00	1,000.00
6.	5	Each Remove Culvert	150.00	750.00
7.	150	CY Earth Excavation	10.00	1,500.00
8.	40	CY Subgrade Undercut	35.00	1,400.00
9.	2,000	SY Grading	3.00	6,000.00
10.	600	Tons Aggregate Base, 21AA	20.00	12,000.00
11.	100	CY Subbase	15.00	1,500.00
13.	400	LF 12" Storm Sewer	35.00	14,000.00
14.	10	Each 4' Dia. Manhole	1,700.00	17,000.00
15.	1,200	LF 8" Edge Drain	25.00	30,000.00
16.	12	Each Drainage Structure	750.00	9,000.00
17.	5	Each Relocate Mailbox Post	100.00	500.00
18.	2	Each Reconstruct/Adjust Structure	500.00	1,000.00
19.	1,200	LF Ditching	5.00	6,000.00
20.	2,000	SY Turf Restoration		Incidental
Sub-Total				101,650.00
Engineering, Admin. And Contingencies, 25%				25,500.00
Maintenance Savings				10,000.00
Total City Share				137,150.00
TOTAL PROJECT COST				
				163,000.00

Prepared by: Gary Streight

\\G\Projects\Projects - 2004\04.201.1 - Big Oak Trail SAD\Preliminary Cost Estimate for Big Oak Trail.xls

FEASIBILITY REPORT
Proposed Special Assessment

CITY ENGINEER'S REPORT TO CITY MANAGER AND CITY ASSESSOR

Project Number		<u>04.201.1</u>
Project Title	<u>Big Oak Trail Paving</u>	
Project Location	<u>Section 18, Countryside Estates</u>	
Description of Proposed Improvements:	<u>24' Bituminous Asphalt Paving with Underdrains</u>	
Preliminary Cost Estimate:		<u>\$163,000.00</u>
Proposed Portion of Cost to be Special Assessed:		<u>\$25,850.00</u>
Proposed Scheduling of Project:		
Plan and Cost Estimate could be completed in:		
Is this project feasible?		<u>Yes</u>
<hr/>		
Steven Vandette, City Engineer		<u>Date</u>

CITY ASSESSOR'S REPORT TO THE CITY MANAGER

Amount to be Special Assessed:	<u>\$25,850.00</u>
Amount to be General Assessed:	<u>\$137,150.00</u>
Total Cost:	<u>\$163,000.00</u>

	<u>BENEFIT METHOD</u>	<u>BENEFIT RATE</u>
Frontage	<u>1,465.31</u>	<u>\$17.6413</u>
Area	<u>n/a</u>	<u>n/a</u>
Unit	<u>5.00</u>	<u>\$5,170.00</u>

Owners Signed	<hr/>	Percent of Total	<hr/>
Frontage Signed	<hr/>	Percent of Total	<hr/>
Occupied Units Signed	<hr/>	Percent of Total	<hr/>

Is this Project feasible? Yes

<hr/>	<u>09/13/04</u>
Nino Licari, City Assessor	<u>Date</u>

88-20-18-126-008 \$5,170.00
MATKOVICH, GARY & MARIL
4955 BIG OAK TRAIL
TROY MI 48098-4152

88-20-18-126-009 \$5,170.00
CAPONIGRO, JOHN & CORNELI
4929 BIG OAK TRAIL
TROY MI 48098-4152

88-20-18-126-010 \$5,170.00
KRAUS, ROBERT & SHARI
4901 BIG OAK TRAIL
TROY MI 48098-4152

88-20-18-127-001 \$5,170.00
PHILLIPS, EDWARD & CHARLO
2681 W LONG LAKE
TROY MI 48098-4150

88-20-18-127-002 \$5,170.00
CHOICE DEVELOPMENT CORP
4930 BIG OAK TRAIL
TROY MI 48098-4108

Project Name **Big Oak Trail Paving**

Project # **04.201.1**
Amortization Table
10 Year

int. @.06

Assessment
\$5,170.00

Year	Principal	Interest	Payment	Balance
1	\$ 517.00		\$ 517.00	\$ 4,653.00
2	\$ 517.00	\$ 279.18	\$ 796.18	\$ 4,136.00
3	\$ 517.00	\$ 248.16	\$ 765.16	\$ 3,619.00
4	\$ 517.00	\$ 217.14	\$ 734.14	\$ 3,102.00
5	\$ 517.00	\$ 186.12	\$ 703.12	\$ 2,585.00
6	\$ 517.00	\$ 155.10	\$ 672.10	\$ 2,068.00
7	\$ 517.00	\$ 124.08	\$ 641.08	\$ 1,551.00
8	\$ 517.00	\$ 93.06	\$ 610.06	\$ 1,034.00
9	\$ 517.00	\$ 62.04	\$ 579.04	\$ 517.00
10	\$ 517.00		\$ 517.00	\$ -
TOTAL	\$ 5,170.00	\$ 1,364.88	\$ 6,534.88	

September 13, 2004

TO: John Szerlag, City Manager

FROM: Brian Murphy, Assistant City Manager/Services
Douglas J. Smith, Real Estate & Development Director
Steven J Vandette, City Engineer
Mark F. Miller, Planning Director

SUBJECT: TENTATIVE PRELIMINARY SUBDIVISION APPROVAL – Wyngate of Troy Subdivision, East side of Coolidge Highway, North of Square Lake Road, Section 5 - R-1B

RECOMMENDATION

City Council approved the Tentative Preliminary Plat on November 24, 2003 for Wyngate of Troy Subdivision. The proposed Final Preliminary Plan is generally consistent with the Tentative Preliminary Plan. The number of lots has been reduced from 74 to 71 due to the fact that the petitioner was unsuccessful in securing approval from the Michigan Department of Environmental Quality to fill in and mitigate a regulated wetland in the southeast corner of the parcel. The applicant had intended to fill in this wetland and provide mitigation in the northwest corner of the parcel, next to a mitigated wetland in Forest Creek Subdivision to the north. In addition, the petitioner eliminated the lengthy Parkside Drive cul de sac by extending it to the north, creating a looped street system.

The Engineering Department granted approval of the engineering plans based upon the City's Development Standards, therefore, this development will not cause or exacerbate drainage problems on contiguous properties, due to surface run-off from the proposed development. The proprietor submitted to the City Clerk a letter of credit for the escrow deposits and cash fees for the public improvements. The subdivision agreement and exhibit B are attached to this report.

City Management recommends granting Final Approval to the Preliminary Plat of The Estates at Cambridge Subdivision (71 lots).

GENERAL INFORMATION

Name of Owner / Applicant:

The owner/applicant is Pulte Land Development Corp. Atwell-Hicks, Inc. is the project engineer.

Location of subject property:

The property is located on the east side of Coolidge Highway, north of Square Lake Road, in Section 5.

Size of subject parcel:

The parcel area is 39.91 acres.

Description of proposed development, including number and density of units:

The applicant is proposing a 71-unit subdivision, which represents a density of approximately 1.8 units per acre.

Current use of subject property:

The parcel is presently vacant.

Current use of adjacent parcels:

North: Single family residential.

South: Single family residential.

East: Fire Fighters Park.

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-1A One Family Residential.

Future Land Use Designation:

The property is designated on the Future Land Use Plan as Education-Elementary School. The Future Land Use Plan lists a Primary Correlation between Public/Quasi-Public Uses (including schools and churches) and the R-1 Residential Zoning Districts. The Elementary School designation is therefore consistent with the R-1B Zoning District.

ANALYSIS

Compliance with area and bulk requirements:

Lot Area: The minimum lot area in the R-1B district is 15,000 square feet. The application is utilizing the Lot Averaging Option (Section 34.10.00) which permits a 10% reduction in lot area in some lots provided the average lot size is at least 15,000 square feet. No lots are smaller than 13,500 square feet. The applicant meets this requirement.

Lot Width: The minimum lot width in the R-1B district is 100 feet. The application is utilizing the Lot Averaging Option (Section 34.10.00) which permits a 10% reduction in lot width in some lots provided the average lot size is at least 15,000 square feet. No lots are narrower than 90 feet. The application meets this requirement.

Height: The maximum height in the R-1B district is 2 1/5 stories or 25 feet. The application will be required to meet this requirement.

Setbacks: Front: 40'
 Sides: 10' (least one), 25' (total)
 Rear: 45'.

Minimum Floor Area: 1,400 square feet.

Maximum Lot Coverage: 30%.

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:

The applicant submitted a Final Tree Preservation Plan, which was approved by the Parks and Recreation Department.

Storm Water detention:

The site plan indicates that storm water detention will be provided off-site. The petitioner intends to utilize the regional detention facility located in Firefighter's Park. The regional detention facility was enlarged based on an agreement executed in July, 1988 between the City of Troy and the developers of the Forest Creek and Crescent Ridge subdivisions. The detention facility was sized in order to detain water from the subject property.

Natural Features and Floodplains:

The Natural Features Map indicates there are woodlands and wetlands on the property. A Wetland Delineation and Determination of Jurisdiction was prepared for the parcel in July 2003, by Brooks Williamson and Associates, Inc. The report indicated that there were 3 state-regulated wetlands on the property. One of the wetlands is in the southeast corner of the parcel, the other two are in the northwest corner of the parcel.

The development does not impact any state-regulated wetlands. The City has required a wetlands preservation easement on Lot 24 to protect the wetland located on that site.

Subdivision Control Ordinance, Article IV Design Standards

Blocks:

The streets are designed so that all lots have access from two different directions.

Lots:

Lots conform to the minimum requirements of the Zoning Ordinance. The applicant is using the Lot Averaging Option (Section 34.10.00), which allows the reduction of lot area and lot width by 10 percent, provided the average lot area and average lot width meet the general requirements for the R-1B district.

Easements:

The applicant proposes a 15-foot wide non-access greenbelt easement on the east side of Coolidge Highway. The applicant will be required to provide appropriate easements for all utilities, including water, sewer and storm water infrastructure.

Topographic Conditions:

The northeast corner of the property is within the 100-year floodplain.

Streets:

The applicant proposes two points of ingress/egress for the subdivision, a boulevard entrance on Coolidge Highway and the extension of Country Ridge Drive (Crescent Ridge West Subdivision) from the south. The applicant did not propose a vehicular connection to Forest Creek Subdivision to the north.

Sidewalks:

The applicant proposes an 8-foot wide concrete sidewalk along the east side of Coolidge Highway. In addition the applicant proposes 5-foot wide sidewalks along both sides of the interior streets.

Walkways:

The applicant proposes a 10-foot wide paved public walkway within a 20-foot wide public walkway, abutting lot 25. This path will link the development with Firefighter's Park to the east. The applicant proposes a 10-foot wide paved public walkway within a 20-foot wide public walkway in the northwest corner of the property, linking Aspen Drive to Country Ridge Court. The applicant also proposes a 5-foot wide wood chip public walkway within a 12-foot wide public walkway along the northern boundary.

Utilities:

The property is served by public water and sewer services.

Attachments:

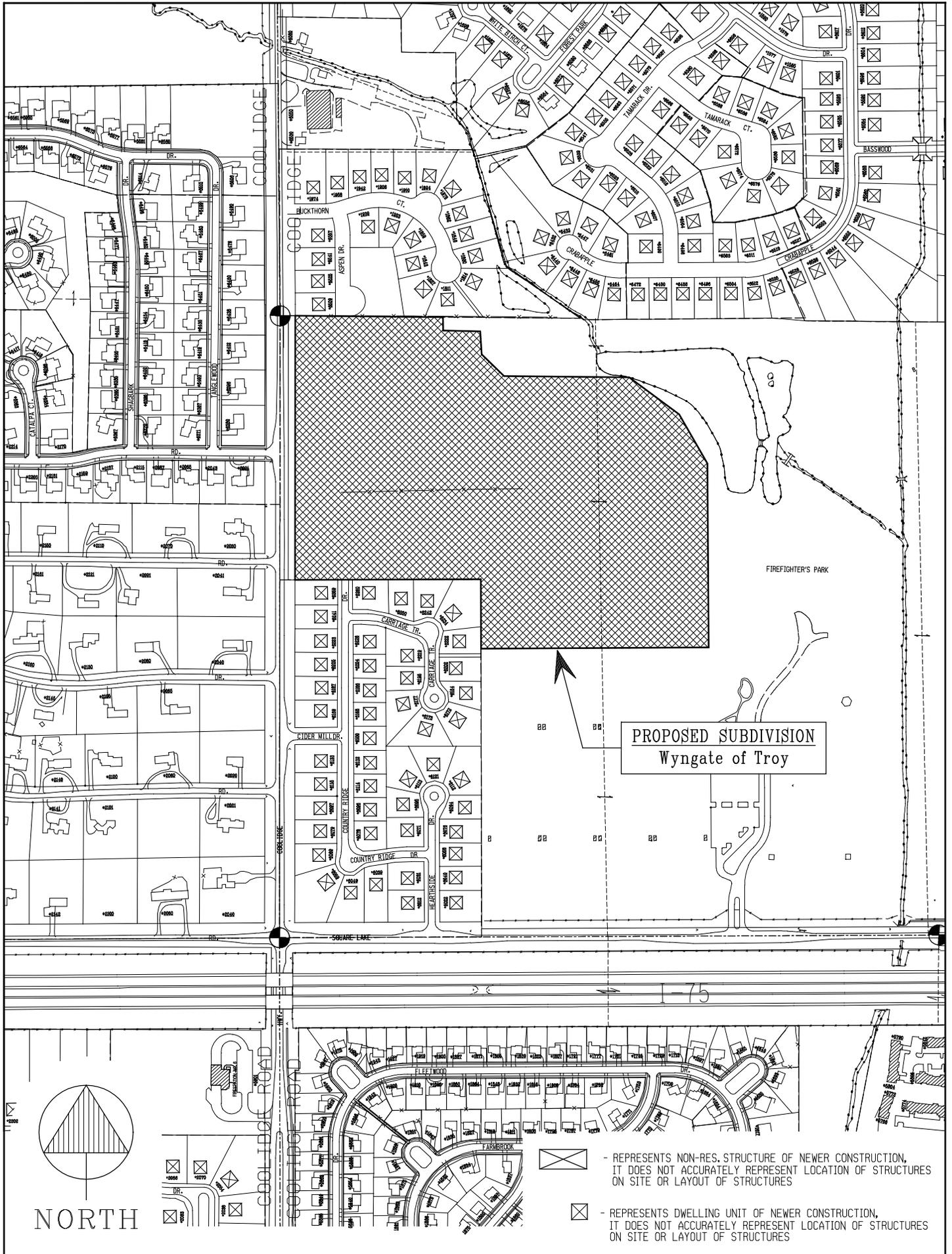
1. Maps
2. Platted Residential Development Levels Of Approval
3. Comparison Between Site Condominiums And Plats
4. Minutes from November 24, 2003 City Council Meeting
5. Certificate of Improvement Design Approval, dated September 3, 2004
6. Detailed Summary of Required Escrow Deposits, Cash Fees & Deposits
7. Subdivision Agreement

cc: Applicant
File/Wyngate of Troy Subdivision

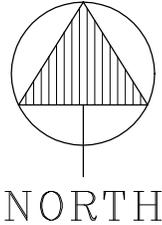
G:\SUBDIVISIONS & SITE CONDOS\Wyngate of Troy\Wyngate of Troy CC Final Prelim Approval 09 13 04.doc

CITY OF TROY

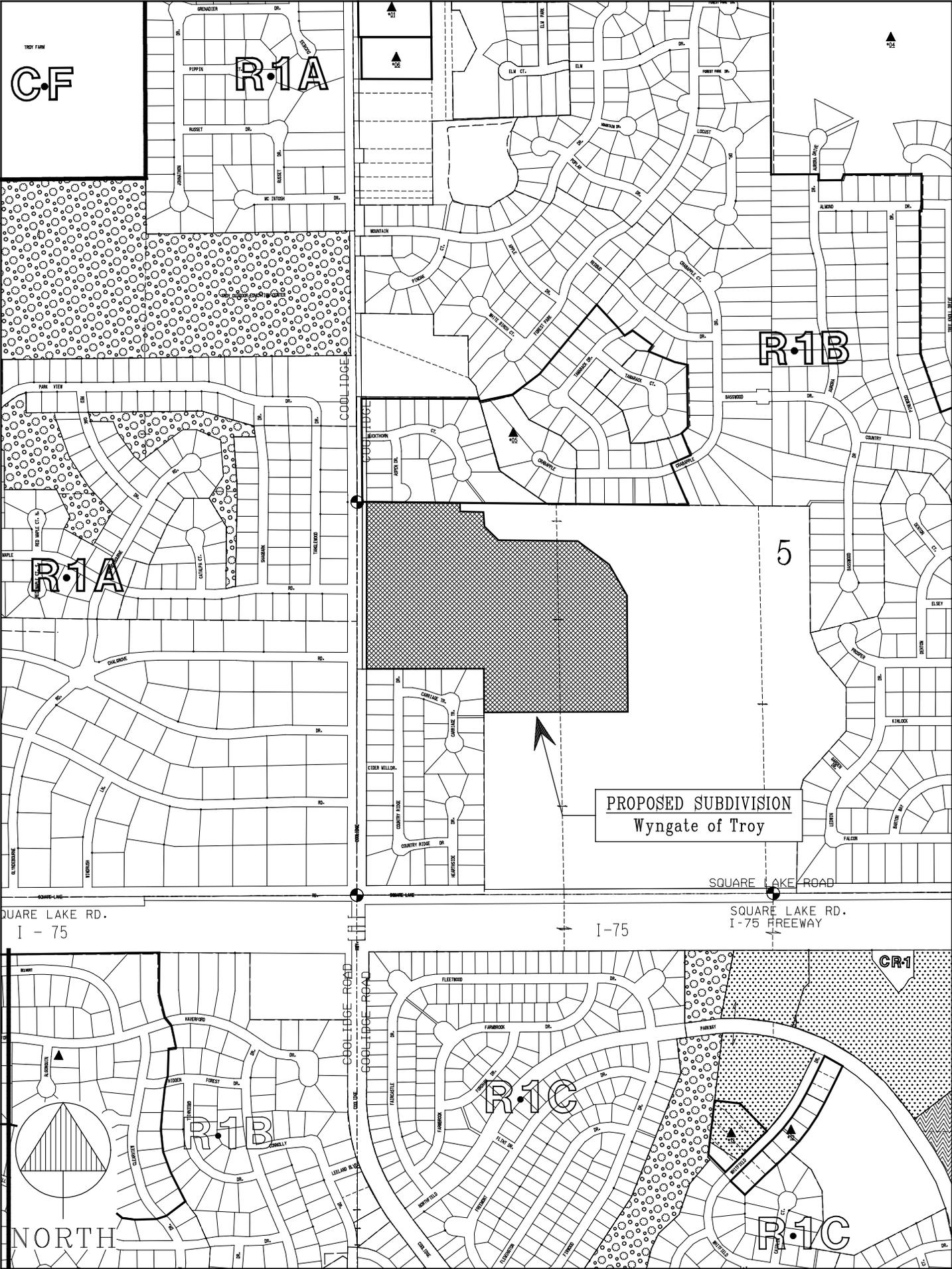




PROPOSED SUBDIVISION
Wyngate of Troy



-  - 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



C.F

R-1A

R-1B

R-1A

5

PROPOSED SUBDIVISION
Wyngate of Troy

SQUARE LAKE RD.
I - 75

I-75

SQUARE LAKE RD.
I-75 FREEWAY

R-1B

R-1C

R-1C

CR-1

NORTH

PROPOSED SUBDIVISION
WYNGATE OF TROY
E SIDE COOLIDGE HWY, N OF SQUARE LAKE
SEC. 5 (74 LOTS)



PROPOSED SUBDIVISION
WYNGATE OF TROY



PLATTED RESIDENTIAL DEVELOPMENT LEVELS OF APPROVAL

Tentative Preliminary Plat Approval

The following items are included in the **Tentative Approval** process:

- Existing Conditions
- Tree Preservation Plan
- Street layout
- Number of lots
- Building setbacks
- Lot dimensions
- Stub Street for possible future developments
- Locations of easements
- The Planning Department analyses the potential future development of the abutting property.
- The developer must provide locations of wetlands and natural features on the property and the method of preservation.
- An environmental impact statement is required if the development consists of 25 lots or more.
- A sign is placed on the property informing the public of the proposed development.
- A notice of the public meeting before Planning Commission is mailed to the abutting property owners.

Final Preliminary Plat Approval

The following items are included in the **Preliminary Plat- Final Approval** process:

- Determine that all city development standards are met and complied with.
- Capacity of sanitary and storm sewers
- Size and location of Water mains
- Size and location of Detention / Retention basins
- Grading and rear yard drainage
- Paving and widening lanes
- Financial guarantees
- Sidewalk and driveway approaches
- Approval from other government agencies involved with the development.
- Verification of wetlands and M.D.E.Q. permit if necessary.
- Agreements, covenants or other documents for the dedication of land for public use or property owners use.

Final Plat Approval

Final Approval checks for conformance with the approved Tentative and Final Preliminary Plats and that all property conveyances such as R.O.W, Easements, Open Space and Parks are in proper order.

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 subdividing 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.

PUBLIC COMMENT:

A. Items on the Current Agenda

F-2 Preliminary Plat – Tentative Approval – Wyngate of Troy Subdivision – East Side of Coolidge Highway – North of Square Lake Road – Section 5 – R-1B

Resolution #2003-11-604
Moved by Stine
Seconded by Eisenbacher

RESOLVED, That Tentative Approval be granted to the Preliminary Plat of Wyngate of Troy Subdivision including 74 lots as submitted to City Council and recommended by City Management and the Planning Commission, located on the east side of Coolidge Highway and north of Square Lake Road, within Section 5, and the R-1B Zoning District.

Yes: All-7

COUNCIL COMMENTS/COUNCIL REFERRALS

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

1. Mayor Pryor – Closed Session Request

Mayor Pryor requested a Closed Session to discuss pending litigation involving the Gosselin rubbish dumping case. However, the **attached memorandum** from City Attorney Lori Grigg Bluhm indicates that this case does not meet the criteria for a Closed Session.

2. Mayor Pryor – Chapter 48, Litter

Mayor Pryor wishes to discuss changing the operational definition of rubbish that is contained in Chapter 48, Litter, of the Troy City Code, which currently reads as follows:

6.101 Definitions.

- (5) "Rubbish" shall mean nonputrescible solid wastes consisting of both combustible and non-combustible wastes, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.



September 3, 2004

500 West Big Beaver
Troy, Michigan 48084
Fax: (248) 524-0851
www.ci.troy.mi.us

Area code (248)

Assessing
524-3311

Bldg. Inspections
524-3344

Bldg. Operations
524-3368

City Clerk
524-3316

City Manager
524-3330

Community Affairs
524-1147

Engineering
524-3383

Finance
524-3411

Fire-Administration
524-3419

Human Resources
524-3339

Information Technology
619-7279

Law
524-3320

Library
524-3545

Parks & Recreation
524-3484

Planning
524-3364

Police-Administration
524-3443

Public Works
524-3370

Purchasing
524-3338

Real Estate & Development
524-3498

Treasurer
524-3334

General Information
524-3300

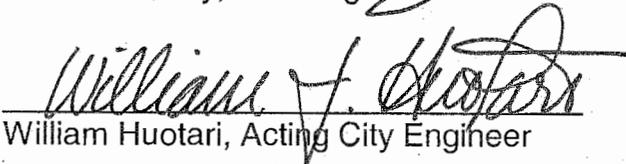
Pulte Land Development Corporation
26622 Woodward Ave., Suite 110
Royal Oak, Michigan 48067

Regarding: Certificate of Improvement Design Approval
Wyngate of Troy

Developer: Pulte Land Development Corporation
Date of Application for Plan Review: 01-23-04

The design of all improvements included within the Wyngate of Troy
Subdivision is hereby approved by the City of Troy's Engineering
Department.


G. Scott Finlay, Civil Engineer


William Huotari, Acting City Engineer

cc: Tonni Bartholomew, City Clerk
Mark Miller, Planning Director

Detailed Summary of Required Escrow Deposits, Cash Fees & Deposits
 Wyngate of Troy Subdivision
 71 Lots - Section 5

ESCROW DEPOSITS:

Sanitary Sewers	\$324,928
Water Mains	\$242,332
Storm Sewers	\$297,185
Rear Yard Drains	\$112,597
Pavement - CONCRETE	\$485,996
Grading	\$442,800
Soil Erosion Control Measures	\$6,736
Monuments and Lot Corner Irons	\$3,400
Deceleration and/or Passing Lane - MAJOR ROAD	\$13,328
Sidewalks - ON SITE	\$27,270
Sidewalks - OFF SITE	\$16,800
Street Light	\$7,000
Deposit for the Repair of Damage to Existing Public Streets Used for Access	\$42,600
5' High (Alum.) Wrought Iron Type Fence	\$22,605

TOTAL ESCROW DEPOSITS (REFUNDABLE): \$2,045,577

CASH FEES (NON-REFUNDABLE):

Water Main Testing and Chlorination	\$1,908
Street Name and Traffic Signs	\$2,544
Maintenance of Detention Basin (20 year)	\$10,400
Soil Erosion and Sedimentation Control Permits	\$2,646
Testing Services	\$30,684
Engineering Review and Inspection	\$137,054

TOTAL CASH FEES (NON-REFUNDABLE): \$185,235

CASH DEPOSITS (REFUNDABLE):

Sidewalk Closures	\$3,402
Walkway and Split Rail Fence	\$19,550
Deposit for Maintenance & Cleaning of Ex. Public Streets Used for Access	\$10,000
Landscape Deposit	\$30,282
Punchlist & Restoration Deposit	\$25,808

TOTAL CASH DEPOSITS (REFUNDABLE): \$89,042

SUBDIVISION AGREEMENT

THIS AGREEMENT is entered into and executed this 31st day of August, 2004

between the CITY OF TROY, a Michigan municipal corporation, party of the first part, hereinafter referred to as "City" and Pulte Land Company, LLC, a Michigan limited liability company, whose address is 26622 Woodward Avenue, Suite 110, Royal Oak, Michigan 48067 party of the second part, hereinafter referred to as the "Owner".

WITNESSETH:

WHEREAS the Owner is the owner of certain real property described as follows: (See attached Exhibit "A")

and

WHEREAS the Owner desires to plat same into a residential subdivision and to erect seventy-one Lots thereon, for which development there is required the installation of certain necessary public improvements, hereinafter described and specified, and

WHEREAS the Owner desires to install at his own expense all of the necessary improvements, and

WHEREAS the City has expended and will be required to expend time and effort in reviewing the various plans, specifications and other documents, and in the field inspection involved in the development process

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained, it is hereby mutually agreed by these parties as follows:

I

The Owner agrees that he has submitted a proposed plat of the wyngare of Troy subdivision embracing the above described property, and that he will as a condition precedent to

the terms and conditions of this Agreement promptly proceed with all the necessary steps to accomplish the recording of the said proposed plat; further, that as a part of said platting procedure, he has filed with the City Clerk cash deposits, escrow deposits, certified check, or irrevocable bank letter of credit to guarantee the installation of the public improvements in said proposed subdivision as required by the City and outlined in the "Detailed Summary of Required Deposits", attached to this Agreement as Exhibit "B".

II

The Owner represents and agrees that he has familiarized himself with the Subdivision Regulations as contained in Chapter 41 of the Troy City Code, the Engineering Design Standards and Landscape Design Standards, and with all other policies of the City Council which relate to the installation of subdivision improvements.

III

The Owner agrees that he will at his own expense furnish and install all of the public improvements specified in the attached Exhibit "B", in accordance with the plans and specifications furnished by the Owner to the City and approved by the City of Troy, the Michigan Department of Natural Resources, the Michigan Department of Health, and all other governmental agencies which may have jurisdiction, and in accordance with any and all other applicable laws and regulations of the City of Troy, County of Oakland, and State of Michigan. Said improvements shall be installed within a period of two years from the date of Final Approval of the Preliminary Plat of Wyngate of Troy Subdivision by the City Council.

IV

The Owner further represents that the estimated costs set opposite the various public improvements in the attached Exhibit "B" are to the best of his information, knowledge, and belief the correct estimated costs for each of such public improvements.

V

The Owner agrees to pay all engineering, inspection, and other administrative costs of the City occasioned by the assignment of City Engineers, Inspectors, and other personnel to the construction work to be performed pursuant to this Agreement, provided however, that such costs shall be limited to either the flat rate or percentage customarily applied by the City to such matters as a firm City policy in existence at the inception of this Agreement, plus direct costs clearly chargeable to the construction work contemplated hereunder.

VI

Before proceeding with any of the work contemplated herein, the Owner will provide liability, property damage, and workmen's compensation insurance in amounts at least equal to that required by City specifications or standards in existence at the inception of this Agreement, naming the City as "Additionally Insured", protecting the City against any and all claims for damages to persons or property resulting from the installation of any of the public improvements herein contemplated, and true and accurate copies of said insurance policies will be filed with the City Manager. Higher levels of insurance coverage may be required by the City Manager when he determines that unique features of the particular improvement project, such as exceptional difficulty or hazards involved in construction, warrant such additional coverage. Any contractor or subcontractor employed by the Owner must be acceptable to the City, and before any contractor or subcontractor shall commence work on any of the improvements contemplated herein, such contractor or subcontractor must be approved by the City Manager.

VII

The Owner agrees that contracts covering the installation of all required subdivision improvements, with the exception of paving, shall be let within ninety (90) days from the date of Final Approval of the Preliminary Plat of Wynzare of Troy Subdivision by the City

Council. Failure to comply with this provision shall suspend the approval of improvement construction plans by the City, and the Owners right to proceed with the processing of Wyngate of Troy Subdivision, until such time as a new "Detailed Summary of Required Deposits" is prepared, indicating any revisions in the estimated costs of required subdivision improvements, and reflecting any change in the Engineering Design Standards, since the inception of this Agreement. This revised information shall then become Exhibit "B", superseding that initially attached to this Agreement. The deposits or guarantees referred to in Paragraph I shall then be revised to cover the costs indicated in Exhibit "B" as revised.

VIII

The Owner agrees that he will maintain all streets located within the subdivision in which the improvements are to be installed in a reasonably safe and passable condition during the course of the work contemplated. The Owner further agrees and understands that no Building Permits, except those for builders "models" (the maximum number of which is established by City Building Department Policy in effect at the inception of this Agreement), shall be issued or sought for issuance until the street improvements called for by this Agreement have been completed and accepted by the City; further, all improvements constructed by the Owner in public right-of-ways or streets or alleys shall become the property of the City of Troy immediately upon the acceptance of said improvements by the City; further, this contract shall not be deemed to have been fully consummated and completed, until such time as the City has formally accepted the improvements to be made. "Acceptance" of subdivision improvements by the City shall be in accordance with established City administrative procedures in effect at the inception of this Agreement.

IX

The parties hereto understand and agree that all of the improvements herein referred to are at the expense of the Owner, and that there shall be no liability or obligation on the part of

the City to create any special assessment districts or to process any special assessments in reimbursement of the Owner.

X

The terms of this Agreement shall be coterminous with that of the Final Approval of the Preliminary Plat Wyngate of Troy Subdivision by the City Council, that being two (2) years from the date of said approval. A certified copy of the City Council Resolution granting such approval, and thus indicating the subject time period, is attached to this Agreement as Exhibit "C".

