

AGENDA

Regular Meeting of the

CITY COUNCIL OF THE CITY OF TROY

NOVEMBER 15, 2004

CONVENING AT 7:30 P.M.

**Submitted By
The City Manager**

TO: The Honorable Mayor and City Council
Troy, Michigan

FROM: John Szerlag, City Manager

SUBJECT: Background Information and Reports

Ladies and Gentlemen:

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

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

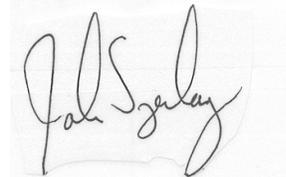
Identified below are goals for the City, which have been advanced by the governing body; and Agenda items submitted for your consideration is on course with these goals.

Goals

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

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

Respectfully submitted,

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

John Szerlag, City Manager



CITY COUNCIL

AGENDA

November 15, 2004 – 7:30 PM
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317

CALL TO ORDER: 1

INVOCATION & PLEDGE OF ALLEGIANCE: Pastor Marvin Walker – Faith Apostolic Church 1

ROLL CALL: 1

CERTIFICATES OF RECOGNITION: 1

A-1 Presentations: a) America Recycles Day – November 15, 2004; b) Christian Heritage Week – November 21 – 27, 2004 1

CARRYOVER ITEMS: 1

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C-1 No Public Hearings Requested 1

POSTPONED ITEMS: 1

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E-4 Standard Purchasing Resolution 2: Bid Award – Lowest Acceptable Bidder – Ice Melt Compound 3

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E-6 Request for Approval of Relocation Claim, Virginia H. Newman, 2815 Thames, Sidwell #88-20-25-226-003, Project No. 01.105.5 – Big Beaver Road Improvements, Rochester to Dequindre 4

E-7 Request for Approval of Relocation Claim, John Cionca, Sr., 2931 Thames, Sidwell #88-20-25-229-003, Project No. 01.105.5 – Big Beaver Road Improvements, Rochester to Dequindre 4

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 a) Mayoral Appointments: Downtown Development Authority; 5

 b) City Council Appointments: Advisory Committee for Persons with Disabilities, Animal Control Appeal Board, Historic District Commission, and Troy Daze Committee 5

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- b) Parking Variance Request – 1717 Stutz Drive – Scheduled for November 29, 2004 9
- c) Commercial Vehicle Appeal – 3035 Heritage – Scheduled for November 29, 2004 9

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- a) Letter from Robert J. O’Neill, Jr., Executive Director of ICMA to John Szerlag, Thanking Him for Participation in the 90th Annual Conference in San Diego..... 10
- b) Letter from David Gorcyca, Oakland County Prosecuting Attorney, to Chief Charles Craft, Congratulating the Troy Police Department on Winning First Place in the Class A Division of the 67th Michigan Police Shoot..... 10
- c) Letter from John Gladysz, Director of Price Funeral Home to Captain Edward Murphy, Thanking the Troy Police Department, Sergeant Cantlon, and Police Service Aides Mary Stark and Jeff Strong for Their Assistance During a Large Funeral Procession..... 10
- d) Letter from David Prince to the Troy Police Department, In Appreciation for a Police Station Tour 10

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Monday, December 06, 2004	Regular City Council	11
Monday, December 20, 2004	Regular City Council	11
Monday, January 10, 2005	Regular City Council	11
Monday, January 24, 2005	Regular City Council	11

Monday, February 7, 2005	Regular City Council.....	11
Monday, February 21, 2005	Regular City Council.....	11
Monday, February 28, 2005	Regular City Council.....	11

CALL TO ORDER:

INVOCATION & PLEDGE OF ALLEGIANCE: Pastor Marvin Walker – Faith Apostolic 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 **Presentations:** a) America Recycles Day – November 15, 2004; b) Christian Heritage Week – November 21 – 27, 2004

CARRYOVER ITEMS:

B-1 No Carryover Items

PUBLIC HEARINGS:

C-1 No Public Hearings Requested

POSTPONED ITEMS:

D-1 Standard Resolution #4 for Big Oak Trail Paving, SAD No. 04.201.1

Suggested Resolution
Resolution #2004-11-
Moved by
Seconded by

WHEREAS, The City Council has caused Special Assessment Roll No. 04.201.1 to be prepared for the purpose of defraying the Special Assessment District's portion of the following described public improvement in the City of Troy: **Bituminous Paving of Big Oak Trail.**

WHEREAS, The City Council and the City Assessor have met after due legal notice and have reviewed said Special Assessment Roll and have heard all persons interested in said Special Assessment Roll appearing at said hearing.

WHEREAS, The City Council is satisfied with said Special Assessment Roll as prepared by the City Assessor.

THEREFORE, BE IT RESOLVED, That Special Assessment Roll No. 04.201.1 in the amount of \$25,850.00 is hereby **CONFIRMED** as prepared by the City Assessor; a copy of which shall be **ATTACHED** to the Minutes of this meeting.

Yes:

No:

D-2 Zoning Ordinance Text Amendment For Article 03.40, Site Plan Review / Approval (ZOTA 199)

Reconsidered Resolution as Amended

Resolution #2004-11-
Moved by Lambert
Seconded by Howrylak

RESOLVED, That Article III (Site Plan Review/Approval), of the City of Troy Zoning Ordinance, be **AMENDED** to read as written in the PROPOSED ZONING ORDINANCE TEXT AMENDMENT (ZOTA 199), dated August 4, 2004, as recommended by the Planning Commission and City Management, and as further **AMENDED** by Troy City Council as follows:

“One year” be **STRICKEN** and “two years” be **INSERTED** in the second, third, and fourth sentences of Section 03.41.04; and

“One-year” be **STRICKEN** and “two years” be **INSERTED** in Section 03.41.04; and

“One-hundred (100)” be **STRICKEN** and “fifty (50)” be **INSERTED** in Section 03.43.01 (8) (o).

Yes:

No:

Alternate Resolution as Presented by City Council

Suggested Resolution

Resolution #2004-11-
Moved by
Seconded by

RESOLVED, That the postponed resolution regarding Zoning Ordinance Text Amendment For Article 03.40, Site Plan Review / Approval (ZOTA 199), be **AMENDED** by substituting ‘RESOLVED, That City Council **AUTHORIZES** the City Manager to work with the Planning Commission to develop Site Plan Review requirements based upon City Council and the Builders Task Force comments’ for the postponed resolution in its entirety.

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 DiscussionSuggested Resolution

Resolution #2004-11-

Moved by

Seconded by

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Item(s) _____, which shall be considered after Consent Agenda (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 November 8, 2004Suggested Resolution

Resolution #2004-11-

RESOLVED, That the Minutes of the 7:30 PM Regular Meeting of November 8, 2004 be **APPROVED** as submitted.

E-3 Proposed City of Troy Proclamations:Suggested Resolution

Resolution #2004-11-

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

- a) America Recycles Day 2004
- b) Christian Heritage Week

E-4 Standard Purchasing Resolution 2: Bid Award – Lowest Acceptable Bidder – Ice Melt CompoundSuggested Resolution

Resolution #2004-11-

RESOLVED, That a contract to provide one (1) year requirements of Ice Melt Compound with an option to renew for one (1) additional year for the City of Troy and participating MITN (Michigan Intergovernmental Trade Network) Purchasing Cooperative Members is hereby **AWARDED** to the lowest bidder meeting specifications, Washington Elevator Co., Inc. at the unit price contained in the bid tabulation opened October 20,2004, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with a contract expiration of October 31, 2005.

E-5 Request for Approval of Relocation Claim, Louis and Diana Thomas, 2863 Thames, Sidwell #88-20-25-226-007, Project No. 01.105.5 – Big Beaver Road Improvements, Rochester to Dequindre

Suggested Resolution
Resolution #2004-11-

RESOLVED, That as required by Michigan Laws and Federal Regulations, the City Council of the City of Troy hereby **APPROVES** the Relocation Claim from Louis and Diana Thomas pertaining to the City of Troy's acquisition of their property at 2863 Thames, having Sidwell #88-20-25-226-007, and **AUTHORIZES** payment in the amount of \$6,129.19.

E-6 Request for Approval of Relocation Claim, Virginia H. Newman, 2815 Thames, Sidwell #88-20-25-226-003, Project No. 01.105.5 – Big Beaver Road Improvements, Rochester to Dequindre

Suggested Resolution
Resolution #2004-11-

RESOLVED, That as required by Michigan Laws and Federal Regulations, the City Council of the City of Troy hereby **APPROVES** the Relocation Claim, for moving expenses, from Virginia H. Newman pertaining to the City of Troy's acquisition of her property at 2815 Thames, having Sidwell #88-20-25-226-003, and **AUTHORIZES** payment in the amount of \$3,241.50.

E-7 Request for Approval of Relocation Claim, John Cionca, Sr., 2931 Thames, Sidwell #88-20-25-229-003, Project No. 01.105.5 – Big Beaver Road Improvements, Rochester to Dequindre

Suggested Resolution
Resolution #2004-11-

RESOLVED, That as required by Michigan Laws and Federal Regulations, the City Council of the City of Troy hereby **APPROVES** the Relocation Claim from John Cionca, Sr., pertaining to the City of Troy's acquisition of their property at 2931 Thames, having Sidwell #88-20-25-229-003, and **AUTHORIZES** payment in the amount of \$4,720.60.

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: Downtown Development Authority;
- b) City Council Appointments: Advisory Committee for Persons with Disabilities, Animal Control Appeal Board, Historic District Commission, and Troy Daze Committee

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 #2004-11-

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	09/30/08
Frankel, Stuart	09/30/07
Hay, David R	09/30/07
Hodges, Michele	09/30/05
Kennis, William	09/30/06
Kiriluk, Alan M	09/30/08
MacLeish, Daniel	09/30/05
Price, Carol A	09/30/07
Reschke, Ernest C	09/30/06
Schilling, Louise E	09/30/08
Schroeder, Douglas J	09/30/06
Weiss, Harvey	09/30/05
Wong, Fred (Student)	07/01/04
York, G Thomas	09/30/08

INTERESTED STUDENT APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
None on File		

Yes:

No:

(b) City Council Appointments

Suggested Resolution

Resolution #2004-11-

Moved by

Seconded by

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

Advisory Committee for Persons with Disabilities
Appointed by Council (9) – 3 years

Term expires 11/01/2007

Term expires 11/01/2007

CURRENT MEMBERS

NAME	TERM EXPIRES
Bertin, Leonard G.	11/01/05
Buchanan, Cynthia	11/01/04
Robosan-Burt, Susan	11/01/06
Done, Angela	11/01/05
Fuhrman, Adam (Alternate)	11/01/06
Gauri, Kul B	11/01/05
House, Theodora	11/01/06
Johnson, Nancy (Alternate)	11/01/06
Kuschinsky, Dick	11/01/04
Manetta, Pauline	11/01/06
Pietron, Dorothy Ann	11/01/07
Pritzloff, Mark (Alternate)	11/01/06
Wiqar, Anbereen (Student)	07/01/05

INTERESTED APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Connor, Kathleen Ann	02/25/04-02/2006	03/01/04
Laudicina, M.K.	07/20/04-07/2006	08/09/04

Animal Control Appeal Board

Appointed by Council (5) – 3 years

Term expires 09/30/2007

CURRENT MEMBERS

NAME	TERM EXPIRES
Ms Harriet Barnard (Resigned)	09/30/2004
Ms Kathleen Melchert	09/30/2007
Mr Al Petrusis	09/30/2005
Ms Jayne Saeger	09/30/2006
Mr Vincent James Viola	09/30/2006

INTERESTED APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Larue, Patricia M	08/12/02- 08/2004	08/19/02
Pritzloff, Mark	04/17/03- 04/2005	04/28/03
Wheeler, Nancy	03/08/04- 03/2006	04/12/04

Historic District Commission

Appointed by Council (7) – 3 years

Unexpired term expires 05/15/2006

CURRENT MEMBERS

NAME	TERM EXPIRES
Ms Marjorie A Biglin	03/01/07
Mr Wilson Deane Blythe	03/01/05
Ms Barbara Chambers	03/01/05
Mr Paul C Lin	05/15/06
Ms. Ann Partian	03/01/05
Ms Muriel Rounds	05/15/06
Ms Dorothy Scott (Resigned)	05/15/06
Ms Vilin Zhang (Student)	07/01/05

INTERESTED APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Krivoshein, Kerry S	08/12/99-06/14/01-05/2003	11/08/04
Petrulis, Al	02/11/03-07/31/03-07/2005	07/09/01-11/08/04
Wheeler, Nancy	03/08/04-03/2006	04/12/04-11/08/04

Troy Daze Committee

Appointed by Council (9) – 3 years

Term expires 11/30/07

Term expires 11/30/07

Term expires 11/30/07

CURRENT MEMBERS

NAME	TERM EXPIRES
Berk, Robert A	11/30/06
Cyrulewski, Jim D.	11/30/04
Dilley, Cecile	11/30/04
Gonda, Michael S	11/30/06
Kaltsounis, Kessie	11/30/05
Hall, William F	11/30/05
Mehta, Dhwani (Student)	07/01/05
Musick, Marilyn K.	11/30/04
Stewart, Jeffrey (Parks & Rec Board Rep)	09/30/06
Preston, Robert S	11/30/05
Whitton-Kaszubski, Cheryl A	11/30/06

INTERESTED APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Asjad, Zarina J	05/01/0-05/2005	05/05/03

Freliga, Mary E	11/25/02-11/2004	12/02/02
Hashmi, Amin	08/22/02-08/2004	
Huber, Laurie G	09/22/00-06/18/01-05/2003	09/22/00-07/09/01
Lenivov, Victor	04/08/04-04/2006	04/12/04
Pietron, Dorothy Ann	07/10/01-07/2003	07/23/01
Pritzloff, Mark	04/17/03-04/2005	04/28/03
Shier, Frank	02/18/03-02/2005	03/03/03
Solarte, Remedios A.	09/15/04-09/2006	09/20/04
Wells, Alexandra	08/22/02-08/2004	09/09/02

Yes:

No:

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings:

- a) Request for Rezoning (Z-697) West Side of Crooks Road, North of Big Beaver Road – Section 20 – P-1 to O-1 and B-3– **Scheduled for November 29, 2004**
- b) Parking Variance Request – 1717 Stutz Drive – **Scheduled for November 29, 2004**
- c) Commercial Vehicle Appeal – 3035 Heritage – **Scheduled for November 29, 2004**

G-2 Green Memorandums: No Green Items Submitted

COUNCIL REFERRALS: Items Advanced to the City Manager by Individual City Council Members for Placement on the Agenda: No Council Referrals Advanced

COUNCIL COMMENTS: No Council Comments Advanced

REPORTS:

J-1 Minutes – Boards and Committees:

- a) Advisory Committee for Persons with Disabilities/Draft – October 6, 2004
- b) Advisory Committee for Persons with Disabilities/Final – October 6, 2004
- c) Advisory Committee for Senior Citizens/Final – October 7, 2004
- d) Liquor Advisory Committee Minutes/Final – October 11, 2004
- e) Planning Commission Special-Study/Draft – October 26, 2004
- f) Troy Youth Council/Draft – October 27, 2004
- g) Advisory Committee for Senior Citizens/Draft – November 4, 2004
- h) Liquor Advisory Committee Minutes/Draft – November 8, 2004

J-2 Department Reports: None Presented

J-3 Letters of Appreciation:

- a) Letter from Robert J. O'Neill, Jr., Executive Director of ICMA to John Szerlag, Thanking Him for Participation in the 90th Annual Conference in San Diego
 - b) Letter from David Gorcyca, Oakland County Prosecuting Attorney, to Chief Charles Craft, Congratulating the Troy Police Department on Winning First Place in the Class A Division of the 67th Michigan Police Shoot
 - c) Letter from John Gladysz, Director of Price Funeral Home to Captain Edward Murphy, Thanking the Troy Police Department, Sergeant Cantlon, and Police Service Aides Mary Stark and Jeff Strong for Their Assistance During a Large Funeral Procession
 - d) Letter from David Prince to the Troy Police Department, In Appreciation for a Police Station Tour
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J-4 Proposed Proclamations/Resolutions from Other Organizations:

- a) Notice of Hearing for the Electric Customers of the Detroit Edison Company Case No. U-14275
-

J-5 Calendar

J-6 I-75 Crooks / Long Lake Interchange Improvement – Information on Environmental Assessment

J-7 Statue to be Added to the Peace Garden

J-8 Citation of Excellence – Troy Public Library

J-9 Council Member Lambert's Report from the MML 2004 Annual Convention at Mackinac Island

J-10 Resolution from Oakland County Clerk – Register of Deeds – Board of Commissioners – Opposition to Efforts to Rush Revisions to Michigan's Tax Code During Lame Duck Season

J-11 2004 3CMA Savvy Award – Community Visioning Process Entry

STUDY ITEMS:

K-1 Alternative Sites for Minor League Baseball Facility

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 Session

Suggested Resolution

Resolution #2004-11-

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); Story v. City of Troy – Pending Litigation.