At the end of this time period, the subject Final Preliminary Plat Approval the approval of subdivision improvement construction plans, and this Agreement shall be terminated. Any extension of this time period, as in the case of the Final Preliminary Plat Approval, shall require the approval of the City Council. Prior to consideration, by the City Council, of any extension, revised estimates of costs of any required subdivision improvements not as yet completed shall be prepared, Exhibit "B" shall be revised accordingly, and revised deposits or guarantees shall be submitted by the Owner to the City.

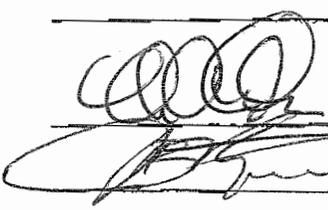
XI

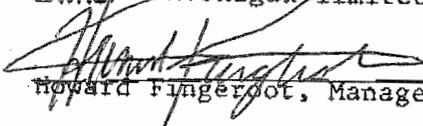
The Provisions and conditions of this Agreement constitute a covenant running with the land and shall be binding upon the heirs, successors, and assigns of the parties hereto, for the term of the Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement in duplicate on the day, month, and year first above appearing. By the execution of this Agreement, the City is authorized to record same in the office of the Oakland County Clerk and Register of Deeds.

WITNESSES

CITY OF TROY



By: _____
Mayor
By: _____
City Clerk
By: Pulre Land Company, LLC,
Owner, a Michigan limited liability company
By: 
Howard Fingerhut, Manager
By: _____
By: _____

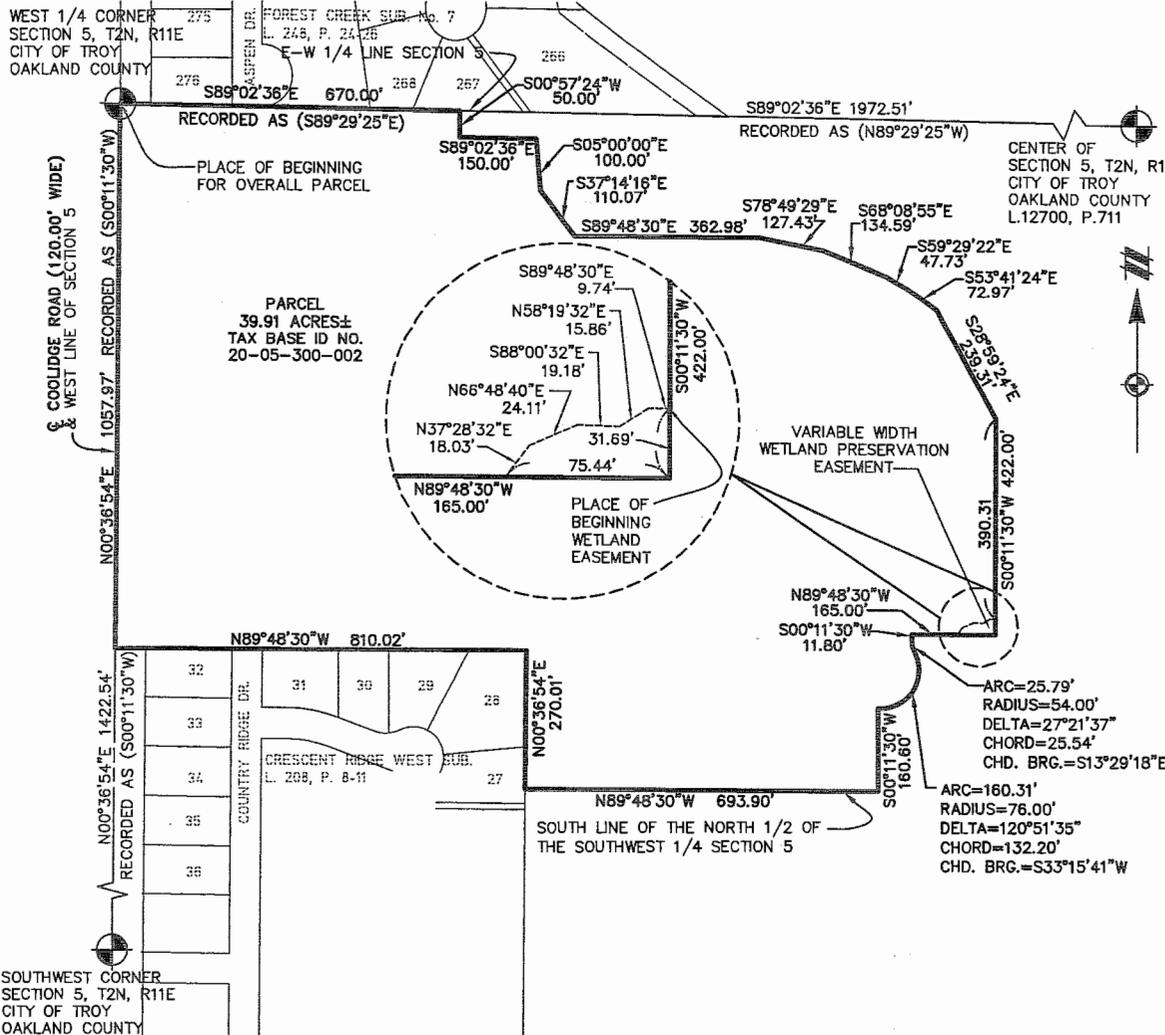
APPROVED:

City Engineer

City Manager

City Attorney

EXHIBIT 'B'



PARCEL
39.91 ACRES±
TAX BASE ID NO.
20-05-300-002

VARIABLE WIDTH
WETLAND PRESERVATION
EASEMENT

PLACE OF BEGINNING
WETLAND
EASEMENT

CENTER OF
SECTION 5, T2N, R1
CITY OF TROY
OAKLAND COUNTY
L.12700, P.711

DESCRIPTION OF A 39.91 ACRE PARCEL

BEGINNING at the West 1/4 corner of Section 5, T.2N., R.11E., City of Troy, Oakland County, Michigan; thence S89°02'36"E 670.00 feet (Recorded as S89°29'25"E) along the East-West 1/4 line of said Section 5 and the South line of "Forest Creek Sub. #7" as recorded in Liber 248, Page 24-26, Oakland County Records; thence S00°57'24"W 50.00 feet; thence S89°02'36"E 150.00 feet; thence S05°00'00"E 100.00 feet; thence S37°14'16"E 110.07 feet; thence S89°48'30"E 362.98 feet; thence S78°49'29"E 127.43 feet; thence S68°08'55"E 134.59 feet; thence S59°29'22"E 47.73 feet; thence S53°41'24"E 72.97 feet; thence S28°59'24"E 239.31 feet; thence S00°11'30"W 422.00 feet; thence N89°48'30"W 165.00 feet; thence S00°11'30"W 11.80 feet; thence 25.79 feet along the arc of a 54.00 foot radius circular curve to the left, chord bearing S13°29'18"E 25.54 feet; thence 160.31 feet along the arc of a 76.00 foot radius circular curve to the right, chord bearing S33°15'41"W 132.20 feet; thence S00°11'30"W 160.60 feet to the South line of the North 1/2 of the Southwest 1/4 of said section 5; thence N89°48'30"W 693.90 feet along said South line of the North 1/2 of the Southwest 1/4 to the East line of "Crescent Ridge West Sub.", as recorded in Liber 208, Page 8-11, Oakland County Records; thence N00°36'54"E 270.01 feet along the East line of said "Crescent Ridge West Sub." to the North line of said "Crescent Ridge West Sub."; thence N89°48'30"W 810.02 feet along the North line of said "Crescent Ridge West Sub." to the West line of said Section 5 and the centerline of Coolidge Road; thence N00°36'54"E 1057.97 feet along the West line of said Section 5 and the centerline of Coolidge Road to the Place of Beginning, containing 39.91 acres of land, more or less, being subject to any other easements and restrictions of record, if any.

DESCRIPTION OF A VARIABLE WIDTH WETLAND

A variable width easement for the installation and maintenance of wetland located in the Southwest 1/4 of Section 5, T2N, R11E, City of Troy, Oakland County, Michigan; Commencing at the West 1/4 corner of Section 5, T.2N., R.11E., City of Troy, Oakland County, Michigan; thence S89°02'36"E 670.00 feet (Recorded as S89°29'25"E) along the East-West 1/4 line of said Section 5 and the South line of "Forest Creek Sub. #7" as recorded in Liber 248, Page 24-26, Oakland County Records; thence S00°57'24"W 50.00 feet; thence S89°02'36"E 150.00 feet; thence S05°00'00"E 100.00 feet; thence S37°14'16"E 110.07 feet; thence S89°48'30"E 362.98 feet; thence S78°49'29"E 127.43 feet; thence S68°08'55"E 134.59 feet; thence S59°29'22"E 47.73 feet; thence S53°41'24"E 72.97 feet; thence S28°59'24"E 239.31 feet; thence S00°11'30"W 390.31 for a PLACE OF BEGINNING; thence S00°11'30"W 31.69 feet; thence N89°48'30"W 75.44 feet; thence N37°28'32"E 18.03 feet; thence N66°48'40"E 24.11 feet; thence S88°00'32"E 19.18 feet; thence N58°19'32"E 15.86; thence S89°48'30"E 9.74 feet to the PLACE OF BEGINNING.

CLIENT
PULTE LAND COMPANY, L.L.C.

**WYNGATE OF TROY
WETLAND EASEMENT**

SECTION 5, TOWN 2 NORTH, RANGE 11 EAST
CITY OF TROY
OAKLAND COUNTY, MICHIGAN

SCALE: 0 150 300
1 INCH = 300 FEET

ATWELL-HICKS, INC.
Civil Engineering • Surveying
Planning • Environmental Services

Ann Arbor, MI Brighton, MI Washington Twp., MI Naperville, IL
734 994 4000 810 225 8000 588 786 9800 630 577 0800

AH

JOB: 300609 CAD: 300609SU07
DR. CFL/TJB CH. JIF
BOOK PG.
SHEET 1 OF 1 DATE: 08/23/04
FILE NO. 5102-119-1

REV. 08/27/04
CHANGED SECTION

Date: September 10, 2004

To: John Szerlag, City Manager

From: Brian Murphy, Assistant City Manager-Services
Steven Vandette, City Engineer
Timothy Richnak, Director of Public Works

Subject: **Agenda Item**
Section 2 Ferry Drain Restoration Project

RECOMMENDATION:

It is our recommendation that the City of Troy proceed with the design for the Section 2 Ferry Drain Restoration Project to be completed by Hubbell, Roth & Clark in accordance with the General Engineering Contract, as authorized by City Council Resolution No. 2002-06-379.

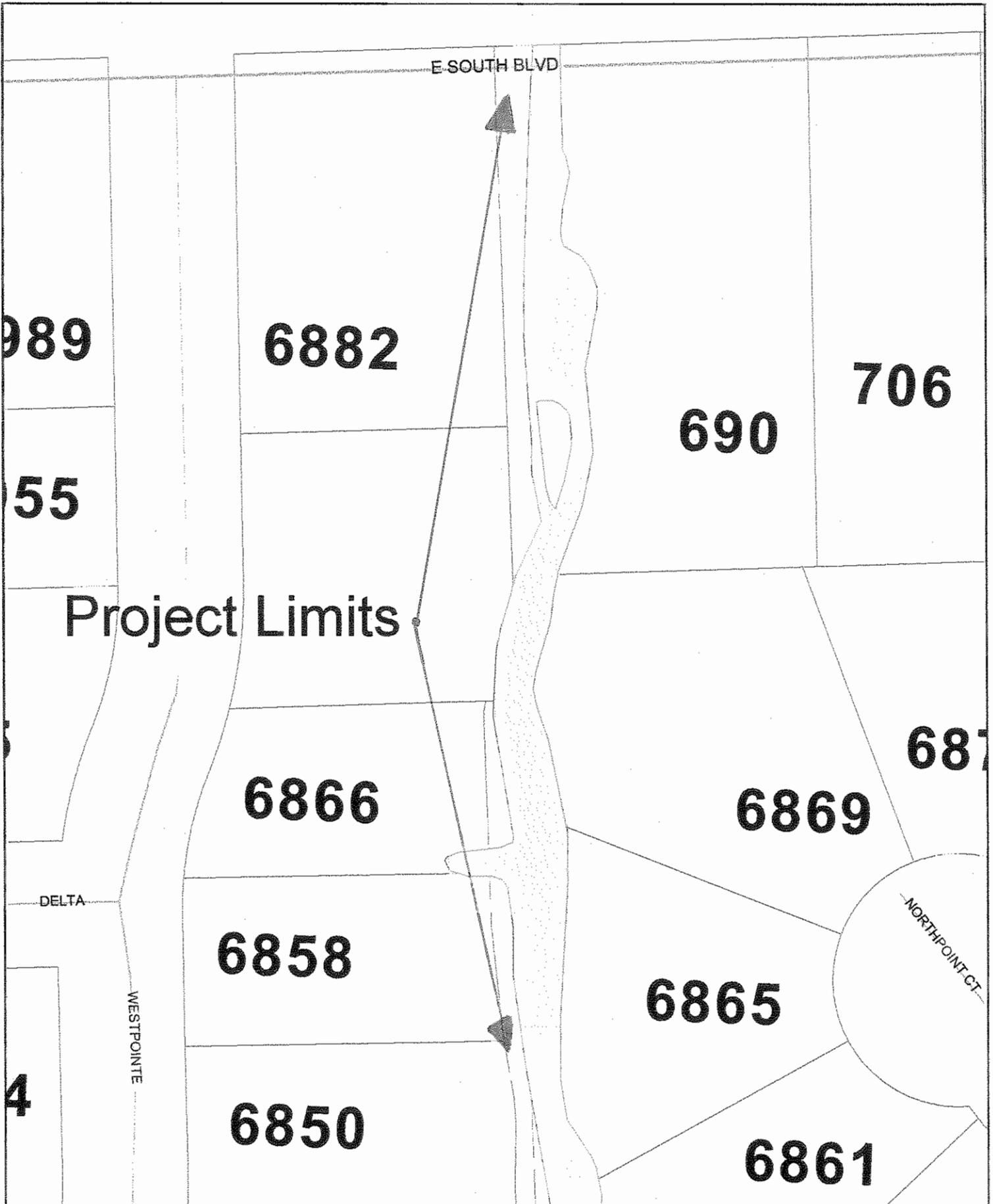
BACKGROUND INFORMATION:

This project is located on the Ferry Drain in Section 2. The upstream limit of the project would be South Boulevard and extending downstream approximately 450 feet from South Boulevard. The attached Exhibit "A" shows the limits of the project. The City of Troy and Oakland County Drain Commissioner's Office received complaints about severe stream bank erosion on the Ferry Drain at 690 E. South Boulevard. Pictures of the eroding streambank are also included with this memo. The Ferry Drain is a Chapter 4 County Drain with a severely limited budget for minor maintenance. The county does not have the funds or the wherewithal to proceed with this stabilization project at this time. Due to the closeness of the eroded streambank to the house at 690 E. South Boulevard and the increased potential for property damage, staff from the City of Troy requested a proposal for engineering services for the design of the streambank restoration efforts for this portion of the Ferry Drain. Enclosed with this memo is the copy of the proposal for engineering services from Hubbell, Roth & Clark to design the streambank restoration efforts for the Ferry Drain.

FUNDING:

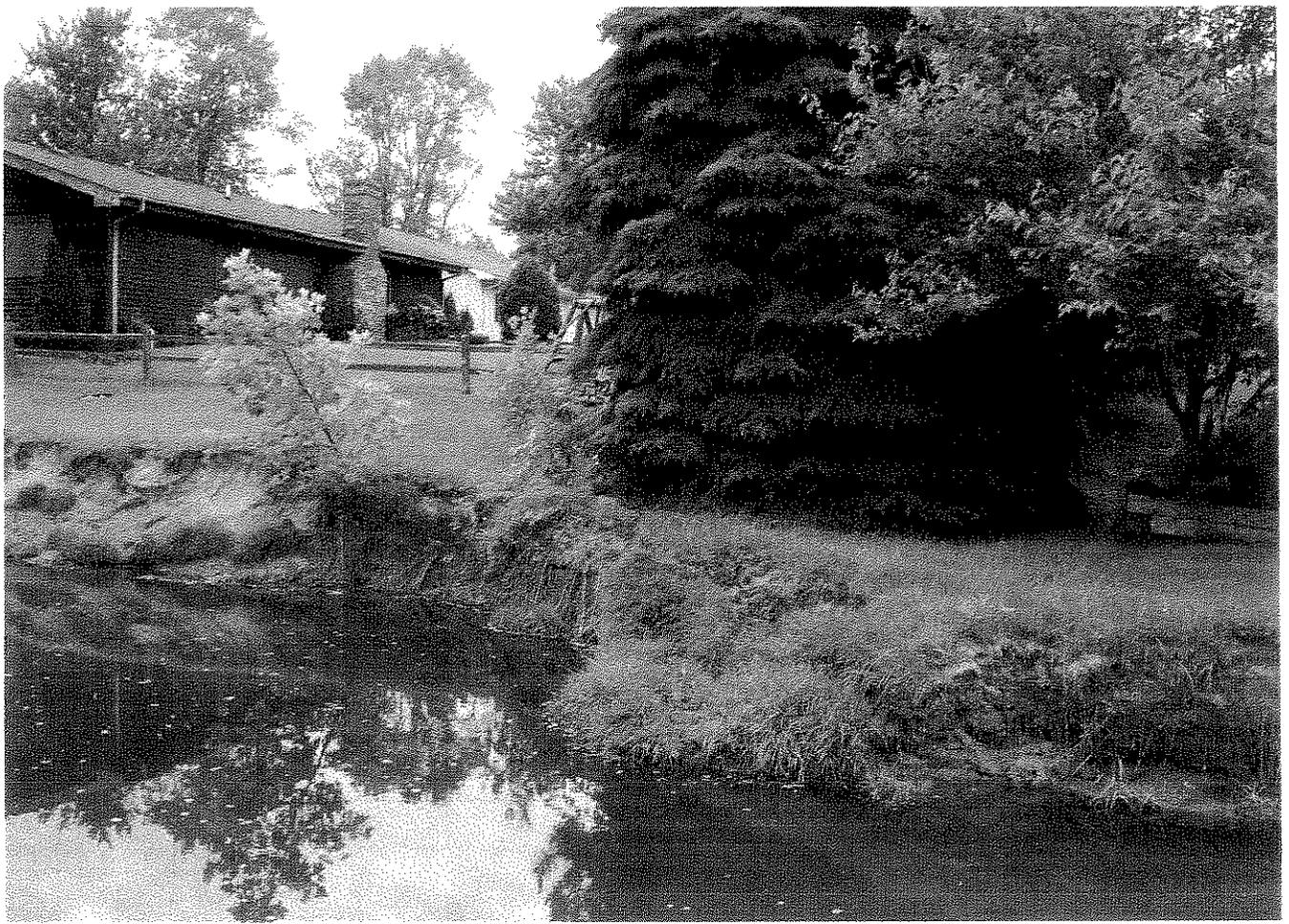
The design is estimated to cost \$32,088.00, which will not be exceeded without prior authorization and will be paid for out of the Capital Drains Account #410516.7989.1000. Work would commence upon our authorization to proceed and would be completed within sixty (60) days.

Exhibit "A"



70 35 0 70 Feet





PRINCIPALS

Gerald F. Knapp
Thomas E. Biehl
Walter H. Alix
George E. Hubbell
Peter T. Roth
Michael D. Waring
Keith D. McCormack
Curt A. Christeson

CHIEF FINANCIAL OFFICER
J. Bruce McFarland

SENIOR ASSOCIATES

Frederick C. Navarre
Gary J. Tressel
Lawrence R. Ancypa
Kenneth A. Melchior
Dennis M. Monsere
Randal L. Ford
David P. Wilcox
Timothy H. Sullivan



HUBBELL, ROTH & CLARK, INC.
CONSULTING ENGINEERS

ASSOCIATES

Thomas G. Maxwell
Nancy M.D. Faught
Jonathan E. Booth
Michael C. MacDonald
Marvin A. Olane
James C. Hanson
Richard F. Beaubien
Margaret Syrk Kuhn
William R. Davis
James J. Aiello
Daniel W. Mitchell
Joel E. Bowdan
Jesse B. VanDeCreek
Robert F. DeFrain
Marshall J. Grazioli

August 26, 2004

City of Troy DPW
4693 Rochester Road
Troy, Michigan 48085

Attention: Dana Calhoun

Re: Ferry Drain Restoration

HRC Job No. 20040607

Dear Ms. Calhoun:

Pursuant to the City's request, we are providing the City with a proposal to provide engineering services to develop proposed design concepts along with construction plans and specifications for the Ferry Drain Restoration Project. The limits of the project begin on the south side of South Boulevard and continue downstream for a distance of approximately 450 feet.

The Project will include tasks:

1. Characterize the Stream
2. Topographic Survey of Project Limits
3. Develop Streambank Stabilization Alternatives
4. Presentation of Alternatives to City
5. Preparation of Plans and Specifications
6. Bidding

The costs for our services in estimated to be \$32,088.00. Attached is a scope of work with estimated hours for each task. Our estimated design fee is based on a construction cost ranging from \$125,000.00 to \$200,000.00. Invoices will be based on a time and material basis and invoiced monthly in accordance with our current Contract. The budgetary cost will not be exceeded without prior authorization. An additional \$3,000.00 should be allocated for geotechnical analysis by the City's soils consultant.

If you have any questions or require any additional information, please contact the undersigned.

Ms. Dana Calhoun
August 26, 2004
HRC Job No. 20040607
Page 2

Very truly yours,

HUBBELL, ROTH & CLARK, INC.

A handwritten signature in cursive script that reads "Walter H. Alix".

Walter H. Alix, P.E., P.S.
Vice President/Secretary

MM/mm

pc: Troy; S. Vandette, B. Huotari
HRC; D. Beagle, File

CITY OF TROY - FERRY DRAIN RESTORATION				
SCOPE OF WORK AND ESTIMATED HOURS				
TASK	STAFF HOURS			
	Assoc.	Sen. Landscape Arch.	Senior Tech.	Field Crew
SITE VISIT/STREAM CHARACTERIZATION				
PHOTOGRAPHS	0	2	0	0
HYDRAULIC INFORMATION	1	8	0	0
MDEQ JURISDICTION DETERMINATION	1	6	0	0
LAND OWNERS MEETINGS (2 MEETINGS)	8	8	0	0
(SUBTOTAL) HOURS	10	24	0	0
TOPOGRAPHIC SURVEY				
SURVEY	0	0	4	12
(SUBTOTAL) HOURS	0	0	4	12
DEVELOP STREAMBANK STABILIZATION ALT.				
NARRATIVE	1	2	0	0
EXISTING CONDITIONS	0	2	8	0
PROPOSED GRADING PLAN	1	4	4	0
PROPOSED PLANTING PLAN	0	4	4	0
PROPOSED CROSS SECTIONS	1	4	4	0
STATEMENT OF PROBABLE COSTS	1	4	0	0
SUMMARY REPORT	1	8	4	0
(SUBTOTAL) HOURS	5	28	24	0
PRESENTATION OF ALTERNATIVES				
CITY OF TROY	6	6	0	0
RESIDENTS AGREEMENT	8	8	0	0
(SUBTOTAL) HOURS	14	14	0	0
PREPARATION OF PLANS & SPECS				
GRADING	1	8	16	0
PLANTING	1	8	16	0
SECTIONS	1	8	20	0
SPECIFICATIONS	4	24	0	0
UPDATED STATEMENT OF PROBABLE COSTS	2	4	0	0
MDEQ PERMIT APPLICATION	2	12	12	0
(SUBTOTAL) HOURS	11	64	64	0
BIDDING				
BIDDING (ADVERTISEMENT, EVALUATION AND AWARD)	8	12	0	0
PRECONSTRUCTION MEETING	4	4	0	0
(SUBTOTAL) HOURS	12	16	0	0
TOTAL HOURS	52	146	92	12

**CITY OF TROY - FERRY DRAIN RESTORATION
ESTIMATED FEE SCHEDULE**

DIRECT LABOR:

<u>CLASSIFICATION</u>	<u>PERSON HOURS</u>	*	<u>HOURLY RATE</u>	=	<u>LABOR COSTS</u>
Associate	52		\$ 40.00		\$2,080.00
Senior Landscape Architect	146		\$ 40.00		\$5,840.00
Senior Technician	92		\$ 30.00		\$2,760.00
Field Crew	12		\$ 65.00		\$780.00
TOTAL HOURS	<u>302</u>		TOTAL LABOR		<u>\$11,460.00</u>

MULTIPLIER: \$20,628.00

TOTAL ESTIMATED COST: \$32,088.00

To: John Szerlag, City Manager
Cc: Lori Grigg Bluhm, City Attorney
John Lamerato, Assistant City Manager/Finance
Brian Murphy, Assistant City Manager/Services
Tonni Bartholomew, City Clerk

From: Robin Beltramini, Mayor Pro Tem

Subject: Holiday/Religious Displays on City Hall lawn

Date: Sept. 15, 2004

I am requesting that a motion to rescind the policy governing holiday/religious displays that was passed at the September 13, 2004 meeting be added to the agenda for the September 20, 2004 meeting.

I believe the policy crafted at Monday night's Council meeting is simply *bad policy*. In our zeal to attain compromise, we passed a policy that is unsatisfactory for all. As I reflect, the role of government in situations such as this is very much like that of medical professionals in crisis situations—first, do no harm. The approved policy is harmful on a number of fronts.

Last winter, there was a very small group of church folks advocating for a nativity scene on the lawn of City Hall. This has been under discussion for 10 months now, but the advocacy group has not grown significantly in size. There are 55 formal religious institutions in Troy. NOT ONE of the clergy leading those institutions has spoken or written in favor of a nativity scene on City grounds. In fact, more clergy and lay people of various religious persuasions have urged us to do nothing as far as recognizing or showcasing religion. We have been told time and time again, for a variety of reasons, that such activity would damage the spirit and cohesiveness of our City.

Last January, we drafted a mission statement for a public forum area to accommodate private displays on the Civic Center site—a policy with no reference to religious displays and for an area geographically removed from the front of City Hall. This statement was approved by Council vote on August 9, 2004. Yet, Monday evening the majority of Council present, myself included, ignored that hammered policy and reverted to the original request of last November (with the minor modification of adding some secular and/or other religious symbols).

The compromise reached last Monday evening satisfies no one. Many Christians have already pointed out that secular or multiple religious icons detract from the nativity and its meaning. The Jewish community has eloquently pointed out how a nativity scene, no matter how diluted with other elements, perceptibly invalidates their beliefs. Other religions have asked, “Are we not important? The ‘right’ sect? As good? Valid?” It will be virtually impossible for us to ever represent all religious sects of our population. Protestants and Roman and Orthodox Catholics are discussing the validity and timing of “the wise men” as part of a display. Which secular

elements are best? Do we include Santa? Frosty? Holly? Does it matter?—from what I've heard, it does matter to some. This is a divisive policy.

Additionally, while the “public forum—lottery/display policy” crafted by staff seemed onerous and time-consuming, I believe that the decision at Monday's meeting does not lessen those burdens on staff, only shifts them. My conclusion is that this path will inevitably cost staff time (from design and bid to on-going explanation and defense). Also, while City funds will not be used for purchase of display elements, tax dollars (from all citizens and businesses) will be used for purchase procedures, set up, take down, as well as signage and explanation.

While the majority of citizens in our community may be practicing Christians, we are a *community* and must begin acting like one and not as members of opposing teams. Times are tough. We're all in this boat together. Let's not punch holes in the bottom of the boat!

First, do no harm.

H-1 Holiday/Religious Displays on City Hall Lawn – Advanced by Council Member Beltramini

Note: Per City Charter Section 5.6 (b) (7) – Special Requirements for Certain Council Actions, that the affirmative vote of a majority of the members elect of the Council is required for Reconsidering or rescinding any vote of the Council.

Suggested Resolution

Resolution #2004-09-

Moved by

Seconded by

RESOLVED, That Resolution #2004-09-467, Moved by Schilling and Seconded by Howrylak, as it appears below be **RESCINDED** by City Council:

*RESOLVED, That the City of Troy **ADD** to its existing Winter Holiday display other secular and religious symbols of the Season which may include a Menorah and Nativity Scene; and*

*BE IT FURTHER RESOLVED, That City Management **ENSURE** that the Winter Holiday Display is in full compliance with the law and relevant court decisions; and*

*BE IT FURTHER RESOLVED, That City Management **ADOPT** policies and procedures to accept monetary and other donations for these added elements from individuals and organizations; and*

*BE IT FURTHER RESOLVED, That City Management **LOCATE** these added elements on the front lawn of City Hall to coincide with the Annual Holiday Tree Lighting Ceremony; and*

BE IT FINALLY RESOLVED, That no City funds shall be expended for the holiday displays.

Yes: *Broomfield, Eisenbacher, Lambert, Beltramini*

No: *Howrylak, Schilling*

Absent: *Stine*

MOTION CARRIED

Yes:

No:

Advisory Committee for Senior Citizens

A Regular meeting of the Advisory Committee for Senior Citizens was held on Thursday, June 3 2004 at the Troy Community Center. Chair JoAnn Thompson called the meeting to order at 10 AM.

Present:	JoAnn Thompson, Chair	David Ogg, Member
	Bill Weisgerber, Vice-Chair	Jo Rhoads – Member
	Merrill Dixon, Member	Steven Banch - Member
	Pauline Noce, Member	Carla Vaughan, Staff

Absent: Marie Hoag, Excused

Visitors: Mary Kerwin, Paula Fleming, Mary Beth Halushka, Burdette Black

Approval of Minutes

Resolution # SC-2004-6-001
Moved by Jo Rhoads
Seconded by Merrill Dixon

RESOLVED, That the Minutes of May 6, 2004 be approved as submitted.

Yes: 7
No: 0

MOTION CARRIED

Visitor Comments

Mary Kerwin reminded committee members that School Superintendent Janet Jopke will speak to seniors at the Community Center on June 9 about the June 14 bond issue.

Old Business

None

New Business

Troy Daze Parade: Carla will submit the application (asking that the seniors be near the front of the parade) and solicit volunteers through an article in the July newsletter. Jo Rhoads will check with Medi-Go about having a van in the parade. Bill Weisgerber has a car and Advisory Committee members will participate as before, preferably going in front of the bus. The Committee will also participate at Senior Sensation Day and ask Marie to check into a sign for the outside of the tent. The Committee would like to put their business cards in the goodie bags.

July and August Meetings

Resolution # SC-2004-6-002
Moved by Jo Rhoads
Seconded by Steven Banch

RESOLVED, That the July and August meetings be cancelled.

Yes: 7
No: 0

MOTION CARRIED

Reports

Park Board: Merrill Dixon reported that no further action has been taken on the cricket field. He will bring a copy of the senior budget to the next meeting.

Medi-Go: Jo Rhoads reported that they are busy and still awaiting their new van.

Lunch Attendance: There were 1376 meals served on 23 days in March. The average donation was \$1.84. There were 1143 meals served on 21 days in April. The average donation was \$1.83.

Senior Program Report: The senior **low-income scholarship program**, made possible through a grant from the Community Foundation of Troy, has now been in existence for one year. Twenty- two seniors have applied for the 50% discount on classes and have received \$622 in benefits. Computer Fundamentals was the class most requested by scholarship recipients. The **SeniorNet computer lab** is celebrating its one-year anniversary in June. 138 different students have registered for 259 classes. Thirty-six volunteers are involved as instructors, coaches and administrators. Student evaluations show that 99% are satisfied or highly satisfied with their classes. Participation in the **senior golf leagues** are down for the first time ever. One league has 72 players again this year, but the other league is down from 72 to 64 players. Bill Weisgerber commented that it is good to see the volunteers acknowledged in the June newsletter. Carla will take a picture of committee members at an upcoming meeting to post on the bulletin board along with meeting information.

OLHSA: Jo Rhoads reported that she and JoAnn attended the OLHSA volunteer luncheon and it was very impressive to see how many people are involved.

Suggestion Box: None.

Member Comments

Bill Weisgerber suggested that the TVs at the Community Center be turned to WTRY on Mondays at 9 a.m. when the Advisory Committee is televised, and that maybe a senior in the building at the time, such as a walker, could do that.

Jo Rhoads suggested that a letter be sent to Jane Crowe thanking her for her many years of service on the Advisory Committee.

Resolution # SC-2004-6-003
Moved by David Ogg
Seconded by Bill Weisgerber

RESOLVED, That Chair JoAnn Thompson compose an appreciation letter to Jane Crowe for all committee members to sign.

Modified: Moved by Steve Banch and seconded that they send a letter **and a card**.

Yes: 7
No: 0

MOTION CARRIED

David Ogg reported that there will be a Police and Fire Open House on Friday, June 4 from 10 a.m. to noon.

David Ogg reported that T-Birds will donate 10% of their proceeds on Monday June 14 from 6-8 p.m. to the Red Cross.

Steve Banch reported that he saw a very good school musical group on cable TV and we should get them to perform for the seniors.

The meeting was adjourned at 11:53 a.m.

Respectfully submitted,

JoAnn Thompson, Chair

Carla Vaughan, Secretary

A Regular Meeting of the Troy Advisory Committee for Persons with Disabilities was held Wednesday, August 4, 2004, at the lower level conference room at City Hall. Leonard Bertin called the Meeting to order at 7:04 P.M.

Present: L Bertin, member C. Buchanan, member
 S. Burt, alternate A. Done, member
 K. Gauri, member T. House, member
 P. Manetta, member D. Pietron, member
 G. Yau, Student A. Fuhrman, member

Present: M. Grusnick, staff
 K. Jearls, staff

Absent: N. Johnson, member-UA D. Kuschinsky, member-EA
 M. Pritzlaff, alternate, UA

ITEM B – APPROVAL OF MINUTES OF MEETING OF June 2, 2004

Buchanan made a motion that the minutes of June 2, 2004 be approved. Supported by House. All voted in favor.

ITEM C – VISITORS, DELEGATIONS AND GENERAL PUBLIC

Tom Johnson, President of Accessible Homes, a CAPS certified company, was in attendance. The Company offers accessible products and services to the physically challenged and aging, such as customized ramps, grab bars, and roll-in showers. They are able to retro-fit or construct new and will be at the Ability Expo.

ITEM D – NEW BUSINESS

We welcome Adam Fuhrman to the Committee. Adam is 23 years old and attending college.

We will now be tracking absences as to excused or non-excused. If not able to attend, please notify one of the members.

Kay McFarland has asked for suggestions for library services. House suggested extra handicapped signs for high volume nights and Burt will inspect library and make suggestions next month.

Mark Stimac sent letter regarding House’s comments at Council meeting regarding handicap parking spaces. The Committee made a motion that the number of handicapped spaces should be based on the total required number of spaces. Even if Council approves a request to reduce the required number of parking spaces, the required number of handicap spaces should never be reduced. This recommendation is based on experience and in view of the aging population, people working longer and more employed disabled people-persons with disabilities. Seniors are not using the

Community Center because the spaces are placed far from the entry door; they are attending events in other cities. Buchanan made the motion and House seconded.

Buchanan distributed free tickets for the Novi Abilities Expo, which is being held September 17, 18 and 19, 2004.

ITEM E – REGULAR BUSINESS

Done contacted cable station regarding advertising; it is already in place.

Volunteer workers will be given T-shirts and name tags to wear at the Expo.

We have received 5 responses for booth reservations; there are 24 booths available. Buchanan, Done, Manetta and Burt will make phone calls to those that have not responded. If they are non-profit, the deposit check will be waived.

Burt will attend the City Council meeting on 9/13 and Buchanan will attend on 9/20.

ITEM F – OLD BUSINESS

ITEM G – INFORMATIONAL ITEMS

The ADA coordinator for Troy is the Assistant Manager of Services. Steve VanDette is currently the acting Assistant Manager of Services.

There has been no response from City Council on the request for joint meeting.

The school millage has passed and they may change the entrance into the school board offices. There are currently many stairs and they have added a bell to ring for assistance. Both situations were pointed out to the School Board by Dori House.

Grace Yau is currently a senior which means her term is up. She has moved to the Traffic Committee.

ITEM H – ADJOURN

House made a motion to adjourn at 9:08, Burt seconded.

Leonard Bertin, Chairperson

Kathy Jearls, Recording Secretary

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ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES – FINAL – AUGUST, 2004

Community Center because the spaces are placed far from the entry door; they are attending events in other cities. Buchanan made the motion and House seconded.

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Grace Yau is currently a senior which means her term is up. She has moved to the Traffic Committee.

ITEM H – ADJOURN

House made a motion to adjourn at 9:08, Burt seconded.


Leonard Bertin, Chairperson


Kathy Jearls, Recording Secretary

A regular meeting of the Liquor Advisory Committee was held on Monday, August 9, 2004 in Conference Room C of Troy City Hall, 500 West Big Beaver Road. Chairman Max K. Ehlert called the meeting to order at 7:00 p.m.

ROLL CALL:

PRESENT: Max K. Ehlert, Chairman
Henry W. Allemon
Anita Elenbaum
W. Stan Godlewski
James R. Peard
Emily Polet, Student Representative
Carolyn Glosby, Assistant City Attorney
Sergeant Thomas J. Gordon
Pat Gladysz

ABSENT: Alex Bennett
James C. Moseley

Resolution to Excuse Committee Members Bennett and Moseley

Resolution #LC2004-08-116

Moved by Allemon

Seconded by Ehlert

RESOLVED, that the absence of Committee members Bennett and Moseley at the Liquor Advisory Committee meeting of August 9, 2004 BE EXCUSED.

Yes: 5
No: None
Absent: Bennett and Moseley

Resolution to Approve Minutes of June 14, 2004 Meeting

Resolution #LC2004-08-117

Moved by Allemon

Seconded by Elenbaum

RESOLVED, that the Minutes of the June 14, 2004 meeting of the Liquor Advisory Committee be approved.

Yes: 5

No: None
Absent: Bennett and Moseley

Agenda Items:

1. **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 being made by the food service vendor for the new Sanctuary Lakes golf course.*

Present to answer questions from the Committee were Kim Haveranek from Emerald Food Service, Inc. and Carol Anderson, City of Troy Parks & Recreation Director.

The contract for food and beverage service at the new Sanctuary Lakes Golf Course was put out for bid. Carol Anderson, City of Troy Parks & Recreation Director, has recommended that Emerald Food Service, Inc. be awarded this contract. They have provided food and beverage service at the Troy Community Center for 17 years.

There is indoor seating for 50 patrons and outdoor seating for 180 on the pavilion. The pavilion was constructed with the option to enclose the area in the future. Emerald Food proposes to have both grill and banquet menus. There will be a serving station outside. They will most likely be open for this golf season with food service but not with liquor service. Managers and wait staff will be trained through the TIPS program. Ms. Haveranek indicated she will attempt to have the training performed on-premise.

The beverage service contract will be awarded for one year from the start of food service with two options to renew for two years each. At that point, the contract will be put out for bid. The contract states that Emerald Food Service, if awarded the contract, will be the licensee. When their contract with the City ends, they must cooperate with subsequent food vendor or return the license to the City.

Resolution #LC2004-08-118

Moved by Allemon

Seconded by Peard

RESOLVED, that EMERALD FOOD SERVICE, INC. be awarded 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.

Yes: 5
No: None
Absent: Bennett and Moseley

The meeting adjourned at 7:35 p.m.

Max K. Ehlert, Chairman

Patricia A. Gladysz, Clerk-Typist

A meeting of the Employees' Retirement System Board of Trustees was held on Wednesday, August 11, 2004, at Troy City Hall, 500 W. Big Beaver Rd., Troy, MI. The meeting was called to order at 12:10 p.m.

TRUSTEES PRESENT: Mark Calice
Robert Crawford
Thomas Houghton, Chair
John M. Lamerato
William R. Need
Steven A. Pallotta
John Szerlag

ABSENT: David A. Lambert

ALSO PRESENT: Laura Fitzpatrick

EXCUSE TRUSTEE LAMBERT

Resolution # ER – 2004 – 08 - 030

Moved by Szerlag
Seconded by Crawford

RESOLVED, That David A. Lambert be excused.

Yeas: All 6
Absent: Lambert

MINUTES

Resolution # ER – 2004 – 08 - 031

Moved by Crawford
Seconded by Lamerato

RESOLVED, That the minutes of the July 14, 2004 meeting be approved.

Yeas: All 6
Absent: Lambert

RETIREMENT REQUESTS**Resolution # ER – 2004 – 08 - 032**

Moved by Lamerato

Seconded by Szerlag

RESOLVED, That the following retirement request be approved:

Philip A. Dimaria, DB, 8/11/04, Police, 28 years, 10 months

Roger A. Owens, DB, 8/21/04, Public Works, 28 years, 7 months

William D. McCabe, DC, 8/21/04, Police, 25 years

Yeas: All 6

Absent: Lambert

OTHER BUSINESS – PART- TIME SERVICE CREDIT

Part-time service request of Christine Hill of 2 years be received and filed.

OTHER BUSINESS –PRIOR GOVERNMENTAL SERVICE

The requests of Cynthia Stewart be received and filed.

INVESTMENTS**Resolution # ER – 2004 – 08 - 033**

Moved by Pallotta

Seconded by Houghton

RESOLVED, That the following investments be purchased and sold:

Purchase - \$500,000 GMAC Smart Notes, 5.25% due 8/15/09; \$500,000 Bank America, 5.125% due 8/15/14; **Sell** – Hershey; King Pharmaceutical; Kroger; KV Pharmaceutical; Magna Entertainment; MGIC; MI Developments; **Purchase** – 4,800 shares Hartford Financial Services; 1,750 shares Hibbett Sporting Goods; 7,000 shares IDEX; 10,000 shares Int'l Game Technologies; 8,000 shares Linen N Things; 5,000 shares McDonalds; 9,000 shares Methode Electronics; 9,000 shares Michaels Stores; 5,000 shares MMM; 8,000 shares New England Business Services; 10,000 shares NOKIA; 7,000 shares Pepsi; 5,000 shares PF Changs; 5,000 shares Panera Bread; 4,000 shares Omnicom; 3,000 shares Orthofix; and place stop/loss on K-mart at \$55 and Kraft at \$27.

Yeas: All 6

Absent: Lambert

The next meeting is September 8, 2004 at 12:00 p.m. at City Hall, Conference Room C, 500 W Big Beaver, Troy, MI.

The meeting adjourned at 1:30 p.m.



Thomas Houghton, Chairman



John M. Lamerato, Secretary

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chair Waller at 7:30 p.m. on August 24, 2004, in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:

Gary Chamberlain
Lynn Drake-Batts
Fazal Khan
Lawrence Littman
Robert Schultz
Thomas Strat
Mark J. Vleck (arrived 7:32 p.m.)
David T. Waller

Absent:

Wayne Wright

Also Present:

Mark F. Miller, Planning Director
Brent Savidant, Principal Planner
Allan Motzny, Assistant City Attorney
Richard K. Carlisle, Carlisle/Wortman Associates
Howard Wu, Student Representative
Kathy Czarnecki, Recording Secretary

Resolution # PC-2004-08-094

Moved by: Chamberlain
Seconded by: Schultz

RESOLVED, That Member Wright be excused from attendance at this meeting for personal reasons.

Yes: Chamberlain, Drake-Batts, Khan, Littman, Schultz, Strat, Waller
No: None
Absent: Vleck, Wright

2. MINUTES

Resolution # PC-2004-08-095

Moved by: Schultz
Seconded by: Khan

RESOLVED, To approve the August 3, 2004 Special/Study Meeting minutes as published.

Yes: Drake-Batts, Khan, Littman, Schultz, Strat, Vleck
No: None
Abstain: Chamberlain, Waller
Absent: Wright

MOTION CARRIED

Chair Waller requested that the August 10, 2004 Regular Meeting minutes, Resolution #PC-2004-08-085, reflect that Mr. Littman was excused from the meeting for personal reasons.

Resolution # PC-2004-08-096

Moved by: Schultz
Seconded by: Strat

RESOLVED, To approve the August 10, 2004 Regular Meeting minutes as amended.

Yes: Chamberlain, Drake-Batts, Khan, Schultz, Strat, Vleck, Waller
No: None
Abstain: Littman
Absent: Wright

MOTION CARRIED

3. PUBLIC COMMENTS

There was no one present who wished to speak.

4. PUBLIC HEARING – SPECIAL USE REQUEST (SU 326) – Square Lake Marathon Station, Southwest corner of Livernois and Square Lake (5991 Livernois), Section 9 – H-S

Mr. Miller presented a summary of the Special Use Request, the H-S rezoning and the difficulties the site presents with respect to meeting City requirements. Mr. Miller reported that the petitioner submitted a new site plan design following the August 10, 2004 Regular Meeting. He noted that the Planning Department has not yet reviewed that plan. Mr. Miller said the purpose of discussion tonight is to consider the various site plan options and provide an overall direction to the petitioner.

Alternate site plans A and B and an alternate design locating the building to the southwest corner of the site that provides a substantial green space on the northeast corner were prepared by the Planning Department. The designs prepared by the Planning Department and the petitioner's recently submitted site plan were discussed.

Mr. Khan favored the Planning Department design that showed the expanse of green space.

Mr. Chamberlain asked that the Planning Department provide the building and parking layouts for the sites immediately west and south of the subject property so the relationship between the sites could be reviewed. He also noted that consideration should be given to potential future widening of Livernois.

Mr. Strat suggested a consolidation of the Marathon station and the property directly to the south [Peppy's Pizza] so it becomes a one-building concept rather than two separate buildings, applying the zero lot line concept. Mr. Strat also noted the historic intersection at this location has its own character. Mr. Strat reported he was in attendance at the Board of Zoning Appeals (BZA) meeting in which the petitioner requested variances, and said patrons of the service station spoke in favor of the petitioner and the requested variances.

Mr. Khan asked if there was a cross access easement to the west of the site.

Mr. Miller replied that a cross access easement to the west was considered and the connection proved to be problematic and more difficult. He noted that a cross access easement to the south physically exists but it is not a legal cross access easement. Mr. Miller stated that the economic viability of the petitioner should also be a consideration in the site plan review.

Mr. Schultz stated that the latest design allowing the cross access to remain and become a legal cross access allows that synergy and relationship between the two buildings to remain. Mr. Schultz said the latest site plan design has substantial merit.

Mr. Strat suggested further review of the site plan design by the Planning Department and emphasized the criteria of the design would be (1) cross access easements, (2) maximization of the intersection as relates to landscaping, and (3) reduction in the number of gas pumps.

Mr. Chamberlain said that parking should also be a criterion of the site plan design.

The petitioner, Mike Elias of 5991 Livernois, Troy, was present. Mr. Elias said he has been in business at this site for three years. He reported the business has grown to the point that the 1960's design of the building cannot handle the current flow of business. Mr. Elias said he wants a design that serves his needs as well as those of his customers. He reported the building exterior and interior are in need of improvements. His cost estimation for the proposed project is between \$500,000 to \$800,000. Mr. Elias said he would not get a profitable return on his investment should the number of gas pumps be decreased to two or three. Mr. Elias said he would like four gas pumps, five parking spaces, landscaping and a new building. Mr. Elias said service station patrons use the pump space as parking spaces, but the City does not count the pump space as a parking space.

PUBLIC HEARING OPENED

David Misovski of 5965 Livernois, Troy, owner of Peppy's Pizza, was present. Peppy's Pizza is the site directly south of the Marathon service station. Mr. Misovski voiced concerns with the proposed site plan that was originally submitted. His concerns relate to (1) the cross access easement, (2) the required parking spaces, and (3) the building size in relation to the lot size. Mr. Misovski said the two businesses complement each other and a cross access has been shared over the years to minimize the traffic flow and accidents. He is in favor of keeping the cross access. Mr. Misovski is opposed to allowing only four parking spaces on the site. He said that would leave only two parking spaces for customers because employees would most likely use one or two spaces. Mr. Misovski suggested a reduction in the building size to accommodate more pumps. Mr. Misovski said there are two parking spaces in front of Peppy's and an approximate 50-foot section at the rear of the store where cars can park. He said the building size of Peppy's is approximately 1,200 square feet and the rear parking provides ample parking for the building size.

Mr. Littman expressed concern that customers for Peppy's would park in the service station parking lot if the two parking spaces in the front of Peppy's were taken during peak restaurant times.

Mr. Misovski said it works both ways.

Mr. Elias said the cross access easement is not working for him because of its location on the site, and it has become dangerous for customers because cars cut through at high speeds. Mr. Elias said the only difference between retail products sold at both sites is gasoline and cigarettes, which can be purchased only at the service station. Mr. Elias said there is not an equal sharing of customer base and parking problems do arise during peak restaurant hours.

Chair Waller announced the Public Hearing would remain open until the September 28, 2004 Special/Study Meeting.

Resolution # PC-2004-08-097

Moved by: Chamberlain

Seconded by: Schultz

RESOLVED, That the Special Use Approval Request (SU 326) for the Square Lake Marathon Station, located on the southwest corner of Square Lake Road and Livernois Road, Section 9, within the H-S Zoning District, Public Hearing be continued to the September 28, 2004 Special/Study Meeting.

Discussion on the motion.

Mr. Khan questioned if the petitioner was given enough direction to go forward with the site plan design and if the motion should include design criteria that the Planning Commission is looking for.

Mr. Chamberlain stated that he purposely omitted the design criteria from the motion. He said the petitioner knows what the Planning Commission is looking for and the Planning Commission should not be the designer of the site plan on record.

Chair Waller proposed that any thoughts or suggestions on the site plan design be forwarded to the Planning Department.

Yes: All present (8)
No: None
Absent: Wright

MOTION CARRIED

Mr. Chamberlain asked that the Planning Department provide in the next meeting packet the current size of the service station building so a comparison could be made between the current building size and the proposed building size.

5. PLANNED UNIT DEVELOPMENT – Discuss conceptual design of potential mixed-use development, located on the north side of Big Beaver, east of Alpine, west of McClure, Section 20 – O-1, P-1 and R-1B

Mr. Miller provided a brief background on the initial stages of the proposed Planned Unit Development project. Mr. Miller said the development team is here tonight to present the idea in concept only. He said the development team would like the Commission's input of its vision at the proposed location. Mr. Miller encouraged the Commission to also consider its future vision of the Big Beaver Road corridor.

Mr. Savidant stated it is refreshing that the development team has started at the ground level before submitting construction drawings.

Mr. Carlisle, the City's Planning Consultant, said he sensed frustration from the Commission during the approval process for the last planned unit development project, in that the emergence of the Commission's vision was not being realized. Mr. Carlisle said he is very interested in seeing the Commission's reaction to tonight's PUD presentation, and he deferred further comment until after the presentation.

Candace Casey, Vice President of Development for Joseph Freed and Associates, provided a brief background of the full-service real estate development company and introduced her associates working on the project. She highlighted projects that Joseph Freed and Associates worked on within the Michigan vicinity. Ms. Casey said she is happy to be in partnership with Tadian Homes and Whitehall Real Estate on the project and briefly reviewed their company backgrounds. Ms. Casey introduced members of the project development team.

- Ron Phillips, Tadian Homes
- Gary Jonna, Whitehall Real Estate Interests
- Charles Hewlett, Robert Charles Lesser & Company
- Don Sandy, SB Architects

- Scott Lee, SB Architects
- Lise Newman, Landry & Newman Architecture
- Paul Landry, Landry & Newman Architecture
- Ed Connell, Joseph Freed and Associates
- Bryan Pritchard, Joseph Freed and Associates

Ms. Casey said the goal of this evening's meeting is to engage the Planning Commission in a conversation about the possibilities of what can be done on the proposed site.

Charles Hewlett of Robert Charles Lesser & Company presented the supply and demand conditions for both residential and retail at the proposed site. The market analysis and foundation research was extensive in terms of demographics, economic trends, development trends, residential market overview, competitive market overview, market comparables, market opportunities in relation to the Somerset Collection and Royal Oak, critical success factors, product program, retail development strategy, etc.

Don Sandy and Scott Lee of SB Architects provided a brief background of the architectural firm and their business format. Messrs. Sandy and Lee displayed slides of completed projects similar to the proposed PUD and provided details of the projects. The proposed PUD at the Big Beaver location was displayed in a three-dimensional sketch, as well as cross sections. Messrs. Sandy and Lee provided particulars of the proposed project (Scheme A) that encompasses a mixed use of townhouses, condominiums and retail; i.e., dramatic and appropriately scaled building, two to three story icon retail, 22-story tower of condominiums, 12-story condominiums, penthouse features, screened parking garage, workout facility, pedestrian access to residential and retail, etc. Mr. Lee announced that the development team would employ as many aspects of green design as possible.

Lise Newman of Landry Newman Architecture provided an "apples-to-apples" comparison of the height of the proposed building to existing buildings along the Big Beaver Road corridor. Ms. Newman noted the 24-story office building known as the Top of Troy equates to 340 feet. The proposed 22-story residential tower equates to 235 feet. Ms. Newman said the proposed residential mixed-use project is very similar in height to the existing building located at 888 W. Big Beaver and the recently approved 14-story Sterling Corporate Center PUD. Ms. Newman explained that the height differences relate to the office floor-to-ceiling height at 14 to 15 feet and residential floor-to-ceiling height at 9.5 to 10 feet. Ms. Newman also talked about the bulkiness of existing buildings and pointed out that the podium level of the proposed retail and fitness center is similar in height to the Somerset Collection. Ms. Newman said the proposed elegant tower rising from a 5-story base would create a signature and high-end development for the City. Ms. Newman also addressed the relationship of the proposed project to the existing developments across Big Beaver Road and to the north.

The development team discussed "Scheme B", an alternate design and concept plan should height restrictions be a concern of the City. Mr. Hewlett reported the differences from a marketing perspective, and Mr. Lee presented an architectural view of the project from an economic perspective. It was suggested that "Scheme B" would

most likely not be as attractive, nor would it get the same return on investment as "Scheme A".

In closing, Ms. Casey stated that Joseph Freed and Associates and Whitehall Real Estate would continue to be present as owners in Troy with residual ownership of the retail and parking structure and overall operation of the condominiums. Ms. Casey said the development team would conduct a full traffic study. She also indicated that the tax impact to the City of Troy is estimated at \$500,000 annually.

Ms. Casey believes the proposed development's proximity to the Somerset Collection and the scale of architecture represents a first-class, world-class residential address for a luxury buyer and a retail building. She believes a first-class project team has been created, and the market data supports the proposed product. She said the project would contribute to the City's vision of the Big Beaver Road corridor as a world-class thoroughfare and streetscape, and also contribute to the long-term health and future of the City. Ms. Casey distributed an informational package to the Commission members.

Mr. Carlisle said the proposed project has been in the making for quite some time, and complimented Landry & Newman Architecture and Tadian Homes in their approach, presentation and evaluation of alternatives of the project. Mr. Carlisle said the depth of analysis affirms his gut reactions and is evidence that someone is willing to risk a significant amount of money on an investment that the Planning Commission and Planning Department intuitively felt was possible.

Mr. Carlisle highlighted his observations of the project in terms of concept.

- Truly a mixed-use project.
- Demonstrates a residential market on Big Beaver; market evaluation is on target.
- Parking can be integrated within a building; parking is virtually hidden but highly functional.
- Provides examples wherein the City's world-class corridor attracts world-class developers who are willing to hire world-class architects who are willing to insist upon architectural excellence and the use of materials that are rich, creative in design, and draw upon the best site elements.
- Offers an opportunity for true interface with surrounding area.
- Proximity to Somerset Collection creates great opportunity for pedestrian activity.

Mr. Carlisle addressed the height of the building and density of the proposed project. He said the step design of the tower and variations in building heights do not create an overall imposing or bulky building. Mr. Carlisle said the proposed 140 to 150 residential units equate to a density of 250 people at the most; and in comparison to an office building of similar size, the project is not a dense project. Mr. Carlisle said that traffic will be a perceived concern but it is not a real issue.

Chair Waller said the proposal created a high level of interest and energy from the Planning Department. He said the approach of the development team is refreshing

and he is personally energized by the professionalism and interest from people near and far. Chair Waller asked for comments from around the table.

Mr. Chamberlain said he is in favor of the first alternative of the plan and agrees with the comments of the City's Planning Consultant. Mr. Chamberlain said he is disappointed with the City and referenced the aerial photograph of the subject site. He commented that the office development jugged with residential development places restrictions on future development, and noted there are several pockets of this type of development in the City. Mr. Chamberlain said he would like to see similar development continue to the north of the subject site. He also said that the City should start counting green building as part of the landscape.

Mr. Wu said he really likes the first plan and commended the time spent on the building height comparison. He believes the project will be successful. Mr. Wu asked the projected completion date.

Ms. Casey briefly provided an estimated timetable of development stages. She projected an approximate 2.5 years for delivery of a final product.

Mr. Khan said this is a great opportunity for the City and he agrees with the Planning Consultant's comments. Mr. Khan said the traffic impact would not be visible along the Big Beaver corridor. He expressed that the green elements with respect to the architecture are very important. Mr. Khan said he is not concerned about the building height or density.

Mr. Strat is impressed with the project and commended the group on an excellent presentation. Mr. Strat made the following comments/suggestions:

- Provide a list of goals as relates to the development team and the City.
- Present in written form the constraints that might be encountered so the City can assist.
- Demographic information is appreciated and will be helpful in the future.
- Consider a restaurant at the top.
- Mixed-use retail will generate lots of foot traffic and will meet the 5-minute walking distance criteria.
- Vehicular traffic should not pose a problem.

Ms. Casey said site constraints have not been uncovered yet because it is so early in the planning and development process. She said they would keep the City informed of its progress and identify any constraints or concerns.

Mr. Carlisle clarified setting goals, as suggested by Mr. Strat, and suggested to translate what the market analysis is in terms of what the project goals are.

Mr. Schultz thanked the team for coming in with a conceptual presentation. He said the greatest possible thing that could happen is to have the proposed project become the catalyst for redevelopment of some of the more aging buildings along the Big Beaver Road corridor. Mr. Schultz is also in favor of Scheme A. Mr. Schultz shared his concern that the proposed townhomes would be constructed as first-class townhomes.

Mr. Sandy responded that the project is considered one project and the continuity of design would be carried through the whole project.

Mr. Vleck said he almost fell out of his chair when he heard the project was a 22- story development. He said the presentation was great and he is in favor of the idea. Mr. Vleck believes the biggest hurdle the development team might come across is the surrounding residents, and strongly encouraged the development team to make the residents aware of the development from its early stages.

Mr. Littman said this is the right project in the right place at the right time, and believes it will do very well for the City. Mr. Littman said this type of development is what the Planning Commission had in mind when the PUD ordinance was written. He thinks the market force will redo the Big Beaver Road corridor, and it will change very quickly for the better. Mr. Littman also said the new fire station in this location may have more business very soon.

Ms. Drake-Batts said she is not excited about the project going into the neighborhood to the north because it is one of the few areas in Troy where homes are priced under \$300,000. Ms. Drake-Batts is concerned with blocking the vehicular access for the residents to the north. She expressed concern with the pricing of the homes, the lighting of the project and the height of the building. She stated that should the neighbors be against the project, she would side with the neighbors.

Ms. Casey responded that feedback on the proposed cul de sacs is encouraged, as is any other design aspect of the conceptual plan. She said the intent of the cul de sacs is to provide a protective measure for the residents to the north. Ms. Casey said the interests of the neighbors are most important, and noted there are other means of working with the matter. Ms. Casey clarified that the price range for the proposed residential in Scheme A would be significantly higher than \$200,000.

Mr. Lee said any lighting of the project would be subtle and indirect.

Chair Waller said it is a wonderful project that will set the tone in Troy, in the sense of the City's motto. He pointed out that the City has a very active group of naysayers who go from issue to issue. Chair Waller suggested that the number of stories in the building always be referenced as "residential" and the explanation, possibly in chart form, of how the number of stories of residential relate to the same number of stories in office be readily available. Chair Waller hopes the development project will be the first of many things to happen on Big Beaver Road and will set the baseline for what can be done in the City.

Mr. Miller agrees with the comments and general observations of the City's Planning Consultant. Mr. Miller said the City's zoning ordinance has dictated what the community looks like, and the proposed project shows what could occur and what higher quality urban design achieves. He stated that one of the elements of the Big Beaver Corridor RFQ is to explore the form and mass of buildings in relation to the street. Mr. Miller said density could help redevelopment, increase quality, and achieve long-term goals in the community. He said the project obstacles (i.e., traffic impact; development of the PUD's public benefit, future land use plan) would be addressed by management, City staff and the City's Planning Consultant in tandem with the

development team. Mr. Miller said a process should be developed in setting up meetings with staff, the development team, and the Planning Commission. He also said the format and contents of the PUD package should be established by staff and the Planning Consultant.

Ms. Casey said she is appreciative of the opportunity to meet and receive the feedback of the Planning Commissioners.

Chair Waller requested a recess at 9:55 p.m.

The meeting reconvened at 10:05 p.m.

6. DOWNTOWN CLAWSON FRAMEWORK URBAN DESIGN PLAN – Discussion and consideration of Resolution of Support

Chair Waller requested comments from around the table. All members were in support of the City of Clawson's urban design plan.

Resolution # PC-2004-08-098

Moved by: Waller

Seconded by: Schultz

WHEREAS, the City of Clawson Downtown Development Authority has prepared the Draft Downtown Clawson Framework Urban Design Plan; and,

WHEREAS, the Draft Downtown Clawson Framework Urban Design Plan includes recommendations for the physical redevelopment of the downtown area, including Goals, Recommendations and an Implementation Strategy; and,

WHEREAS, the boundary of the City of Troy is contiguous with the boundary of the City of Clawson; and,

WHEREAS, the City of Clawson has provided a copy of the Draft Downtown Clawson Framework Urban Design Plan to the City of Troy for the Planning Commission's review and comment; and,

WHEREAS, the City of Troy Planning Commission has determined that the Draft Plan is consistent with the Future Land Use Plan of the City of Troy.

NOW THEREFORE BE IT RESOLVED, the City of Troy Planning Commission hereby supports the efforts of the City of Clawson Downtown Development Authority, Planning Commission and City Council in preparing the Draft Downtown Clawson Framework Urban Design Plan.