Yes:

No:

RECESSED

RECONVENED

ADJOURNMENT

Respectfully submitted,

John Szerlag, City Manager

SCHEDULED CITY COUNCIL MEETINGS:

Monday, November 29, 2004	Regular City Council
Monday, December 06, 2004	Regular City Council
Monday, December 20, 2004	Regular City Council
Monday, January 10, 2005	Regular City Council
Monday, January 24, 2005	Regular City Council
Monday, February 7, 2005	Regular City Council
Monday, February 21, 2005	Regular City Council
Monday, February 28, 2005	Regular City Council

**PROCLAMATION
AMERICA RECYCLES DAY 2004**

WHEREAS, Each year, Americans generate more than 217 million tons of municipal solid waste, more than 4.4 pounds per person per day. While the nation has reached an overall recycling rate of more than 28 percent much more can be done, especially in purchasing products made with recycled content; and

WHEREAS, To focus the nation's attention on the importance of recycling and closing the loop, businesses, industries, government agencies, nonprofit organizations, and individuals have joined together to celebrate **America Recycles Day** and are encouraging their employers, staff customers, membership, and all citizens to pledge to buy more recycled-content products starting on November 15; and

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

WHEREAS, The theme of **America Recycles Day** is "**It all comes back to you**"; and

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

NOW, THEREFORE BE IT RESOLVED, that the City of Troy City Council hereby proclaims **November 15, 2004** as **America Recycles Day** in Troy, Michigan.

Signed this 15th day of November 2004.

Louise E. Schilling, Mayor

Robin E. Beltramini, Mayor Pro Tem

Cristina Broomfield, Councilwoman

David Eisenbacher, Councilman

Martin F. Howrylak, Councilman

David A. Lambert, Councilman

Jeanne M. Stine, Councilwoman

**PROCLAMATION
CHRISTIAN HERITAGE WEEK
NOVEMBER 21 – 27, 2004**

WHEREAS, Our Founders knew that America's experiment in ordered liberty could not succeed unless the American people remained mindful of God's blessings and faithful to His will; and

WHEREAS, We are proud of the numerous faiths woven through the rich fabric of our wonderful City; and

WHEREAS, In America, people of many cultures are free to practice their own religion; and

WHEREAS, The week of Thanksgiving is an appropriate time to recall the source of our freedoms and appreciate the opportunity to pursue justice, peace, and prosperity; and

WHEREAS, In recognition of the significance of this time of year to Christian and other people of faith, and in tribute to the significant contributions made by Christian philosophy and ethics to our nation Americans have celebrated Christian Heritage Week every year since 1992.

NOW, THEREFORE, BE IT RESOLVED, That November 21 – 27, 2004 is hereby proclaimed as Christian Heritage Week in the City of Troy.

BE IT FURTHER RESOLVED, That the City of Troy urges all citizens to observe this week by joining members of all faiths and creeds in seeking divine guidance for our leaders, our country, and ourselves.

Signed this 15th day of November 2004.

Louise E. Schilling, Mayor

Robin E. Beltramini, Mayor Pro Tem

Cristina Broomfield, Councilwoman

David Eisenbacher, Councilman

Martin F. Howrylak, Councilman

David A. Lambert, Councilman

Jeanne M. Stine, Councilwoman

September 21, 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

Agenda item: Public Hearing for Standard Resolution #4 for Big Oak Trail Paving

Recommendation:

Staff recommends that you request Council to vote on Standard Resolution #4, the approving resolution for Special Assessment District #4.201.1 (this is bituminous paving on Big Oak Trail). This vote will occur after consideration of all comments during the Public Hearing on the same subject.

Detail:

Staff met with the property owners in the district on June 17, 2004. At this meeting details of the proposed construction, Special Assessment procedures, costs of the project and the apportionment of said costs, amortization tables and schedules of payments, and the availability and eligibility requirements for Community Block Grant Development Funds, were discussed with the residents.

A petition was returned to the City Clerk's office on September 9, 2004, reflecting three of five assessable units or 60% in favor of the project. The City Assessor analyzed this petition, and in conjunction with the signatories at the top of this memo, presented the analysis to Council.

City Council has approved Standard Resolutions #1, 2, & 3 for this project on September 20, 2004, after reviewing the Petition Analysis and the Engineering Cost Estimates. The October 4, 2004 Public Hearing was also set at this meeting.

After the Public Hearing, City Council will vote on whether to approve the Special Assessment District, and Roll, by adopting Standard Resolution Number 4, as specified by City Charter. Failure of the Resolution to pass will terminate the project, barring the submittal of a new petition.

CITY OF TROY

PUBLIC HEARING

MEETING TO REVIEW THE NECESSITY FOR THE INSTALLATION OF ASPHALT PAVING ON BIG OAK TRAIL, AND TO HEAR ANY AND ALL OBJECTIONS TO THE NECESSITY OF THE PUBLIC IMPROVEMENT AND SAID SPECIAL ASSESSMENT ASSESSED AGAINST SPECIAL ASSESSMENT DISTRICT NO. 04.201.1 IN THE CITY OF TROY, MICHIGAN:

PLEASE TAKE NOTICE that the Council will meet at City Hall on the 4th day of October, 2004 at 7:30 o'clock p.m., for the purpose of reviewing the necessity for the installation of Asphalt Paving on Big Oak Trail, Project No. 04.201.1, and of hearing any and all objections to the necessity of the public improvement and Special Assessment made in the matter of construction of the following described improvement:

Installation of Asphalt Paving on Big Oak Trail.

The Assessment Roll is on file in the office of the City Clerk for public examination. The Special Assessments therein contained have been assessed according to law against the parcels of land constituting Special Assessment District No. 04.201.1, which District is described as follows:

T2N, R11E, Section 18

20-18-126-008

20-18-126-009

20-18-126-010

20-18-127-001

20-18-127-002

The special assessment for your property is \$ 5,170.00

The above assessments and all proceedings upon which they are based shall not be contestable, unless suit to contest the validity thereof is instituted within thirty (30) days after the date of confirmation of said Special Assessment Roll No. 4.201.1

The owner or any person having an interest in the real property may file a written appeal of the special assessment with the state tax tribunal within 30 days after the confirmation of the special assessment roll if that special assessment was protested at the hearing held for the purpose of confirming the roll.

Tonni L. Bartholomew, MMC
City Clerk

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

CITY OF TROY

Special Assessment Roll Number:

04.201.1

For defraying the expense of construction for:

Big Oak Trail Bituminous (Asphalt) Paving

CITY OF TROY
COUNTY OF OAKLAND
STATE OF MICHIGAN

I hereby certify and report that the foregoing is a special assessment roll, and the assessment made by me pursuant to a resolution of the City Council adopted on the 4th day of October A.D. 2004, for the purpose of paying that part of the cost which the Council decided should be paid and borne by special assessment for the purpose of Asphalt Paving of Big Oak Trail

That in making such assessment I have, as near as may be and according to my judgement, conformed in all things to the direction contained in the resolution of the Council herinbefore referred to, and the Charter of the City relating to such assessments.

Dated at the City of Troy, Oakland County, Michigan on this 4th day of October A.D., 2004.

Leger A. (Nino) Licari, City Assessor

Advertised:

CITY OF TROY
COUNTY OF OAKLAND
STATE OF MICHIGAN

I hereby certify that the above and foregoing assesment roll was filed on the 4th day of October A.D., 2004, and approved and confirmed by the Council of the City of Troy on the 4th day of October A.D., 2004.

Tonni Bartholomew, City Clerk

In the name of the People of the State of Michigan
To the Treasurer of the City of Troy, in the County of Oakland, Michigan.

You are hereby commanded to collect from each of the several persons assessed in the Special Assessment Roll hereunto annexed, the amount of money assessed to and set opposite his name therein, said amount being payable in 10 installments due September 1, 2005 respectively, with interest at the rate of six percent (6%) per annum or such other rate of interest per annum which is not in excess of 1% of the rate borne by bonds issued in anticipation of the collection of said special assessment roll from and after September 1, 2005.

And in case any named in said Roll shall neglect or refuse to pay his assessment upon demand, after the same becomes due, you are hereby authorized to levy and collect the same by distress and sale of the goods and chattels of such person, and return said Roll and Warrant, together with your doing thereon within sixty (60) days; for so doing this shall be your sufficient Warrant.

Given under my hand and Seal of the City of Troy, Michigan, this 4th day of October A.D., 2004.

Tonni Bartholomew, City Clerk

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.

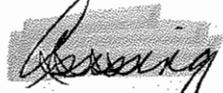
There are five (5) assessable units in the project area. Three (3) of the affected unit owners have signed the petition in favor of the project. This equates to 60% of the owners being in favor of the paving.

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

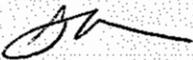
Re: Request for Public Improvements
Big Oak Trail

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

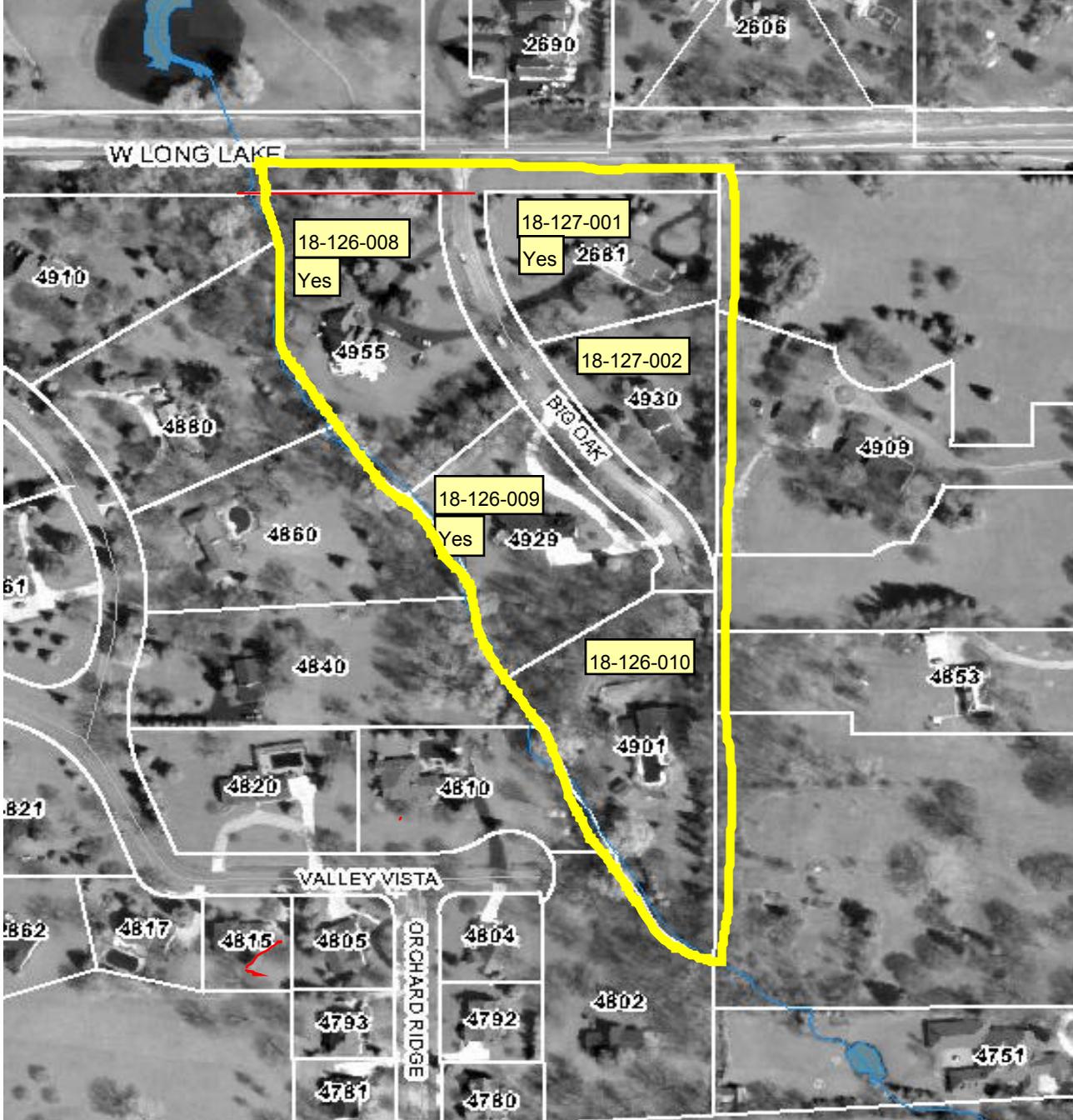
BARBARA A. HOLMES
Notary Public, Oakland County, MI
My Commission Expires December 16, 2004

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%



W LONG LAKE

2690

2606

18-126-008
Yes

18-127-001
Yes 2681

4910

4955

18-127-002

4930

4880

BIG DAK

4909

18-126-009
Yes

4929

4860

18-126-010

4853

4840

4901

4820

4810

VALLEY VISTA

ORCHARD RIDGE

4804

4802

821

862

4817

4815

4805

4793

4792

4781

4780

4751

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:	<u> </u>
Plan and Cost Estimate could be completed in:	<u> </u>
Is this project feasible?	<u>Yes</u>
Steven Vandette, City Engineer	Date

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		Percent of Total	
Frontage Signed		Percent of Total	
Occupied Units Signed		Percent of Total	

Is this Project feasible? Yes

Nino Licari, City Assessor	09/13/04
	Date

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	

November 9, 2004

TO: John Szerlag, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Services
Douglas J. Smith, Director of Real Estate and Development
Tonni L. Bartholomew, City Clerk
Mark S. Stimac, Director of Building and Zoning
Mark F. Miller, Planning Director

SUBJECT: AGENDA ITEM - ZONING ORDINANCE TEXT AMENDMENT FOR ARTICLE 03.40, SITE PLAN REVIEW / APPROVAL (ZOTA 199)

ZOTA 199 was adopted by City Council on September 27, 2004 and published on October 4, 2004. The amendment was effective upon publication. However, later in the September 27, 2004 meeting, City Council voted to reconsider the amendment and postponed the item to October 4, 2004. At the October 4, 2004 meeting, City Council postponed the item to the November 15, 2004 City Council meeting. If City Council wishes to amend the site plan review provisions, the process must start from the beginning with a Planning Commission Public Hearing.

City Management has provided a summary of comments related to ZOTA 199. The comments are from three sources:

1. Troy City Council, meetings of September 27, 2004 and October 4, 2004.
2. The Troy Builders Task Force, meeting of October 25, 2004.
3. A letter from Raymond Donnelly, Professional Surveyor, dated October 25, 2004.

The comments are listed below. City Management's response to each comment is shown in *italics*:

City Council Actions

Troy City Council adopted this item at the September 27, 2004 City Council Meeting. The item was reconsidered at the October 4, 2004 City Council Meeting. At this meeting, the City Council discussed the following:

- "One year be stricken and "two years" be inserted in the second, third, and fourth sentences of Section 03.41.04

This change would lengthen the time period for expiration of Preliminary Site Plan Approval from one year to two years.

City Management believes a one-year period is reasonable. City Management notes that by lengthening the validity from one year to two years increases the period of time for preexisting conditions to change. For example, if the ordinance is amended during the two-year period, a site plan could become non-conforming before construction even commences on the property. Also, physical site conditions on adjacent properties could change over a two-year period, impacting the approved site plan. Finally, resident notification becomes diminished when there is increased time between preliminary approval and construction.

- “One year” be stricken and “two years” be inserted in Section 03.41.12

This change would lengthen the time period for expiration of Final Site Plan Approval from one year to two years.

City Management believes a one-year period for validity is reasonable. However, City Management notes that this increases the period of time from Preliminary Site Plan Approval to Final Site Plan Approval from up to 2 years to up to 4 years. This is a relatively long period for conditions that existed at the time of Preliminary Site Plan Approval to change.

- “One hundred (100)” be stricken and “fifty (50)” be inserted in Section 03.43.01(8)(o)

City Management has determined that topography 50 feet beyond a proposed development property line is sufficient. In fact, the 50 feet standard was adopted in an amendment.

Comments from the Builders Task Force

The Troy Builders Task Force discussed the text of the original draft at its meeting on October 25, 2004. The Task Force recommended the following changes:

- For sections **03.40.01** & **03.40.02**, the committee recommends the following:
 - Eliminate these two sections OR
 - End the paragraph with the last sentence reading:
“It is the intent of these provisions to encourage cooperation and consultation between the City and the applicant to facilitate development.”

City Management recommends not amending the noted sections. These sections are intent statements that assist in clarifying the intent of the site plan review provisions. They are not enforceable rules but are valuable as informational tools, particularly for people not familiar with reading a Zoning Ordinance.

- To section **03.41.04**, the committee recommends the following:
 - Change the “approval within one year” to “approval within two years”.

City Management believes a one-year period is reasonable. City Management notes that by lengthening the validity from one year to two years increases the period of time for preexisting conditions to change. For example, if the ordinance is amended during the two-year period, a site plan could become non-conforming before construction even commences on the property. Also, physical site conditions on adjacent properties could change over a two-year period, impacting the approved site plan. Finally, resident notification becomes diminished when there is increased time between preliminary approval and construction.

- To section **03.43.01 – 8,0,2**, the committee recommends the following:
 - Leave topography on site and 50 feet beyond.
 - Leave the language at the current two-foot contour.

City Management has no objection with this recommendation, based upon recent investigation.

- To section **03.43.01 – 9**, the committee recommends the following:
 - All but the first sentence be eliminated.

City Management opposes this change. The section as proposed provides the Planning Director with the authority to waive the requirement for a wetlands determination when the Natural Features Map indicates there is little likelihood for wetlands on site. This will reduce time and expense for petitioners in the overall development approval process.

- To section **03.43.01 – 17**, the committee recommends the following:
 - Add to the end of the statement the words, *where required by state law*.

City Management supports this recommendation. This proposed amendment would require all professions to seal their work.

Comments from a Professional Surveyor

City Management received a letter dated October 25, 2004 from Raymond Donnelly, a Professional Surveyor and President of RJD Surveyors. Mr. Donnelly requested that the Site Plan Review provisions be amended to permit Professional Surveyors to seal drawings (Section 03.43.01.17). The provisions only include Professional Engineers, Registered Architects, Registered Landscape Architects or Professional Community Planners.

City Management agrees that Professional Surveyors should be permitted to prepare and seal site plan documents.

Attachments:

1. Adopted Zoning Ordinance Text Amendment (ZOTA 199)
2. Minutes from September 27, 2004 City Council meeting
3. Minutes from October 4, 2004 City Council meeting
4. Minutes from October 25, 2004 Troy Builders Task Force meeting
5. Letter from Raymond Donnelly, dated October 25, 2004.

Prepared by RBS.

G:\ZOTAs\ZOTA 199 Site Plan Review\CC Memo 11 15 04.doc

Chapter 39 - Zoning Ordinance

- (c) Required parking and statement of parking provided.
- (d) Required landscaped area and statement of area provided.

(10) A Tree Preservation Plan in accordance with the City of Troy Landscape Design and Tree Preservation Standards shall be attached to all applications for Special Use Approval which involve building construction, expansion, or site alterations. This requirement may be waived, by the Planning Director or by the Superintendent of Public Grounds, in those instances where the Architectural Survey and/or other written information provided by the applicant demonstrate that the nature of the site is such that a Tree Preservation Plan would not be applicable, or would serve no practical purpose.

(11-19-90)

03.33.02 In those instances where Site Plan Approval is required in conjunction with Special Use Approval (primarily in cases where new building construction or expansion is involved) the submittal requirements shall be increased to be the same as those prescribed by Section 03.43.00.

03.33.03 Failure to provide the information and materials required herein as a part of the application for Special Use Approval shall render the application deficient and said application shall be held in abeyance until all items required herein are submitted.

03.40.00 SITE PLAN REVIEW / APPROVAL

03.40.01 INTENT

03.40.02 The site plan review requirements in this Article are intended to provide a consistent and uniform method of review of proposed development plans, to ensure full compliance with the regulations in this Ordinance and other applicable ordinances and state and Federal laws, to achieve efficient use of the land, to encourage innovative design solutions, to protect natural resources, to ensure safety for both internal and external vehicular and pedestrian users, to achieve innovative storm water management solutions, and to prevent adverse impact on adjoining or nearby properties. It is the intent of these provisions to encourage cooperation and consultation between the City and the applicant to facilitate development in accordance with the City's land use objectives.

(09/27/04)

03.40.03 SITE PLAN REQUIRED

The development of any new use, the construction of any new structures, any change of an existing use of land or structure, and all other building or development activities shall require prior site plan approval pursuant to this Article. Specifically, site plan review shall be required for any of the following activities:

- (1) Erection, moving, relocation, conversion or structural alteration to a building or structure to create additional usable floor space, other than a one family or two family dwelling.
- (2) Development of uses other than an individual one family residential unit in the R-1A, R-1B, R-1C, R-1D, and R-1E districts.

Chapter 39 - Zoning Ordinance

- (3) Any Change in use that could affect compliance with the standards set forth in this Ordinance.
- (4) Expansion or paving of off-street parking and/or a change in circulation or access for other than a one or two family dwelling.
- (5) The development or construction of any accessory uses or structures at least 1,000 square feet in area or greater, except for uses or structures that are accessory to a one or two family dwelling.
- (6) Any use or development for which submission of a site plan is required by the provisions of this Ordinance, including all Special Use Approval applications.
- (7) A substantial revision to a development that has received Preliminary or Final Site Plan Approval, as determined by the Planning Director and Building and Zoning Director.
- (8) Changes to pedestrian access or site and building interconnectivity.
- (9) The Planning Director has the authority to waive the site plan review requirement if it is determined that a project does not affect compliance with the standards of this Ordinance or other regulations.

(09/27/04)

03.41.00 PROCEDURE

03.41.01 A petitioner seeking Site Plan Approval as required under Section 03.40.03 shall submit an application for same at the Planning Department of the City of Troy, together with the appropriate fee, not less than thirty (30) days prior to the date of the Regular Meeting of the Planning Commission.

(Rev. 09/27/04)

03.41.02 The Planning Department shall review the application with respect to the submittal requirements contained herein. Any application which fails to provide the information and materials specified within this Section shall be held in abeyance until all deficiencies have been rectified.

03.41.03 Applications in conformity with the requirements of this Section shall be reviewed inter-departmentally and any revisions and/or corrections necessary shall be made by the petitioner prior to presentation to the Planning Commission for Preliminary Site Plan Approval. The Planning Department shall inform the Planning Commission of any inter-departmental comments or concerns.

(Rev. 09/27/04)

03.41.04 The request for Preliminary Site Plan Approval shall be presented to the Planning Commission and after action by the Planning Commission, the petitioner shall obtain a copy of the Approved Preliminary Site Plan upon which shall be noted any requirements for modifications, additional information, or executed documents and/or agreements. Planning Commission Preliminary Site Plan Approval shall be effective for a period of one year.

Chapter 39 - Zoning Ordinance

Within that one year period the petitioner shall submit a complete application for Final Site Plan Approval to the Planning Department in accordance with Section 03.41.07. If the petitioner does not renew the Preliminary Site Plan Approval or receive Final Site Plan Approval within 1 year, Preliminary Site Plan Approval shall expire. If at the time of renewal, the Planning Director determines that conditions have changed since Preliminary Site Plan Approval was first granted, the petitioner shall be required to resubmit the application for Preliminary Site Plan Approval.

(Rev. 09/27/04)

03.41.05 Landscape Plans, in conformity with the City's Landscape Design Standards, related to the required greenbelts, landscape and open space areas, shall be submitted with the application for the Preliminary Site Plan. The Department of Parks and Recreation shall review and approve the Landscape Plan prior to the application for Preliminary Site Plan Approval.

(Rev. 09/27/04)

03.41.06 Building and Engineering plans, conforming to all applicable portions of the City Code and the City's Engineering Design Standards, shall be submitted to the Building and Engineering Departments for their review and approval.

03.41.07 The petitioner shall, after review of building and engineering plans by the Building and Engineering Departments, and before granting of any building permits, submit the site plan to the Planning Department for consideration and Final Site Plan Approval. This site plan submittal shall include those items indicated under Section 03.43.02 of this Article. Applications for Final Condominium Approval shall also include four (4) copies of the recorded Condominium Master Deed and Condominium Bylaws. It shall be the responsibility of the petitioner to secure all necessary approvals and authorizations related to the items covered under Section 03.43.03.

(Rev. 09/27/04)

03.41.08 The Planning Department will review the submittal for Final Site Plan Approval to ascertain that all the requirements of Sections 03.41.07 and 03.43.02 have been complied with. Any submittal which fails to provide the modifications, information and/or documents required shall be deemed incomplete and held in abeyance until all deficiencies have been rectified.

(Rev. 09/27/04)

03.41.09 In the event that the Site Plan has been substantially revised from that which received Preliminary Site Plan Approval, as determined by the Planning Director, the Planning Department shall present the revised plan to the Planning Commission for their review and approval. The Planning Commission shall review the request for approval of the revised Site Plan, taking into account the configuration of the plan granted Preliminary Approval, and the implications of Building and Engineering Plan Review, along with any plan modifications proposed by the petitioner. The Planning Commission shall then, by resolution:

- (1) Grant the request for Approval of the Revised Site Plan, subject to any additional modifications it deems necessary to assure the proper development of the proposed site and its' compatibility with adjacent or abutting properties, or
- (2) Deny the request for Approval of the Revised Site Plan indicating specific reasons

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for denial, or

- (3) Table the request for Approval of the Revised Site Plan, indicating the reasons for tabling.

(Rev. 09/27/04)

03.41.10 When the Planning Department determines that the Final Site Plan is consistent with that which received Preliminary Site Plan Approval, and thus that further Planning Commission action is not necessary, they shall then review the applicable portions of complete submittals in order to confirm that all necessary City Department approvals, authorizations or certifications have been received from Departments including, but not limited to, the Engineering, Right-Of-Way, and Fire Departments. The Planning Department shall then grant Final Site Plan Approval and shall notify the Chief Building Inspector that building permits can be issued.

(11-19-90)

03.41.11 In those instances where Planning Commission review and approval of a revised site plan is necessary, and where modifications to the site plan are required by the Planning Commission, no building permits shall be issued until five copies of the modified site plan have been submitted and have been approved by the Building and Engineering Departments.

(11-19-90)

03.41.12 Final Site Plan Approval shall be effective for a period of one year.

(11-19-90)

03.42.00 APPLICATIONS

Application forms for Site Plan Approval for proposed development and/or use of property within the City of Troy are obtainable at the Planning Department of the City of Troy.

03.43.00 SUBMITTAL REQUIREMENTS

03.43.01 A petition or request for Preliminary Site Plan Approval shall be submitted on forms published by the Planning Department and shall contain the following:

- (1) The name, address and telephone of the person applying for Preliminary Site Plan Approval.
- (2) The name, address and telephone of the owner of the property.
- (3) The relationship between the applicant and the property owner.
- (4) The present zoning classification of the subject property.
- (5) The proposed use of the property.
- (6) A Certified Topographic Survey and a Certified Boundary Survey of the property,

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prepared and sealed by a Licensed Land Surveyor. The Topographic Survey shall provide one-foot contour intervals and shall be printed on a 24 x 36 inch sheet. The legal description and boundary survey shall be provided on 8-1/2 x 14 inch pages attached to the application, suitable for recording in accordance with Act 132 of Public Acts of 1970. The legal description of acreage parcels and parcels from subdivisions platted prior to January 1, 1970 shall be tied to a recorded Section or Quarter-Section Corner. If the subject Section or Quarter-Section Corner is not recorded, it is the responsibility of the applicant to have the Corner recorded by a Licensed Surveyor by filing a "Land Corner Recordation Certificate" with the Oakland County Register of Deeds. A copy of the proposed "Land Corner Recordation Certificate" shall be attached to the Site Plan Approval application. The Planning Director may waive the Topographic Survey requirement for changes in use of existing buildings if each of the following conditions exist:

- (a) No additional impervious surfaces will be constructed on the property.
- (b) The Engineering Department determines that the existing storm water drainage system is sufficient given present conditions.

(Rev. 09/27/04)

- (7) A location map (minimum scale of 1"=400') indicating the subject property and the zoning classifications and uses of abutting and adjacent properties, on 8-1/2 x 11 pages, shall be attached to the application.
- (8) Attached to this application shall be ten (10) prints of the proposed site plan drawn to a scale of not less than 1"=20', (1" = 50' for parcels of 3 acres or more) wherein the following items shall be clearly labeled and dimensioned:

(Rev. 09/27/04)

- (a) All drawings are to have a title block which shall have the name of the project and date of plans including revision dates.
- (b) All drawings are to have a northpoint and the scale of the drawing is to be indicated.
- (c) All lot and property lines.
- (d) Location of all proposed structures.
- (e) Existing and future right-of-way of adjacent streets, including centerlines and Section Lines where applicable.
- (f) Location of all sidewalks, on and adjacent to the site, as required by the Zoning Ordinance and the Sidewalk Ordinance.
- (g) Deceleration and passing lanes as required by the City of Troy Transportation Engineer.

(Rev. 05-17-93)

- (h) Indication of the means by which storm water detention will be provided.

- (i) Setbacks and required yards.
- (j) Parking areas, access drives, loading and unloading areas, and trash receptacles.
- (k) Greenbelts, landscape areas and other open space areas; and screening walls.
- (l) The location of any existing driveways and streets within 100 feet of the subject property, including those across frontage streets.
- (m) The location of existing cross access easements on abutting properties and the location of proposed cross access or joint drive easements on the subject property.
- (n) Calculations for the following shall be included on the site plan:
 - 1. Gross and net (after rights-of-way) site area.
 - 2. Gross and net ("usable") building area.
 - 3. Required parking and statement of parking provided.
 - 4. Required landscape and open space area and statement of area provided.
- (o) Site Plans for residential developments shall include the following additional information:
 - 1. Calculation of the dwelling unit density allowable and a statement of the number of dwelling units, by type, provided.
 - 2. Topography on site and 50 feet beyond, drawn at two (2) foot contour intervals, with existing drainage courses, flood plains, wetlands and tree stands indicated.

(Rev. 09/27/04)

- 3. Two prints each of the typical floor plans and elevations of the proposed buildings, indicating building height.

- (p) Number of employees on the largest working shift (if applicable).

(Rev. 09/27/04)

- (9) A wetlands determination shall be required for all applications for subdivisions and site condominiums. A wetlands determination shall be required for all other applications for preliminary site plan approval, when the Natural Features Map indicates there may be wetlands on site. A wetlands determination waiver may be granted by the Planning Director based on the Natural Features Map and other applicable site information.

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(09/27/04)

- (10) An Environmental Impact Statement shall be attached as a part of the submittal when required in accordance with Article VII of the Zoning Ordinance.

(Renumbering 09/27/04)

- (11) A Tree Preservation Plan in accordance with the City of Troy Landscape Design and Tree Preservation Standards shall be attached to all applications for Site Plan Approval. This requirement may be waived, by the Planning Director or by the Superintendent of Public Grounds, in those instances where the Topographic Survey and/or other written information provided by the applicant demonstrate that the nature of the site is such that a Tree Preservation Plan would not be applicable, or would serve no practical purpose.

(Rev. 09/27/04)

- (12) A Landscape Plan prepared in conformance with the City of Troy's Landscape Design Standards.

(09/27/04)

- (13) Preliminary Floor Plans.

(09/27/04)

- (14) Preliminary Building Elevations.

(09/27/04)

- (15) Preliminary Grading Plans, in accordance with the City of Troy Engineering Design Standards.

(09/27/04)

- (16) Preliminary tree Preservation Plan.

(09/27/04)

- (17) All drawings shall be sealed and signed by a State of Michigan Professional Engineer, Registered Architect, Registered Landscape Architect, or Professional Community Planner.

(09/27/04)

03.43.02 A petition or request for Final Site Plan Approval shall be submitted on forms published by the Planning Department and shall contain the following:

- (1) The modifications and/or additional information required by the Planning Commission at the time of Preliminary Site Plan Approval;
- (2) Any and all executed Easements, Agreements, or other documents required in conjunction with Preliminary Site Plan Approval, or required in conjunction with Building and Engineering Plan Reviews, including, but not limited to, the following:

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- (a) The dedication of rights-of-way,
 - (b) The conveyance of easements for public utilities, private access drives, cross access easements, joint driveway easements and pedestrian easements,
 - (c) "Private Agreements" for the installation of Public Improvements, by the petitioner.
 - (d) "Irrevocable Petition Agreements" for participation in potential Special Assessment Projects involving Road, Pedestrian and/or Public Utility improvements.
- (3) A current Title Commitment, indicating all parties in interest in the subject property.
- (4) A statement from the Landscape Analyst indicating that the Landscape Plans have been submitted, approved and the related fees have been paid.
- (Rev. 09/27/04)
- (5) Approved Engineering Site Plans, developed in accordance with the City's Engineering Design Standards, indicating the location of the major elements of:
- (a) The water distribution system,
 - (b) The sanitary sewer system,
 - (c) The storm drainage system, including the location size and shape of required storm water detention basins or other detention facilities.
- (6) Site area and building area information and calculations to confirm that Zoning Ordinance requirements such as parking and landscape area are met. Final building floor area information shall include all floor levels including basement and mezzanine areas.
- (7) The location of Fire Lanes as recommended by the Fire Department.

03.50.00 SUBDIVISIONS

03.51.00 PROCEDURE

For procedures relating to the development of Subdivisions within the City of Troy, see Chapter 41, Subdivision Control Ordinance.

03.52.00 APPLICATIONS

Applications relating to the platting and development of Subdivisions within the City of Troy are published forms obtainable at the City Clerk's Office. For further information as to such applications, see Chapter 41, Subdivision Control Ordinance.

03.53.00 SUBMITTAL REQUIREMENTS

For submittal requirements relating to the platting and development of Subdivisions within the City of Troy, see Chapter 41, Subdivision Control Ordinance.