Yes: All present (8)
No: None
Absent: Wright

MOTION CARRIED

7. RECONSIDERATION OF REZONING REQUEST – Northeast corner of Rochester Road and Charrington Road, Section 23 – B-1 to H-S (Z 479-B)

Mr. Miller reviewed the rezoning request that was considered and recommended for approval at the August 10, 2004 Planning Commission Regular Meeting. Mr. Miller reported that subsequent to the regular meeting, a resident brought to the City's attention that he had submitted an official protest petition and a resident petition in opposition to the proposed rezoning to the City Clerk's Office. The resident said the resident petition of opposition was specifically addressed to both the Planning Commission and City Clerk. Mr. Miller explained that the protest petition is a matter for City Council, but the intent of the resident was to get the resident petition of opposition in front of the Planning Commission at their August 10, 2004 meeting. He asked if the Planning Commission wished to consider the reconsideration of the rezoning request based upon the information that was not presented to the Commissioners at the August 10 Regular Meeting.

Mr. Miller provided an explanation of the official protest petition. Mr. Miller said the Planning Department's recommendation for approval of the proposed rezoning as submitted would not change should there be a reconsideration of the matter.

Mr. Motzny reported there is no provision for reconsideration of matters in the Planning Commission Bylaws or Zoning Ordinance. Mr. Motzny said his previous opinion has not changed; that is that Robert's Rules of Order for reconsideration would have to take place at the very same meeting in which the initial vote was taken. Mr. Motzny does not believe a reconsideration of the matter is appropriate. He noted that the only time it may be appropriate is if the Commission thought the initial Public Hearing or procedure was defective and not a valid Public Hearing. Mr. Motzny said another way a matter could be reconsidered is that the Commission decides to suspend Robert's Rules of Orders to allow the reconsideration. Mr. Motzny said the residents who signed the petition have an opportunity to voice their objections to the City Council, and City Council has an option to remand the matter back to the Planning Commission.

It was noted that the petitioner of the rezoning request was not present at tonight's meeting.

Mr. Vleck said the Commission could be opening up a can of worms and cautioned that careful consideration is given to the reconsideration of the matter.

Mr. Khan believes the Commission should not reconsider the rezoning request. He said the residents had an opportunity to speak at the scheduled Public Hearing.

Mr. Schultz said the rezoning request should not be reconsidered based on the advice given by legal counsel. He said a precedent would be set.

John Dudek of 1071 Winthrop, Troy, was present. Mr. Dudek's property is adjacent to the service station. Mr. Dudek stated the Planning Department was helpful in providing information on the rezoning request and the process to follow if residents are in opposition to a proposed rezoning. Mr. Dudek created his own petition of opposition and collected 28 signatures from residents on August 4, 2004. On August 5, Mr. Dudek submitted to the City Clerk the official protest petition obtained from the City's website and the petition of opposition he created signed by 28 residents. He said the City Clerk's office had no idea how to handle a protest petition, that it was the first time they had ever received one. Mr. Dudek said he gave the Clerk's Office both petitions, which were date stamped. The Clerk's Office inadvertently stapled his created resident petition under the official protest petition. He said the Clerk's Office informed him they would take care of it, but it was never presented to the Planning Commission at their August 10, 2004 Regular Meeting. Mr. Dudek said the 28 people who signed the petition would have been at the Public Hearing to voice their opposition, but they felt the signed petition was an adequate voice. Mr. Dudek said he understood the Commission's beliefs that a reconsideration of the rezoning would set a precedent and a can of worms might be opened, but he feels the circumstances in this matter are very unique. He said the matter was not handled appropriately; nor maliciously – it was an accident. Mr. Dudek said he believes that the rezoning should be reconsidered and he would like to voice his concerns relating to the rezoning. He was unable to attend the Public Hearing because he was out of town. Mr. Dudek said he did everything in his power to voice his concerns, and his voice was never heard because the Planning Commission never saw the petition he developed. Mr. Dudek referenced the proposed PUD previously discussed at tonight's meeting wherein it was stated that it is very important to get neighborhoods involved and voices heard on proposed developments. He said this situation is a clear example that the voices of citizens and neighborhood residents have not been heard.

Mr. Miller confirmed that the proposed rezoning has not gone before the City Council yet, and that there will be a Public Hearing at the September 27, 2004 City Council meeting.

Chair Waller said mix-ups similar to what happened in the City Clerk's office just happen. He cited the three options of City Council: approve the rezoning, deny the rezoning, or remand the matter back to the Planning Commission.

Mr. Miller confirmed that the City Council would be provided a report similar to the one provided to the Planning Commission, along with the recommendation of the Planning Commission and City Management.

Mr. Schultz said he would like to see a communication sent to the City Council advising them that the petitions were not a part of the Planning Commission package, so that City Council will give the matter more weight. Mr. Schultz does not support reconsideration of the entire item at this point. He thinks it would be fair to the residents who signed the petition that a complete disclosure be provided to the City Council why the Planning Commission did not see the petitions relating to the proposed rezoning prior to its review and recommendation.

It was confirmed that notices would be sent to property owners adjacent to the proposed rezoning notifying them of the Public Hearing before the City Council.

Mr. Vleck said the City Council should also be advised of its option to remand the matter back to the Planning Commission.

Mr. Strat stated that the opinion of legal counsel should be incorporated in the City Council report and recommendation.

Mr. Motzny suggested the appropriate motion might be to insure that the correspondence from citizens and the action taken at tonight's meeting is delivered to the City Council.

Resolution # PC-2004-08-099

Moved by: Vleck

Seconded by: Strat

RESOLVED, That the City Council be informed that the petition originally sent to the Planning Commission was inadvertently misplaced and the Planning Commission never received it, and that information was not taken into consideration in the motion; and also that the City Council be informed that one of their options is to remand the item back to the Planning Commission.

Discussion on the motion on the floor.

Mr. Schultz requested that the motion be amended to include the recommendation of legal counsel and that the Planning Commission Bylaws do not afford the Commission the opportunity for a reconsideration other than on the exact night of the action, and based upon that, the Planning Commission asks that the City Council be thoroughly informed of the situation and the recommendation of legal counsel.

All members were in favor.

Vote on the motion as amended.

Yes: All present (8)
No: None
Absent: Wright

MOTION CARRIED

Mr. Dudek asked that the 28 residents who signed the petition be informed as to why the petition was not presented at the August 10, 2004 Regular Planning Commission Meeting.

Chair Waller replied to Mr. Dudek that his request would be taken into consideration, but that he could not provide an answer to his request tonight.

Mr. Dudek said he would stay in contact with Mr. Miller.

8. PUBLIC COMMENTS

There was no one present who wished to speak.

GOOD OF THE ORDER

Chair Waller announced that Jordan Keoleian, former Planning Commission student representative, was present at tonight's meeting.

Mr. Vleck said it would be helpful if petitions contained the date that it was signed by the residents, noting that the resident petition under discussion tonight was not dated.

Mr. Schultz said the situation with the resident petition is unfortunate, and he believes the Planning Commission addressed it in the most appropriate manner by not reconsidering it.

Mr. Strat said the PUD presentation was excellent and commended staff and the City's Planning Consultant for their efforts and involvement.

Chair Waller asked if Mr. Motzny completed the report on the history and goings-on related to development standards.

Mr. Motzny responded that a memorandum was prepared and forwarded to the Planning Department.

Mr. Miller confirmed receipt of the memorandum and said it would be placed on a future agenda.

Mr. Schultz reported on the August 17, 2004 Board of Zoning Appeals (BZA) meeting.

RWT Building LLC, 1309 Boyd

The BZA denied the request for relief of the Ordinance to divide a parcel of land.

Michael Agnetti, 1150 Woodslee

The BZA denied the request for relief of the Ordinance to divide a parcel of land.

Jonathan Sherer, 3015 Crooks

The BZA postponed the request for relief of the Ordinance to construct a new commercial building that would include a drive-up window accessory to a restaurant use.

Mr. Miller reported that the proposed coffee shop with the drive-up window located at the former Shell service station site would be discussed at a future Planning Commission study session.

Mr. Miller reported on the August 23, 2004 City Council Meeting. He said the meeting was adjourned at approximately 10:30 p.m. due to the illness of the Mayor and the lack of a quorum. The meeting was rescheduled for August 30, 2004. The Mayor's condition at this time is unknown.

ADJOURN

The Special/Study Meeting of the Planning Commission was adjourned at 10:35 p.m.

Respectfully submitted,

David T. Waller, Chair

Kathy L. Czarnecki, Recording Secretary

The Chairman, Matthew Kovacs, called the special meeting of the Board of Zoning Appeals to order, at 7:30 P.M. on Tuesday, August 31, 2004, in Council Chambers of the Troy City Hall.

PRESENT: Kenneth Courtney
 Christopher Fejes
 Marcia Gies
 Michael Hutson
 Matthew Kovacs
 Mark Maxwell
 Robert Schultz

ALSO PRESENT: Mark Stimac, Director of Building & Zoning
 Susan Lancaster, Assistant City Attorney
 Pamela Pasternak, Recording Secretary

ITEM #1 – VARIANCE REQUEST. MARC COOKE, 1985 W BIG BEAVER, for relief of the Ordinance to construct an addition to an existing office building, which would result in a 13'-10" setback where 30' is required by Section 30.20.01 of the Zoning Ordinance.

Mr. Stimac explained that the petitioner is requesting relief of the Zoning Ordinance to construct an addition to the existing office building at 1985 W. Big Beaver. The existing building was granted a variance to have a 22' setback to the west property line along Todd Road where 30' is required by Section 30.20.01 of the Zoning Ordinance by the Board of Zoning Appeals on July 28, 1970. The new proposed addition indicates a 13'-10" setback to this property line.

Marc Cooke and Jay Cooke, owners, and Michael Van Loon, Architect, were present. Marc Cooke stated that he and his brother had purchased this building and found that it has many obvious flaws and they are attempting to make improvements, which will make it handicap accessible and bring it up to the present building code. There have been two owners in the life of this building and no improvements have been made. This building is connected to a restaurant and has some below grade office occupancy. Mr. Cooke also said that the building has many impractical features, which include a very small elevator that only serves one floor and has steps up to it that precludes it from being handicap accessible. The building also has very small hallways and also has a restroom on the lower level that is not easily accessible. Mr. Cooke further stated that the improvements they are proposing will bring this building up to the present code and also comply with the handicap requirements. Mr. Cooke also said that they did not believe they could re-work the current stairwell into the new building code.

Mr. Van Loon stated that he believes the present stairway is unsafe and in order to expand the current restrooms, they would require this variance. Mr. Van Loon explained that if they were to expand the stairway to the east, toward Big Beaver, the present tenants would be affected. Expanding to the west would require the

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repositioning of the existing lavatories. By demolishing the stairway and the lower level lavatories, they would be able to construct code accessible bathrooms on all floors.

Mr. Cooke stated that the present stairway is unsafe due to the materials that were used, the height of the tread and the spacing of the spindles. Mr. Cooke also said that presently this building has a 15% common area factor, and if this variance is not granted the common space would be increased to 25% and the lease market would not bear those figures, which would not make this space competitive. Mr. Cooke also said that the elevator cannot fit a wheel chair and if it is rebuilt on the back of the building in the new expansion space, it will create barrier free access to all three floors.

Mr. Van Loon stated that the stairway cannot be brought up to code without major structural modifications to the building.

Mr. Maxwell asked if the entrance would be barrier free. Mr. Van Loon said that the improvements would bring this building up to code. Mr. Maxwell asked what access a person using a wheel chair would have entering the building from Todd Street. Mr. Van Loon said that they would be entering the building on the main floor.

Ms. Gies asked for clarification regarding the parking and handicap access. Mr. Kovacs asked why the variance was required for the side of the building, when in fact the addition was going to be added to the rear of the building. Mr. Van Loon said that this area is not up to code and they plan to bring it up to code. Mr. Kovacs asked how many entrances are required to be barrier free and Mr. Van Loon stated one entrance is required to be barrier free.

Mr. Courtney said that the object of moving the stairway out was because the petitioner indicated that they would be losing space internally, but space would be gained when the stairway was moved in the other location. Mr. Cooke said that the space was going to be replaced with hallway. The overall larger plan is to redesign this entire building but they wish to start with the first floor. Right now the area is laid out for one suite and the new configuration area would expand the common area. Mr. Courtney then said that they were adding more common area in order to break the space down into more suites. Mr. Van Loon said that currently it is a multi-tenant space and basically all they wish to do is to make it handicap accessible. Mr. Van Loon also said that they would end up with almost the same identical rentable area, the main crux of the changes is to bring the building up to a nicer look and bring it up to code.

Mr. Cooke said that the proposed stairway is larger than what is there now. Part of this is on the original building footprint and they wish to go approximately eight feet beyond that. Mr. Cooke also said that they would be enlarging the bathrooms and therefore would be giving some of that space back.

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Mr. Van Loon said that the rungs on the stairway are 10" and according to the code they should be 11". As soon as this is done the stairway will have to be expanded and they will be losing space there. Mr. Courtney said that they will gain space once the elevator is removed. Mr. Van Loon stated that this is a very small elevator and did not feel the amount of space they would gain would be significant. Mr. Cooke said that this extra space would be added to the existing bathroom. Mr. Cooke also said that the hallway is very narrow.

Mr. Jay Cooke said that they had explored other possibilities however, because the building has two front setbacks, it did not make sense to put the entrance in any other locations. Mr. Cooke also said this is a very old building and they are trying to upgrade this structure and if the building was located somewhere else a variance would not be required. Mr. Cooke further pointed out that this would be a much safer building for the City and without the variance makes alterations very difficult. Mr. Marc Cooke said that he feels this addition would make the building very aesthetically pleasing.

Mr. Kovacs asked if an entrance was required on the side of the building. Mr. Stimac stated that the present building code requires at least two exits. One exit has to be at least 1/3 the diagonal of the building away from the other exit. The exits have to be remote in order to meet the code requirements. Mr. Courtney asked if the exit could be placed immediately east of the proposed location. Mr. Van Loon said that the reason it cannot be there because of a large transformer in that location. Mr. Cooke also said that there is a grade difference. Mr. Cooke said that the exit in that location would require a great deal of structural changes. Mr. Van Loon also said that the sewer comes into the building on that side. Mr. Van Loon further stated that it would be very difficult to put the entrance over the underground electrical lines. Mr. Van Loon was concerned that the existing footings would be disturbed and the structural changes required could be extensive and also that the footings could not put over the electrical box.

Mr. Kovacs asked what the building would look like with the proposed stairwell. Mr. Van Loon said that presently it is brick with narrow bands of windows between it and they would make the whole front glass to break up some of the brick. Executive detailing would be put at the top of the building.

Ms. Gies asked if a larger elevator could be put into the building, rather than adding a stairwell. Mr. Van Loon said that they cannot use an elevator as an emergency exit.

Mr. Schultz asked what the side setbacks would be if this building were located in the middle of the block. Mr. Stimac said they would be 20'. Mr. Schultz then confirmed that a variance would still be required. Mr. Stimac explained that in the O-1 Zoning District, a 30' front and 20' side and rear setbacks are required. Mr. Schultz then asked if the building complies with the setback to Big Beaver. Mr. Stimac said that from the drawings it would appear that the building is setback back approximately 50' from Big

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Beaver. Mr. Schultz then asked if a variance was granted for the 13'-10' setback, if it would then apply to the entire building. Ms. Lancaster explained that a variance could be granted with the stipulation that it was for the stairwell only.

Mr. Hutson asked if this stairwell had to be brought up to code if they are making improvements in other parts of the building. Mr. Stimac said that the building code has provisions for existing structures regarding levels of renovations and from talking to the petitioner, Mr. Stimac said that they are planning to make significant changes to the building and he thought that the stairways and exits would have to be brought up to minimum standards. Building code requires two exits out of the building, but only requires one elevator.

Mr. Hutson asked if there would be enough room to make the modifications required to the restrooms and stairways by removing the elevator. Mr. Van Loon stated that the elevator is not large enough to meet the capacity and they need the room to make the bathrooms handicap accessible. The location of the elevator would be taken by the lavatory additions. Mr. Hutson then asked how much larger these bathrooms would have to be and Mr. Van Loon said that he needs at least a 5' turning radius, plus each stall would have to be expanded. Mr. Van Loon also said that they would be pushing the bathrooms out another 5' or 6'. Mr. Hutson asked if they could enlarge these rooms by going farther back into the building. Mr. Van Loon said if they were to do that they would have to move the plumbing, which would be very costly. Mr. Hutson then asked if it would be cheaper with a variance and Mr. Cooke said he thought it would be more expensive if a variance was granted. The bathrooms have to be demolished because they have two steps going into them and they would not be handicap accessible. Mr. Hutson also said that he thought these modifications could be made without a variance, but would be more costly. Mr. Cooke said that they would have to restructure all three floors of the building and they would also lose three windows.

Mr. Hutson said that he was concerned because he does not feel the Ordinance addresses interior modifications to a building, and feels that this request is excessive.

Mr. Courtney said that it appears that if they added to the Big Beaver side a variance would not be required. Mr. Stimac asked what the east – west dimension of the addition was and Mr. Van Loon stated that it was 12'-2". Mr. Stimac then asked if he was correct in assuming an existing 50' front setback to Big Beaver, that the building was more than 12'-2" from the front setback line to the building. Mr. Cooke said that initially they had thought to keep this stairway, but it takes more room than it did when the building was originally constructed. Mr. Courtney then asked why it could not be placed on the Big Beaver side. Mr. Van Loon said that they have to move utilities and it would be cost prohibitive.

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Mr. Van Loon said that this building is built on step footings and he was concerned that the existing footings were not deep enough and was also concerned that due to the age of the building, the existing footings would have to be taken out and new footings put in.

Mr. Jay Cooke stated that he felt the greatest resolution would be to infringe into the setback. This side entrance would be much safer and would be brought up to code.

Mr. Schultz asked if other variances had been granted other than the west side variance that was granted. Mr. Stimac indicated that a parking variance was granted in 2003 for the restaurant, which increased the seating capacity.

Mr. Schultz asked if the proposed addition was going to be a three-story addition and perhaps handicap accessible bathrooms could be added, and they could take out the bathrooms and stairwells that are not in compliance. Mr. Van Loon stated that it would be difficult to place the bathrooms higher up as they would have to cut into the sanitary lines on Big Beaver.

Mr. Jay Cooke stated that they need this consideration as they have explored a number of other options and believe this is the only viable solution. Mr. Kovacs stated that the Board needs to make an informed decision and that is why they are trying to understand the reasoning for not putting the entrance along Big Beaver Road.

Mr. Courtney asked if there was a sewer line along Butterfield. Mr. Stimac said that there was a sewer on Butterfield, but he was not sure if it extended far enough for them to connect to it. Mr. Stimac also said that they would be able to access the sewer on Big Beaver.

Mr. Maxwell asked for clarification regarding the petitioner's statement that without the variance their common area would be increased from 15% to 25% and would be an unbearable burden to pass on the tenants. Mr. Cooke said that if you have 1,000 rentable square feet, you add the square feet of the common area to that and end up with 2400 square feet of rentable area at \$20.00 a square foot. The actual rental rate is now \$24.00 a square foot and that price is not competitive in today's market. Mr. Cooke also stated that some of the suggestions made by the Board would create an economic hardship for them. Mr. Kovacs stated that the Board is concerned about the land and does not look at the economics involved to the petitioner.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There is one (1) written objection on file. There are no written approvals on file.

Mr. Schultz asked if the petitioner would look at any other options, rather than just the one presented to the Board. Mr. Van Loon stated that they have explored all the other

ITEM #1 – con't.

possibilities and was concerned that if they went out to Big Beaver, they would have to channel under the building, which could affect the existing footings. Mr. Van Loon also said that it would be very costly. Mr. Courtney said that if they went out to Big Beaver they would not have to go under the building, but around the building. Mr. Schultz said that the petitioner was already 8' closer than anyone else on Big Beaver and now is asking for an additional 8'-2" and personally does not think that all other options have been explored.

Mr. Courtney asked if the petitioner would be willing to look at the other options and ask for a postponement. Mr. Kovacs said that in his opinion the petitioner had demonstrated the need for this variance and had explored all other possibilities. Mr. Courtney said that he would like more information and would be willing to give the petitioner the opportunity to explore other possibilities. Mr. Kovacs agreed that there were some structural issues that needed to be discussed, however, the decision to ask for a postponement would be up to the petitioner.

Mr. Jay Cooke stated that he felt they had exhausted every other possibility and this was the best solution all the way around. Mr. Cooke also said that they felt if the other options were going to work they would have done that. The petitioner is trying to make the best out of the situation. Mr. Kovacs asked what the petitioner planned to do if they did not receive a variance. Mr. Cooke replied that they did not know, but they could only request what they request and understands the Board's position.

Ms. Gies asked how long they had owned the building. Mr. Cooke stated that they had purchased the building eight (8) months ago and did not realize the scope of work involved at the time they bought the building. They are trying to demonstrate to the Board what can be done with this building. The overall impact of footage is not enormous and thinks this would be an improvement to the area. Ms. Gies said that the buildings along Todd are very consistent in their setbacks, and this addition would stick out. Mr. Cooke said that he did not believe 8'-2" would be a significant change and thanked the Board for coming to the meeting tonight.

Mr. Maxwell said that he agrees with the petitioner that the building is antiquated and is in need of functional updating, but is concerned about the proximity to Todd Street. Mr. Maxwell also said that improving the building is a good thing, but wonders if the improvements could be made without the variance. Mr. Maxwell said that he could see good points, but did have one concern.

Mr. Jay Cooke said that the proposed bump out would be far enough from Big Beaver, and would not be an impediment to any traffic in this area. Mr. Cooke does not believe this 8'-2" would have any negative effect. Mr. Marc Cooke said that there are a number of 40-year old crabapple trees, which completely canopy the building and this bump out would not be visible from either Big Beaver or Todd Street. Mr. Cooke said that

ITEM #1 – con't.

someone allowed this building to be built and they are trying to improve this building by using the least invasive procedure possible.

Motion by Courtney
Supported by Hutson

MOVED, to deny the request of Marc Cooke, 1985 W. Big Beaver for relief of the Ordinance to construct an addition to an existing office building, which would result in a 13'-10" setback where 30' is required by Section 30.20.01 of the Zoning Ordinance.

- Petitioner has not demonstrated any practical difficulty.
- Variance would be contrary to public interest.
- Board believes there are other alternatives available to the petitioner, which will allow renovations without a variance.
- Variance would be primarily for financial reasons.

Yeas: 4 – Fejes, Hutson, Schultz, Courtney
Nays: 3 – Gies, Kovacs, Maxwell

MOTION TO DENY VARIANCE CARRIED

Mr. Schultz stated that he is not in favor of this motion, but does not believe the petitioner has exhausted every possible avenue without extending beyond the variance they already have.

Mr. Kovacs said that he is concerned about the public safety and welfare regarding the existing bathrooms, and is afraid that without the variance they will not be brought up to code. Mr. Courtney stated that they could bring the bathrooms up to code by removing the elevator and using space inside the building.

Mr. Hutson stated that he felt that the petitioner did not explain fully why the space requested is required. Mr. Hutson said that he would have liked more information on the dimensions of the physical lot and the bathrooms and stairways.

Mr. Maxwell stated that he felt that conformance to the Ordinance would be unnecessarily burdensome to the petitioner.

OLD BUSINESS

Mr. Stimac stated that at the meeting of August 17, 2004 he had stated that the Board of Zoning Appeals did not have an automatic time limit that applied to a variance granted by the Board. Section 43.85.00 of the Zoning Ordinance states that one of the conditions of approval is that construction must begin within a twelve-month period. Mr. Hutson said that he had received a variance a number of years ago which stipulated the

twelve-month time period. Mr. Stimac explained that when the petitioner receives a “results” letter from the Building Department, it is stipulated that the variance will become void if a Building Permit is not obtained within the twelve-month period.

Mr. Maxwell asked about the property on Big Beaver and Crooks and asked if he could receive information from one of the traffic engineers as he is concerned about what impact a drive-thru lane would have at that location. Mr. Stimac stated that they are moving forward to having this item presented to the Planning Commission, and as part of their review, they will have a report from the traffic engineer. Mr. Stimac also said that they would make this report available to Board members. Mr. Maxwell said that he feels this report would be necessary to make a good decision.

Mr. Hutson stated that he had noticed that there are barriers in place at the east entrance of the property. Mr. Stimac said that he was not aware of the barriers but would check into it for the Board.

Mr. Courtney asked where the one-acre stipulation came from. Mr. Stimac stated that it was determined that one-acre would be required for a restaurant with a drive thru, which would also accommodate inside dining. The examples that they had looked at, which were of the nature of McDonald’s and Burger King, etc., have a seating capacity of 50-75 customers. It was determined at that time that at least one-acre would be required to accommodate restaurants of that size.

The Board of Zoning Appeals meeting adjourned at 8:42 P.M.

Matthew Kovacs, Chairman

Pamela Pasternak

Pamela Pasternak, Recording Secretary

The Chairman, Ted Dziurman, called the meeting of the Building Code Board of Appeals meeting to order at 8:30 A.M., on Wednesday, September 1, 2004, in the Lower Level Conference Room of the Troy City Hall.

PRESENT: Ted Dziurman
Richard Kessler
William Nelson
Tim Richnak
Frank Zuazo

ALSO PRESENT: Mark Stimac, Director of Building & Zoning
Ginny Norvell, Housing & Zoning Inspector Supervisor
Pamela Pasternak, Recording Secretary

ITEM #1 – APPROVAL OF MINUTES – MEETING OF AUGUST 4, 2004

Motion by Kessler
Supported by Zuazo

MOVED, to approve the minutes of the meeting of August 4, 2004 as written.

Yeas: All – 5

MOTION TO APPROVE MINUTES AS WRITTEN CARRIED

ITEM #2 – VARIANCE REQUESTED. PATRICK SIEBER, OF ALLIED SIGNS, 846 E. BIG BEAVER, for relief of the Sign Ordinance to install a second wall sign, 66 square feet in size.

The Chairman indicated that the Building Department had received a letter from the petitioner asking that this item be withdrawn. No further action taken by the Board.

ITEM #3 – VARIANCE REQUESTED. SUE SPROOSE, KASPER ENTERPRISES, 755 W. BIG BEAVER, for relief of the Sign Ordinance to install a 25 square foot tenant identification wall sign on the fifth floor of the building, where Section 9.02.03 of the Sign Ordinance limits tenant wall signs to 20 square feet and requires that they be located on the ground floor, on the face of the area occupied by the tenant.

Mr. Stimac explained that the petitioner is requesting relief of the Sign Ordinance to replace an existing 18 square foot wall sign with a 25 square foot wall sign. Section 9.02.03, D of the Ordinance permits a 20 square foot tenant identification sign, located on the ground floor, on the face of the area occupied by the tenant. The original sign was installed on the second floor pursuant to a variance granted by this Board in June of 2002. The proposed new sign exceeds the size permitted, is located above the ground floor, and is not on an area occupied by the tenant.

ITEM #3 – con't.

Ms. Linda Palmer of Solomon Friedman Advertising, Ms. Deborah Farrah of Franklin Bank, and Mr. John Venglaris of Harmon Signs were present. Ms. Palmer stated that Franklin Bank has undergone a global change and they would like to make the sign larger to improve visibility along Big Beaver. The large trees along Big Beaver make the sign difficult to see, and placing the sign higher on the building would also increase visibility.

Mr. Dziurman asked if they thought it would be an improvement to put up the same size sign higher on the building. Ms. Palmer stated that they still felt it would be advantageous to make the sign larger. Mr. Venglaris stated that if the sign were to remain the same size the letters would be less visible.

Mr. Dziurman stated that he thought that Franklin Bank had just been purchased and wondered if the name was going to change. Ms. Farrah stated that they have merged, however, the name will remain the same and the new logo is red, white and black. Franklin Bank will remain a separate entity.

Mr. Dziurman asked if there were other signs on this building. Ms. Norvell stated that Sidney Krاندall has two signs, Ruth Chris Steakhouse has a 100 square foot sign and Central Michigan University has a 140 square foot sign.

The Chairman 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. Dziurman clarified that basically the petitioner was requesting two (2) variances: one for the size of the sign and the other for the placement of the sign.

Mr. Stimac explained that in the previous appeal it was determined that the best placement for the sign was on the corner of the building because there is a pod that contains the mechanical equipment and also because the front of the building has a glass curtain wall.

Mr. Richnak asked if the current sign was on the ground floor. Mr. Stimac stated that presently it is on the second floor due to a previous variance.

Motion by Nelson
Supported by Kessler

ITEM #3 – con't.

MOVED, to grant Sue Sproose, Kasper Enterprises, 755 W. Big Beaver, relief of the Sign Ordinance to install a 25 square foot tenant identification wall sign on the fifth floor of the building, where Section 9.02.03 of the Sign Ordinance limits tenant wall signs to 20 square feet and requires that they be located on the ground floor, on the face of the area occupied by the tenant.

- Variance would not be contrary to public interest.
- Variance would not have an adverse effect to surrounding property.

Yeas: All – 5

MOTION TO GRANT VARIANCE CARRIED

ITEM #4 – VARIANCE REQUESTED. SIGNGRAPHIX, INC., 4550 INVESTMENT DRIVE, for relief of the Sign Ordinance to install two wall signs, 31 square feet in size (UnaSource Surgery Center) and 39 square feet in size (UnaSource Health) at 4550 Investment Drive.

No One was present to represent the item.
Motion by Kessler
Supported by Richnak

MOVED, to postpone the request of Signgraphix, Inc., 4550 Investment Drive, for relief of the Sign Ordinance to install two wall signs, 31 square feet in size (UnaSource Surgery Center) and 39 square feet in size (UnaSource Health) until the next meeting of October 6, 2004.

- To allow the petitioner the opportunity to be present.

Yeas: All – 5

MOTION TO POSTPONE REQUEST UNTIL OCTOBER 6, 2004 CARRIED

The Building Code Board of Appeals meeting adjourned at 8:40 A.M.

Ted Dziurman, Chairman



Pamela Pasternak, Recording Secretary

A regular meeting of the Animal Control Appeal Board was scheduled to be held on Wednesday, September 1, 2004 at 7:30 p.m. in Conference Room C of Troy City Hall, 500 West Big Beaver Road.

ROLL CALL:

PRESENT: Jayne Saeger, Chairperson
Al Petrulis, Vice Chairperson
Sergeant Michael Szuminski
ACO Greg Latka
Lori Grigg-Bluhm, City Attorney
Pat Gladysz

ABSENT: Harriet Barnard
Kathleen Melchert
V. James Viola, Secretary

There were not enough Committee members present to form a quorum and hold a meeting.

The next meeting is scheduled for Tuesday, September 21, 2004 at 7:30 p.m. in Conference Room C.

Jayne Saeger, Chairperson

Patricia A. Gladysz, Clerk-Typist

Advisory Committee for Senior Citizens

A Regular meeting of the Advisory Committee for Senior Citizens was held on Thursday, September 2 2004 at the Troy Community Center. Vice-Chair Bill Weisgerber called the meeting to order at 10 AM and announced that Chair JoAnn Thompson is recuperating after heart surgery.

Present: Bill Weisgerber, Vice-Chair David Ogg, Member
Bud Black, Member Jo Rhoads – Member
Merrill Dixon, Member Carla Vaughan, Staff
Marie Hoag, Member

Absent: JoAnn Thompson, Excused
Pauline Noce, Member

Visitors: Mary Beth Halushka, Troy School Board
Jim Blundo, 41st House District candidate

Approval of Minutes

Resolution # SC-2004-9-001
Moved by Jo Rhoads
Seconded by Marie Hoag

RESOLVED, That the Minutes of June 3, 2004 be approved as submitted.