C-3 Zoning Ordinance Text Amendment (ZOTA 182) for Section 12.50, R-1T – One Family Attached Residential Districts

Resolution #2004-09-505
Moved by Lambert
Seconded by Broomfield

RESOLVED, That Article XII (R-1T One Family Attached Residential District) and Article XXX (Schedule of Regulations), of the City of Troy Zoning Ordinance, be **AMENDED** to read as written in the PROPOSED ZONING ORDINANCE TEXT AMENDMENT (ZOTA 182), dated July 1, 2004, as recommended by the Planning Commission and City Management and further **AMENDED** by **INSERTING**, “and users of all devices legally permitted on sidewalks and safety paths” after “non-motorized users” in Section 12.50.05.

Yes: All-6
No: None
Absent: Schilling

C-4 Zoning Ordinance Text Amendment (ZOTA 200) for Article 34.70.00 – One Family Cluster Option

Resolution #2004-09-506
Moved by Stine
Seconded by Lambert

RESOLVED, That Article XII (R-1T One Family Attached Residential District) and Article XXXIV (Residential Development Options), Article IV (Definitions) and Article X (One Family Residential Districts) of the City of Troy Zoning Ordinance, be **POSTPONED** until the Regular City Council meeting scheduled for Monday, November 29, 2004 and **REFERRED** to City Management for further revision.

Yes: All-6
No: None
Absent: Schilling

C-5 Proposed Zoning Ordinance Text Amendment (ZOTA 199) for Section 03.40 – Site Plan Review / Approval

Resolution #2004-09-507
Moved by Lambert
Seconded by Howrylak

RESOLVED, That Article III (Site Plan Review/Approval), of the City of Troy Zoning Ordinance, be **AMENDED** to read as written in the PROPOSED ZONING ORDINANCE TEXT AMENDMENT (ZOTA 199), dated August 4, 2004, as recommended by the Planning Commission and City Management.

Yes: Beltramini, Broomfield, Howrylak, Lambert

No: Stine, Eisenbacher
Absent: Schilling

MOTION CARRIED

C-6 Zoning Ordinance Text Amendment (ZOTA 203) Article II (Changes, Amendments and Approvals)

Resolution #2004-09-508
Moved by Lambert
Seconded by Stine

RESOLVED, That Article II (Planning Commission, Changes and Amendments to the Zoning Ordinance, and Approvals), of the City of Troy Zoning Ordinance, be **AMENDED** to read as written in the PROPOSED ZONING ORDINANCE TEXT AMENDMENT (ZOTA 203), dated June 16, 2004, as recommended by the Planning Commission and City Management; and

BE IT RESOLVED, That Article II (Planning Commission, Changes and Amendments to the Zoning Ordinance, and Approvals), of the City of Troy Zoning Ordinance, be **AMENDED** by **INSERTING**, "elect" after "Council" in the first sentence of Section 12.10.01 ,and be further **AMENDED** by **STRIKING**, "those" and "present at the meeting", and **INSERTING**, "Planning" before "Commission" in the last sentence of Section 02.10.03.

BE IT FURTHER RESOLVED, That Chapter 40 - City Planning Commission, of the Code of the City of Troy, be repealed, as per the ORDINANCE TO REPEAL CHAPTER 40 OF THE CODE OF THE CITY OF TROY, dated June 16, 2004.

Yes: All-6
No: None
Absent: Schilling

The meeting **RECESSED** at 9:56 PM.

The meeting **RECONVENED** at 10:06 PM.

Resolution to Excuse Mayor Schilling

Resolution #2004-09-509
Moved by Stine
Seconded by Lambert

RESOLVED, That Mayor Schilling's absence at the Regular City Council of Monday, September 27, 2004 **BE EXCUSED** due to illness.

Yes: All-6
No: None
Absent: Schilling

between the City of Troy and Texaco Ovonic Battery Systems, L.L.C., now known as COBASYS, 1334 Maplelawn - Troy, Michigan; and

BE IT RESOLVED, That the recapture of the abated taxes will take place after until the property is leased or not to exceed 2012, whichever occurs first; and

BE IT ALSO RESOLVED, That a copy of this resolution be **FORWARDED** to the State Tax Commission by certified mail.

Yes: All-4
No: None
Absent: Beltramini, Broomfield, Howrylak

Vote on Resolution to Postpone

Resolution #2004-09-518
Moved by Stine
Seconded by Howrylak

RESOLVED, That the resolution to Reconsider Resolution #2004-08-429b for COBASYS/Texaco Ovonic be **POSTPONED** until the Regular City Council meeting scheduled for Monday, October 4, 2004.

Yes: All-6
No: None
Absent: Schilling

C-5 Reconsideration of Zoning Ordinance Text Amendment (ZOTA 199) for Section 03.40 – Site Plan Review / Approval

Resolution #2004-09-519
Moved by Eisenbacher
Seconded by Broomfield

RESOLVED, That Resolution #2004-09-507, Moved by Council Member Lambert and seconded by Council Member Howrylak, as it appears below be **RECONSIDERED** City Council:

RESOLVED, That Article III (Site Plan Review/Approval), of the City of Troy Zoning Ordinance, be AMENDED to read as written in the PROPOSED ZONING ORDINANCE TEXT AMENDMENT (ZOTA 199), dated August 4, 2004, as recommended by the Planning Commission and City Management.

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

MOTION CARRIED

Yes: All-6

No: None
Absent: Schilling

Proposed Amendment to Reconsidered Resolution #2004-09-507 Zoning Ordinance Text Amendment (ZOTA 199) for Section 03.40 – Site Plan Review / Approval

Resolution
Moved by Eisenbacher
Seconded by Broomfield

RESOLVED, That reconsidered Resolution #2004-09-507, Zoning Ordinance Text Amendment (ZOTA 199) for Section 03.40 – Site Plan Review / Approval, be **AMENDED** by **STRIKING** “one year” and **INSERTING** “two years” in the second sentence of Section 03.41.04.

Vote on Postponement

Resolution #2004-09-520
Moved by Howrylak
Seconded by Stine

RESOLVED, That the proposed amendment to reconsidered Resolution #2004-09-507, Zoning Ordinance Text Amendment (ZOTA 199) for Section 03.40 – Site Plan Review / Approval, be **POSTPONED** to the next Regular City Council Meeting scheduled for Monday, October 4, 2004.

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

REPORTS:

J-1 **Minutes – Boards and Committees:** None submitted

J-2 **Department Reports:** None submitted.

J-3 **Letters of Appreciation:** None submitted.

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

J-5 **Calendar**
Noted and Filed

J-6 **E-Mail from John Hammond, Re: Political Lawn Signs**
Noted and Filed

J-7 **Memorandum, Re: I-75 Crooks / Long Lake Interchange Improvement – Revised CORSIM Analysis Report**
Noted and Filed

RESOLVED, That the Resolution be **AMENDED** by **STRIKING** it in its entirety and **INSERTING**, "RESOLVED, That the City Council of the City of Troy hereby **AUTHORIZES** the City Assessor to file a Petition with the Michigan Tax Tribunal to recapture actual and estimated abated taxes for the Tax Years 2003 through 2008, in an amount not to exceed \$296,403.47, per terms of the Letter of Agreement between the City of Troy and Texaco Ovonic Battery Systems, L.L.C., now known as COBASYS, 1334 Maplawn – Troy, Michigan; and

BE IT ALSO RESOLVED, That a copy of this resolution be **FORWARDED** to the State Tax Commission by certified mail."

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

MOTION CARRIED

Vote on Resolution as Amended by Substitution

Resolution #2004-10-532
Moved by Stine
Seconded by Lambert

RESOLVED, That the City Council of the City of Troy hereby **AUTHORIZES** the City Assessor to file a Petition with the Michigan Tax Tribunal to recapture actual and estimated abated taxes for the Tax Years 2003 through 2008, in an amount not to exceed \$296,403.47, per terms of the Letter of Agreement between the City of Troy and Texaco Ovonic Battery Systems, L.L.C., now known as COBASYS, 1334 Maplawn – Troy, Michigan; and

BE IT ALSO RESOLVED, That a copy of this resolution be **FORWARDED** to the State Tax Commission by certified mail.

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

MOTION CARRIED

The meeting **RECESSED** at 9:21 PM.

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

D-3 Resolution to Amend Reconsidered Zoning Ordinance Text Amendment (ZOTA 199) Section 03.41.04 Site Plan Review / Approval Standards and Submittal Requirements – Proposed by Council Member Eisenbacher

Resolution #2004-10-533
Moved by Eisenbacher
Seconded by Broomfield

RESOLVED, That reconsidered Resolution #2004-09-507, Zoning Ordinance Text Amendment (ZOTA 199) for Section 03.40 – Site Plan Review / Approval, be **AMENDED** by **STRIKING** "one

year" and **INSERTING** "two years" in the second sentence of Section 03.41.04; **STRIKING** "one year" and **INSERTING** "two years" in the third sentence of Section 03.41.04; "one year" and **INSERTING** "two years" in the fourth sentence of Section 03.41.04; and be further **AMENDED** by **STRIKING** "one year" and **INSERTING** "two years" in Section 03.41.12.

Yes: Lambert, Broomfield, Eisenbacher, Howrylak

No: Stine, Schilling, Beltramini

MOTION CARRIED

Proposed Resolution to Further Amend Reconsidered Resolution

Resolution

Moved by Broomfield

Seconded by Lambert

RESOLVED, That reconsidered Resolution #2004-09-507, Zoning Ordinance Text Amendment (ZOTA 199) for Section 03.40 – Site Plan Review / Approval, be **AMENDED** by **STRIKING**, "one-hundred (100)" and **INSERTING**, "fifty (50)" and by **STRIKING**, "one (1)" and **INSERTING**, "two (2)" in Section 03.43.01 8 (o).

Vote on Resolution to Amend Proposed Resolution to Further Amend Reconsidered Resolution

Resolution #2004-10-534

Moved by Beltramini

Seconded by Howrylak

RESOLVED, That Resolution to further amend reconsidered Resolution #2004-09-507, Zoning Ordinance Text Amendment (ZOTA 199) for Section 03.40 – Site Plan Review / Approval be **AMENDED** by **STRIKING**, "two (2)" and **REINSERTING**, "one (1)" in Section 03.43.01 8 (o).

Yes: All-7

Vote on Amended Resolution to Further Amend Reconsidered Resolution

Resolution #2004-10-535

Moved by Broomfield

Seconded by Lambert

RESOLVED, That reconsidered Resolution #2004-09-507, Zoning Ordinance Text Amendment (ZOTA 199) for Section 03.40 – Site Plan Review / Approval, be **AMENDED** by **STRIKING**, "one-hundred (100)" and **INSERTING**, "fifty (50)" and by **STRIKING**, "two (2)" and **REINSERTING**, "one (1)" in Section 03.43.01 8 (o).

Yes: All-7

Proposed Reconsidered Resolution as Amended

Resolution

Moved by Lambert

Seconded by Howrylak

RESOLVED, That Article III (Site Plan Review/Approval), of the City of Troy Zoning Ordinance, be **AMENDED** to read as written in the PROPOSED ZONING ORDINANCE TEXT AMENDMENT (ZOTA 199), dated August 4, 2004, as recommended by the Planning Commission and City Management, and as further **AMENDED** by Troy City Council as follows:

1. "One year" be **STRICKEN** and "two years" be **INSERTED** in the second, third, and fourth sentences of Section 03.41.04; and
2. "One-year" be **STRICKEN** and "two years" be **INSERTED** in Section 03.41.04; and
3. "One-hundred (100)" be **STRICKEN** and "fifty (50)" be **INSERTED** in Section 03.43.01 (8) (o).

Vote on Resolution to Postpone

Resolution #2004-10-536

Moved by Eisenbacher

Seconded by Broomfield

RESOLVED, That Item D-3, Resolution to Amend Reconsidered Zoning Ordinance Text Amendment (ZOTA 199) Section 03.41.04 Site Plan Review / Approval Standards and Submittal Requirements as Proposed by Council Member Eisenbacher be **POSTPONED** until the Regular City Council meeting scheduled for Monday, November 15, 2004.

Yes: Broomfield, Eisenbacher, Howrylak, Lambert

No: Beltramini, Stine, Schilling

MOTION CARRIED

CONSENT AGENDA:

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

Resolution #2004-10-537

Moved by Stine

Seconded by Broomfield

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Item E-5, which was removed at the request of City Management, and Items E-2, E-4, and E-7, which shall be considered after Consent Agenda (E) items, as printed.

Yes: All-7

Final Proposal

November 8, 2004

PROPOSED REVISIONS TO THE TROY ZONING ORDINANCE –Mark Stimac and Mark Miller asked the Task Force to review the proposed changes and offer its opinions. Mr. Miller started to review the changes stating that these changes would have little or no impact on single family detached homes, site condos would have some impact, and will impact the development of multi-family and condominium projects.

After considerable discussion the committee would like to make the following recommendations:

- To sections **03.40.01** & **03.40.02** the committee recommends the following:
 - Eliminate these two sections OR
 - End the paragraph with the last sentence reading:
"It is the intent of these provisions to encourage cooperation and consultation between the City and the applicant to facilitate development."
- To section **03.41.04** the committee recommends the following:
 - Change the "approval within 1 year" to "approval within 2 years"
- To section **03.43.01 – 8, 9, 2** the committee recommends the following:
 - Leave topography on site and 50 feet beyond.
 - Leave the language at the current two foot contour.
- To section **03.43.01 – 9** the committee recommends the following:
 - All but the first sentence be eliminated.
- To section **03.43.01 – 17** the committee recommends the following:
 - Add to the end of the statement the words, *where required by state law.*

General comments regarding the proposed zoning changes:

- The Planning Commission objective for the proposed changes is to ensure they have the proper tools to ensure that the plans that are being submitted are the plans that actually happen.
- Section 03.43.01 – 12, 13, 14, 15, 16, 17 are there to determine parking lot requirements. Simple diagrams are required, not a three dimensional colored drawing.
- Section 03.43.02 – 4 was clarified for internal purposes.
- There was considerable discussion and concerns expressed regarding the reasons why these new changes were needed and how they will impact the developer.



Raymond J. Donnelly
& Associates, Inc.

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www.RJDSurveyors.com

October 25, 2004

Mr. Mark Miller
Planning Director
City of Troy Planning Department
500 W. Big Beaver
Troy, MI 48084

REC'D

OCT 25 2004

PLANNING DEPT.

Re: *Zoning Ordinance Text Amendment*

Dear Mr. Miller:

I have recently been made aware of new zoning ordinance amendments to the City of Troy Preliminary Site Plan Approval process via the local cable television broadcasts of Troy City Council meetings. Specifically, I am referring to Chapter 39, Section 03.43.00 (Submittal Requirements) and Chapter 39, Section 03.43.01 (Preliminary Site Plan Approval), Sub Section 17, which reads in part,

"...all drawings shall be sealed by a State of Michigan Professional Engineer, Registered Architect, Registered Landscape Architect or Professional Community Planner."

Although I'm sure it was an oversight, unfortunately, **Professional Surveyors** (formerly known as Registered Land Surveyors) were "left out" of the listed professionals qualified to seal Preliminary Site Plans.

As a matter of some general background regarding the surveying profession, please note that Professional Surveyors perform the Certified Boundary Surveys, Architectural Surveys, Tree Surveys, and Wetlands Limits & Location Surveys required by the City of Troy Ordinance. Likewise, Professional Surveyors calculate land areas, define parcel splits, prepare easement descriptions, promulgate the Public Land Survey Corners, and prepare both subdivision plats and Condominium Exhibit "B" documents for recording.

Therefore, I would respectfully request that on behalf of the Professional Surveyors of Michigan, the aforementioned zoning ordinance amendment be amended to include Professional Surveyors as a relevant and qualified discipline.

Sincerely,

Raymond J. Donnelly, PS
President

Cc: John Szerlag, Troy City Manager
Rollie Self, Michigan Society of Professional Surveyors

A Regular Meeting of the Troy City Council was held Monday, November 8, 2004, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:32 PM.

Mayor Pro Tem Beltramini gave the Invocation 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

CERTIFICATES OF RECOGNITION:

A-1 Presentations: Troy Safe Homes and Troy School District Students presented their annual pledges for the Red Ribbon Campaign in support of a drug free community.

CARRYOVER ITEMS: No Carryover Items Submitted

PUBLIC HEARINGS:

C-1 Community Development Block Grant (CDBG) 2005 Application

Resolution #2004-11-575
Moved by Beltramini
Seconded by Stine

WHEREAS, The City of Troy will receive approximately \$195,344.00 for Community Development Block Grant funds for the year 2005.

WHEREAS, On November 8, 2004, a Public Hearing was held before the City Council of the City of Troy, at which Public Hearing, persons were given an opportunity to provide written and oral views to the Troy City Council, the authority responsible for enacting the budget, and to ask questions about the entire budget and the relationship of the Home Chore Program, Administration, and Section 36 Storm Drain Construction on Lovington Street.