Yes: 6
No: 0

MOTION CARRIED

Visitor Comments

Mary Beth Halushka thanked the committee for their support of the bond issue and announced the upcoming October 2 fundraising walk for the Troy Foundation for Educational Excellence.

Jim Blundo introduced himself as a candidate for the 41st House district.

Old Business

Troy Daze: Bill applied for the Committee and has a classic car for the parade. Carla is still recruiting volunteers for the Parks and Recreation Senior Program float. The Advisory Committee will have a table at Senior Sensation Day which Merrill will man.

New Business

November Meeting: Bill announced that the November meeting is the same day as the health expo. The committee must meet in a different room, meet on another date (one week later?) or cancel for the month.

Resolution # SC-2004-9-002

Moved by David Ogg

Seconded by Jo Rhoads

RESOLVED, That the committee meet on November 4 in a different room.

Yes: 6

No: 0

MOTION CARRIED

Troy Senior Council: Carla reported that she has discussed with JoAnn Stein whether or not the **Troy Senior Week Committee** would be a better name for the Troy Senior Council as it more accurately reflects what they do. JoAnn will discuss the name change with her board at their next meeting.

Reports

Park Board: Merrill Dixon reported that the Park Board has not met since June. The dedication of the new golf course was held in July. The next Park Board meeting will be on September 9 at 7:30 p.m. at the Community Center. Bill asked if Merrill had anything on the senior budget yet from Carol. Merrill will follow up on that.

Medi-Go: Jo Rhoads reported that Medi-Go has a new van and has a staff of 11. She met a rider recently who told her that Medi-Go is “a Godsend.”

Lunch Attendance: There were 1081 meals served on 20 days in May. The average donation was \$1.81. There were 1124 meals served on 22 days in June. The average donation was \$1.82.

Senior Program Report: Carla distributed copies of the annual report for FY 03/04 to be discussed at the next meeting. David Ogg asked about newsletter distribution since a fee was initiated. Carla reported that the number mailed dropped from 3000 to 525 the first month. But there are 128 on the new e-mailing list, and 750 people picked up a copy at the Community Center. Since July, the number of newsletters mailed has increased from 525 to 650.

OLHSA: Jo Rhoads reported that they discussed seniors who are responsible for their grandchildren and where they can go for help. They also discussed identity theft, how susceptible people are to it, and how to prevent it. It was suggested that another speaker on the subject be scheduled at the Community Center.

Suggestion Box: There was one suggestion requesting an outdoor shuffleboard court. Carla will investigate and Bill will then respond to the requestor.

Task Force: David Ogg reported that the task force is done and has filed their last report with City Council.

Member Comments

Bill gave a copy of the Committee's bylaws to new member Bud Black and commented that he thinks the Troy Daze schedule should come out sooner.

The meeting was adjourned at 11:35 a.m.

Respectfully submitted,

Bill Weisgerber, Vice-Chair

Carla Vaughan, Secretary

RESOLVED, That the Agenda be approved.

Yes: 4—Gregory, Griffen, Wheeler, Zembrzuski

No: 0

MOTION CARRIED

POSTPONED ITEMS - None

REGULAR BUSINESS

The agreement with the Oakland County Genealogical Society (OCGS) dated June 3, 1985 was discussed. Because this collection is a research collection, that the use of the collection for research is very low, that Library staff do not have the skills necessary to work effectively with the collection, that the Library subscribes to two online databases which are resources for genealogy and they get frequent use by patrons, that these databases are supplemented by basic genealogy print reference materials, and because the Library needs the space currently used by the OCGS's collection to be able to expand our Teen Resource Center, our International Language Collection and our Audio-Visual Collection, the Library Advisory Board unanimously decided that the Library should move forward in terminating the agreement with the OCGS.

Further, the Board discussed the desire of the Oakland County Library to house the OCGS collection. They have space and staff that could assist in the use of the collection, and offers a more central location in the County.

REPORTS & COMMUNICATIONS

Director's Report.

The Library received one bid within the budgeted amount for the HVAC replacement for the old part of the building. The project will probably get underway in January 2005 and at that time the Friends Bookstore will need to vacate that space temporarily. We are currently coming up with options that will allow the Bookstore to continue to be open all or part of the expected six-month project.

City Council approved increases to the top end of our part-time wage ranges.

The Summer Reading Clubs for children, teens and adults were all successful again this year with increases in the number of participants and attendance at related programs.

We completed gathering information concerning Outreach Services from other libraries and found that our current offerings of Outreach Services were in line with others. We will be developing a brochure to send to about 120 people served by the Meals On Wheels Program to see if some of those individuals would be interested in our services.

We will begin circulating materials directly from the Adult Services Tech Area Desk beginning September 25, 2004. This is being done to relieve congestion in the Lobby around the main Circulation Desk as well as a convenience for patrons.

We will be proposing to the Friends of the Library that some of the funds they generate be put aside and designated to help when there is a future expansion or a new building for the library.

We are applying for the State Librarian's Award of Excellence with a focus on the services we have developed and provide for our growing diverse population.

Board Member comments.

Zembrzuski asked if a child could have his own library card. Yes.

Zembrzuski had suggested that we have two student representatives to the Library Board, and now we do.

Griffen asked about the resolution to the jewelry sale incident. The issue has been resolved and Policy has been clarified for future exhibitors. The Policy will be distributed at the next meeting.

Wheeler asked about what happens to materials donated by groups when the items are eventually withdrawn from the collection, and if the donating group could have those items. Gregory suggested that a statement explaining the donation program be given to each donor for information and clarification.

Zembrzuski asked whether we should consider stand-up computers for out of town people to quickly check their email. We rarely experience people having to wait to use a computer, and when they do it is only for a few minutes.

Andreoff commented that it would be good not to develop a sheet music collection as maintaining it would be very difficult and expensive. She also commented that having Microsoft Word on every computer was a very good thing for students.

Chen commented that the Web Page could be reorganized for better functionality.

SLC Report – No report

Friends of the Library – No report

Gifts.

Six gifts totaling \$400.00 were received.

Informational Items.

MLA (July/August)

September TPL Calendar

Contacts and Correspondence.

32 written comments from the public were reviewed.

Public Participation. There was no public participation.

The Library Board meeting adjourned at 8:45 P.M.

Brian Griffen
Chair

Brian Stoutenburg
Recording Secretary

A regular meeting of the Liquor Advisory Committee was held on Monday, September 13, 2004 in the Lower Level Conference Room of Troy City Hall, 500 West Big Beaver Road. Chairman Max K. Ehlert called the meeting to order at 7:00 p.m.

ROLL CALL:

PRESENT: Max K. Ehlert, Chairman
Henry W. Allemon
Alex Bennett
James R. Peard
Emily Polet, Student Representative
Carolyn Glosby, Assistant City Attorney
Sergeant Thomas J. Gordon
Pat Gladysz

ABSENT: Anita Elenbaum
W. Stan Godlewski
James C. Moseley

Resolution to Excuse Committee Members Elenbaum, Godlewski, and Moseley

Resolution #LC2004-09-119

Moved by Allemon

Seconded by Ehlert

RESOLVED, that the absence of Committee members Elenbaum, Godlewski, and Moseley at the Liquor Advisory Committee meeting of September 13, 2004 BE EXCUSED.

Yes: 4
No: 0
Absent: Elenbaum, Godlewski, and Moseley

Resolution to Approve Minutes of August 9, 2004 Meeting

Resolution #LC2004-09-120

Moved by Peard

Seconded by Allemon

RESOLVED, that the Minutes of the August 9, 2004 meeting of the Liquor Advisory Committee be approved.

Yes: 4
No: 0

Absent: Elenbaum, Godlewski, and Moseley

Agenda Items:

1. **MAYUR INDIAN CUISINE, INC.**, requests to **transfer ownership** of 2003 Class C licensed business, located in escrow at 770 N. Lapeer, Lake Orion, MI 48362, Orion Township, Oakland County, from Boathouse Billiards, Inc.; and **transfer location** (governmental unit MCL 436.1531(1)) to 5113 Rochester Rd., Troy, MI 48085, Oakland County; and also requests to cancel dance permit. [MLCC REQ ID# 262973]

Present to answer questions from the Committee were Venkat Sunkara and Vijay Kambhampati.

This Indian restaurant opened in March of 2004. Currently, they have 98 seats but plan to reduce that number to approximately 90 in an effort to provide a more elegant atmosphere. The restaurant is approximately 3,000 square feet, with 1,800 square feet of general dining space. They do not plan to have a bar area with seats but will serve alcoholic beverages from a service bar that will be installed near the buffet tables. The two owners and their husbands are the basis of the staff. They all passed the TAMS program training. Their hours of operation are 11:30 to 3:30 for the lunch buffet and 5:30 to 9:30 (10:00 on Friday and Saturday) for dinner. Carry-out items are available.

According to Sergeant Gordon, the only outstanding issue is a final inspection by the Oakland County Health Department.

Resolution #LC2004-09-121
Moved by Allemon
Seconded by Peard

RESOLVED, that MAYUR INDIAN CUISINE, INC., be allowed to transfer ownership of 2003 Class C licensed business, located in escrow at 770 N. Lapeer, Lake Orion, MI 48362, Orion Township, Oakland County, from Boathouse Billiards, Inc.; and transfer location (governmental unit MCL 436.1531(1)) to 5113 Rochester Rd., Troy, MI 48085, Oakland County; and to cancel dance permit.

Yes: 4
No: 0
Absent: Elenbaum, Godlewski, and Moseley

-
2. **ALDI INC. (MICHIGAN)**, requests a **new SDM license**, located at 2967 E. Big Beaver Rd., Troy, MI 48084, Oakland County. [MLCC REQ ID# 268630] *New grocery store*

Present to answer questions from the Committee was Dean Pearson, district manager.

Aldi is a limited-selection grocery store chain with headquarters in Webberville, Michigan. They have several stores in the metro Detroit area, all of which sell beer and wine. The stores accept cash, debit cards, and food stamps, but do not accept manufacturer's coupons. They carry a limited variety of fresh, frozen, produce, and bakery goods. The store is approximately 18,550 square feet and is open 9:00 a.m. to 7:00 p.m. Monday through Saturday. There is a store manager, assistant store manager, and at least two cashiers employed at this location. All employees are trained in alcohol sales with a program that is used nationwide. The cash registers require that the birth date of the buyer be entered prior to a sale of alcohol.

Resolution #LC2004-09-122

Moved by Allemon

Seconded by Bennett

RESOLVED, that ALDI INC. (MICHIGAN) be granted a new SDM license, located at 2967 E. Big Beaver Rd., Troy, MI 48084, Oakland County. [MLCC REQ ID# 268630]

Yes: 4

No: 0

Absent: Elenbaum, Godlewski, and Moseley

Sergeant Gordon provided the following update regarding Informational Items on the Agenda:

1. **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] *Building inspections in process*

The application has been received and is being processed.
No action will be required by this Committee.

2. **HOLLYWOOD SUPER MARKET, INC.**, requests to transfer stock interest in 2003 SDD & SDM licensed corporation with Direst Connections – 1, and four various locations wherein stockholder, William D. Welch transferred 37 shares of stock each to existing stockholders Kelly L. Blett, Kimberly Welch Harlan, and William M. Welch, on July 1, 2003. (Step 2) [MLCC REQ ID#258022] *Does not require any action by the Committee or Council*

The application has been approved.

No action will be required by this Committee.

3. **DT MANAGEMENT, INC. (AN ARIZONA CORPORATION)**, requests to **drop** FCH/DT Holdings, L.P. (A Delaware Limited Partnership) and FCH/DT Leasing, L.L.C. (A Delaware Limited Liability Company) as co-licensees and requests to **add** Felcor/JPM Troy Hotel, L.L.C. (A Delaware Limited Liability Company) and DJONT/JPM Troy Leasing, L.L.C. (A Delaware Limited Liability Company) as co-licensees in a 2004 B-Hotel licensed business with dance permit, official permit (food), outdoor service (1 area), 1 direct connection, 3 bars, and 251 rooms, located at 850 Tower Dr., Troy, MI 48098, Oakland County. [MLCC REQ ID# 260602] *Change in partnership at Embassy Suites Hotel; waiting for inspections*

Since this is a change in investors and will require a City Council Resolution, the Committee will need to act on this Item.

The meeting adjourned at 7:25 p.m.

Max K. Ehlert, Chairman

Patricia A. Gladysz, Office Assistant II

CITY OF TROY
MONTHLY FINANCIAL REPORT
31-Aug-04

CITY OF TROY
Monthly Financial Report
General Fund
For the Period Ending August 31, 2004

CITY OF TROY GENERAL FUND

Description	Last Year Actual	2004-05 Budget	Current Month	Year To Date	%
GENERAL FUND REVENUES					
TAXES	30,973,349	31,996,690	167-	32,189,941	100.60
BUSINESS LICENSES & PERMITS	39,557	37,000	1,651	3,482	9.41
NON-BUS. LICENSES & PERMITS	1,610,428	1,480,000	135,531	298,207	20.15
FEDERAL GRANTS	100,354	22,000	0	0	.00
STATE AGENCIES	7,295,363	6,645,000	2,505	2,505	.04
CONTRIBUTIONS-LOCAL	162,365	135,000	118,287	2,250	1.67
CHARGES FOR SERVICES - FEES	1,209,542	1,156,600	98,576	45,015	3.89
CHARGES FOR SERVICES - REND.	1,600,633	1,677,500	105,733	117,276	6.99
CHARGES FOR SERVICES - SALES	305,582	147,000	3,708	6,496	4.42
CHARGES FOR SERVICES - REC	2,857,298	2,742,500	287,173	389,516	14.20
FINES & FORFEITS	960,250	975,000	55,548	63,324	6.49
INTEREST AND RENTS	865,998	954,000	47,559	95,928	10.06
OTHER REVENUE	439,460	450,110	1,536	7,518	1.67
OTHER FINANCING SOURCES	9,434,778	10,654,450	0	0	.00
TOTAL GENERAL FUND REVENUE	57,854,957	59,072,850	857,640	33,221,458	56.24
EXPENDITURES					
LEGISLATIVE	1,926,046	2,025,620	142,462	269,058	13.28
FINANCE	4,331,477	4,840,690	333,810	635,200	13.12
OTHER GEN GOVERNMENT	2,471,227	2,619,120	147,180	257,561	9.83
POLICE	20,543,113	22,059,220	1,403,351	2,952,532	13.38
FIRE	3,732,506	3,899,000	177,686	341,340	8.75
BUILDING INSPECTION	1,926,514	2,075,770	144,881	296,020	14.26
STREETS	4,678,297	5,412,320	341,465	631,533	11.67
ENGINEERING	2,766,755	3,013,880	197,906	408,323	13.55
RECREATION	7,797,872	8,208,820	605,220	1,388,673	16.92
LIBRARY	4,547,589	4,908,410	244,855	520,039	10.59
TRANSFERS OUT	678,000	10,000	0	0	.00
TOTAL GEN FUND EXPENDITURES	55,399,396	59,072,850	3,738,816	7,700,279	13.04

CITY OF TROY
 Monthly Financial Report
 Refuse Fund
 For the Period Ending August 31, 2004

REFUSE FUND

Description	Last Year Actual	2004-05 Budget	Current Month	Year To Date	%
REVENUES					
TAXES	3,886,715	3,967,000	0	4,057,657	102.29
CHARGES FOR SERVICES - REND.	152,700	0	0	0	.00
CHARGES FOR SERVICES - SALES	1,348	1,000	134	248	24.80
INTEREST AND RENTS	38,942	40,000	4,687	5,723	14.31
OTHER FINANCING SOURCES	455,230	451,180	0	0	.00
TOTAL REVENUE	4,534,935	4,459,180	4,821	4,063,628	91.13
EXPENDITURES					
CONTRACTORS SERVICE	4,300,686	4,280,000	426,642	458,692	10.72
OTHER REFUSE EXPENSE	34,903	51,180	0	0	.00
RECYCLING	96,612	128,000	9,425	19,004	14.85
TOTAL EXPENDITURES	4,432,201	4,459,180	436,067	477,696	10.71

CITY OF TROY
 Monthly Financial Report
 Capital Fund
 For the Period Ending August 31, 2004

CAPITAL FUND

Description	Last Year Actual	2004-05 Budget	Current Month	Year To Date	%
REVENUES					
TAXES	7,586,118	8,938,000	0	9,141,951	102.28
FEDERAL GRANTS	1,872	0	863	863	.00
STATE AGENCIES	2,265,738	4,267,750	0	0	.00
CHARGES FOR SERVICES - REND.	1,611,639	140,000	9,181	10,548	7.53
INTEREST AND RENTS	339,025	325,000	31,624	51,739	15.92
OTHER REVENUE	680,280	0	50	290	.00
OTHER FINANCING SOURCES	14,608,910	14,738,780	0	0	.00
TOTAL REVENUE	27,093,582	28,409,530	41,718	9,205,391	32.40
EXPENDITURES					
FINANCE	9,827	55,000	0	0	.00
OTHER GEN GOVERNMENT	4,830,407	3,714,000	8,358	353,696	9.52
POLICE	184,126	487,120	1,725	13,671	2.81
FIRE	50,298	447,500	999	1,415	.32
BUILDING INSPECTION	56,212	20,000	153	1,103	5.52
STREETS	9,396,123	17,132,000	945,779	959,480	5.60
ENGINEERING	21,604	17,000	0	0	.00
RECREATION	2,403,981	3,971,000	140,089	159,374	4.01
LIBRARY	213,622	0	0	0	.00
MUSEUM	1,460,743	247,000	23,705	24,481	9.91
STORM DRAINS & RET PONDS	644,502	1,512,890	41,722	49,647	3.28
INFORMATION TECHNOLOGY	93,214	806,020	0	0	.00
TOTAL EXPENDITURES	19,364,659	28,409,530	1,162,530	1,562,867	5.50

CITY OF TROY
 Monthly Financial Report
 Sanctuary Lake Golf Course
 For the Period Ending August 31, 2004

SANCTUARY LK GOLF COURSE FUND

Description	Last Year Actual	2004-05 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - SALES	2,164	50,000	4,728	7,609	15.22
CHARGES FOR SERVICES - REC	78,976	1,675,400	175,468	250,937	14.98
INTEREST AND RENTS	79	61,000	83	103	.17
OTHER REVENUE	51	0	15-	3-	.00
OTHER FINANCING SOURCES	0	0	0	0	.00
TOTAL REVENUE	81,270	1,786,400	180,264	258,646	14.48
EXPENDITURES					
SANCTUARY LAKE GREENS	2,501	752,160	206,784	206,235	27.42
SANCTUARY LAKE PRO SHOP	44,575	876,260	43,386	59,623	6.80
SANCTUARY LAKE CAPITAL	0	88,500	0	0	.00
TOTAL EXPENDITURES	47,076	1,716,920	250,170	265,858	15.48

CITY OF TROY
 Monthly Financial Report
 Golf Course
 For the Period Ending August 31, 2004

SYLVAN GLEN GOLF COURSE FUND

Description	Last Year Actual	2004-05 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - SALES	44,907	50,000	6,118	10,574	21.15
CHARGES FOR SERVICES - REC	1,102,938	1,214,410	182,263	366,429	30.17
INTEREST AND RENTS	117,318	85,000	8,229	16,150	19.00
OTHER REVENUE	292	0	64	180	.00
OTHER FINANCING SOURCES	11,530	185,520	0	0	.00
TOTAL REVENUE	1,276,985	1,534,930	196,546	392,973	25.60
EXPENDITURES					
SYLVAN GLEN GREENS	822,466	899,600	70,473	131,726	14.64
SYLVAN GLEN PRO SHOP	364,887	316,330	29,148	52,707	16.66
SYLVAN GLEN CAPITAL	396,990	319,000	0	4,830	1.51
TOTAL EXPENDITURES	1,584,343	1,534,930	99,621	189,263	12.33

CITY OF TROY
 Monthly Financial Report
 Aquatic Center
 For the Period Ending August 31, 2004

AQUATIC CENTER FUND

Description	Last Year Actual	2004-05 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - REC	344,233	420,000	46,523	124,854	29.73
INTEREST AND RENTS	26,053	28,300	3,892	8,508	30.06
OTHER REVENUE	30-	0	25-	40-	.00
TOTAL REVENUE	370,256	448,300	50,390	133,322	29.74
EXPENDITURES					
AQUATIC CENTER	541,886	595,460	80,594	165,928	27.87
CAPITAL	17,399	50,000	0	0	.00
TOTAL EXPENDITURES	559,285	645,460	80,594	165,928	25.71

CITY OF TROY
Monthly Financial Report
Sewer Fund
For the Period Ending August 31, 2004

SEWER FUND

Description	Last Year Actual	2004-05 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - FEES	202,124	200,000	24,449	50,705	25.35
CHARGES FOR SERVICES - REND	9,710,263	9,870,000	824,194	672,514-	6.81
INTEREST AND RENTS	208,707	210,000	18,248	28,524	13.58
OTHER REVENUE	0	0	0	0	.00
TOTAL REVENUE	10,121,094	10,280,000	866,891	593,285-	5.77
EXPENDITURES					
ADMINISTRATION	8,640,930	8,324,640	779,973	933,262	11.21
MAINTENANCE	1,527,109	1,484,540	60,290	132,986	8.96
CAPITAL	507,522	2,294,600	0	0	.00
TOTAL EXPENDITURES	10,675,561	12,103,780	840,263	1,066,248	8.81

CITY OF TROY
 Monthly Financial Report
 Water Fund
 For the Period Ending August 31, 2004

WATER FUND

Description	Last Year Actual	2004-05 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - FEES	1,068,683	850,000	97,675	162,125	19.07
CHARGES FOR SERVICES - SALES	9,811,779	12,301,000	1,037,546	515,752-	4.19
INTEREST AND RENTS	314,356	296,000	14,145	19,801	6.69
OTHER REVENUE	0	0	0	0	.00
TOTAL REVENUE	11,194,818	13,447,000	1,149,366	333,826-	2.48
EXPENDITURES					
ADMINISTRATION	8,783,787	11,083,430	152,954	308,329	2.78
TRANS AND DISTRIBUTION	210,016	206,340	6,628	9,525	4.62
CUSTOMER INSTALLATION	32,750	108,570	4,428	10,313	9.50
CONTRACTORS SERVICE	172,722	210,650	18,606	34,774	16.51
MAIN TESTING	69,635	196,130	3,653	7,795	3.97
MAINTENANCE OF MAINS	298,021	354,570	27,436	74,818	21.10
MAINTENANCE OF SERVICES	203,269	201,510	11,474	24,375	12.10
MAINTENANCE OF METERS	231,710	220,410	14,813	28,314	12.85
MAINTENANCE OF HYDRANTS	250,020	339,420	10,306	25,114	7.40
METERS AND TAP-INS	263,186	339,560	26,285	43,577	12.83
WATER METER READING	79,236	86,630	13,497	30,156	34.81
ACCOUNTING AND COLLECTING	53,133	54,030	9,202	23,235	43.00
CAPITAL	2,042,382	5,534,400	179,859	183,635	3.32
TOTAL EXPENDITURES	12,689,867	18,935,650	479,141	803,960	4.25

CITY OF TROY
 Monthly Financial Report
 Motor Pool
 For the Period Ending August 31, 2004

MOTOR POOL FUND

Description	Last Year Actual	2004-05 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - REND	0	5,000	0	0	.00
INTEREST AND RENTS	3,537,634	3,635,000	318,700	739,471	20.34
OTHER REVENUE	330,513	142,800	18,709	30,516	21.37
OTHER FINANCING SOURCES	1,422,810	1,573,410	0	0	.00
TOTAL REVENUE	5,290,957	5,356,210	337,409	769,987	14.38
EXPENDITURES					
ADMINISTRATION	468,897	519,080	28,869	61,606	11.87
OPERATION AND MAINTENANCE	2,874,935	3,095,630	202,496	412,519	13.33
DPW FACILITY MAINTENANCE	318,617	365,200	9,586	14,647	4.01
CAPITAL	630,232	1,376,300	0	0	.00
TOTAL EXPENDITURES	4,292,681	5,356,210	240,951	488,772	9.13

Fund	Mat Yr.	Mat Mo.	Mat Day	Type	Loc	Pur Yr.	Pur Mo.	Pur Day	Rate	Name	Face	Accrue 6/30	Book
112	2004	9	2	9	ML	2004	6	10	1.230	TBILL	2,176,000	1,395.36	2,169,831.04
	2004	9	2	7	MW GTY	2004	7	22	1.500	CD	1,027,532		1,027,532.21
	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	3	7	FLAGSTAR	2004	7	23	1.580	CD	2,022,612		2,022,612.39
	2004	9	9	9	ML	2004	6	18	1.180	TBILL	2,517,000	899.83	2,510,210.39
	2004	9	10	7	FLAGSTAR	2004	5	28	1.440	CD	2,030,598	2,680.26	2,030,597.93
	2004	9	15	7	FLAGSTAR	2004	7	30	1.620	CD	2,024,195		2,024,195.28
	2004	9	16	9	ML	2004	7	2	1.160	TBILL	3,684,000		3,675,056.07
	2004	9	17	7	REPUBLIC	2004	6	4	1.300	CD	2,018,426	1,749.12	2,018,425.52
	2004	9	17	7	MW GTY	2004	6	11	1.500	CD	1,010,835	800.09	1,010,834.55
	2004	9	23	9	ML	2004	7	15	1.200	TBILL	2,102,000		2,097,156.64
	2004	9	24	7	HUNT BANK	2004	6	11	1.450	CD	2,000,000	1,530.45	2,000,000.00
	2004	9	30	9	ML	2004	7	21	1.230	TBILL	2,972,000		2,965,007.54
	2004	10	1	7	HUNT BANK	2004	6	11	1.450	CD	2,030,384	1,553.63	2,030,383.66
	2004	10	1	7	FLAGSTAR	2004	7	2	1.750	CD	2,020,950		2,020,950.47
	2004	10	7	9	ML	2004	7	29	1.000	TBILL	2,501,000		2,494,532.14
	2004	10	8	7	FLAGSTAR	2004	7	9	1.730	CD	2,021,940		2,021,940.22
	2004	10	8	7	FLAGSTAR	2004	7	16	1.630	CD	3,029,710		3,029,709.81
	2004	10	14	9	ML	2004	8	5	1.340	TBILL	2,242,000		2,236,245.53
	2004	10	15	7	FLAGSTAR	2004	8	6	1.750	CD	3,055,539		3,055,538.74
	2004	10	21	9	ML	2004	8	12	1.410	TBILL	2,010,000		2,004,567.42
	2004	10	22	7	FLAGSTAR	2004	8	13	1.770	CD	2,058,476		2,058,476.35
	2004	10	25	7	STAND FED	2004	7	26	1.200	MM/CD	4,695,345		4,695,344.52
	2004	10	28	9	ML	2004	8	19	1.390	TBILL	3,100,000		3,091,741.94
	2004	10	29	7	FLAGSTAR	2004	8	20	1.820	CD	3,069,734		3,069,734.13
	2004	10	30	8	FITB	2003	10	30	5.000	FNR03 97CB	2,000,000		229,791.83
	2004	11	4	9	ML	2004	8	26	1.440	TBILL	2,139,000		2,133,093.98
	2004	11	5	7	FLAGSTAR	2004	8	20	1.820	CD	3,047,915		3,047,915.00
	2004	11	12	7	FLAGSTAR	2004	8	27	1.850	CD	2,011,041		2,011,040.56
	2004	11	19	7	IND BANK	2004	8	27	1.700	CD	2,027,118		2,027,117.68
	2004	11	30	7	FLAGSTAR	2004	8	31	1.910	CD	2,000,000		2,000,000.00
	2004	12	3	7	FLAGSTAR	2004	8	26	1.910	CD	2,000,000		2,000,000.00
	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	900,000		899,253.06
	2004	12	30	8	FITB	2003	7	30	5.000	FNR03 79WE	1,500,000		556,381.58
	2004	12	30	8	FITB	2004	1	27	5.500	FNR 55YA	500,000		393,699.33
	2004	12	30	8	FITB	2004	1	30	4.250	FHR 2537LA	2,000,000		816,190.13
	2004	12	30	8	FITB	2004	1	30	4.000	FHR 2535LK	3,500,000		3,505,000.00
	2004	12	30	8	FITE	2004	2	3	4.000	FNR03 24MN	2,350,000		2,331,500.00
	2004	12	30	8	FITB	2004	2	25	2.000	FHR03 2602	800,000		133,077.64
	2004	12	30	8	FITB	2004	3	25	4.500	FHR 2669DT	700,000		706,000.00
	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	1,000,000		790,299.36
	2005	6	30	8	FITB	2003	2	27	.900	MAX SAVER	6,544,101		6,544,100.68
	2005	6	30	8	NAT CITY	2004	1	1	1.000	DREYFUS MM	34,294		34,294.44
	2005	6	30	8	FITB	2004	1	1	1.000	MONEY FUND	708,556		708,555.65

7 = CD 8 = Paper 9 = T-Bills

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T-Bills, Commercial Paper, C.D. etc.

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Fund	Mat Yr.	Mat Mo.	Mat Day	Type	Loc	Pur Yr.	Pur Mo.	Pur Day	Rate	Name	Face	Accrue 6/30	Book
112	2005	6	30	8	FITB	2004	4	23	3.000	FHLB	1,000,000		996,562.50
	2005	6	30	8	FITB	2004	6	25	3.500	FHR03 2582	2,250,000		2,244,114.58
	2005	6	30	8	FITB	2004	7	26	1.200	FNR03 24GA	550,000		500,440.65
	2005	6	30	8	HUNT BANK	2004	8	27	2.630	MM 3471	517,539		517,539.24
	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		14,655.47	100,459,490.83
591	2004	11	29	7	REPUBLIC	2004	8	30	1.750	CD	138,499		138,498.98
	2005	1	3	7	HUNT BANK	2004	8	27	1.850	CD	150,847		150,847.08
	2005	3	4	8	NATL CITY	2004	3	25	1.200	FNMA	1,500,000		1,483,803.33
	2005	6	30	7	COMERICA	1997	7	1	1.003	GOV'T POOL	1,840,051		1,840,051.58
	2005	6	30	8	STAND FED	2003	2	20	.980	M MKT	2,693,294		2,693,293.72
	2005	6	30	8	FITB	2003	11	25	1.000	GOVT M MKT	16,943		16,943.40
	2005	6	30	8	NATCITY	2004	3	25	1.000	DREYFUS MM	20,028		20,027.57
	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			8,352,528.16
688	2005	6	30	7	BANK ONE	1997	7	1	1.090	GOV'T POOL	1,302,898		1,302,898.00
										TOTAL			1,302,898.00
										TOTAL	14,655.47		110,114,916.99

* * * END OF REPORT * * *

7 = CD 8 = Paper 9 = T-Bills

Current Portfolio

Quantity	Security Description	Date Acquired	Adjust/Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Accrued Interest	Estimated Annual Income	Current Yield %
A change in tier assignment will automatically convert the class of WCMA money fund shares held in your account. The WCMA Agreement and Program Description and the WCMA Fund Prospectus contain more details.										
Government and Agency Securities ¹										
2,176,000	US TREASURY BILL ZERO% SEP 02 2004	06/10/04	99.71	2,169,831	99.99	2,175,912	N/A			
2,517,000	US TREASURY BILL ZERO% SEP 09 2004	06/18/04	99.73	2,510,210	99.96	2,516,219	N/A			
3,684,000	US TREASURY BILL ZERO% SEP 16 2004	07/02/04	99.75	3,675,056	99.94	3,681,789	N/A			
2,102,000	US TREASURY BILL ZERO% SEP 23 2004	07/15/04	99.76	2,097,156	99.91	2,100,171	N/A			
2,972,000	US TREASURY BILL ZERO% SEP 30 2004	07/21/04	99.76	2,965,007	99.88	2,968,641	N/A			
2,501,000	US TREASURY BILL ZERO% OCT 07 2004	07/29/04	99.74	2,494,532	99.86	2,497,573	N/A			
2,242,000	US TREASURY BILL ZERO% OCT 14 2004	08/05/04	99.74	2,236,245	99.83	2,238,323	N/A			
2,010,000	US TREASURY BILL ZERO% OCT 21 2004	08/12/04	99.72	2,004,567	99.80	2,006,060	N/A			
3,100,000	US TREASURY BILL ZERO% OCT 28 2004	08/19/04	99.73	3,091,741	99.77	3,092,932	N/A			
2,139,000	US TREASURY BILL ZERO% NOV 04 2004	08/26/04	99.72	2,133,093	99.73	2,133,417	N/A			
Total Government and Agency Securities ¹				25,377,442		25,411,041				
Total of Long Portfolio				25,378,635		25,412,234	*		7	.67

¹ Some agency securities are not backed by the full faith and credit of the United States government.

* - Excludes N/A Items

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YOUR ACCOUNT

30707214

CITY OF TROY - GENERAL ACCOUNT

Your investments — cash account

	Quantity	Price on 8/31/04 (\$)	Value on 8/31/04 (\$)	Est. annual income (\$)	Est. yield (%)
Cash and equivalents					
5/3 INSTL GOVT MM PREF CLASS			708,555.65		1.07
Total cash and equivalents			708,555.65		
Fixed income — taxable					
Government and federal agency bonds					
FEDERAL HOME LOAN BANK CONS BD CPN RATE 21/4% 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	99.9380	1,698,946.00	38,250.00	2.25
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 3133X5QS0	1,000,000	99.9060	999,060.00	15,000.00	1.50
UNITED STATES TREASURY BILL dDtd 04/01/04 CPN/MATY 09/30/04 MOODYS Aaa S&P AAA 912795RE3	235,000	99.8870	234,734.45		
Total government and federal agency bonds			2,932,740.45	53,250.00	1.82
Mortgage & asset-backed securities					
FHLMC PARTN CTF POOL E95237 dDtd 03/01/03 CPN/MATY 5% 03/01/13 FACTOR IS 0.77155 FHLMC E95237	1,000,000	102.4650	790,577.17	38,577.91	4.87
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	2,115,000	99.7390	2,109,479.85	84,600.00	4.01
FEDERAL NATL MTG ASSN GTD PASS THRU CTF REMIC 2003 CL 24 GA dDtd 03/01/03 CPN/MATY 3.5% 01/25/27 FACTOR IS 0.66725 FNR03 24GA	750,000	99.7800	499,339.67	17,515.42	3.50
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 0.78739 FNR03 55YA	500,000	99.2480	390,738.72	21,653.46	5.54
FEDERAL NATL MTG ASSN MULTICLA MTG PARTN CTF REMIC 2003 CL 79 dDtd 07/01/03 CPN/MATY 5% 11/25/32 FACTOR IS 0.38832 FNR03 79WE	1,500,000	99.5460	579,848.68	29,124.66	5.02
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 0.36768 FHR02 2537LA	2,000,000	100.8050	741,281.34	31,252.87	4.21
FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF SER 2002 CL 2535 dDtd 12/01/02 CPN/MATY 4% 08/15/26 FACTOR IS 1.00000 FHR02 2535LK	3,500,000	100.2140	3,507,490.00	140,000.00	3.99
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	2,250,000	100.1540	2,253,465.00	90,000.00	3.99
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 0.16634 FHR03 2602JA	800,000	99.4530	132,349.69	7,319.26	5.53

**Fifth Third Securities, Inc.**38 Fountain Square • MD1 COM13 • Cincinnati, OH 45202
888-889-1025 • 513-534-8820
Internet Address "www.53.com"YOUR ACCOUNT STATEMENT
July 29, 2004
Account # 30707214

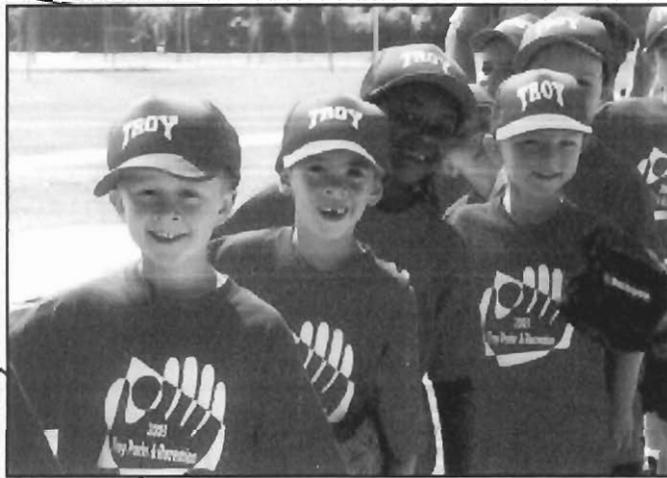
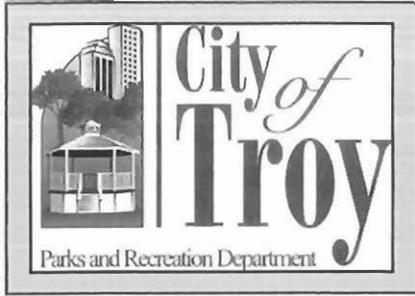
YOUR ACCOUNT

30707214**CITY OF TROY - GENERAL ACCOUNT****Your investments — cash account** cont'd

	Quantity	Price on 8/31/04 (\$)	Value on 8/31/04 (\$)	Est. annual income (\$)	Est. yield (%)
Mortgage & asset-backed securities cont'd					
FEDERAL NATL MTG ASSN GTD PASSTHRU CTF REMIC 2003 CL 97 dDtd 09/01/03 CPN/MATY 5% 05/25/18 FACTOR IS 0.11852 FNR03 97CB	2,000,000	100.2030	237,533.39	11,852.60	4.98
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 0.69726 FHR03 2640WA	1,300,000	98.6630	894,325.87	31,725.57	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	98.4860	689,402.00	31,500.00	4.56
Total mortgage & asset backed securities			12,825,831.38	535,121.75	4.17
Municipal bonds					
KENT CNTY MICH VAR RATE TAXABL TAX NTS BOOK ENTRY ONLY OPT PU 05/16/02 100.000 & EA DAY NOTIF DATES 7 DAYS B4 PUT dDtd 05/10/02 CPN/MATY 0% 03/01/05 FC 07/01/02 @ 100 PRE-REF N MOODYS MIG1 S&P SP1+ 490278P93	209,000	100.0000	209,000.00		
Total municipal bonds			209,000.00		
Total taxable fixed income			15,967,571.83	588,371.75	3.68
Total fixed income			15,967,571.83	588,371.75	3.68
Value of your cash account			16,676,127.48		

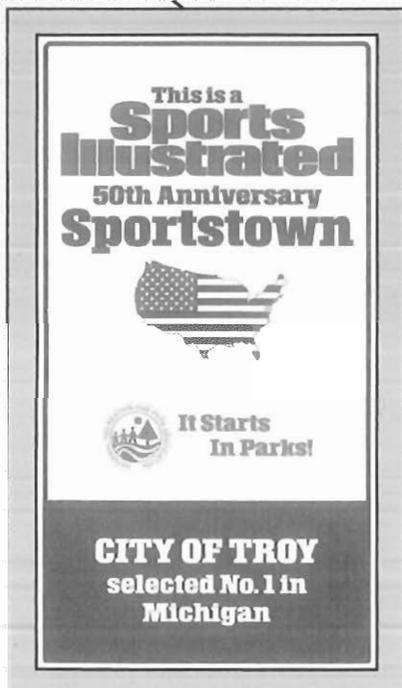
Total value of your account**\$16,676,127.48****Activities in your account — cash account**

Date	Activity	Details	Quantity	Price (\$)	Amount added to (deducted from) your account(\$)
08/03/04	TAXABLE BND INT	KENT CNTY MICH VAR RATE TAXABL TAX NTS BOOK ENTRY ONLY OPT PU 8/2/04 P/D DIVS CPN/MATY 0% 03/01/05			255.25
08/04/04	SWEEP	SWEPT TO 5/3 INSTL GOV'T MM PR AUTOMATIC PURCHASE			(255.25)
08/16/04	TAXABLE BND INT	FHLMC PARTN CTF POOL E95237 ON 1000000 CPN/MATY 5% 03/01/13			3,389.44
08/16/04	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			2,705.00
08/16/04	TAXABLE BND INT	FEDERAL HOME LN MTG CORP MUTLI MTG PARTN CTF REMIC 2003 CL 26 ON 1300000 CPN/MATY 3.5% 03/15/33			2,720.15
08/16/04	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
08/16/04	TAXABLE BND INT	FEDERAL HOME LOAN MTG CORP MUL MTG PARTN CTF SER 2003 CL 2602 ON 800000 CPN/MATY 5.5% 09/15/32			1,172.66
08/16/04	TAXABLE BND INT	FEDERAL HOME LN MTG CORP MULTICLASS MTG PARTN CTF SER ON 2250000 CPN/MATY 4% 01/15/27			7,499.99



**Troy Parks and Recreation
Troy, Michigan
ANNUAL REPORT
2003**

The Benefits Are Endless™



WELCOME TO TROY PARKS AND RECREATION

The Benefits Are Endless™



Dear Citizens of Troy:

What a spectacular year 2003 was for the City of Troy Parks and Recreation Department! We continued to experience phenomenal growth and expansion throughout 2003 with the completed construction of indoor and outdoor recreation facilities, the ongoing development of the City's new golf course and master plans for five new neighborhood parks. Additionally, our recreation programs were strengthened with increased marketing and reprogramming efforts, while the department competed and won several grants and awards, including *Sports Illustrated* magazine's 50th Anniversary Sportstown for the State of Michigan Award!

Phase 2 of the Community Center renovation was dedicated on February 26, which added the following areas to the facility: teen room; senior reading room; arts and crafts room; five meeting/banquet rooms; two pre-school rooms; a circuit training fitness room; *Creative Endeavors* (the senior store); and new administrative offices for department staff. The Center welcomed over 600,000 visitors this past year, and continues to serve the recreational needs of youth, adults, senior citizens and persons with disabilities.

In July, the new skate park opened on the grounds of the Civic Center Complex. The opening of the 10,000 square foot outdoor area was greatly anticipated by parents and youth in the community. The park is available to the public free of charge, and gives citizens another quality recreational outlet to enjoy.

The driving range for the new golf course, Sanctuary Lake, opened in August, servicing up to 70 golfers at a time. This practice facility gave golfers a glimpse of what they will experience once the full course opens in summer 2004. This course will be an 18-hole Championship links style course offering a grill room, covered pavilion for large events and a full-service pro shop.

Master plans for five new City parks were completed this year. These plans include a wide variety of amenities designed with substantial citizen input. Once constructed, these parks will service the community by providing open green space and play and sports facilities for youth and all other residents in the community.

In November, the City of Troy was chosen as *Sports Illustrated* magazine's 50th Anniversary Sportstown for the State of Michigan. This highly prestigious award, given by *Sports Illustrated* and the National Recreation and Park Association, distinguishes our City as one of the best sports communities in the country based on our philosophy, policy/procedures, education and training strategies, youth development strategies, community commitment to parks and recreation resources, innovations for community development and scope of programming. This award would not have been possible without the many volunteer coaches, participants, dedicated staff, parents and administrative officials who support our sports programs. This is a community-wide award that all Troy citizens can be proud of!

We look forward to a bright future with progressive programming, new facilities and improvements, more green space and a commitment to helping citizens improve their well-being and quality of life.

Sincerely,

A handwritten signature in black ink that reads "Carol K. Anderson". The signature is written in a cursive style with a long horizontal flourish at the end.

Carol K. Anderson
Parks and Recreation Director

TROY PARKS AND RECREATION

Our Goals and Philosophies



Phase 2 of the Community Center was completed in 2003, offering great programs and facilities for Troy citizens.

Our Mission

It is the mission of the Parks and Recreation department to enhance the quality of life with leisure opportunities for residents and businesses by providing recreation programs, facilities, parks and related services.

Vision Statement

The Parks and Recreation department is committed to providing a responsive, distinctive, effective department with high quality comprehensive programs, parks, facilities and open space.

Operating Principles

Service

Responsiveness
Compassionate
Efficient
Prompt
Courteous

Accountability

Fiscally Responsible
Effective Use of Resources
Accurate

Communication

Cooperative
Forthright/Receptive
Sincere

Professionalism

Integrity
Excellence
Honesty
Innovative
Progressive



Girls pause before taking a ride down the waterslide at the indoor aquatic center in the Community Center. In addition to the indoor pool, the Center includes a fitness area, gym, senior lunch room, a teen room, game room, arts and crafts room, the Emerald Café and Pro Shop, Creative Endeavors - the senior store and Parks and Recreation administrative offices.

TROY PARKS AND RECREATION

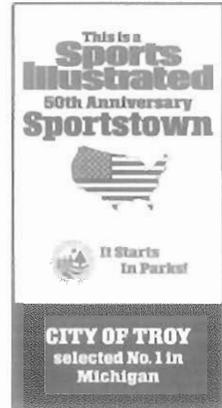
Award-Winning Programs & Facilities

City of Troy - #1 Sportstown in Michigan



In November, the City of Troy was chosen by *Sports Illustrated* magazine as the #1 Sportstown in Michigan. Over 250 communities across the country competed for this award in their respective states. Troy was chosen based on our commitment to facilitating and enhancing quality community sports.

Troy will be honored with a cash grant, recognition in *Sports Illustrated* magazine and online, and a special commemorative road sign that recognizes the community as an official *Sports Illustrated Sportstown*. Troy will announce this special award to the community during the Troy Sports Day event on January 13, 2004.



Troy Community Center Wins the MRPA 2003 Organizational Award for Facility Design

Innovative design was the driving force behind the Troy Community Center winning Michigan Recreation and Park Association's Facility Design Award in November. The award will be presented during the opening session of the MRPA Annual Conference on January 18, 2004.



Keep Michigan Beautiful, Inc. Presents Troy Parks and Recreation with a 2003 Distinguished Service Award



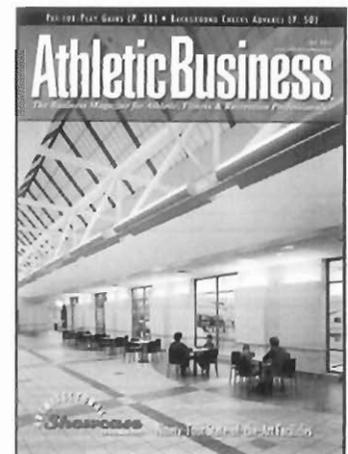
Keeping City grounds well-manicured and attractive is one of Troy Parks and Recreation's primary goals. This commitment was recognized by Keep Michigan Beautiful, Inc., an organization dedicated to recognizing entities that contribute to the beautification, environmental improvements and site restoration of areas in the State of Michigan. Troy was presented with the 2003 Distinguished Service Award in October.



The Library grounds are just one of the many beautiful areas maintained by the Department.

Troy Community Center Featured in *Athletic Business* Magazine

Troy Parks and Recreation was one of 94 fitness and recreation facilities that were highlighted in *Athletic Business* magazine's Annual Architectural Showcase in June. All facilities were entered in to the magazine's 23rd Annual Facility of Merit Awards. Troy landed the coveted magazine cover, which features a wonderful indoor shot of the Community Center.



TROY PARKS AND RECREATION

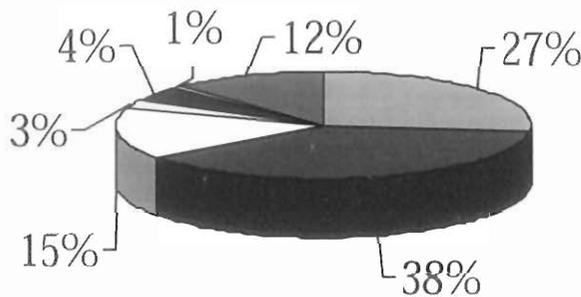
Year End June 30, 2003 Financial Overview

Parks and Recreation expenditures totaled \$9 million in 2003. This money funded the following areas in the Parks and Recreation Department:

Administration: \$1.3 million
 Programs (Winter and Summer): \$1.4 million
 Community Center: \$1.9 million
 Parks Maintenance: \$1.7 million

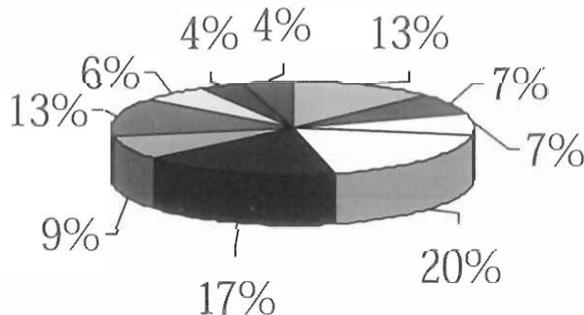
Tree & Island Maintenance: \$.9 million
 Golf Course (Sylvan Glen): \$1.3 million
 Family Aquatic Center: \$.5 million

Primary Government Expenses



- Public Safety
- Public Works
- Recreation & Culture
- Debt Service
- Sanitation
- Comm. & Econ. Dev.
- General Government

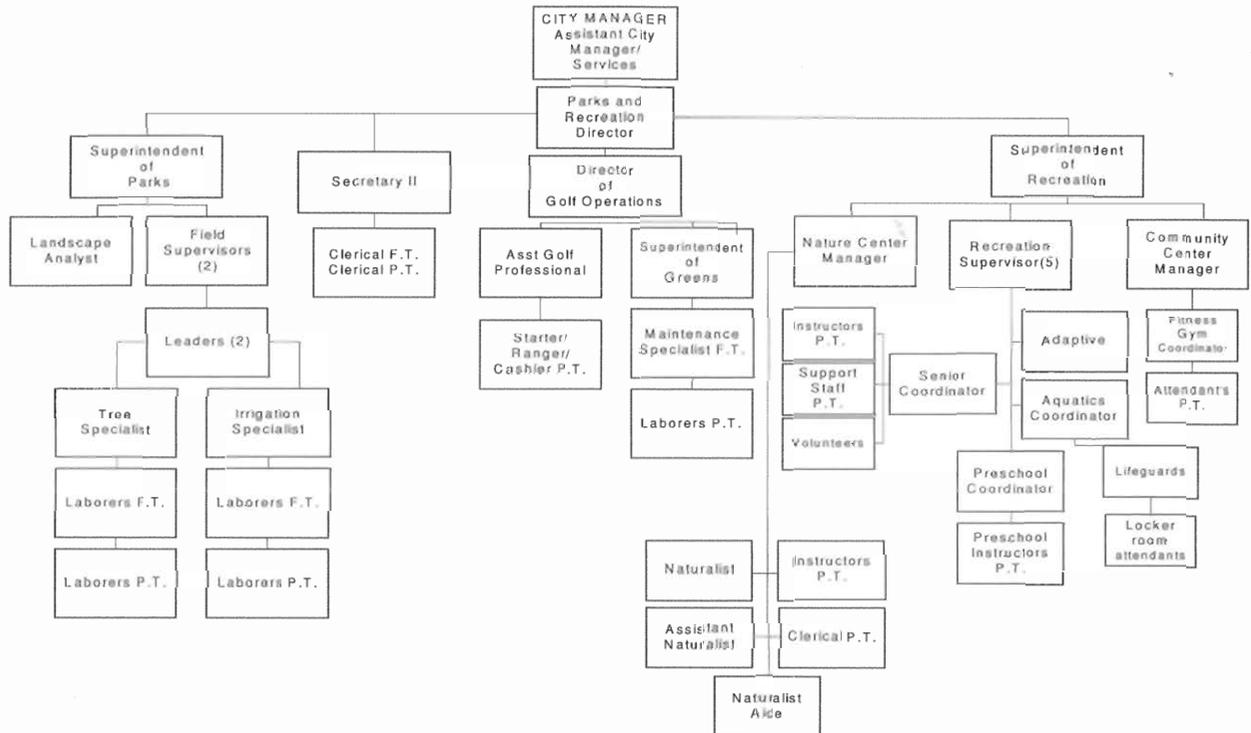
Parks & Recreation



- Administration
- Summer Programs
- Winter Programs
- Community Center
- Parks Maint.
- Tree & St. Island Maint.
- Golf Course
- Aquatic Center
- Nature Center
- Depreciation

TROY PARKS AND RECREATION

Organizational Chart/Staff



Carol K. Anderson
Parks and Recreation Director

Department Staff

Stuart Alderman
Superintendent of Recreation

Kraig Schmottlach
Facility Manager

Recreation Supervisors:
Barb Rupas
Scott Mercer
Elaine Bo
Carla Vaughan
Ann Blizzard

Program Coordinators:
John Hug, Fitness/Gym
Brian Goul, Aquatics

Jeffrey Biegler
Superintendent of Parks

Charles Barnes
Nature Center Manager

Ed Carpus
Field Supervisor/Parks

Mark Colombo
Field Supervisor/Parks

Ron Hynd
Landscape Analyst

Susan Raymer
Naturalist

Lisa Shafer
Assistant Naturalist

Jake Pilat
Director of Golf Operations

Marv Ash
Superintendent of Greens

More than 450 part-time and full-time employees are dedicated to serving the needs of the Troy community.



Superintendent of Recreation Stuart Alderman poses with his sons Brett and Derek, who often volunteer at Parks and Recreation events. Stuart manages the administrative staff and programs in the recreation division.

TROY PARKS AND RECREATION

The Community Center



The Creative Endeavors gift shop in the Community Center is stocked with handmade gifts made by seniors age 55 and older. The store has over 100 senior vendors, who provide a wonderful selection of items for customers, while earning additional income for themselves.

Meeting and Banquet Rooms

The Community Center has several meeting and banquet rooms from 200 – 5000 square feet to accommodate a variety of functions, including meetings, banquets, showers and other special events.

Highlights

- The banquet room accommodates parties of up to 400 people and includes a theater, portable stage and dance floor
- Four meeting rooms can accommodate approximately 50 – 75 patrons, and two rooms up to 125 patrons. There are two rooms that hold up to eight people for small meetings
- Emerald Food Service is the exclusive caterer for events held in the Center

“It is in his pleasure that a man really lives; it is from his leisure that he constructs the true fabric of self” - Agnes Repplier, US Essayist

Phase 2 of the Community Center was completed on February 26, 2003 with the opening of the teen room, senior reading room, arts and crafts room, a circuit training fitness room and other speciality rooms and offices. The completed Center offers 127,000 square feet of space with something for everyone in the community to enjoy.

Highlights

- The Community Center is on the site of the former Troy High School. Approximately 30% of the Center was constructed from the old high school – the four walls of what was the high school gymnasium, the four walls of the high school pool and the four walls of the music/band rooms
- The Emerald Café/Pro Shop is open for pro shop items and freshly prepared foods
- The Kids Korner is a child care room available for parents wanting to utilize facilities
- The Center is open seven days a week (closed four holidays during the year)
- More than 600,000 people visited the Center in 2003

Specialty Rooms

In addition to meeting and banquet rooms, the Center has several specialty rooms:

- Teen Room – a place just for Troy teens featuring a pool table, air hockey, computers, a television, video games, music and study tables
- Arts and Crafts Room – used by Parks and Recreation classes and other craft groups (room includes eight solid oak tables and a kiln)
- Creative Endeavors – a store stocked with handmade items made by senior citizens sold on consignment
- Game Room – featuring two pool tables and two ping pong tables
- Fitness Room – new cardio and weightlifting equipment
- Computer Room – modern computer lab for senior programs

TROY PARKS AND RECREATION

The Community Center

Indoor Aquatic Center

Since April 2002, residents have poured into the Community Center's indoor aquatic center to enjoy open swim, special events and swim lessons. Pool features include lap lanes, slides, leisure area with water toys, lily pad crossing and a therapy pool. New programs were offered for swimmers in 2003, including:

- Swim lessons for preschoolers, homeschoolers and seniors
- Halloween Scavenger Hunt
- Tropical Winter Luau
- Egg Hunt
- Christmas in July

Highlights

- Lap lanes, zero depth entry and separate therapy pool
- A leisure area, water toys and slides
- Party packages and private rentals available year round

Rainbow Preschool

Children ages 18 months to 5 years old learn, grow and thrive at the fun and bright Rainbow Preschool in the Community Center. Accredited instructors and age appropriate curriculums provide quality learning environments for children.



Highlights

- Registrations increased by 21 children this year
- Two rooms of approximately 2000 square feet each of learning and growing space
- Fenced-in play equipment adjacent to rooms
- Separate entry for easy drop off and pick up of preschoolers
- Preschool special event programs attract more than 350 preschool age children each year



The indoor pool at the Community Center is a great place to splash around in all year around. Over 70 swim classes are available for residents of all ages.

Fitness Areas

The Circuit Training Room opened in 2003, offering patrons a new way to increase overall body strength in a fast and effective way. The room includes 10 pieces of Keiser Equipment and one Precor Stretch Trainer. Other fitness areas like the Fitness Room and Gymnasium, continue to give users a variety of exercise choices.

Highlights

- Two regulation high school basketball courts with six hoops, two volleyball courts and four badminton courts in the gym
- 6000 square feet of workout space
- Eight televisions with Cardio Theater System
- Four certified personal trainers servicing an average of 180 clients per month
- Approximately 80 fitness classes held per week



TROY PARKS AND RECREATION

Recreation

Our commitment to bring quality recreation opportunities to Troy citizens continued throughout 2003 with new and revamped programming, more facilities and increased marketing efforts. The department is dedicated to providing citizens with the best recreational activities coupled with efficient and excellent service.

Highlights

- New skate park opened in July
- The driving range of the new Sanctuary Lake Golf Course opened in August
- Master plans for five new City parks were completed

Adaptive Recreation

Social, recreational, athletic and fitness opportunities and inclusion services were offered for more individuals with disabilities than ever. Participants range in age from preschool through senior adults.

Highlights

- Camp Adapted Camp for Everyone (Camp A.C.E.) was offered for disabled children ages 8 – 18
- 5200 disabled citizens participated in adaptive programs
- More than 100 disabled adults continue to attend the Friday Frolic Dance held each month
- More than 350 *Friendship Club* newsletters go out to members
- Basketball, bowling and softball are popular athletic programs for teens and adults

Troy Family Aquatic Center

In addition to the indoor pool at the Community Center, the Parks and Recreation department operates an Aquatic Center located in the Civic Center complex. The Center features a main pool with zero depth entry, three waterslides, two spray pools, a waterfall, sand play area, sand volleyball courts and a concession area. Residents, non-residents and non-resident employees enjoy the Center, Memorial Day weekend through Labor Day.

Highlights

- New special events added, including Pirate Night and Family Fun Night. Special events are offered monthly.
- Main pool, kiddie area, slides, sand area, sand volleyball courts and concession area
- Parent/tot, preschool, youth and adult swimming lessons
- Junior Lifeguard lessons
- Daily and seasonal passes available
- Jam Fest held on Friday nights for local teenagers
- Party packages, group rates and exclusive rentals offered



Residents enjoy the outdoor aquatic center all summer long. Between Memorial Day and Labor Day, the pool is available for swim time, parties and exclusive rentals.

TROY PARKS AND RECREATION

Recreation

Nature Center

The Lloyd A. Stage Nature Center is an 100-acre tract of land that contains many natural communities of Southeastern Michigan. It has more than two miles of nature trails, and is an ideal textbook to use in teaching about nature. The Center offered 17 new programs in 2003, including "Yoga, Naturally", "Sketching in the Wild" and "Wild Adventures Outdoor Camp" and "The Art of Nature" program featuring local nature artists. The Center continues to offer the award-winning "Junior Naturalist" program.

Highlights

- Completed nature exhibit designs for the Center's entrance hall. This exhibit will be a major addition to the Center, serving as a new cultural and educational amenity for the public.
- Developed a comprehensive Interpretive Master Plan for the Center and Troy Farm
- Offered a complete compliment of adult education and enrichment programs
- Ongoing, science-based nature programs for school children



The Lloyd A. Stage Nature Center includes an 8,183 sq. ft. interpretive center with library, wildlife viewing area, classrooms, and the Cattail Cove Nature Shop.



Four marked trails guide visitors through different natural communities at the Nature Center. Observation towers, benches and boardwalks make for the perfect experience of connecting with nature.

Senior Programs

The nationally accredited Senior Citizens Program is housed at the Community Center and provides more than 65 activities and social services to persons age 55 and older. This year, the program received a \$5000 grant from the Community Foundation of Troy to start a low income scholarship program for seniors. Additionally, the program was awarded a grant from SeniorNet for computer equipment, software and training.

Seniors enjoyed over 15,000 lunches in the Community Center Dining room this year. Also, through the Meals on Wheels program, more than 21,000 meals were delivered to homebound seniors in Troy.



Highlights

- The senior store Creative Endeavors has more than 100 vendors
- Senior program featured in a segment of the PBS program *Disabilities Today*
- More than 105,000 seniors participated in programs

TROY PARKS AND RECREATION

Recreation

Programs - Sports

Our community creates unity, spirit and understanding through sports by not excluding anyone from participating in our programs, and by positively supporting everyone involved, including coaches, officials and participants. By communicating the philosophies of respect and fair play, youth and adults alike enjoy engaging in a high variety of sports opportunities for all ages and abilities. This winning philosophy is why Troy was chosen at the #1 Sportstown in Michigan by *Sports Illustrated* magazine in November.

Highlights

- Lacrosse offered for 5th and 6th graders
- Soccer program changed over to 5v5 and realizes increased registrations
- New ball diamond fencing at several parks and schools



A solid youth sports philosophy is behind what we do at Troy Parks and Recreation to provide children with positive, lifelong sports opportunities.

Sports Programs

Registrations

Soccer Kickers	182
Soccer Strikes	329
Adult Soccer	780
Youth Basketball (Fall)	422
Youth Basketball (Winter)	348
Youth Volleyball	139
Junior Golf	54
Girls Softball (Gr. 3 – 8)	344
Girls Softball (Gr. 2)	26
Kiddie Sports	395
Adult Softball	1504
Lacrosse	63
Adult Basketball	270
Ski	652
Adult Volleyball	330
Adult Sand Volleyball	212
Rookie Basketball	220
Floor Hockey	119
T-Ball/Coach Pitch	607
Flag Football	67
Senior Bowling	644
Senior Golf	144
Senior Olympics	30
Senior Softball	40
Senior Tennis	60
Senior Volleyball	32
Adaptive Basketball	48
Adaptive Softball	22
Adaptive Bowling	60
Wheelchair Sports	20
TOTAL	8163

We partner with the following programs, which provide outstanding sports opportunities for our community. We support each group by attending their board meetings, offering our expertise, and supplying safe facilities and additional resources.