WHEREAS, The City Council of the City of Troy, after conclusion of the Public Hearing on this date has determined that funding should be provided through the 2005 Community Development Block Grant (CDBG) Program for the Home Chore Program, Administration, and Section 36 Storm Drain Construction on Lovington Street.

NOW, THEREFORE, BE IT RESOLVED, That the Home Chore Program, Administration, and Section 36 Storm Drain Construction on Lovington Street are hereby designated as Community Development Block Grant (CDBG) Projects for 2005; and

BE IT FINALLY RESOLVED, That the Mayor of the City of Troy is **AUTHORIZED** to sign the Application and Subrecipient Agreement and submit them to Oakland County.

Yes: All-7

POSTPONED ITEMS: No Postponed Items

CONSENT AGENDA:

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

Resolution #2004-11-576

Moved by Lambert

Seconded by Beltramini

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Items E-5 and E-19 which shall be considered after Consent Agenda (E) items, as printed, and the withdrawal of Item E-8 by City Management.

Yes: All-7

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

E-2 Minutes: Regular Meeting of October 25, 2004

Resolution #2004-11-576-E-2

RESOLVED, That the Minutes of the 7:30 PM Regular Meeting of October 25, 2004 be **APPROVED** as submitted.

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

E-4 Acceptance of Warranty Deed and Final Alley Vacation – Section 25 – the West ½ of 20 Foot Wide Alley, Abutting the South 6 Inches (.5 Feet) of Lot 34 and All of Lots 35, and 36 of Sussex Park Subdivision.

Resolution #2004-11-576-E-4

WHEREAS, A request has been received for the final vacation of a portion of the west 10 feet of a 20 foot wide alley right-of-way abutting the south 6 inches (.5 feet) of Lot 34 and all of Lots 35, and 36 of Sussex Park Subdivision.

WHEREAS, The vacation of this portion of the alley shall be subject to the following conditions:

1. Retention of an easement for public utilities over the total street area proposed for vacation; and
 2. Owners voluntarily convey the west 7 feet to the City Of Troy for John R right-of-way.
-

WHEREAS, The following properties shall benefit from the requested street vacation: the south 6 inches (.5 feet) of Lot 34, and all of Lots 35 and 36 of Sussex Park Subdivision, having Sidwell #88-20-25-303-051.

NOW, THEREFORE, BE IT RESOLVED, That final action can now be taken as the conditions have now been met:

The retention of an easement for public utilities over the total alley area proposed for vacation.

Owners voluntarily convey the west 7 feet to the City Of Troy for joint right-of-way.

BE IT FURTHER RESOLVED, That the Warranty Deed from Timothy P. Carowick and Anita L. Carowick for the west 7 feet of Sidwell #88-20-25-303-051 is hereby **ACCEPTED**; and

BE IT FURTHER RESOLVED, That an easement for public utilities and drainage is **RESERVED** over the entire area being vacated, and

BE IT FINALLY RESOLVED, That the west ½ of the 20-foot wide alley abutting the south 6 inches (.5 feet) of Lot 34, and all of Lots 35 and 36 of Sussex Park Subdivision, is hereby **VACATED**.

E-6 Approval of Conditioned Purchase Agreement for Right-of-Way: Sidewalk Gap Project, Sidwell# 88-20-01-476-031, 2923 E. Square Lake Road

Resolution #2004-11-576-E-6

RESOLVED, That the Agreement to Purchase between Trifu Zivan, owner of the property having Sidwell #88-20-01-476-031, and the City of Troy, for the acquisition of right-of-way for a Sidewalk Gap Completion Project is **APPROVED** in the amount of \$25,700 plus closing costs.

E-7 Approval of Purchase Agreement, Mazhar Malik and Naheed Mazhar Malik, 2882 Downey, Sidwell #88-20-25-229-006, Project No. 01.105.5 – Big Beaver Road Improvements Rochester to Dequindre

Resolution #2004-11-576-E-7

RESOLVED, That the Agreement to Purchase between Mazhar Malik and Naheed Mazhar Malik, and the City of Troy, having Sidwell #88-20-25-229-006 for the acquisition of right-of-way from the property at 2882 Downey is hereby **APPROVED**; and

BE IT FURTHER RESOLVED, That authorization is hereby **GRANTED** to purchase the right-of-way in the Agreement referenced above in the amount of \$8,728.97, plus closing costs.

E-8 Acceptance of Sanitary Sewer Easements, Sidwell #88-20-24-451-085 & 059 Section 24, 2583 E. Big Beaver & Adjacent Lot

Withdrawn by City Management.

E-9 Macomb County Animal Shelter Services

Resolution #2004-11-576-E-9

RESOLVED, That the City Council of the City of Troy hereby **APPROVES** the Agreement between Macomb County Health Department and the City of Troy dated January 1, 2005, and **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the documents; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-10 Private Agreement for Michigan Clinic for Facial Pain, Project No. 03.910.3

Resolution #2004-11-576-E-10

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Dr. Ghabi Kaspo is hereby **APPROVED** for the installation of storm sewer, paving and sidewalk on the site and in the adjacent right of way, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the documents; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-11 Approval of Relocation Claim, Michael G. Leinonen and Catherine Helena Leinonen, 2803 Thames, Sidwell #88-20-25-226-002, Project No. 01.105.5 – Big Beaver Road Improvements, Rochester to Dequindre

Resolution #2004-11-576-E-11

RESOLVED, That as required by Michigan Laws and Federal Regulations, the City Council of the City of Troy hereby **APPROVES** the Relocation Claim from Michael G. Leinonen and Catherine Helena Leinonen pertaining to the City of Troy's acquisition of their property at 2803 Thames, having Sidwell #88-20-25-226-002, and **AUTHORIZES** payment in the amount of \$17,900.

E-12 Approval of Subdivision Entrance Sign/Agreement Stoneridge Subdivision

Resolution #2004-11-576-E-12

RESOLVED, That the sign applications submitted by the Stoneridge 1 Homeowners Improvement Association for the placement of a sign in the median of Cliffside at the intersection of Square Lake Road is hereby **APPROVED** as to the design and materials proposed; and

BE IT FURTHER RESOLVED, That the agreements regarding the maintenance and liability coverage for the signs are also **APPROVED** and the Mayor and City Clerk are **AUTHORIZED TO SIGN** the attached agreements on behalf of the City.

E-13 Acceptance of Permanent Easements from Long Lake Properties, LLC, 4970 John R, Sidwell #88-20-13-100-039

Resolution #2004-11-576-E-13

RESOLVED, That the Permanent Easements for water main and sanitary sewer from Long Lake Properties, LLC, owners of the property having Sidwell #88-20-13-100-039, are hereby **ACCEPTED**; and

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

E-14 Add/Drop Co-Licensees in B-Hotel Licensed Business - A copy of the Liquor Advisory Minutes are located under Item J-1q**(a) Approval to Add/Drop Co-licensee**

Resolution #2004-11-576-E-14 (a)

RESOLVED, That the request from DT Management, inc. (an Arizona Corporation), 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 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], be **CONSIDERED FOR APPROVAL**.

It is the consensus of this legislative body that the application be **RECOMMENDED** for issuance.

AND

(b) Approval of Agreement

Resolution #2004-11-576-E-14 (b)

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 DT Management, Inc. (An Arizona Corporation), which shall become effective upon approval of the request 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 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; 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-15 Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – HAVEN Program

Resolution #2004-11-576-E-15

RESOLVED, That approval to expend funds budgeted in the 2004/2005 fiscal year to the HAVEN Program to provide community services to support victims of domestic assault for the residents of the City of Troy in the amount of \$4,500.00 is hereby **APPROVED**, 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-16 Approval of Relocation Claim, Thien Van Le and Yen Lu - 2919 Thames, Sidwell# 88-20-25-229-002, Project No. 01.105.5 – Big Beaver Road Improvements, Rochester to Dequindre

Resolution #2004-11-576-E-16

RESOLVED, That as required by Michigan Laws and Federal Regulations, the City Council of the City of Troy hereby **APPROVES** the Relocation Claim from Thien Van Le and Yen Lu, pertaining to the City of Troy's acquisition of their property at 2919 Thames, having Sidwell #88-20-25-229-002, and **AUTHORIZES** payment in the amount of \$13,800.

E-17 Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – Common Ground

Resolution #2004-11-576-E-17

RESOLVED, That approval to expend funds budgeted in the 2004/2005 fiscal year to Common Ground to provide community service programs to the residents of the City of Troy in the amount of \$2,100.00 is hereby **APPROVED**, 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-18 Acceptance of Warranty Deed and Permanent Easement – Rockfield Site Condominium, Section 14 – Sidwell #88-20-14-401-020

Resolution #2004-11-576-E-18

RESOLVED, That the Warranty Deed and Permanent Easement from Peter and Ana Laze, having Sidwell #88-20-14-401-020, 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; a copy of which shall be **ATTACHED** to the original of this meeting.

E-20 Transfer of Class C License and New SDM License at Oakland Mall Location - A copy of the Liquor Advisory Minutes are located under Item J-1q**(a) Transfer of Ownership and Issuance of New SDM License**

Resolution #2004-11-576-E-20 (a)

RESOLVED, That the request from the May Department Stores Company (a New York Corporation), to transfer ownership of 2004 Class C licensed business, with 4 direct connections and 2 bars, and add bar permit cancelled in field, located at 500 W. Fourteen Mile Rd., Troy, MI 48084, Oakland County, from Target Corporation (A Minnesota Corporation) [MLCC REQ ID# 269853]; and requests a new SDM license with direct connection [MLCC REQ ID# 269817], be **CONSIDERED FOR APPROVAL**.

It is the consensus of this legislative body that the application be **RECOMMENDED** for issuance.

AND**(b) Approval of Agreement**

Resolution #2004-11-576-E-20 (b)

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 the May Department Stores Company (a New York Corporation) which shall become effective upon approval of the request to transfer a Class C licensed business, add a bar permit cancelled in the field, and request a new SDM license, and the Mayor and City Clerk are hereby **AUTHORIZED TO EXECUTE** the document; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-21 Private Agreement for Bharatiya Temple - Project No. 03.922.3

Resolution #2004-11-576-E-21

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Bharatiya Temple 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-22 Traffic Committee Recommendations – October 20, 2004**(a) Installation of a STOP Sign on Orpington at Cedar Crest**

Resolution #2004-11-576-E-22 (a)

RESOLVED, That Traffic Control Order #04-13-SS is hereby **APPROVED** for the installation of a *STOP* sign at Orpington and Cedar Crest.

(b) Installation of All-Way STOP Signs at the Intersection of Daley and Boyd Street

Resolution #2004-11-576-E-22 (b)

RESOLVED, That Traffic Control Order #04-14-SS is hereby **APPROVED** for the installation of *All-Way STOP* signs at the Intersection of Daley and Boyd Street.

(c) No Changes Be Made to Traffic Control Devices at Long Lake and Abington

Resolution #2004-11-576-E-22 (c)

RESOLVED, That no changes be made to traffic control devices at Long Lake and Abington.

(d) No Changes Be Made to Traffic Control Devices at Buckingham Place and Brentwood

Resolution #2004-11-576-E-22 (d)

RESOLVED, That no changes be made to traffic control devices at Buckingham Place and Brentwood.

(e) No Changes Be Made to Traffic Control Devices at Breeze Hill Place and Brentwood

Resolution #2004-11-576-E-22 (e)

RESOLVED, That no changes be made to traffic control devices at Breeze Hill Place and Brentwood.

(f) No Changes Be Made to Traffic Control Devices at Saffron Court and Saffron

Resolution #2004-11-576-E-22 (f)

RESOLVED, That no changes be made to traffic control devices at Saffron Court and Saffron.

(g) Establishment of Fire Lanes at 1787 West Big Beaver

Resolution #2004-11-576-E-22 (g)

RESOLVED, That fire lanes be established at 1787 West Big Beaver as shown on the attached sketch.

E-23 Authorization to Pay 2005 Membership Dues – National League of Cities

Resolution #2004-11-576-E-23

RESOLVED, That the invoice in the amount of \$5,724.00 for 2005 membership dues to the National League of Cities is **APPROVED** for payment.

E-24 City of Troy Investment Policy & Establishment of Investment Accounts

Resolution #2004-11-576-E-24

RESOLVED, That the Investment Policy and establishment of Investment Accounts outlined in the memorandum from Assistant City Manager-Finance and Administration John M. Lamerato dated November 1, 2004 with annual review and approval is hereby **APPROVED** and copies shall be **ATTACHED** to the original Minutes of this meeting.

E-25 Transfer of Class C License and New SDM License at Somerset Location – A copy of the Liquor Advisory Minutes are located under Item J-1q**(a) Request to Transfer Ownership and Issue New SDM License**

Resolution #2004-11-576-E-25 (a)

RESOLVED, That the request from the May Department Store Company (a New York Corporation), to transfer ownership of 2004 12 Months Resort Class C licensed business, with 1 direct connection, located at 2752 W. Big Beaver Rd., Troy, MI 48084, Oakland County, from Target Corporation (A Minnesota Corporation), and request a new official permit (food) [MLCC REQ ID# 269869]; and requests a new SDM license with direct connection [MLCC REQ ID# 269824], be **CONSIDERED FOR APPROVAL**.

It is the consensus of this legislative body that the application be **RECOMMENDED** for issuance.

(b) Request to Approve Agreement

Resolution #2004-11-576-E-25 (b)

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 the May Department Store Company (A New York Corporation) which shall become effective upon approval of the request to transfer a 12 Months Resort Class C licensed business, request a new official permit (food), and request a new SDM license, 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-26 Standard Purchasing Resolution 1: Award to Sole Bidder – Duct Cleaning and Testing, Adjusting and Balancing Services on the Lead Contaminated Gun Range Ventilation System

Resolution #2004-11-576-E-26

RESOLVED, That a contract to provide the duct cleaning and testing, adjusting and balancing services on the lead contaminated gun range ventilation system, is hereby **AWARDED** to the sole bidder Asbestos Control Environmental, Inc., of Taylor, MI, for an estimated total cost of \$42,265.00, which includes the cost of additional insurance.

BE IT FURTHER RESOLVED, That the award is contingent upon contractor submission of properly executed bid and contract documents, including insurance certificates, bonds, and all other specified requirements; and if additional work is required that could not be foreseen, such additional work is **AUTHORIZED** in an amount not to exceed 10% of the total project cost.

ITEMS TAKEN OUT OF ORDER

E-5 Standard Purchasing Resolution 3: Option to Renew – Car/Truck Wash Services

Resolution #2004-11-577

Moved by Stine

Seconded by Eisenbacher

WHEREAS, On September 9, 2002, two-year contracts with the option to renew for two additional years to provide car/truck wash services were awarded to the low bidders, Pro Enterprise, Inc. and Jax Kar Wash, Incorporated commencing on December 10, 2002 (Resolution #2002-09-510-E12); and

WHEREAS, Both the above-named vendors have agreed to exercise the two-year option to renew the contracts under the same prices, terms, and conditions.

NOW, THEREFORE, BE IT RESOLVED, That the option to renew the contracts are hereby exercised with Pro Enterprise, Inc. and Jax Kar Wash, Incorporated to provide car/truck wash services under the same pricing structure, terms, and conditions as the original contracts, expiring December 10, 2006.

Yes: All-7

E-19 Standard Purchasing Resolution 1: Award to Low Bidder – Fire Apparatus

Resolution #2004-11-578
Moved by Stine
Seconded by Eisenbacher

RESOLVED, That a contract to purchase one (1) Fire Apparatus is hereby **AWARDED** to the low total bidder, HME, Inc. of Wyoming, MI, for an estimated total cost of \$352,229.00, at prices contained in the bid tabulation opened October 13, 2004; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon HME, Inc. submitting properly executed bid documents, including insurance certificates and all other specified requirements.

Yes: All-7

Vote on Resolution to Suspend Rules of Procedure for the City Council, Rule #24

Resolution #2004-11-579
Moved by Stine
Seconded by Howrylak

RESOLVED, That City Council **SUSPEND** Rules of Procedure for the City Council, Rule #24 – Video and Audio Presentations, and permit Ray Wagner, a representative from COBASYS, to provide a Power Point presentation.

Yes: All-7

PUBLIC COMMENT: Limited to Items Not on the Agenda

REGULAR BUSINESS:

F-1 Appointments to Boards and Committees: (a) Mayoral Appointments: None (b) City Council Appointments: 1. Advisory Committee for Persons with Disabilities and 2. Animal Control Appeal Board

(b) City Council Appointments

Resolution #2004-10-580
Moved by Beltramini
Seconded by Lambert

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

Advisory Committee for Persons with Disabilities
Appointed by Council (9) – 3 years

Dorothy Ann Pietron

Term expires 11/01/2007

Animal Control Appeal Board
Appointed by Council (5) – 3 years

Kathleen Melchert

Term expires 09/30/2007

Yes: All-7

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

(a) **Mayoral Appointments**

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

Term expires 07-01-2005 (Student)

(b) **City Council Appointments**

Resolution #2004-10-580

Moved by Beltramini

Seconded by Lambert

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

Advisory Committee for Persons with Disabilities
Appointed by Council (9) – 3 years

Term expires 11/01/2007

Term expires 11/01/2007

Animal Control Appeal Board
Appointed by Council (5) – 3 years

Term expires 09/30/2007

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

Unexpired term expires 05/15/2006

Troy Daze Committee

Appointed by Council (9) – 3 years

- _____ Term expires 11/30/07
- _____ Term expires 11/30/07
- _____ Term expires 11/30/07

F-2 Authorization for the Department of Law to Institute Condemnation Litigation – Saoud Jamo and Nidhal Jamo – 2907 Thames – Sidwell #88-20-25-229-001 – Big Beaver Improvements – Rochester to Dequindre - Project No. 01.105.5

Resolution #2004-11-581
Moved by Stine
Seconded by Beltramini

WHEREAS, In order to proceed with the proposed Big Beaver Improvements from Rochester to Dequindre, it is necessary for the City of Troy to obtain the needed right-of-way from the property owners, Saoud Jamo and Nidhal Jamo, having Sidwell #88-20-25-229-001.

BE IT RESOLVED, That the City Attorney is **AUTHORIZED**, if necessary, to initiate condemnation litigation to acquire property from Saoud Jamo and Nidhal Jamo, having Sidwell #88-20-25-229-001 (commonly known as 2907 Thames), and to **EXECUTE AND DELIVER** any and all documents and papers, and to **EXPEND** the necessary funds expedient for the prosecution of such proceedings or settlement of such claims on proceedings by and with the express **APPROVAL** of this Council.

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

MOTION CARRIED

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings:

- a) Commercial Vehicle Appeal -1855 Boulan - **Scheduled for November 29, 2004**
- b) Commercial Vehicle Appeal - 2887 E. Wattles Road – **Scheduled for November 29, 2004**

Noted and Filed

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

The meeting **RECESSED** at 9:32 PM.

The meeting **RECONVENED** at 9:42 PM.

H-1 Proposed Big Beaver Corridor Study Methodology – Advanced by Council Member Howrylak

Vote on Resolution to Reconsider Resolution #2004-10-565 – Big Beaver Corridor Study

Resolution #2004-11-582

Moved by Lambert

Seconded by Howrylak

RESOLVED, That Resolution #2004-10-565 be **RECONSIDERED**.

Resolution #2004-10-565

Moved by Stine

Seconded by Beltramini

*RESOLVED, That City Council **DIRECTS** City Administration to proceed with the Big Beaver Corridor Study and to send out for Proposals (RFP's).*

Yes: Stine, Schilling, Beltramini, Broomfield, Eisenbacher

No: Lambert

Absent: Howrylak

MOTION CARRIED

Yes: Eisenbacher, Howrylak, Lambert

No: Schilling, Beltramini, Broomfield, Stine

MOTION FAILED

Vote on Resolution to Place Reconsideration of Resolution #2004-10-532 – COBAYSYS at the Regular City Council Meeting Scheduled for Monday, November 15, 2004

Resolution #2004-11-583

Moved by Stine

Seconded by Beltramini

RESOLVED, That a Resolution to reconsider Resolution #2004-10-532 be **CONSIDERED** at the Regular City Council meeting scheduled for Monday, November 15, 2004.

Yes: Beltramini, Stine, Schilling

No: Broomfield, Eisenbacher, Howrylak, Lambert

MOTION FAILED

REPORTS:

J-1 Minutes – Boards and Committees:

- a) Historic District Commission Minutes/Final – June 15, 2004
- b) Historic District Commission Minutes/Final – July 20, 2004
- c) Historic District Commission Minutes/Final – August 17, 2004
- d) Historic Study Committee/Draft – September 7, 2004
- e) Employees' Retirement System Board of Trustees/Final – September 8, 2004
- f) Library Board/Final – September 9, 2004
- g) Parks and Recreation Board/Final – September 9, 2004
- h) Animal Control Appeal Board/Final – September 21, 2004
- i) Board of Zoning Appeals/Final – September 21, 2004
- j) Historic District Commission/Final – September 21, 2004
- k) Youth Council – September 22, 2004
- l) Planning Commission Special-Study/Final – September 28, 2004
- m) Planning Commission Special-Study/Draft – October 5, 2004
- n) Planning Commission Special-Study/Final – October 5, 2004
- o) Building Code Board of Appeals/Draft – October 6, 2004
- p) Building Code Board of Appeals/Final – October 6, 2004
- q) Liquor Advisory Committee/Draft – October 11, 2004
- r) Planning Commission/Draft – October 12, 2004
- s) Planning Commission/Final – October 12, 2004
- t) Library Board/Draft – October 14, 2004
- u) Board of Zoning Appeals/Draft – October 19, 2004

Noted and Filed

J-2 Department Reports:

- a) Travel Expense Report – Council Member Jeanne M. Stine – MML Annual Convention
- b) Travel Expense Report – Mayor Pro Tem Robin E. Beltramini – MML Annual Convention
- c) 2004 Third Quarter Litigation Report
- d) 2004 Year-to-Date Crime and Calls for Service Report
- e) Library Rankings
- f) Auction – Vehicle Sale on September 18, 2004 in Waterford Township

Noted and Filed

J-3 Letters of Appreciation:

- a) Letter from Dan K. McNeill-General, US Army to Chief Craft Thanking the Troy Police Department for the Sacrifice They and Their Employee-Soldiers are Making as a Key Part of The Army's Fight in the Global War on Terrorism
 - b) Letter from Beth Andrews of Garan Lucow Miller, P.C. to Chief Craft in Appreciation of Sgt. Robert Kowalski's Presentation Given to Their Staff on Field Sobriety and Preliminary Breath Testing
 - c) Letter from Douglas C. Wells-National Organized Retail Crime Investigator for Limited Brands Loss Prevention to Chief Craft in Appreciation of Officer Jay Reynolds for His Efforts in the Investigation of Multiple Fraudulent Checks
-

- d) Thank You Note from Mary and Anthony Collica to the Troy Police Department in Appreciation of the Assistance that Officer McWilliams Gave Her Son in a Recent Parking Lot Accident
- e) Letter from Lt. Neil Gensler – Huntington Woods Police Department to Chief Craft Thanking the Troy Police Department and Sgt. Don Ostrowski for Assisting Them in Their Police Training
- f) Comment Cards from James Penzak and David Bowerman Complimenting the Troy Library and its Staff for Their First Class Service
- g) Letter from David T. Fischer Jr. – General Manager for the Suburban Collection to John Szerlag Thanking Doug Smith, Joe Lietaert, Bill Jawlik, Scott Conrad, Neall Schroeder, Bill Houtari, Larysa Figol and Patti Gross for the Improvements Near Their Place of Business
- h) Letter from the Troy Daze Festival Committee to Mayor Schilling and Members of City Council in Appreciation for All the Assistance They Received from the Many City of Troy Departments in Making the 2004 Troy Daze Festival a Success
- i) Letter from Douglas W. Mills-Chapter President of International Association of Financial Crimes Investigators (IAFCI) to Chief Craft Recognizing Office Jay Reynolds for His Assistance in Organizing a Training Seminar for Michigan Fraud Investigators
- j) Letter from Lt. John M. Roehrig of the Beverly Hills Public Safety Dept. to Chief Nelson Thanking Him for His Assistance at Their Open House
Noted and Filed

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

J-5 Calendar

Noted and Filed

J-6 Letter from Marilyn Brown-Rating Services Representative for LexisNexis-Martindale-Hubbell, Re: Award of AV Rating to Lori Grigg Bluhm

Noted and Filed

J-7 Letter from Donald J. Borut-Executive Director for the National League of Cities, Re: 2004 Savvy Award in the Community Visioning Process Category

Noted and Filed

J-8 Letter from Eric Kaiser-Chair of Rochester Hills Planning Commission, Re: Notice of Intent to Prepare a Master Land Use Plan

Noted and Filed

J-9 Memorandum, Re: Public Display Lottery Status

Noted and Filed

J-10 Memorandum, Re: I-75 Crooks / Long Lake Interchange Improvement – Information on Environmental Assessment Requirement

Noted and Filed

STUDY ITEMS: No Study Items Submitted

PUBLIC COMMENT: Address of "K" Items

CLOSED SESSION:

L-1 Closed Session

Resolution #2004-11-584

Moved by Stine

Seconded by Beltramini

BE IT RESOLVED, That the City of Troy City Council **SHALL MEET** in Closed Session, as permitted by MCLA 15.268 (d, h) and MCLA 15.243, Section (g).

Yes: Broomfield, Stine, Schilling, Beltramini

No: Eisenbacher, Howrylak, Lambert

MOTION FAILED

NOTE: 2/3 Roll Call vote required of members elected or appointed as required by MCL 15.267.

The meeting **ADJOURNED** at 10:33 PM.

Louise E. Schilling, Mayor

Barbara A. Holmes, CMC
Deputy City Clerk

October 25, 2004

To: John Szerlag, City Manager

From: Brian Murphy, Assistant City Manager/Services
Jeanette Bennett, Purchasing Director
Carol K. Anderson, Parks and Recreation Director

Subject: **Agenda Item** - Standard Purchasing Resolution 2: Bid Award –
Lowest Acceptable Bidder – Ice Melt Compound

RECOMMENDATION

On October 20, 2004, bid proposals were opened for one-year requirements of ice melt compound for use on pedestrian areas on Municipal properties. After reviewing these proposals, City management recommends awarding the contract to the low bidder meeting specifications, Washington Elevator Co., Inc. of Washington MI, for those participating MITN (Michigan Intergovernmental Trade Network) cooperative members at an estimated total cost of \$18,760.00, at the unit price contained in the attached bid tabulation. Troy's portion is estimated at \$10,988.00 per year.

SUMMARY

The contract is for ice melting compound used by City staff for application to sidewalks, stairs, and ramps located on municipal properties and properties controlled by the City. Guaranteed Analysis shall be:

- 25% Calcium chloride
- 25% Magnesium chloride
- 20% Potassium chloride
- 30% sodium chloride

and shall contain an inert pattern indicator and an organic anti-caking agent. Compound shall be FOB delivered in 50# bags.

Other participating agencies include but are not limited to:

- Eastpointe
- Rochester Hills
- Livingston County
- West Bloomfield Twp.

EXPLANATION OF BID NOT MEETING SPECIFICATIONS

Arnold Sales was unable to meet the City's specific ice melt requirements for this year's bid. However, they did offer a comparable product for reconsideration as an alternative for future solicitations. Samples need to be provided to test during the upcoming season. The Parks and Recreation Director or her designated representative will determine acceptability and their decision will be deemed to be in the City's best interest. If approved, the product will be included on future bids.

October 25, 2004

TO: John Szerlag, City Manager
RE: Bid Award – Ice Melt Compound

BUDGET

Funds for this purchase are available in the Parks operating Account # 770.7740.010.

73 Vendors Notified on the MITN System

11 Bid Responses Received

1 Bid did not meet specifications

1 Late Bid

4 No Bids: (1) Company had insufficient time to respond.
(3) Companies cannot meet specifications for a four-way ice melt product.

Prepared by: Ron Hynd, Landscape Analyst

Opening Date -- 10/20/04
 Date Prepared -- 10/25/04

CITY OF TROY
 BID TABULATION
 ICE MELT COMPOUND

VENDOR NAME:

* WASHINGTON	JOHN DEERE	SUPPLY DEN	COLMAN-WOLF
ELEVATOR	LANDSCAPES	INC	SUPPLY CO
CO, INC			

EST QTY (BAGS)	DESCRIPTION	PRICE/EA BAG	PRICE/EA BAG	PRICE/EA BAG	PRICE/EA BAG
2,800 BAGS	SIDEWALK ICE MELTING COMPOUND , Four-Way Blend, "Professional Ice Melt" or Approved Alternate	\$ 6.70	\$ 7.09	\$ 7.79	\$ 7.95
	Quoting On:	CAPITOL PROF ICE MELT	POWERTHAW	WINTER STORM	PROFESSIONAL ICE MELTER
	Manufactured By:	WASHINGTON ELEVATOR	EC GROW INC	NORTH AMERICAN SALT CO	SPRING VALLEY
	50# Bags/Pallet	40	49	49	50
	ESTIMATED GRAND TOTAL -	* \$ 18,760.00	\$ 19,852.00	\$ 21,812.00	\$ 22,260.00
	DELIVERY: No. of Days after verbal request	5	5	1-2	1-2
	CONTACT INFORMATION	Hrs of Oper. 8-5	7-5:30PM	7:30-5	7:30-5PM
	Phone #	(248)321-7939	(248)960-1882	(586)939-0747	(586)779-5500x131
	EXTENSION OF AWARD TO MITN PURCHASING COOP:Y/N	YES	YES	YES	YES
	Minimum Order	(Initial) 1 TON	1 TON	1 PALLET	2 /12 TONS
		(Add'l) 1 TON	1/4 TON		2 1/2 TONS
	TERMS	NET 30	30 DAYS	NET 30	NET 30 DAYS
	WARRANTY	NONE	NONE	FULLY GUARANTEED	N/A
	DELIVERY	5 DAYS	1 HR- 5 DAYS	1-2 DAYS	1-2 DAYS
	EXCEPTIONS	SEE SPEC SHEET ATTACHED TO BID	LISTED IN BID	N/A	BLANK
	ACKNOWLEDGEMENT	Y or N	YES	YES	YES

DMS:

Arnold Sales @ \$6.25/bag => \$17,500

Reason: Comparable product offered to test for reconsideration on future bids.

*** DENOTES LOWEST ACCEPTABLE BIDDER**

PROPOSAL: One year requirements of Ice Melt Compound with an option to renew for one additional year for the City of Troy and participating MITN Purchasing Cooperative Members

ATTEST:

Jeffrey Biegler
Charlene McComb
Linda Bockstanz

 Jeanette Bennett
 Purchasing Director

Opening Date -- 10/20/04
 Date Prepared -- 10/25/04

CITY OF TROY
 BID TABULATION
 ICE MELT COMPOUND

VENDOR NAME:

		CONTINENTAL	WEINGARTZ	SHEMIN	CONTRACTORS
		PAPER	SUPPLY CO INC	NURSERIES	CONNECTION
				INC	INC
EST	DESCRIPTION	PRICE/EA BAG	PRICE/EA BAG	PRICE/EA BAG	PRICE/EA BAG
QTY (BAGS)					
2,800 BAGS	SIDEWALK ICE MELTING COMPOUND , Four-Way Blend, "Professional Ice Melt" or Approved Alternate	\$ 8.02	\$ 8.47	\$ 8.70	\$ 9.75
	Quoting On:	EVCO PREMIUM	PROFESSIONAL ICE MELTER	LANDSCAPERS CHOICE	ZERO ICE, ICE& SNOW MELTER
	Manufactured By:	FLOR DRI SUPPLY	SPRING VALLEY	KISSNER GROUP	HOWARD JOHNSON ENTERPRISES
	50# Bags/Pallet	56	50	50	48
	ESTIMATED GRAND TOTAL -	\$ 22,456.00	\$ 23,716.00	\$ 24,360.00	\$ 27,300.00
	DELIVERY: No. of Days after verbal request	1	2	5-7	3-10
	CONTACT INFORMATION	8-5	8:30-5:30PM	8-4:30PM	7-6PM
	Hrs of Oper. Phone #	(586)405-6839	(586)255-9960	N/A	(586)405-5021
	EXTENSION OF AWARD TO MITN PURCHASING COOP:Y/N	YES	YES	YES	YES
	Minimum Order (Initial)	1 1/2 TON	1 1/4 TON	1 1/4 TON	4 PALLETS
	(Add'l)	1 1/2 TON	1 1/4 TON	1 1/4 TON	1 PALLET
	TERMS	NET 30 DAYS	NET 30 DAYS	N 30 DAYS	NET 20 DAYS
	WARRANTY	MFR	NONE	N/A	BLANK
	DELIVERY	OUR TRUCK	OUR TRUCK	FOB DESTINATION	2-10 DAYS ARO
	EXCEPTIONS	LISTED IN BID	BLANK	LISTED IN BID	LISTED IN BID
	ACKNOWLEDGEMENT	YES	YES	YES	YES
	Y or N				

Opening Date -- 10/20/04
 Date Prepared -- 10/25/04

CITY OF TROY
 BID TABULATION
 ICE MELT COMPOUND

VENDOR NAME:

GEISLER	ZEP MFG CO		
COMPANY			

EST QTY (BAGS)	DESCRIPTION	PRICE/EA BAG	PRICE/EA BAG		
2,800 BAGS	SIDEWALK ICE MELTING COMPOUND , Four-Way Blend, "Professional Ice Melt" or Approved Alternate	\$ 12.15	\$ 12.70		
	Quoting On:	SAFE STEP ICE MELT	POWER THAW		
	Manufactured By:	DOW	EC GROW		
	50# Bags/Pallet	49	47		
	ESTIMATED GRAND TOTAL -	\$ 34,020.00	\$ 35,560.00		
	DELIVERY: No. of Days after verbal request	7-10	2-7		
	CONTACT INFORMATION	Hrs of Oper. 8-5	8-4:30PM		
	Phone #	(313)920-9028	(313)938-6671		
	EXTENSION OF AWARD TO MITN PURCHASING COOP:Y/N	YES	YES		
	Minimum Order (Initial)	2 TONS	4 TONS		
	(Add'l)	BLANK	2 TONS		
	TERMS	BLANK	NET 30		
	WARRANTY	BLANK	60 DAYS		
	DELIVERY	BLANK	PREPAID		
	EXCEPTIONS	BLANK	BLANK		
	ACKNOWLEDGEMENT	Y or N	YES	YES	

NO BIDS:

- Apac Paper
- Advantage Distribution Corp
- Hercules & Hercules
- Industrial Cleaning Supply



Downloading History for ITB-COT 04-49 Ice Melt

The report below shows all fax and e-mail vendors that matched this document when it was originally issued. It also shows all vendors that have downloaded or ordered the document and any subsequent amendments as of 10/25/2004.