Sports Programs

Registrations

Troy Youth Soccer League (spring and fall)	1696
Troy Youth Football	207
Troy Baseball Boosters	1026
TOTAL	2929

TROY PARKS AND RECREATION

Recreation

Programs - Enrichment/Special Events

Variety and quality are the trademarks behind Troy Parks and Recreation programs and special events. We constantly use feedback from our residents and the newest trends in recreation to design programs that meet the needs of the community.

Offered Programs/Events

- Aquatic Center – Indoor/Outdoor Programs and Events
- Aquatic Center Birthday Parties
- Adaptive Programs – Diners Club, Friendship Club, Friday Frolic, Performing Arts, Special Events, Trips, Swimming, Weight Watchers
- Aquatic Indoor/Outdoor Programs
- Aqua Aerobics Seniors
- Arbor Day Kite Fly
- Arts and Crafts – Adults and Parent Child
- Baby-sitting/Kids Korner
- Breakfast with Santa
- Cardiovascular Program
- Children's Garage Sale
- Circuit Training Program
- Cricket Camp
- Community Center Birthday Parties
- Community Center Gym
- Country Western Dance – Adults
- Daddy-Daughter Dance
- Daddy-Daughter Pool Party
- Dance and Movement
- Day Camp and KIDS Camp
- Drive, Pitch & Putt Golf Competition
- Drawing Classes
- Egg Scramble
- Emergency Cell Phones – Seniors
- Environmental Ed Camp
- Equipment Loan
- Family Festival
- Fishing Adventure
- Fitness – Spring Into Fitness, Tai Chi, Danceit, Body Images, Yoga
- Fitness Swim
- Football Frenzy
- Free Weights
- Golf Indoor
- Golf Outdoor
- Golf Tournaments for Men, Women and Youth
- Gymboree
- Hershey Track and Field Meet
- Ice Skating
- Jujitsu Judo, Shotokan Karate and Sanchin Karate
- Junior Golf League
- KIDS Camp
- Low Income Scholarship Program – Seniors
- Nursery School Olympics
- Mother-Son Pool Party
- MRPA Hoop Shoot Basketball Skills Competition
- Oakland County Sports Camp
- Performing Arts Camp/FAME
- Personal Training Program
- Picnic Kits
- Plant Exchange
- Preschool/Little Kickers
- Preschool Programs
- Punt, Pass and Kick Football Skills Competition
- Rainbow Preschool
- Robinwood/Morse Summer Camp
- Roving Rec. Unit Summer Camp
- Safety Town
- Senior Programs – Trips, Arts and Crafts, Seminars, Dances, Recreation Clubs, Fitness, Enrichment Classes, Services
- Sports Camps (several one-week camps offered throughout summer)
- Stage Nature Center – Many Programs, Clubs and Camps
- Summer Concerts
- Swim Lessons – Youth, Adult, Preschool, Homeschool and Seniors
- Tai Chi – Adults and Seniors
- Tennis – Indoor/Outdoor
- Trips
- Troy Daze (annual City festival)
- Whiz Kids
- Youth Theatre



The annual Egg Hunt is one of the many great programs the department offers. This year, 385 children participated in this event.

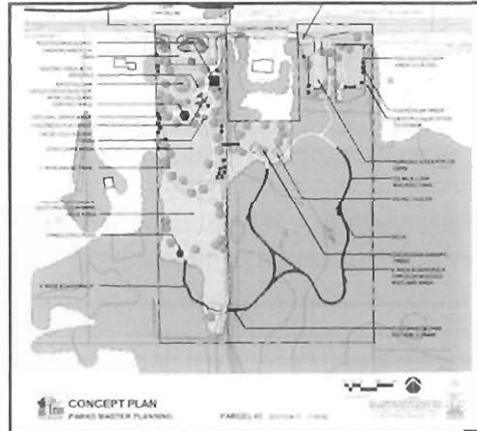
TROY PARKS AND RECREATION

Parks

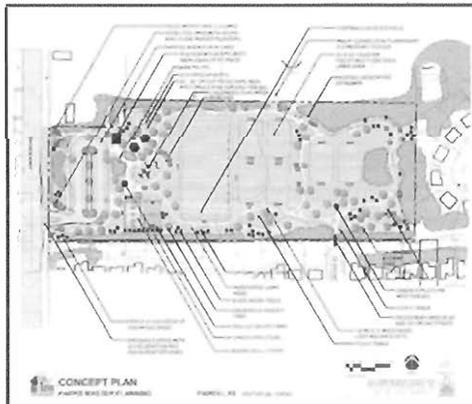
Troy Parks and Recreation manages over 710 acres of active and passive park land, municipal grounds and landscaped street medians. The department also:

- Prepares and maintains ball diamonds, soccer, lacrosse and football fields, tennis, volleyball and disc golf courses
- Plants and maintains trees
- Reviews landscape and tree preservation plans for commercial and residential development
- Administers landscape maintenance and weed and pest control contracts

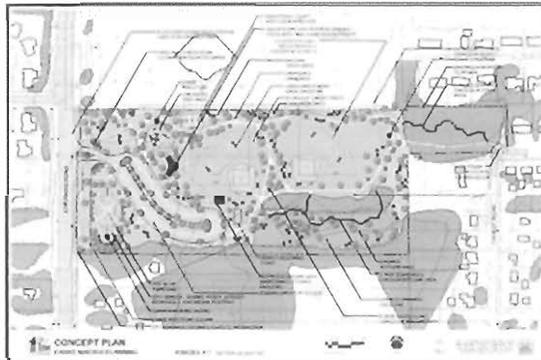
Currently, five new parcels of park land are slated for future development by the City. In addition to traditional amenities like picnic areas, sports fields and play equipment, new amenities may include a dog park, art garden and raised boardwalk pathways.



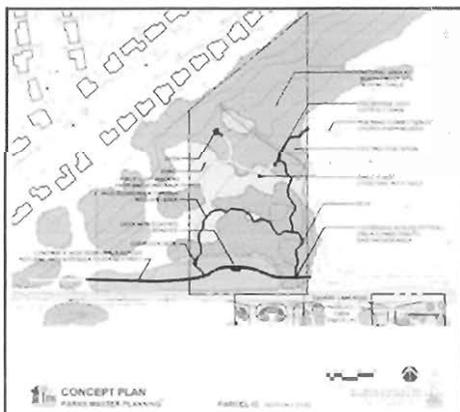
Site #3, Neighborhood park, 12 acres, Section 11, south of Square Lake, east of Willow Grove



Site #1, Neighborhood park, 22 acres
Section 22, Livernois Rd. between Big Beaver and Wattles Rd.



Site #4, Neighborhood park, 14 acres
Section 24, John R between Big Beaver and Wattles Roads, south of Barnard Elementary School



Site #2, Neighborhood park, 6.5 acres
Section 2, north of Square Lake/Willow Grove,
west of Kensington Church



Site #5, Neighborhood park, 15 acres
Section 36, south of Maple, west of Milverton

TROY PARKS AND RECREATION

Parks/P & R Month

Skate Park

The City opened its first skate park in July. The 10,000 square foot facility is located in the Civic Center Complex, and features a series of ramps, ledges and rails of varying heights and configurations. The park is open to the public free of charge from 8 am until sunset.

The City of Troy allocated \$134,000 to finance the park, with an additional \$15,000 in funds raised by kids in the community. A "Bowling 4 Boarders" bowl-a-thon event was held in May to help raise some of these funds.

Kids using the park are encouraged to wear safety equipment like helmets and knee and elbow pads. Located a short walking distance from the Community Center, users have easy access to restrooms and refreshments.



Kids get ready to brave the grind rails, grind boxes, wedges and quarter pipes at the skate park. Many kids in the community helped raise funds for the park.

Troy Parks and Recreation recognizes Parks and Recreation Month every July, and encourages Troy residents to participate in their favorite leisure activities. This year, the department sponsored its first Parks and Recreation Month Essay Contest for Troy middle school students. The contest was a huge success and influenced kids around the community to get into the spirit of Parks and Recreation Month.

Parks & Recreation Month

What Parks and Recreation Means to Me

By
Michael Chase

Troy Parks and Recreation has special significance to me. Without the Parks and Recreation programs, I wouldn't be able to do many of the sports I can do now, and I wouldn't have met some of my good friends I have today.

I learned to play T-ball and then baseball through Parks and Recreation Programs. I went to my first camp, Camp Kishkakow, and learned camp songs there. I had fun with other kids playing Parks and Recreation basketball, baseball and soccer. My first trophy and medal came from the Parks and Recreation programs. I learned how to ski and snowboard in the winter at Mt. Holly and have many patches to show off for my efforts. I've spent many summer hours swimming and sliding down the water slide at the Parks and Recreation pool.

I like Troy Parks and Recreation because it offers so many different programs to kids. Kids like me have learned how to do all kinds of sports and have been able to participate in many sporting events. It makes me feel good to know that many of the sports I can do, I learned through Troy Parks and Recreation.

Teen wins city essay contest

BY SARIANELLA BATES
TROY TIMES

When 13-year-old Michael Chase entered a parks and recreation essay contest, he was simply looking for some extra credit — but, instead, received an award.

"I was surprised," Chase said. "I'm not the type of guy who wins things."

He wasn't doing as well in his fun group arts class at Boulan Park Middle School, so in order to earn a few extra-credit points to boost his grade, he entered the middle school essay contest honoring parks and recreation month. A total of 130 applicants answered the question, "What does parks and recreation mean to me?" but it was Chase who took home first place.

Chase will go before the Troy City Council this month to share his essay with the public.

His sister, 12-year-old Lauren, entered the contest as well, but Chase's descriptive essay about all the activities and sports that have been available to him because of Troy Parks and Recreation earned her the prize.



Michael Chase, 13, won the city's essay contest with his essay about why he loves Troy Parks and Recreation programs.

of the judges.

At the age of 6, Chase started playing T-ball at Troy parks and from there on

TROY III ESSAY, AZ

Over 130 essays were submitted for the contest, and first place went to Michael Chase, an eight grader from Boulan Park Middle School. Michael's essay was printed in the Troy Eccentric and Troy Times newspapers.

TROY PARKS AND RECREATION

Golf Courses/Advisory Board/Volunteers/Partnerships

Sylvan Glen Golf Course has been a fixture in the City of Troy since 1922. The 6500 yard par 70 course offers a challenging layout for residents of Troy and their guests. Offering full pro shop amenities and a full service restaurant, Sylvan Glen is a high-quality facility capable of handling all golfing needs.

Highlights - Sylvan Glen

- Serviced more than 55,000 patrons
- Housed 34 golf leagues
- Hosted 40 golf outings
- Home to Troy High and Athens High golf teams
- Conducted Troy Parks and Recreation sponsored golf league and camp



On August 4, the practice facility at Sanctuary Lake Golf Course opened. Having the capability of servicing up to 70 golfers at a time on both natural and synthetic teeing surfaces, this new addition to the City of Troy's golf division offers patrons a taste of what is to come when the course opens. The course is currently in its grow-in phase of the construction process, and will be open for play upon its completion in the summer of 2004.

Highlights - Sanctuary Lake

- 18-hole Championship links style course
- Practice facility featuring a driving range and two practice greens
- A grill room offering food and beverage service
- Covered pavilion capable of hosting large parties and special events
- Full service pro shop stocked with merchandise for all golfing needs



Volunteers & Partnerships

Our 577 volunteers put in over 21,000 hours of volunteer time in 2003. Their outstanding contributions are the driving force behind the success of our programs. Thanks to them, we continue to deliver quality leisure opportunities to residents on an ongoing basis.

Senior Programs 13,790 hours
Sports Programs and Camps 7310 hours

Additionally, we continue to partner with the following organizations that benefit both our senior and sports programs. These partnerships include:

- Medi-Go – offers transportation for Troy seniors and persons with disabilities
- Troy Racquet Club – provides additional facilities for tennis programs
- Youth Sports Organizations – Troy Youth Soccer League, Troy Youth Football and Troy Baseball Boosters for joint programming
- Boys and Girls Club of Troy

Advisory Board

The Troy Parks and Recreation Advisory Board is dedicated to making the best recommendations regarding recreation programs and park and facility development for the City. Members meet every second Thursday of the month (except July and August) at 7:30 pm in the Community Center. Meetings are always open to the public.

Doug Bordas	5902 Cliffside	828.8940
Ida Edmonds	1304 Player	879.8287
Kathleen Fejes	6475 Elmoor	828.4361
Lawrence Jose	5581 Livernois	879.9314
Orestes Kaltsounis	6798 Jasmine	828.8084
Tom Krent	3184 Alpine	649.4948
Meaghan Kovacs	5621 Livernois	879.5193
Jeff Stewart	884 Hidden Ridge	689.2074
Janice Zikakis	1346 Judy	528.1919

Contact Information

Troy Parks and Recreation
3179 Livernois
Troy, MI 48083
Phone: 248.524.3484
Fax: 248.689.6497

Vicki C Richardson

From: Timothy L Richnak
Sent: Friday, September 10, 2004 3:31 PM
To: Vicki C Richardson
Subject: FW: From Audre Zembrzuski

-----Original Message-----

From: Aazemb@aol.com [mailto:Aazemb@aol.com]
Sent: Friday, September 10, 2004 12:52 PM
To: szerlagaj@ci.troy.mi.us
Cc: richnaktl@ci.troy.mi.us
Subject: From Audre Zembrzuski

Hi John, Mayor and Councilmembers:

I just want to thank Vicky from DPW who answered my e-mail in one day for the recyclables that I had set by the curb. She called me and came and picked up all of them to find out that I did everything right.

I thank her for her quick response. It is nice to see people working for the city that do care about the residents.

Thank you

Audre Zembrzuski
2842 Shadywood
Troy, Michigan 48098
aazemb@aol.com

August 31, 2004

Tim Richnak
Dept. Public Works
4693 Rochester Road
Troy, Michigan 48085

Dear Mr. Richnak,

The letter from your department regarding installation of storm drains really piqued the interest of us who live on the Kingsley Drive cul-de-sac. I phoned Dana Calhoun because her signature was on the letter; she responded immediately. I am so grateful she is a member of your staff.

Dana met with us and patiently explained the how, when, and where of the installation. She listened to our concerns, walked with us in the area, and assured us she would touch base if any changes were made. Dana returned to our area several times and updated us on the department's plans as she had promised.

We were all impressed with her wisdom and her concern that all our needs were met. Dana Calhoun is an excellent representative of our city's services.

Sincerely,



Zoe Alpern
3163 Kingsley Drive

248-646-7556

Troy, Michigan
August 30, 2004

Assistant Chief Roberts
Fire Department
500 West Big Beaver Road
Troy, MI 48084-5254

Dear Mr. Roberts:

On Monday morning August 30th, 2004 my wife, heard a bird like sound coming out of the smoke alarm. Since we replaced all three of them last year, we thought maybe we had an electrical short. We didn't want to have a fire. I called the fire department to get some direction. I didn't know if I should call electrical service or what, I did not expect door service from the fire department. Lt. Rodney Bovensiep came to my home and checked out the alarm. He went over and beyond his job. My wife and I were impressed with his concern for us and our safety. We were told we had a battery back up alarm. We didn't know that our electric smoke alarm had a back up battery system.

Lt. Bovensiep made us feel safe again. God bless this wonderful man.

Thank you very much for Lt. Bovensiep assistance.

Sincerely,

Mr. And Mrs. Thomas J. Burke

*Mr. And Mrs. Thomas J. Burke
949Banmoor Drive
Troy, MI. 48084*

September 2004

September 2004							October 2004						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
5	6	7	8	9	10	11	3	4	5	6	7	8	9
12	13	14	15	16	17	18	10	11	12	13	14	15	16
19	20	21	22	23	24	25	17	18	19	20	21	22	23
26	27	28	29	30			24	25	26	27	28	29	30
							31						

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
		September 1 8:30am BUILDING CODE BOARD OF APPEALS (Conference Room L) 7:00pm Persons w/Dis (Conference Room Lower Level)	2 10:00am Senior Advisory (Community Center)	3	4
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) 7:30pm CC-Study Session (Council Boardroom)	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)				

Sept. 27 PH ZOTA 479-B
 Sept. 27 PH ZOTA 182 Sec.12.50 R1T
 Sept. 27 Park. Var. Req 1800 W. Big Beaver
 Sept. 27, PH ZOTA 200
 Sept. 27, PH ZOTA 199
 Sept. 27 PH ZOTA 203 Art.II

October 2004

October 2004							November 2004						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2							
3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30				
31													

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
				October 1	2
					3
4	5	6	7	8	9
7:30pm City Council-Regular (Council Chambers) 7:30pm Tentative Study Session (Council Boardroom)	7:00pm Ethnic Issues Advisory Board (Conference Room C) 7:30pm Planning - Study (Council Boardroom)	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)		10
11	12	13	14	15	16
	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)		17
18	19	20	21	22	23
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)	7:30am DDA Meeting (Conference Room Lower Level) 7:00pm Cable Adv (Conference Room C)			24
25	26	27	28	29	30
7:30pm City Council-Regular (Council Chambers)	7:30pm Planning-Study (Council Boardroom) 7:30pm Historical Commission (Troy Museum)	7:00pm Troy Youth (Conference Room Lower Level)			31

November 2004

November 2004							December 2004						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
	1	2	3	4	5	6	5	6	7	8	9	10	11
7	8	9	10	11	12	13	12	13	14	15	16	17	18
14	15	16	17	18	19	20	19	20	21	22	23	24	25
21	22	23	24	25	26	27	26	27	28	29	30	31	
28	29	30											

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
November 1	2	3	4	5	6
	Election - State General 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)	10:00am Senior Advisory (Community Center)		
8	9	10	11	12	13
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
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)	7:30am DDA Meeting (Conference Room Lower Level) 7:00pm Troy Youth (Community Center)			
22	23	24	25	26	27
	7:30pm Planning-Study (Council Boardroom) 7:30pm Historical Commission (Troy Museum)				
29	30				
7:30pm City Council-Regular (City Council Chambers)					

September 15, 2004

TO: The Honorable Mayor and City Council Members

FROM: John Szerlag, City Manager

SUBJECT: Methodology to Solicit Advertising for the 2005 Calendar

In accordance with direction from City Council, City Management will attempt to secure eight pages of advertising from other sectors to help offset the cost of the Troy city calendar. Attached is a form letter that will be sent to over 6,000 businesses in Troy, which makes a pitch to buy advertising space in the City calendar.

Please know that these advertisements will be incorporated in our calendar on a first-come first-serve basis, and we essentially have no control over the kind of advertising we will receive. Succinctly, this means we run the risk of having our calendar carry advertisements having messages that are in contradiction with some community values. The calendar would serve as a limited public forum, where content cannot be regulated.

The staff memo which appeared in the September 13, 2004 agenda packet indicated a potential savings of \$12,305 by having advertising and inclusion of the Popular Annual Financial Report (PAFR) contained in the calendar. However, given the added expense of soliciting 6,000 plus businesses brings this estimated savings closer to \$9,500.

In a related matter, I've instructed my staff that they are not allowed to solicit advertisements from companies doing business with the City of Troy (or any other business) as this runs counter to our culture of professionalism.

As always, please feel free to call me should you have any questions.

JS/mr\AGENDA ITEMS\2004\09.20.04 – Methodology to Solicit Advertising for Calendar

c: Department Directors



Attention Troy Businesses

Get on board - Advertise with Troy

The City of Troy is offering a first-time advertising opportunity in its 2005 City Calendar/Annual Report. You can be a part of a new, valuable partnership between the City of Troy and the corporate community - just in time to celebrate our 50th Anniversary!

The Calendar/Annual Report is professionally designed, four-color document with beautiful photographs and enthusiastic copy. We use full color graphs to illustrate the City's annual report information. It includes important dates, public meetings, and contact information for city departments and services.

The Advertising Section offers one or two color display advertising options as well as a Business Listing option for smaller businesses.

Distribution of Publication

The Calendar is mailed out to all City of Troy addresses - 35,000 homes and businesses. It is also distributed in packets to new residents in City Information Packets (1,500), relocation packets for local business (500) and available for pickup at City buildings (City Hall, Troy Library, Troy Community Center, Nature Center and Museum).

It is the best way to get your print advertising and corporate awareness in front of the citizens of Troy. And as a calendar and 50th anniversary keepsake - recipients will keep it all year long, and beyond.

Don't miss the boat!

Time is limited. Contracts are due by October 8.

Getting More Info

Don't hesitate to contact us at the Community Affairs Department for more information.

Cindy Stewart, Director: 248.524.1147

Katie Mowrey: 248.524.3546

Andrea Herzog: 248.524.3599

Ad Rates (one color)

Full Page	\$1,900	\$1,710
Half Page	\$1,000	\$900
Quarter Page	\$550	\$495
Eighth	\$300	\$270
Business Listing	\$75	\$ -

Second Color: Add 20%

Display Advertising Dimensions

Full Page - 11" wide x 8" tall

Half Page - 11" wide x 4 " tall

Half Page - 5.5" wide x 8" tall

Quarter Page - 5.5" wide x 4" tall

Eighth Page - 2.75" wide x 4" tall

Submitting Artwork

Artwork should be submitted electronically. Preferred formats are Illustrator 8.0 or lower EPS, TIFF or PDF. All necessary fonts should be submitted with artwork.

At a minimum, display advertising layout must be furnished camera-ready slick by mail.

Additional Details for Advertisers

All advertisements are subject to the approval of the editor and publisher, the City of Troy.

Position in layout is neither sold nor guaranteed unless stipulated in contract.

All accounts are due and payable by November 1, 2004 to City of Troy. Upon receipt of contract, invoices will be sent. Send remittance c/o Community Affairs Dept., 500 W Big Beaver, Troy MI 48084.

Any adjustment claim on an invoice must be made within 14 days of publication.

Client assumes full responsibility and liability for content of all advertising copy.

September 16, 2004

TO: The Honorable Mayor and City Council Members

FROM: John Szerlag, City Manager

SUBJECT: Discussion of the Proposed I-75/Crooks/Long Lake Interchange Improvement Project as a Possible Open-Ended Question in the ICMA Survey

Council Member Beltramini asked that I craft an open-ended question for possible inclusion in the above-referenced ICMA citizen survey. As such, you may wish to consider the following question:

What do you think about the City of Troy proceeding with the final phase of the proposed I-75/Crooks/Long Lake Interchange Improvement Project which would be contingent upon receiving an estimated \$40 million from the Federal Highway Administration, and why?

I'm also including a more thorough explanation on the need and validity of conducting the ICMA national citizens survey.

As always, please feel free to contact me should you have any questions.


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ICMA : [Services for Local Governments](#) : [National Citizen Survey](#) : **NCS Frequently Asked Questions**

NCS Frequently Asked Questions

[The National Citizen Survey Schedule](#) | **NCS Frequently Asked Questions**

What is The National Citizen Survey™?

The National Citizen Survey™ is a unique service to administer, analyze, and report results from a customizable citizen survey. National Research Center, Inc. and ICMA are able to provide this service at a relatively low cost through careful standardization and automation of the survey process. Each participating jurisdiction can make important customizations for its locale, and the report can compare the results from your jurisdiction with results from other jurisdictions across the United States.

Why should we survey our citizens?

Good reasons include: to measure service performance; to benchmark service quality ratings; to assess community needs; to make long-range, short-term, or strategic plans; to demonstrate the receptivity of your government; to evaluate potential policies or community characteristics; to continue a trendline from periodic surveying; or to respond to a council mandate. These days, residents expect their local government of officials to be as well informed about customer perspectives as the best businesses.

Why should we use The National Citizen Survey™ instead of doing the survey on our own?

The National Citizen Survey™ offers many advantages over both in-house administration and the use of a consultant. These include reduced costs, comparisons to national norms, and the credibility of a widely reputable independent research firm.

What kinds of questions are included on the survey?

Questions are included about the quality of life in your community or county, local policies, demographics, quality of local government services and resident use of services.

Our jurisdiction provides a wide array of services. Will The National Citizen Survey™ let us survey opinions about all of these services?

The selection of service questions is extensive, so all of the major services that you provide are likely to be represented.

Can The National Citizen Survey™ be used by counties?

Yes. A special template, fully customizable, is available for counties.

We participate in ICMA's Center for Performance

Ethics

Finance and Administration

Health and Human Services

Local Government

Management/Administration

Parks and Recreation

Performance Measurement

Personnel and Human Resources

Planning and Zoning

Public Safety, Security, and
Emergency Management

Public Works

School/University Relations

Smart Growth

Technology

Telecommunications

Transportation

Measurement. Can we use The National Citizen Survey™ to collect data for CPM?

Yes. In fact, The NCS was designed to coordinate with CPM data collection. If you use the NCS survey instrument, you will not need to ask citizens the same questions again for CPM purposes.

To what extent is the survey customizable?

You may customize your survey by choosing from a set of questions that are commonly used in citizen surveys, that have been endorsed by a panel of experts, and that have been tested at several pilot sites. You also have the option of creating three policy questions that are entirely specific to your jurisdiction. Furthermore, you may choose among a selection of additional services to modify the administration by including an open-ended question, comparisons to your previous survey results, a larger sample size, phone data collection, a Spanish translation, customized norms, geographic crosstabs, and a breakdown of results by respondent characteristics.

What will the margin of error in the results be?

Typically, with a sample size of 1,200 surveys, there will be about 400 responses, which translates to a margin of error that is approximately 5 percentage points around any percent. One of the additional options is a larger sample size of 3,000 residents, which will reduce the margin of error to about 3 percentage points.

How long will jurisdiction staff spend on The National Citizen Survey™?

This will vary and will depend in part on the way your jurisdiction operates. A lead staff member for the project could expect to spend from 10 to 40 hours over the course of the 18-week administration. Publicity is encouraged, and will take additional staff time. The reward for your rather small investment of time will be a better survey and a higher response rate.

What is the cost of The National Citizen Survey™, and how does it compare to the cost of a survey from a private consultant?

You will find enclosed a list of options for The National Survey™ services, and you will find The NCS™ more affordable than a fully customized survey. The added value of normative data makes The NCS™ even more cost effective.

How long will it take to get results and the report once we sign up?

Once you sign up, you will receive a packet of materials requesting information about customizing the survey. The complete time frame is approximately 12 weeks from the time we receive your completed materials from this packet.

How will the survey be administered?

The survey will be administered by mail. A postcard is sent to randomly selected households announcing that a survey will follow. The first survey comes a week later and is followed by a "reminder" survey one week after that. Data collection by phone is also an option.

How many people in our jurisdiction will receive the mailing?

The basic service includes a sample size of 1,200 residents. However, we also offer the option of a sample size of 3,000 residents at an additional cost.

How many responses can we expect?

With a sample size of 1,200, we typically receive about 400 responses. For a sample size of 3,000, we expect approximately 1,000 responses. The actual number varies from jurisdiction to jurisdiction. The response rate will depend partly on the amount of publicity you provide ahead of time.

What about people who don't speak English?

We offer a Spanish-language version of the survey instrument as a service option. Let us know if you are interested in other languages.

What kind of report will we get?

You will get three separate reports. An executive summary briefs you on results. A comprehensive report includes survey background, survey methods, local results, and appendices. Local results are presented in tables and graphs. A third report, intended for internal use or for public information purposes, at the manager's discretion, compares local results to norms based on National Research Center's database of over 350 surveys conducted throughout the United States.

Can we compare the results of The National Citizen Survey™ to the results of surveys we did in the past?

Yes. As an option, we can convert most service evaluations to The NCS™ measurement scale for comparisons over the last 3 administrations to The NCS™ results.

With which communities will we be able to compare our results?

The normative comparisons are based on about 350 jurisdictions where citizen surveys have been conducted recently. These are communities from all across the United States ranging in size from just a few hundred to over 2 million. More than 200,000 residents of counties, villages, townships, and cities completed these surveys, and they are intended to represent over 30,000,000 Americans. Norms can be customized, too, so that your jurisdiction is compared to others in the database of similar size, location, or type (e.g., counties, cities, towns, etc.).

Do we have to compare our results to national norms?

No, the choice is yours.

What if we don't want our results publicized?

That is up to you. The final report is delivered to the client only, on your time schedule. Comparisons with the normative data are presented in a separate report. Results from our database remain confidential. Norms are created by grouping results so that individual jurisdictions remain anonymous unless they choose to be mentioned for purposes of positive recognition.

With which communities will we be able to compare our results?

The normative comparisons are based on about 300 jurisdictions where citizen

surveys have been conducted recently. These are communities from all across the United States ranging in size from just a few hundred to over 2 million. More than 100,000 residents of counties, villages, townships and cities completed these surveys and they are intended to represent over 30,000,000 Americans. Norms can be customized, too, so that your jurisdiction is compared to others in the database of similar size, location or type (e.g., counties, cities, towns, etc.).

How is the validity of the survey authenticated?

In the final report, we provide an elaborate description of our meticulous survey methods. We also provide a certificate of participation, suitable for display, signed by the executive director of ICMA and the president of NRC, to all jurisdictions that successfully complete the survey project.

- see attached

Can results be used for measuring government performance?

Yes, the opinion of residents is critical in understanding the quality of service delivery and has become a widely-used performance measurement tool. We remind our clients that administrative records and independent observations about actual service efficiencies and quality measures are important, too.

© 2004 International City/County Management Association (ICMA)

777 North Capitol Street, NE
Suite 500
Washington, DC 20002

Main phone number: 202-289-4262
Member services: 202-962-3680
Main fax number: 202-962-3500
Order processing center: 1-800-745-8780

[General contact information](#)

[Staff contacts for ICMA members](#)

Please [contact us](#) if you experience any problems.

[ICMA Privacy Policy](#)



APPENDIX II: SURVEY METHODOLOGY

The National Citizen Survey™ was developed to provide local jurisdictions an accurate, affordable and easy way to assess and interpret resident opinion about important community issues. While standardization of question wording and survey methods provide the rigor to assure valid results, each jurisdiction has enough flexibility to construct a customized version of The National Citizen Survey™ that asks residents about key local services and important local issues.

Results offer insight into residents' perspectives about local government performance and as such provide important benchmarks for jurisdictions working on performance measurement. The National Citizen Survey™ is designed to help with budget, land use and strategic planning as well as to communicate with local residents. The National Citizen Survey™ permits questions to test support for local policies and answers to its questions also speak to community trust and involvement in community-building activities as well as to resident demographic characteristics.

SAMPLING

Approximately 1,200 households were selected to participate in the survey using a stratified systematic sampling method.³ An individual within each household was selected using the birthday method.⁴

SURVEY ADMINISTRATION

Households received three mailings between the 6th of January and the 20th of January 2003. The first was a postcard notifying them they had been selected to participate in the City of Evanston 2003 Citizen Survey. The postcard was signed by the City Manager. About a week later a survey was mailed with a cover letter also signed by the City Manager. Approximately one week after the first survey was mailed, a second survey was mailed, with a cover letter asking

³ Systematic sampling is a method that closely approximates random sampling by selecting every Nth address until the desired number of households is chosen.

⁴ The birthday method is a process to remove bias in the selection of a person within the household by asking the "person whose birthday has most recently passed" to complete the questionnaire. The underlying assumption in this method is that day of birth has no relationship to the way people respond to surveys but leaving selection of respondent to household members will lead to bias.

those who had not yet participated to do so, while informing those who had already completed the survey not to do so again.