Document Title:	ICE MELT COMPOUND
Date Issued:	9/28/2004
Close Date:	10/20/2004

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

Acct #	Company Name	Service	Date Obtained Document	Date Obtained Amendments
18979	ADVANTAGE DISTRIBUTION	E-mail	10/13/2004	
12133	Allied Building Service Company of Detroit, Inc.	E-mail	9/28/2004	
17239	Amerisource	E-mail		
10481	Angers Equipment Company, Inc	E-mail	10/15/2004	
13995	APAC PAPER & PACKAGING CORP.	Free	10/11/2004	
13096	Arnold Sales	Free	9/29/2004	
11493	Audio Visual Equipment & Supplies, Inc.	E-mail		
10139	B & J Parking Lot Maintenance, Inc.	E-mail		
10927	B & L Landscaping	Fax	10/8/2004	
11456	B & R Sales and Service Inc.	E-mail	9/28/2004	
15934	B & W Management Services, Inc	E-mail	10/11/2004	
11464	Bell & Sons Distributors	E-mail		
10151	Central Michigan Paper	E-mail	10/4/2004	
17537	Clif Services, Inc	E-mail	10/5/2004	
11863	Colman Wolf Supply Co.	E-mail	10/7/2004	
17268	Consolidated Industries Inc.	E-mail		
13654	Contractors Connection Inc.	Free	10/18/2004	
11785	Donson Supply, Inc.	Free	10/18/2004	
11938	Downriver Refrigeration Supply Co.	E-mail	10/1/2004	
11044	Federal Pipe & Supply Company	Free	10/1/2004	
11210	Flor-Dri Supply Co., Inc.	E-mail	9/28/2004	

16320	Geisler Company	E-mail	10/7/2004	
11861	Grainger Industrial Supply	E-mail	9/30/2004	
16921	H.D. Edwards & Company	Free	9/28/2004	
10438	Hamilton's of Ortonville Inc.	Free	10/7/2004	
13972	Hercules & Hercules Inc.	E-mail	10/5/2004	
11766	HES STALLINGS-JULIEN SALES & SERVICE	E-mail		
14309	HP Products	Free	10/6/2004	
18064	HP Products	E-mail	9/28/2004	
10459	Industrial Cleaning Supply Co.	E-mail	9/29/2004	
14773	Integrated Supply Management, Inc.	E-mail	10/15/2004	
10296	jansan supply	Free	10/18/2004	
14945	John Deere Landscapes	E-mail	10/19/2004	
15720	Kelli Green Lawn Service Ltd.	E-mail		
18515	Lansing Sanitary Supply	E-mail	9/28/2004	
12569	Liquid Calcium Chloride Sales	Free	10/12/2004	
18579	LMW Constructors, LLC	E-mail	10/13/2004	
10508	LOWER HURON CHEMICAL & SUPPLY	E-mail	10/1/2004	
13084	MER-WIL INDUSTRIES	E-mail		
14512	Michigan Automatic Sprinkler Inc.	Free	10/8/2004	
17377	Morton International/Morton Salt	E-mail		
13429	Multi-Source	E-mail		
15276	Nichols	E-mail		
10726	North American Salt Co.	E-mail	10/4/2004	
11936	Northside True Value Hardware	Fax		
17174	P & L Products, Inc.	E-mail		
14858	Parkway Research/Div. Brandt Con.	E-mail		
17802	PBS SERVICES	E-mail	9/28/2004	
13022	Peter E. Johnson and Associates, Inc	Fax		
10436	Power Equipment Distributors Inc	Free	9/29/2004	
11286	Professional Maintenance, Inc.	E-mail	10/4/2004	
14286	PVS Nolwood Chemicals	E-mail	9/29/2004	
18124	S.F. Strong inc.	Fax	10/5/2004	
11001	Sheldon Supply Company	E-mail		
14349	Shemin Nurseries, Inc.	Free	10/18/2004	
12123	Source One Distribution LLC	E-mail		
14695	South Huron Industrial Inc	Fax		
13914	Steele's Service's LLC	E-mail		
12969	stokes&stokessnowremoval&landscapingco.	E-mail		
15371	Strike Group L.L.C.	E-mail	10/11/2004	
10113	Sullivan Corporation	Free	10/15/2004	
10162	SupplyDen Inc.	E-mail	10/8/2004	
10279	Sure Products, Inc	E-mail		
18557	Texas Refinery Corp	E-mail	9/28/2004	

10425	The Michigan Company	Free	10/8/2004	
15310	Tiffany's Building Services, Inc.	E-mail		
13602	Total Outdoor Services	E-mail		
12718	Tucker Group, Inc.	Free	10/18/2004	
10311	Turf Tenders Landscaping & Fertilizing Inc.	Free	10/6/2004	
14368	Washington Elevator Company, Inc.	Free	10/2/2004	
14338	Washtenaw Inc., Maintenance Services	E-mail	10/7/2004	
14785	Weingartz	E-mail	10/7/2004	
12367	Zep Manufacturing Company	E-mail	10/4/2004	

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November 9, 2004

TO: John Szerlag, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Services
Douglas J. Smith, Real Estate & Development Director

RE: AGENDA ITEM – REQUEST FOR APPROVAL OF RELOCATION CLAIM,
LOUIS AND DIANA THOMAS
2863 THAMES, SIDWELL #88-20-25-226-007,
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, City Council previously authorized the purchase of the property at 2863 Thames from Louis and Diana Thomas as well as a claim for a price differential payment and commercial mover reimbursement.

In accordance with Michigan Laws and Federal Regulations, Mr. and Mrs. Thomas are eligible for an additional relocation payment in the amount of \$6,129.19. This reimbursement is for costs associated with the acquisition of their new property located at 35572 Brooke Court, New Baltimore, MI. These costs include an interest differential payment, and incidental fees as shown on the attached claim form.

They have filed the attached Relocation Claim and supplied the needed documentation to justify the payment. In order for the City to proceed with the proposed project, staff requests that City Council approve the attached Relocation Claim from Louis and Diana Thomas in the total amount of \$6,129.19, and authorize payment. Funds will come from the Big Beaver Road– Rochester to Dequindre project.



RELOCATION CLAIM RESIDENTIAL

Information required by Act 31, P.A. 1970 as amended, and Act 277
P.A. of 1972, to process payment.

City of Troy
MDOT A679 (11/01)

CLAIMANT'S NAME: <u>DIANA THOMAS & LOUIS THOMAS</u>	
MAILING ADDRESS: <u>2863 Thames, Troy, MI 48083</u>	
ACQUIRED PROPERTY ADDRESS AND PHONE: <u>2863 Thames Troy, MI 48083 (248) 376-4445</u>	REPLACEMENT PROPERTY ADDRESS AND PHONE: <u>35572 Brooke Court New Baltimore, MI 48047 (248) 376-4445</u>

CONTROLLING DATES

Date occupied state acquired property: <u>1968</u>	Date of first written offer: <u>7/30/04</u>
Date of move:	Date of final payment:
	Date of estimated just compensation deposit:

MUST OCCUPY REPLACEMENT PROPERTY BY ---

If Tenant, 12 months after date of move.	Date: <u>-----</u>
If Secured Owner, 12 months after date of final payment.	Date: <u>10/22/05</u>
If Unsecured Owner, 12 months after date of estimated just compensation deposit.	Date: <u>-----</u>

MUST FILE CLAIM FOR PAYMENT BY ---

If Tenant, 18 months after date of move.	Date: <u>-----</u>
If Owner, 18 months after date of move or final payment, whichever is later.	Date: <u>4/22/06</u>

Listed below are relocation payments claimed in accordance with Act 31, PA 1970 as amended. For further information, please refer to the booklet "Your Rights and Benefits When Displaced by a City of Troy Project".

Replacement Housing Supplement	previous claim
Incidental Closing Costs	\$2,708.50
Increased Interest Differential	\$3,420.69
Replacement Rental Supplement (Installment # _____)	-----
Purchase Down Payment	-----
Moving - Fixed or Actual	previous claim
AMOUNT DUE:	\$6,129.19

I/We agree payment will be sent to:

I/We Certify that:

1. All information submitted is true and correct.
2. I/We have purchased and occupied, or will purchase and occupy, a replacement dwelling which is decent, safe, and sanitary within the standards prescribed by the City of Troy.
3. I/We have vacated or will vacate the state acquired property.
4. I/We have not submitted any other claim, or received reimbursement from any other source, for expenses itemized on this claim.
5. I/We agree if the amount of compensation deposited is increased in an administrative settlement or condemnation action, the replacement housing supplement shall be recalculated based upon the increased compensation award, and any overpayment in the housing supplement shall be deducted by the Department from the final payment.
6. I/We am/are a legal resident of the United States

<u>Louis A Thomas</u> Claimant's Signature	<u>10-27-04</u> Date	<u>Diana C Thomas</u> Claimant's Signature	<u>10-27-04</u> Date
---	-------------------------	---	-------------------------

I certify that I have examined this claim and the substantiating documentation and have found it to conform to the applicable State and Federal Laws and the operating procedures of the City of Troy.

RECOMMENDED BY: <u>[Signature]</u>	DATE: <u>11-9-04</u>
APPROVED BY: <u>Patricia A. Pettit</u>	DATE: <u>11-9-04</u>

Remarks:

CONTROL SECTION STU 63459	PARCEL 9 20-25-226-007	NAME Louis and Diana Thomas
JOB NUMBER 49878	FED ITEM NUMBER HH 2855	FED PROJ NUMBER STP 0163 (039) 01.105.5

b) Price of comparable dwelling:		d) Lower of "a" or "b" minus "c":	
c) Price of replacement dwelling:			
e) Price of state acquired dwelling:		AMOUNT DUE:	\$ previous claim

INCIDENTAL CLOSING COSTS

If there is no existing mortgage on the state acquired property, most of these costs are ineligible. Closing costs for tenants must be deducted from their total Purchase Down Payment amount.			
Appraisal	0.00	Mobile Home Title Transfer	n/a
Assumption Fee	0.00	Mobile Home Sales Tax	n/a
Commencement Notice	0.00	Mortgage Application Fee	375.00
Closing and/or Escrow \$450 + \$187.50	637.50	Mortgage Insurance (limited to balance of existing mortgage)	250.00
Credit Report	0.00	Mortgage Title Insurance (limited to value of comparable)	196.00
Discount Points (limited to balance of existing mortgage if not paid in Increased Interest Differential)	0.00	Notary Fee	0.00
Document Preparation Fee \$200.00 + \$95.00	295.00	Recording	85.00
Inspections	750.00	Survey	85.00
Legal	0.00	Tax Service Fee	0.00
Loan Origination Fee (limited to balance of existing mortgage if not paid in Increased Interest Differential)	0.00	Other flood cert. \$25 bank fee \$10	35.00
			AMOUNT DUE: \$2,708.50

INCREASED INTEREST DIFFERENTIAL

Current Mortgage Balance	40,566.33	New Mortgage Balance	75,000.00
Current Mortgage Interest Rate	4.5%	New Mortgage Interest Rate	5.625%
Current Mortgage Payment	370.57	New Mortgage Term	240 months
		New Mortgage Points	
			AMOUNT DUE: \$3,420.69

REPLACEMENT RENTAL SUPPLEMENT/PURCHASE DOWN PAYMENT

	RENT	UTILITIES	TOTAL	X 42 MONTHS	(e) Lower of "a" or "b":
a) Comparable					(f) Lower of "c" or "d":
b) Replacement					(g) Rental Supplement ("e" minus "f"):
c) Displacement					(h) Installments: (1)\$ _____ (2)\$ _____ (3)\$ _____
d) Income	Yearly	Monthly	X 30%	X 42 MONTHS	(i) Purchase Down Payment (larger of "g" or \$5250.00):
					(j) Payment previously claimed:
					AMOUNT DUE: \$ -0-

FIXED MOVING PAYMENT

NO. OF ROOMS OF FURNITURE	PAYMENT	CLAIMANT OWNS NO FURNITURE BUT MOVES PERSONAL PROPERTY:		NO. OF ROOMS IN DWELLING PLEASE CHECK ALL THAT APPLY	
		NO. OF ROOMS	PAYMENT		
1	\$425.00			<input type="checkbox"/> Living Room	<input type="checkbox"/> Den or Office
2	625.00			<input type="checkbox"/> Dining Room	<input type="checkbox"/> Laundry
3	825.00	1	\$375.00	<input type="checkbox"/> Family Room	<input type="checkbox"/> Attic
4	900.00	EACH ADDITIONAL ROOM	\$100.00	<input type="checkbox"/> Kitchen	<input type="checkbox"/> Basement
5	1,025.00	OCCUPANT OF DORMITORY-STYLE ROOM: PAYMENT \$50.00		<input type="checkbox"/> Bedroom	<input type="checkbox"/> Porch
6	1,150.00			<input type="checkbox"/> Bedroom	<input type="checkbox"/> Garage
7	1,300.00			<input type="checkbox"/> Bedroom	<input type="checkbox"/> Other _____
8	1,400.00			<input type="checkbox"/> Bedroom	<input type="checkbox"/> TOTAL ROOMS
Each Additional Room	200.00	DATE MOVE VERIFIED		AMOUNT DUE:	\$ -0-

ACTUAL MOVING PAYMENT

Actual Moving Cost (per moving company bill or estimate)		
Monthly storage rate \$	X number of months (limit 12)	
		AMOUNT DUE: \$ previous claim

November 9, 2004

TO: John Szerlag, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Services
Douglas J. Smith, Real Estate & Development Director

RE: **AGENDA ITEM – REQUEST FOR APPROVAL OF RELOCATION CLAIM, VIRGINIA H. NEWMAN, 2815 THAMES, SIDWELL #88-20-25-226-003, 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, City Council previously authorized the purchase of the property at 2815 Thames from Virginia A. Newman and a closing was held on October 25, 2004. Mrs. Newman has found a replacement dwelling and plans to move prior to November 20, 2004.

In accordance with Michigan Laws and Federal Regulations the property owner is eligible for moving costs. Mrs. Newman has chosen to be paid for moving costs by submitting three estimates, of which we pay the lowest.

She has filed the attached Relocation Claim and supplied the needed documentation to justify the payment. In order for the City to proceed with the acquisition of this parcel, staff requests that City Council approve the attached Relocation Claim from Virginia H. Newman in the total amount of \$3,241.50, and authorize payment. Funds will come from the Big Beaver Road– Rochester to Dequindre project.

RELOCATION CLAIM RESIDENTIAL

Michigan Department
of Transportation
0679 (01/03)

Information required by Act 31, P.A. 1970 as amended, and Act 277
P.A. of 1972, to process payment.

CLAIMANT'S NAME: Virginia H. Newman

MAILING ADDRESS: 8644-56 North Skokie Blvd. apt.#306, Skokie, Illinois 60076

ACQUIRED PROPERTY ADDRESS AND PHONE:
2815 Thames, Troy MI 48083

REPLACEMENT PROPERTY ADDRESS AND PHONE:
Same as mailing address

CONTROLLING DATES

Date occupied state acquired property: 1971 Date of first written offer: 8-3-2004 Date of move: 11-15-2004

Date of move: _____ Date of final payment: 10-25-04 Date of estimated just compensation deposit: _____

MUST OCCUPY REPLACEMENT PROPERTY BY ---

If Tenant, 12 months after date of move.

Date: _____

If Secured Owner, 12 months after date of final payment.

Date: 10-25-05

If Unsecured Owner, 12 months after date of estimated just compensation deposit.

Date: _____

MUST FILE CLAIM FOR PAYMENT BY ---

If Tenant, 18 months after date of move.

Date: _____

If Owner, 18 months after date of move or final payment, whichever is later.

Date: 4-25-06

Listed below are relocation payments claimed in accordance with Act 31, PA 1970 as amended. For further information, please refer to the booklet "Your Rights and Benefits When Displaced by a Transportation Project".