RESPONSE RATE AND CONFIDENCE INTERVALS

Of the 1,200 eligible households, 515 completed the survey providing a response rate of 45%. Approximately 56 addresses sampled were “vacant” or “not found.”⁵ In general, the response rates obtained on citizen surveys range from 25% to 40%.

It is customary to describe the precision of estimates made from surveys by a “level of confidence” (or margin of error). The 95 percent confidence level for this survey is generally no greater than plus or minus 4 percentage points around any given percent reported.⁶ The confidence intervals are larger around estimates for subgroups.

WEIGHTING AND ANALYZING THE DATA

The surveys were analyzed using the SPSS statistical package. Frequency distributions and average (mean) ratings are presented in the body of the report.

The demographic characteristics of the sample were compared to those of the City of Evanston as reflected in the information sent by staff to National Research Center, Inc. When necessary survey results were statistically adjusted to reflect the known population profile.

Generally, only two variables are used in a weighting scheme. Known population characteristics are compared to the characteristics of survey respondents. Generally, characteristics chosen as weighting variables are selected because they are not in proportion to what is shown in a jurisdiction’s demographic profile and because differences in opinion are observed between subgroups of these characteristics. The two socioeconomic characteristics that were used to weight the survey results were sex/age and race. Other discrepancies between the

⁵ “Eligible” households refer to addresses that belong to residences that are not vacant within the City of Evanston.

⁶ The margin of error was calculated using the following formula: $1.96 * \text{square root } (0.25/400)$. This margin of error is calculated in the most conservative way. The standard error was assumed to be the greatest for a binomial distribution: 50%/50%.

whole population and the sample were also aided by the weighting due to the intercorrelation of many socioeconomic characteristics, although the percentages are not always identical in the sample compared to the population norms. The results of the weighting scheme are presented in the table on the next page.

THE NATIONAL CITIZEN SURVEY™

Why Survey? Some Talking Points

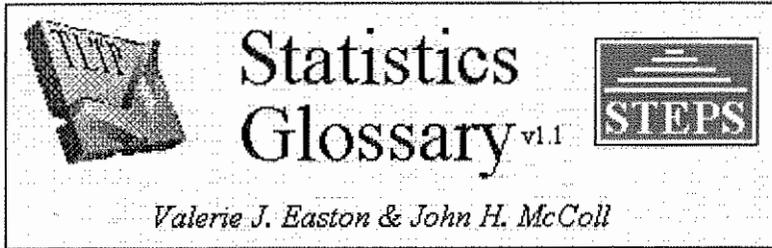
You as a manager know that citizen surveying is a “power tool” for performance evaluation and improvement, but you also know that power tools carry risks and many elected officials are cautious about using them.

A few talking points may help you explain why citizen surveying is not only a good idea but also a necessity for today’s responsive local government.

1. Citizen surveying bridges the gap between the government and citizens who don’t come to meetings, but do vote, pay taxes, and make decisions about where to live and build their businesses.
2. The best way to encourage good performance is to measure it, and the best indicator of government performance is citizen satisfaction. Two out of three local governments that monitor their contracts use citizen satisfaction as a guide.
3. Surveying is how you measure progress. Surveying is not a one-time event. You start a trend line with your first survey. In following years, declining scores tell you where to focus improvements; rising scores reward departments that are improving.
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Confidence intervals

[Confidence Interval](#)

[Confidence Limits](#)

[Confidence Level](#)

[Confidence Interval for a Mean](#)

[Confidence Interval for the Difference Between Two Means](#)

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Confidence Interval

A confidence interval gives an estimated range of values which is likely to include an unknown population parameter, the estimated range being calculated from a given set of sample data.

If independent samples are taken repeatedly from the same population, and a confidence interval calculated for each sample, then a certain percentage (confidence level) of the intervals will include the unknown population parameter. Confidence intervals are usually calculated so that this percentage is 95%, but we can produce 90%, 99%, 99.9% (or whatever) confidence intervals for the unknown parameter.

The width of the confidence interval gives us some idea about how uncertain we are about the unknown parameter (see precision). A very wide interval may indicate that more data should be collected before anything very definite can be said about the parameter.

Confidence intervals are more informative than the simple results of hypothesis tests (where we decide "reject H_0 " or "don't reject H_0 ") since they provide a range of plausible values for the unknown parameter.

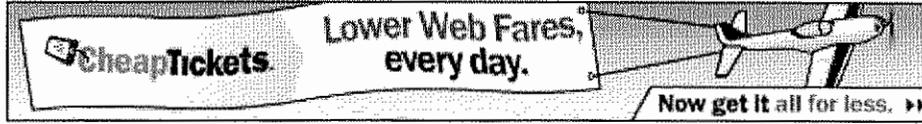


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1 entry found for *confidence interval*.

confidence interval

n.

A statistical range with a specified probability that a given parameter lies within the range.

September 8, 2004

TO: The Honorable Mayor and City Council Members

FROM: John Szerlag, City Manager 

SUBJECT: International City/County Management Association (ICMA)
Citizen Survey

In my July 15, 2004 letter to you along with supporting documentation (which is attached for ease of reference) I asked for your advice on which additional questions, if any, should be incorporated in the survey. Succinctly, we're allowed to include three optional yes/no policy type questions in addition to the basic template of issues for a fee of \$8,200. And we can include two open-ended questions for an additional amount of \$1,250 each. The open-ended question would enable the resident surveyed to write a response.

To offer a starting point for our discussions, you may wish to consider the following policy issues that can be responded to in a yes/no fashion:

- Would you be in favor of reducing the level of City services to maintain the current tax rate?
- For quality of life services, should there be an increase in user fees before an increase in taxes is considered? Quality of life services pertain to Parks and Recreation, Library, Museum, and Nature Center.
- Would you be in favor of implementing new user fees where none currently exist? Examples pertain to Library, parks, and recreation uses/programs.

My rationale for offering these questions is twofold:

- 1) It's part of an ongoing dialogue we have relative to the budgetary process.
- 2) Local legislative policies can be defined as an allocation of community values. As such, an accurate read will let us know how the community views these issues.

The Honorable Mayor and City Council Members
International City/County Management Association (ICMA) Citizen Survey
September 7, 2004
Page Two

In terms of the open-ended question, you may wish to address the issue of traffic congestion. This was the number one concern by respondents to the 1999 survey conducted by Market Measurement; so you may wish to ask the following:

- Our last survey conducted in 1999 indicated that traffic congestion was Troy's number one concern. How do you feel about this and how would you like the City of Troy to address traffic congestion?

Finally, we made some minor changes to the ICMA template to have a closer orientation to Troy. The proposed changes are attached to this memo.

I look forward to discussing this matter with you, and, as always, please feel free to call should you have any questions.

JS/mr\AGENDA ITEMS\2004\09.13.04 – ICMA Citizen Survey

c: Department Directors
Laura Fitzpatrick, Assistant to the City Manager

July 15, 2004

TO: The Honorable Mayor and City Council Members

FROM: John Szerlag, City Manager

SUBJECT: International City/County Management Association (ICMA)
Citizen Survey

The International City/County Management Association (ICMA) has partnered with National Research Center, Inc., a professional survey organization, to develop and test a survey template that combines standard and customized questions. As a result, ICMA members can take advantage of a national citizen survey at a fraction of the cost of most consultant surveys. Over 350 other governmental agencies have availed themselves of the service for ICMA members.

For the fee of \$8,200 the National Citizen Survey basic service offers us:

- 1) Customized survey form with three optional questions
- 2) Three mailings with 1,200 randomly selected households
- 3) A margin of error (95% confidence interval) of no more than plus or minus five percentage points
- 4) Three reports: Executive Summary, Statistical Analysis of Survey Results, and Optional Comparison with National Norms
- 5) Technical assistance by phone and email

As stated above, we're allowed to include three optional questions. And I'd like your advice on which questions we should ask. So too, for inclusion of an open-ended question we would pay an additional \$1,250. The open-ended question would enable the resident surveyed to write a response.

Please review the template survey and determine if additional questions should be included. We'll then discuss this matter as a study item for either the August 9 or 23 Council meeting, depending upon Agenda length.

In closing, please know that funds are budgeted for this project in the Community Affairs Department's consultant services account; number 748.7816.010. Once we're set on the questions, I'll have staff register the City of Troy to have the ICMA survey mailed October 25, 2004.

c: John M. Lamerato, Assistant City Manager/Finance & Administration
Cynthia Stewart, Community Affairs Director
Steven J. Vandette, Acting Assistant City Manager/Services

JS/mr\AGENDA ITEMS\2004.07.19.04 - ICMA Citizen Survey



Timeline for The National Citizen Survey™ September 2004 Class

Legend: ◀ Indicates when items from NRC are due to you ▶ Indicates when items from you are due to NRC ◆ Indicates information items

<u>Item</u>	<u>Week</u>	<u>Actual Dates</u>
Preparing for the survey		
◆ The NCS survey process is initiated upon receipt of your enrollment form and first payment.....	week 1	Sept 6
▶ NRC mails you The NCS worksheet packet.....	week 2	Sept 13
▶ Due to NRC: Worksheets and additional payment for add-on options.....	week 4	Sept 27
◆ NRC uses the information you provided to generate the sample and customize the survey instrument for your jurisdiction.....	weeks 5-6	Oct 4-Oct 11
▶ NRC provides confirmation documents about options selected by your jurisdiction and a sample of the postcard and mailing envelope for your records.....	week 5	Oct 4
▶ Due to NRC: Confirmation of options selected.....	week 6	Oct 11
▶ NRC provides samples of survey materials (cover letters and survey instrument) for your records.....	week 6	Oct 11
◆ NRC prints materials and prepares mailings.....	weeks 5-6	Oct 4- Oct 11
▶ NRC mails evaluation questionnaire and timesheet about the data collection process to you.....	week 7	Oct 18
Conducting the survey		
◆ Survey materials are mailed		
◆ Prenotification postcards delivered to post office.....	week 7	Oct 18
◆ 1 st wave of surveys delivered to post office.....	week 8	Oct 25
◆ 2 nd wave of surveys delivered to post office.....	week 9	Nov 1
◆ Data collection: surveys received for your jurisdiction.....	weeks 8-12	Oct 25-Nov 22
◆ <i>Note 1:</i> During this time, you will receive postcards that were undeliverable due to bad addresses, or vacant housing units. This is normal. Please count all the postcards, as we will subtract the number of returned postcards from the total number mailed to estimate the number of "eligible" households in calculating the final response rate.....		
◆ <i>Note 2:</i> You may receive phone calls from citizens during this time period who call to inform you they are outside of your jurisdiction's boundaries, or that they do not wish to receive additional mailings, etc. Please reassure them that their household was randomly selected, and while they may receive a total of three mailings from you, they will not receive any additional mailings after that time.....		
▶ Due to NRC: evaluation questionnaire and timesheet about the data collection process.....	week 12	Nov 22
▶ Due to NRC: Final count of returned postcards.....	week 12	Nov 22
◆ Survey processing and report writing.....	week 12-14	Nov 22-Dec 6
◆ During this time, NRC will process the surveys, perform the data analysis, and produce a two-part draft report for your jurisdiction. The report of results will contain a description of the methodology, information on understanding the results, and graphs and tables of your results. The second report will include a description of NRC's database of normative data from across the U.S. and actual comparisons to your results, where appropriate.....		
▶ NRC emails draft report (in PDF format) to you.....	week 15	Dec 13
▶ Due to NRC: jurisdiction feedback on the draft report.....	week 16	Dec 20
▶ NRC mails final report and data file to you (unless otherwise specified).....	week 17	Dec 27
▶ NRC mails final invoice to you.....	week 17	Dec 27
▶ NRC mails final evaluation questionnaire and timesheet to you.....	week 17	Dec 27
▶ Due to NRC: Final half of costs of The NCS.....	week 18	Jan 3
▶ Due to NRC: completed final evaluation questionnaire and timesheet.....	week 18	Jan 3

THE NATIONAL CITIZEN SURVEY™

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The XYZ of ABC 2003 Citizen Survey

Please complete this questionnaire if you are the adult (age 18 or older) in the household who most recently had a birthday. The adult's year of birth does not matter. Please circle the response that most closely represents your opinion for each question. Your responses are anonymous and will be reported in group form only.

1. Please circle the number that comes closest to your opinion for each of the following questions:

	<u>excellent</u>	<u>good</u>	<u>fair</u>	<u>poor</u>	<u>don't know</u>
How do you rate ABC as a place to live?	1	2	3	4	5
How do you rate your neighborhood as a place to live?	1	2	3	4	5
How do you rate ABC as a place to raise children?	1	2	3	4	5
How do you rate ABC as a place to retire?	1	2	3	4	5
How do you rate the overall quality of life in ABC?	1	2	3	4	5

2. Please rate each of the following characteristics as they relate to ABC as a whole:

	<u>excellent</u>	<u>good</u>	<u>fair</u>	<u>poor</u>	<u>don't know</u>
Sense of community	1	2	3	4	5
Openness and acceptance of the community towards people of diverse backgrounds ...	1	2	3	4	5
Overall appearance of ABC	1	2	3	4	5
Opportunities to attend cultural activities	1	2	3	4	5
Shopping opportunities	1	2	3	4	5
Air quality	1	2	3	4	5
Recreational opportunities	1	2	3	4	5
Job opportunities	1	2	3	4	5
Access to affordable quality housing	1	2	3	4	5
Access to affordable quality child care	1	2	3	4	5
Access to affordable quality health care	1	2	3	4	5
Ease of car travel in ABC	1	2	3	4	5
Ease of bus travel in ABC	1	2	3	4	5
Ease of rail/subway travel in ABC	1	2	3	4	5
Ease of bicycle travel in ABC	1	2	3	4	5
Ease of walking in ABC	1	2	3	4	5

3. Please rate the speed of growth in the following categories in ABC over the past 2 years:

	<u>much too slow</u>	<u>somewhat too slow</u>	<u>right amount</u>	<u>somewhat too fast</u>	<u>much too fast</u>	<u>don't know</u>
Population growth	1	2	3	4	5	6
Retail growth (stores, restaurants etc.)	1	2	3	4	5	6
Jobs growth	1	2	3	4	5	6

4. To what degree, if at all, are the following problems in ABC:

	<u>not a problem</u>	<u>minor problem</u>	<u>moderate problem</u>	<u>major problem</u>	<u>don't know</u>
Crime	1	2	3	4	5
Drugs	1	2	3	4	5
Too much growth	1	2	3	4	5
Lack of growth	1	2	3	4	5
Graffiti	1	2	3	4	5
Noise	1	2	3	4	5
Run down buildings, weed lots, or junk vehicles	1	2	3	4	5
Taxes	1	2	3	4	5
Traffic congestion	1	2	3	4	5
Unsupervised youth	1	2	3	4	5
Homelessness	1	2	3	4	5
Weeds	1	2	3	4	5

5. Please rate how safe you feel from the following occurring to you in ABC:

	very safe	somewhat safe	neither safe nor unsafe	somewhat unsafe	very unsafe	don't know
Violent crime (e.g., rape, assault, robbery).....	1	2	3	4	5	6
Property crimes (e.g., burglary, theft).....	1	2	3	4	5	6
Fire.....	1	2	3	4	5	6

6. Please rate how safe you feel:

	very safe	somewhat safe	neither safe nor unsafe	somewhat unsafe	very unsafe	don't know
In your neighborhood during the day.....	1	2	3	4	5	6
In your neighborhood after dark.....	1	2	3	4	5	6
In ABC's downtown area during the day.....	1	2	3	4	5	6
In ABC's downtown area after dark.....	1	2	3	4	5	6
In ABC's parks during the day.....	1	2	3	4	5	6
In ABC's parks after dark.....	1	2	3	4	5	6

7. During the past twelve months, were you or anyone in your household the victim of any crime?

- no [go to question #9] yes [go to question #8] don't know

8. If yes, was this crime (these crimes) reported to the police?

- no yes don't know

9. In the last 12 months, about how many times, if ever, have you or other household members participated in the following activities in ABC?

	never	once or twice	3 to 12 times	13 to 26 times	more than 26 times
Used ABC public libraries or their services.....	1	2	3	4	5
Used ABC recreation centers.....	1	2	3	4	5
Participated in a recreation program or activity.....	1	2	3	4	5
Visited a neighborhood or XYZ park.....	1	2	3	4	5
Ridden a local bus within ABC.....	1	2	3	4	5
Attended a meeting of local elected officials or other local public meeting.....	1	2	3	4	5
Watched a meeting of local elected officials or other local public meeting on cable television.....	1	2	3	4	5
Recycled used paper, cans or bottles from your home.....	1	2	3	4	5
Volunteered your time to some group/activity in ABC.....	1	2	3	4	5
Read ABC Newsletter.....	1	2	3	4	5
Used the Internet for anything.....	1	2	3	4	5
Used the Internet to conduct business with ABC.....	1	2	3	4	5
Purchased an item over the Internet.....	1	2	3	4	5

10. How do you rate the quality of each of the following services in ABC?

	<u>excellent</u>	<u>good</u>	<u>fair</u>	<u>poor</u>	<u>don't know</u>
Police services.....	1	2	3	4	5
Fire services.....	1	2	3	4	5
Ambulance/emergency medical services.....	1	2	3	4	5
Crime prevention.....	1	2	3	4	5
Fire prevention and education.....	1	2	3	4	5
Traffic enforcement.....	1	2	3	4	5
Garbage collection.....	1	2	3	4	5
Recycling.....	1	2	3	4	5
Yard waste pick-up.....	1	2	3	4	5
Street repair.....	1	2	3	4	5
Street cleaning.....	1	2	3	4	5
Street lighting.....	1	2	3	4	5
Snow removal.....	1	2	3	4	5
Sidewalk maintenance.....	1	2	3	4	5
Traffic signal timing.....	1	2	3	4	5
Amount of public parking.....	1	2	3	4	5
Bus/transit services.....	1	2	3	4	5
Storm drainage.....	1	2	3	4	5
Drinking water.....	1	2	3	4	5
Sewer services.....	1	2	3	4	5
XYZ parks.....	1	2	3	4	5
Recreation programs or classes.....	1	2	3	4	5
Range/variety of recreation programs and classes.....	1	2	3	4	5
Recreation centers/facilities.....	1	2	3	4	5
Accessibility of parks.....	1	2	3	4	5
Accessibility of recreation centers/facilities.....	1	2	3	4	5
Appearance/maintenance of parks.....	1	2	3	4	5
Appearance of recreation centers/facilities.....	1	2	3	4	5
Land use, planning and zoning.....	1	2	3	4	5
Code enforcement (weeds, abandoned buildings, etc).....	1	2	3	4	5
Animal control.....	1	2	3	4	5
Economic development.....	1	2	3	4	5
Health services.....	1	2	3	4	5
Services to seniors.....	1	2	3	4	5
Services to youth.....	1	2	3	4	5
Services to low-income people.....	1	2	3	4	5
Public library services.....	1	2	3	4	5
Variety of library materials.....	1	2	3	4	5
Public information services.....	1	2	3	4	5
Municipal courts.....	1	2	3	4	5
Public schools.....	1	2	3	4	5
Cable television.....	1	2	3	4	5

11. Overall, how would you rate the quality of the services provided by...

	<u>excellent</u>	<u>good</u>	<u>fair</u>	<u>poor</u>	<u>don't know</u>
The XYZ of ABC?.....	1	2	3	4	5
The Federal Government?.....	1	2	3	4	5
The State Government?.....	1	2	3	4	5

12. Have you had any in-person or phone contact with an employee of the XYZ of ABC within the last 12 months (including police, receptionists, planners or any others)?

- no [go to question #14] yes [go to question #13]

13. What was your impression of employees of the XYZ of ABC in your most recent contact? (Rate each characteristic below.)

	<u>excellent</u>	<u>good</u>	<u>fair</u>	<u>poor</u>	<u>don't know</u>
Knowledge.....	1	2	3	4	5
Responsiveness.....	1	2	3	4	5
Courtesy	1	2	3	4	5
Overall impression	1	2	3	4	5

14. Please rate the following statements by circling the number that most clearly represents your opinion:

	<u>strongly agree</u>	<u>somewhat agree</u>	<u>neither agree nor disagree</u>	<u>somewhat disagree</u>	<u>strongly disagree</u>	<u>don't know</u>
I receive good value for the XYZ of ABC taxes I pay.....	1	2	3	4	5	6
I am pleased with the overall direction that the XYZ of ABC is taking.....	1	2	3	4	5	6
The XYZ of ABC government welcomes citizen involvement.....	1	2	3	4	5	6
The XYZ of ABC government listens to citizens	1	2	3	4	5	6

15. What impact, if any, do you think the economy will have on your family income in the next 6 months? Do you think the impact will be:

- very positive somewhat positive neutral somewhat negative very negative

16. Please check the response that comes closest to your opinion for each of the following questions:

a. Policy Question #1
 Policy Question #1 Policy Question #1 Policy Question #1 Policy Question #1 Policy Question #1 Policy Question #1
 Policy Question #1 Policy Question #1 Policy Question #1 Policy Question #1 Policy Question #1 Policy Question #1

- scale point 1 scale point 4
 scale point 2 scale point 5
 scale point 3 scale point 6

b. Policy Question #2
 Policy Question #2 Policy Question #2 Policy Question #2 Policy Question #2 Policy Question #2 Policy Question #2
 Policy Question #2 Policy Question #2 Policy Question #2 Policy Question #2 Policy Question #2 Policy Question #2

- scale point 1 scale point 4
 scale point 2 scale point 5
 scale point 3 scale point 6

c. Policy Question #3
 Policy Question #3 Policy Question #3 Policy Question #3 Policy Question #3 Policy Question #3 Policy Question #3
 Policy Question #3 Policy Question #3 Policy Question #3 Policy Question #3 Policy Question #3 Policy Question #3

- scale point 1 scale point 4
 scale point 2 scale point 5
 scale point 3 scale point 6

d. OPTIONAL [See Worksheets for details and price of this option] Open-Ended Question Open-Ended Question
 Open-Ended Question Open-Ended Question Open-Ended Question Open-Ended Question Open-Ended Question
 Open-Ended Question Open-Ended Question Open-Ended Question Open-Ended Question Open-Ended Question

Our last questions are about you and your household. Again, all of your responses to this survey are completely anonymous and will be reported in group form only.

17. Do you live within the XYZ limits of the XYZ of ABC?

- no yes

18. Are you currently employed?

- no [go to question #19] yes [go to question #18a]

18a. What one method of transportation do you *usually* use (for the longest distance of your commute) to travel to work?

- Motorized vehicle (e.g. car, truck, van, motorcycle etc...)
 Bus, Rail, Subway, or other public transportation
 Walk
 Work at home
 Other

18b. If you checked the motorized vehicle (e.g. car, truck, van, motorcycle, etc.) box in 18a, do other people (adults or children) *usually* ride with you to or from work?

- no yes

19. How many years have you lived in ABC?

- less than 2 years 11-20 years
 2-5 years more than 20 years
 6-10 years

20. Which best describes the building you live in?

- one family house detached from any other houses
 house attached to one or more houses (e.g. a duplex or townhome)
 building with two or more apartments or condominiums
 mobile home
 other

21. Is this house, apartment, or mobile home...

- rented for cash or occupied without cash payment?
 owned by you or someone in this house with a mortgage or free and clear?

22. Do any children 12 or under live in your household?

- no yes

23. Do any teenagers aged between 13 and 17 live in your household?

- no yes

24. Are you or any other members of your household aged 65 or older?

- no yes

25. Does any member of your household have a physical handicap or is anyone disabled?

- no yes

26. What is the highest degree or level of school you have completed? (mark one box)

- 12th Grade or less, no diploma
 high school diploma
 some college, no degree
 associate's degree (e.g. AA, AS)
 bachelor's degree (e.g. BA, AB, BS)
 graduate degree or professional degree

27. How much do you anticipate your household's total income before taxes will be for the current year? (Please include in your total income money from all sources for all persons living in your household.)

- less than \$24,999
 \$25,000 to \$49,999
 \$50,000 to \$99,999
 \$100,000 or more

28. Are you Spanish/Hispanic/Latino?

- no yes

29. What is your race? (Mark one or more races to indicate what race you consider yourself to be)

- American Indian or Alaskan native
 Asian or Pacific Islander
 Black, African American
 White/Caucasian
 Other

30. In which category is your age?

- 18-24 years 55-64 years
 25-34 years 65-74 years
 35-44 years 75 years or older
 45-54 years

31. What is your sex?

- female male

32. Are you registered to vote in your jurisdiction?

- no yes don't know

33. Did you vote in the last election?

- no yes don't know

34. Are you likely to vote in the next election?

- no yes don't know

Thank you for completing this survey. Please return the completed survey in the postage paid envelope to: National Research Center, Inc., 3005 30th St., Boulder, CO 80301



Timeline for The National Citizen Survey™ October 2004 Class

Legend: ◀ Indicates when items from NRC are due to you ▶ Indicates when items from you are due to NRC ◆ Indicates information items

<u>Item</u>	<u>Week</u>	<u>Actual Dates</u>
Preparing for the survey		
◆ The NCS survey process is initiated upon receipt of your enrollment form and first payment.....	week 1	Oct 4
◀ NRC mails you The NCS worksheet packet.....	week 2	Oct 11
▶ Due to NRC: Worksheets and additional payment for add-on options.....	week 4	Oct 25
◆ NRC uses the information you provided to generate the sample and customize the survey instrument for your jurisdiction	weeks 5-6	Nov 1-8
◀ NRC provides confirmation documents about options selected by your jurisdiction and a sample of the postcard and mailing envelope for your records.....	week 5	Nov 1
▶ Due to NRC: Confirmation of options selected.....	week 6	Nov 8
◀ NRC provides samples of survey materials (cover letters and survey instrument) for your records.....	week 6	Nov 8
◆ NRC prints materials and prepares mailings.....	weeks 5-6	Nov 1-8
◀ NRC mails evaluation questionnaire and timesheet about the data collection process to you.....	week 7	Nov 15
Conducting the survey		
◆ Survey materials are mailed		
◆ Prenotification postcards delivered to post office	week 7	Nov 15
◆ 1 st wave of surveys delivered to post office	week 8	Nov 22
◆ 2 nd wave of surveys delivered to post office.....	week 9	Nov 29
◆ Data collection: surveys received for your jurisdiction	weeks 8-12	Nov 22-Dec 20
◆ <i>Note 1:</i> During this time, you will receive postcards that were undeliverable due to bad addresses, or vacant housing units. This is normal. Please count all the postcards, as we will subtract the number of returned postcards from the total number mailed to estimate the number of "eligible" households in calculating the final response rate.		
◆ <i>Note 2:</i> You may receive phone calls from citizens during this time period who call to inform you they are outside of your jurisdiction's boundaries, or that they do not wish to receive additional mailings, etc. Please reassure them that their household was randomly selected, and while they may receive a total of three mailings from you, they will not receive any additional mailings after that time.		
▶ Due to NRC: evaluation questionnaire and timesheet about the data collection process	week 12	Dec 20
▶ Due to NRC: Final count of returned postcards.....	week 12	Dec 20
◆ Survey processing and report writing	week 12-14	Dec 20-Jan 3
◆ During this time, NRC will process the surveys, perform the data analysis, and produce a two-part draft report for your jurisdiction. The report of results will contain a description of the methodology, information on understanding the results, and graphs and tables of your results. The second report will include a description of NRC's database of normative data from across the U.S. and actual comparisons to your results, where appropriate.		
◀ NRC emails draft report (in PDF format) to you.....	week 15	Jan 10
▶ Due to NRC: jurisdiction feedback on the draft report.....	week 16	Jan 17
◀ NRC mails final report and data file to you (unless otherwise specified)	week 17	Jan 24
◀ NRC mails final invoice to you	week 17	Jan 24
◀ NRC mails final evaluation questionnaire and timesheet to you	week 17	Jan 24
▶ Due to NRC: Final half of costs of The NCS	week 18	Jan 31
▶ Due to NRC: completed final evaluation questionnaire and timesheet	week 18	Jan 31



Timeline for The National Citizen Survey™ November 2004 Class

Legend: ◀ Indicates when items from NRC are due to you ▶ Indicates when items from you are due to NRC ◆ Indicates information items

<u>Item</u>	<u>Week</u>	<u>Actual Dates</u>
Preparing for the survey		
◆ The NCS survey process is initiated upon receipt of your enrollment form and first payment.....	week 1	Nov 1
◀ NRC mails you The NCS worksheet packet.....	week 2	Nov 8
▶ Due to NRC: Worksheets and additional payment for add-on options.....	week 4	Nov 22
◆ NRC uses the information you provided to generate the sample and customize the survey instrument for your jurisdiction	weeks 5-6	Nov 29-Dec 6
◀ NRC provides confirmation documents about options selected by your jurisdiction and a sample of the postcard and mailing envelope for your records.....	week 5	Nov 29
▶ Due to NRC: Confirmation of options selected.....	week 6	Dec 6
◀ NRC provides samples of survey materials (cover letters and survey instrument) for your records.....	week 6	Dec 6
◆ NRC prints materials and prepares mailings.....	weeks 5-6	Nov 29-Dec 6
◀ NRC mails evaluation questionnaire and timesheet about the data collection process to you.....	week 7	Dec 13
Conducting the survey **Please note that for NOVEMBER only, we delay sending surveys until January 2005		
◆ Survey materials are mailed		
◆ Prenotification postcards delivered to post office	week 7	Jan 4
◆ 1 st wave of surveys delivered to post office	week 8	Jan 11
◆ 2 nd wave of surveys delivered to post office.....	week 9	Jan 18
◆ Data collection: surveys received for your jurisdiction	weeks 8-12	Jan 11-Feb 8
◆ <i>Note 1:</i> During this time, you will receive postcards that were undeliverable due to bad addresses, or vacant housing units. This is normal. Please count all the postcards, as we will subtract the number of returned postcards from the total number mailed to estimate the number of "eligible" households in calculating the final response rate.		
◆ <i>Note 2:</i> You may receive phone calls from citizens during this time period who call to inform you they are outside of your jurisdiction's boundaries, or that they do not wish to receive additional mailings, etc. Please reassure them that their household was randomly selected, and while they may receive a total of three mailings from you, they will not receive any additional mailings after that time.		
▶ Due to NRC: evaluation questionnaire and timesheet about the data collection process	week 12	Feb 8
▶ Due to NRC: Final count of returned postcards.....	week 12	Feb 8
◆ Survey processing and report writing	week 12-14	Feb 8-22
◆ During this time, NRC will process the surveys, perform the data analysis, and produce a two-part draft report for your jurisdiction. The report of results will contain a description of the methodology, information on understanding the results, and graphs and tables of your results. The second report will include a description of NRC's database of normative data from across the U.S. and actual comparisons to your results, where appropriate.		
◀ NRC emails draft report (in PDF format) to you.....	week 15	March 1
▶ Due to NRC: jurisdiction feedback on the draft report.....	week 16	March 8
◀ NRC mails final report and data file to you (unless otherwise specified)	week 17	March 15
◀ NRC mails final invoice to you	week 17	March 15
◀ NRC mails final evaluation questionnaire and timesheet to you	week 17	March 15
▶ Due to NRC: Final half of costs of The NCS	week 18	March 22
▶ Due to NRC: completed final evaluation questionnaire and timesheet	week 18	March 22