Replacement Housing Supplement	
Incidental Closing Costs	
Increased Interest Differential	
Replacement Rental Supplement (Installment # _____)	
Purchase Down Payment	_____
Moving - Fixed or Actual	\$3,241.50
AMOUNT DUE:	\$ 3,241.50

I/We agree payment will be sent to: Virginia H. Newman, 8644-56 North Skokie Blvd., apt 306, Skokie, Illinois 60076

I/We Certify that:

1. All information submitted is true and correct.
2. I/We have purchased and occupied, or will purchase and occupy, a replacement dwelling which is decent, safe, and sanitary within the standards prescribed by the Michigan Department of Transportation.
3. I/We have vacated or will vacate the state acquired property.
4. I/We have not submitted any other claim, or received reimbursement from any other source, for expenses itemized on this claim.
5. I/We agree if the amount of compensation deposited is increased in an administrative settlement or condemnation action, the replacement housing supplement shall be recalculated based upon the increased compensation award, and any overpayment in the housing supplement shall be deducted by the Department from the final payment.
6. I/We am/are a legal resident of the United States

Virginia H. Newman 11/3/04
Claimant's Signature Date

Claimant's Signature Date

I Certify that I have examined this claim and the substantiating documentation and have found it to conform to the applicable State and Federal Laws and the operating procedures of the Michigan Department of Transportation.

RECOMMENDED BY: *Dennis C. Stephens*

DATE: 11/3/04

APPROVED BY: *Dennis A. Pettit*

DATE: 11/9/04

REMARKS:

CONTROL SECTION 88-20-25-226-003	PARCEL <u>5</u> <u>25-226-003</u>	NAME Virginia H. Newman
JOB NUMBER <u>49878</u>	FED ITEM NUMBER <u>HH2855</u>	FED PROJ NUMBER <u>STP 0163 (039)</u> <u>01.105.5</u>

REPLACEMENT HOUSING SUPPLEMENT

a) Price of comparable dwelling:		d) Lower of "a" or "b" minus "c":	
b) Price of replacement dwelling:			
c) Price of state acquired dwelling:		AMOUNT DUE:	\$

INCIDENTAL CLOSING COSTS

If there is no existing mortgage on the state acquired property, most of these costs are ineligible. Closing costs for tenants must be deducted from their total Purchase Down Payment amount.

Appraisal		Mobile Home Title Transfer	
Assumption Fee		Mobile Home Sales Tax	
Commencement Notice		Mortgage Application Fee	
Closing and/or Escrow		Mortgage Insurance (limited to balance of existing mortgage)	
Credit Report		Mortgage Title Insurance (limited to value of comparable)	
Discount Points (limited to balance of existing mortgage if not paid in Increased Interest Differential)		Notary Fee	
Document Preparation Fee		Recording	
Inspections		Survey	
Legal		Tax Service Fee	
Loan Origination Fee (limited to balance of existing mortgage if not paid in Increased Interest Differential)		Other	
		AMOUNT DUE:	\$

INCREASED INTEREST DIFFERENTIAL

Current Mortgage Balance		New Mortgage Balance	
Current Mortgage Interest Rate		New Mortgage Interest Rate	
Current Mortgage Payment		New Mortgage Term	
		New Mortgage Points	
		AMOUNT DUE:	\$

REPLACEMENT RENTAL SUPPLEMENT/PURCHASE DOWN PAYMENT

	RENT	UTILITIES	TOTAL	X 42 MONTHS	(e) Lower of "a" or "b":	
(a) Comparable					(f) Lower of "c" or "d":	
(b) Replacement					(g) Rental Supplement ("e" minus "f"):	
(c) Displacement					(h) Installments: (1) \$ _____	
					(2) \$ _____	
					(3) \$ _____	
(d) Income	Yearly	Monthly	X 30%	X 42 MONTHS	(i) Purchase Down Payment (larger of "g" or \$5250.00):	
					(j) Payment previously claimed:	
					AMOUNT DUE:	\$

FIXED MOVING PAYMENT

NO. OF ROOMS OF FURNITURE	PAYMENT	CLAIMANT OWNS NO FURNITURE BUT MOVES PERSONAL PROPERTY:		NO. OF ROOMS IN DWELLING PLEASE CHECK ALL THAT APPLY		
		NO. OF ROOMS	PAYMENT	Living Room	Den or Office	
1	\$425.00	1	\$375.00	<input type="checkbox"/>	<input type="checkbox"/>	
2	625.00			<input type="checkbox"/>	<input type="checkbox"/>	
3	825.00	EACH ADDITIONAL ROOM	\$100.00	<input type="checkbox"/>	<input type="checkbox"/>	
4	900.00			<input type="checkbox"/>	<input type="checkbox"/>	
5	1,025.00			<input type="checkbox"/>	<input type="checkbox"/>	
6	1,150.00	OCCUPANT OF DORMITORY-STYLE ROOM:		<input type="checkbox"/>	<input type="checkbox"/>	
7	1,300.00			<input type="checkbox"/>	<input type="checkbox"/>	
8	1,400.00		PAYMENT \$50.00	<input type="checkbox"/>	<input type="checkbox"/>	
Each Additional Room	200.00	DATE MOVE VERIFIED		<input type="checkbox"/>	<input type="checkbox"/>	
					AMOUNT DUE:	\$

ACTUAL MOVING PAYMENT

Actual Moving Cost (per moving company bill or estimate)		\$3,241.50
Monthly storage rate \$	X number of months (limit 12)	
		AMOUNT DUE: \$ 3,241.50

November 9, 2004

TO: John Szerlag, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Services
Douglas J. Smith, Real Estate & Development Director

RE: AGENDA ITEM – REQUEST FOR APPROVAL OF RELOCATION CLAIM,
JOHN CIONCA, SR.,
2931 THAMES, SIDWELL #88-20-25-229-003,
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, City Council previously authorized the purchase of the property at 2931 Thames from John Cionca, Sr., John Cionca, Jr., and George Cionca. The closing was held on October 11, 2004. John Cionca, Sr. is the only one of the owners currently residing at this address. He normally goes to Florida for the winter months and plans to move his personal property to storage prior to December 1, 2004. When he returns in the spring, he will stay with one of his sons until he is able to locate replacement housing.

In accordance with Michigan Laws and Federal Regulations, John Cionca, Sr. is eligible for a Residential Moving Payment. Eligible moving and related expenses include: packing and unpacking of personal property, transportation costs, storage of personal property (limited to one year), and insurance costs while personal property is in storage. He will file a separate claim for other relocation expenses including a replacement housing supplement and incidental closing costs at a later date.

He has filed the attached Relocation Claim and supplied the needed documentation to justify the payment. In order for the City to proceed with the proposed project, staff requests that City Council approve the attached Relocation Claim from John Cionca, Sr. in the amount of \$4,720.60 and authorize payment. Funds will come from the Big Beaver Road – Rochester to Dequindre project.

RELOCATION CLAIM RESIDENTIAL

Information required by Act 31, P.A. 1970 as amended, and Act 277
P.A. of 1972, to process payment.

City of Troy
MDOT A679 (11/01)

CLAIMANT'S NAME: John Cionca

MAILING ADDRESS:

ACQUIRED PROPERTY ADDRESS AND PHONE: 2931 Thames Troy, MI 48083 (248) 524-9678

REPLACEMENT PROPERTY ADDRESS AND PHONE:

CONTROLLING DATES

Date occupied state acquired property: Before 1983

Date of first written offer: 8/13/04

Date of move:

Date of final payment: 10/11/04

Date of estimated just compensation deposit:

MUST OCCUPY REPLACEMENT PROPERTY BY —

If Tenant, 12 months after date of move.

Date: _____

If Secured Owner, 12 months after date of final payment.

Date: 10/11/05

If Unsecured Owner, 12 months after date of estimated just compensation deposit.

Date: _____

MUST FILE CLAIM FOR PAYMENT BY —

If Tenant, 18 months after date of move.

Date: _____

If Owner, 18 months after date of move or final payment, whichever is later.

Date: 4/11/06

Listed below are relocation payments claimed in accordance with Act 31, PA 1970 as amended. For further information, please refer to the booklet "Your Rights and Benefits When Displaced by a City of Troy Project".

Replacement Housing Supplement	To Be Filed Later
Incidental Closing Costs	To Be Filed Later
Increased Interest Differential	-0-
Replacement Rental Supplement (Installment # _____)	_____
Purchase Down Payment	-0-
Moving - Fixed or Actual	\$4,720.60
AMOUNT DUE:	\$4,720.60

I/We agree payment will be sent to: John Cionca, Sr., 2931 Thames, Troy, MI 48083

I/We Certify that:

1. All information submitted is true and correct.
2. I/We have purchased and occupied, or will purchase and occupy, a replacement dwelling which is decent, safe, and sanitary within the standards prescribed by the City of Troy.
3. I/We have vacated or will vacate the state acquired property.
4. I/We have not submitted any other claim, or received reimbursement from any other source, for expenses itemized on this claim.
5. I/We agree if the amount of compensation deposited is increased in an administrative settlement or condemnation action, the replacement housing supplement shall be recalculated based upon the increased compensation award, and any overpayment in the housing supplement shall be deducted by the Department from the final payment.
6. I/We am/are a legal resident of the United States

John Cionca 11-5-04
Claimant's Signature Date

Claimant's Signature Date

I Certify that I have examined this claim and the substantiating documentation and have found it to conform to the applicable State and Federal Laws and the operating procedures of the City of Troy.

RECOMMENDED BY:	DATE:
APPROVED BY: <u>Patricia A. Pettit</u>	DATE: <u>11-5-04</u>

Remarks:

CONTROL SECTION STU 63459	PARCEL 12 Sidwell #88-20-25-229-003	NAME John Cionca, Sr.
JOB NUMBER 49878	FED ITEM NUMBER HH 2855	FED PROJ NUMBER STP 0163 (039) 01.105.5

REPLACEMENT HOUSING SUPPLEMENT

a) Price of comparable dwelling:		d) Lower of "a" or "b" minus "c":	
b) Price of replacement dwelling:			
c) Price of state acquired dwelling:		AMOUNT DUE:	To Be Filed Later

INCIDENTAL CLOSING COSTS

If there is no existing mortgage on the state acquired property, most of these costs are ineligible. Closing costs for tenants must be deducted from their total Purchase Down Payment amount.			
Appraisal		Mobile Home Title Transfer	
Assumption Fee		Mobile Home Sales Tax	
Commencement Notice		Mortgage Application Fee	
Closing and/or Escrow		Mortgage Insurance (limited to balance of existing mortgage)	
Credit Report		Mortgage Title Insurance (limited to value of comparable)	
Discount Points (limited to balance of existing mortgage if not paid in Increased Interest Differential)		Notary Fee	
Document Preparation Fee		Recording	
Inspections		Survey	
Legal		Tax Service Fee	
Loan Origination Fee (limited to balance of existing mortgage if not paid in Increased Interest Differential)		Other	
		AMOUNT DUE:	To Be Filed Later

INCREASED INTEREST DIFFERENTIAL

Current Mortgage Balance		New Mortgage Balance	
Current Mortgage Interest Rate		New Mortgage Interest Rate	
Current Mortgage Payment		New Mortgage Term	
		New Mortgage Points	
		AMOUNT DUE:	-0-

REPLACEMENT RENTAL SUPPLEMENT/PURCHASE DOWN PAYMENT

	RENT	UTILITIES	TOTAL	X 42 MONTHS	(e) Lower of "a" or "b":	
(a) Comparable					(f) Lower of "c" or "d":	
(b) Replacement					(g) Rental Supplement ("e" minus "f"):	
(c) Displacement					(h) Installments: (1)\$ _____ (2)\$ _____ (3)\$ _____	
(d) Income	Yearly	Monthly	X 30%	X 42 MONTHS	(i) Purchase Down Payment (larger of "g" or \$5250.00):	
					(j) Payment previously claimed:	
					AMOUNT DUE:	-0-

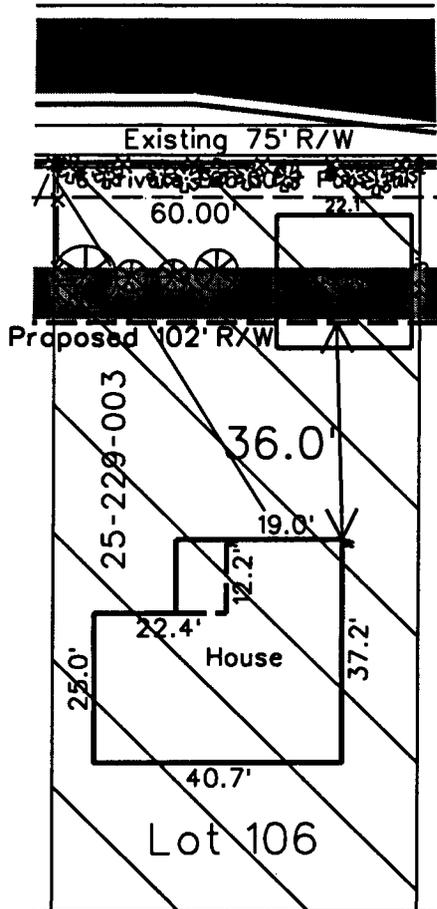
FIXED MOVING PAYMENT

NO. OF ROOMS OF FURNITURE	PAYMENT	CLAIMANT OWNS NO FURNITURE BUT MOVES PERSONAL PROPERTY:		NO. OF ROOMS IN DWELLING PLEASE CHECK ALL THAT APPLY	
		NO. OF ROOMS	PAYMENT	Living Room	Den or Office
1	\$425.00	1	\$375.00	<input type="checkbox"/> Dining Room	<input type="checkbox"/> Laundry
2	625.00	EACH ADDITIONAL ROOM	\$100.00	<input type="checkbox"/> Family Room	<input type="checkbox"/> Attic
3	825.00	OCCUPANT OF DORMITORY-STYLE ROOM: PAYMENT \$50.00		<input type="checkbox"/> Kitchen	<input type="checkbox"/> Basement
4	900.00			<input type="checkbox"/> Bedroom	<input type="checkbox"/> Porch
5	1,025.00	DATE MOVE VERIFIED		<input type="checkbox"/> Bedroom	<input type="checkbox"/> Garage
6	1,150.00			<input type="checkbox"/> Bedroom	<input type="checkbox"/> Other _____
7	1,300.00			<input type="checkbox"/> Bedroom	<input type="checkbox"/> TOTAL ROOMS
8	1,400.00				
Each Additional Room	200.00			AMOUNT DUE:	-0-

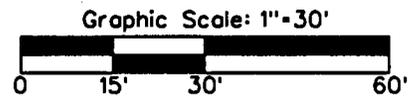
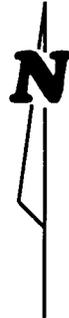
ACTUAL MOVING PAYMENT

Actual Moving Cost (per moving company bill or estimate)		\$2,056.60
Monthly storage rate \$ 222	X number of months (limit 12)	\$2,664
AMOUNT DUE:		\$4,720.60

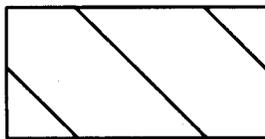
Big Beaver Rd.



#2931
Thames



Parcel #12



Right of Way
Acquisition
Area-7,500 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

#2931 Thames
Right of Way
Acquisition Sketch

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

November 8, 2004

TO: John Szerlag, City Manager

FROM: Douglas J. Smith, Real Estate & Development Director
Mark F. Miller, Planning Director

SUBJECT: ANNOUNCEMENT OF PUBLIC HEARING (NOVEMBER 29, 2004) – ZONING ORDINANCE MAP AMENDMENT (Z-697) – West side of Crooks Road, North of Big Beaver Road, Section 20 – P-1 to O-1 and B-3.

RECOMMENDATION

The rezoning application complies with the Future Land Use Plan and is compatible with adjacent zoning districts and land uses. The Planning Commission considered this item at their Regular Meeting on October 12, 2004. Following the Public Hearing on this item the Planning Commission recommended approval of the rezoning request. City Management concurs with the Planning Commission recommendation.

GENERAL INFORMATION

Name of Owner / Applicant:

The owner is First American Title Corporation. The applicant is Weiss Properties, LLC.

Location of Subject Property:

The property is located on the west side of Crooks Road, North of Big Beaver Road in Section 20.

Size of Subject Parcel:

The parcel is approximately 3.11 acres in area.

Current Use of Subject Property:

The property is currently vacant of buildings and structures. A detention basin is located in the eastern half of the property and an off-street parking area is located in the southwest corner of the property.

Current Zoning Classification:

P-1 Vehicular Parking.

Proposed Zoning of Subject Parcel:

O-1 Office Building and B-3 General Business.

Proposed Uses and Buildings on Subject Parcel:

The applicant proposes a one-story retail building fronting on Crooks Road and a 3-story office building at the rear of the parcel.

Current Use of Adjacent Parcels:

North: Office.

South: Office and restaurants.

East: Office.

West: Office.

Zoning Classification of Adjacent Parcels:

North: R-1B One Family Residential (controlled by Consent Judgment).

South: P-1 Vehicular Parking and O-1 Office Building.

East: O-M Office Mid-Rise.

West: P-1 Vehicular Parking.

ANALYSIS

Range of Uses Permitted in O-1:

PRINCIPAL USES PERMITTED:

Office Buildings for any of the following occupations: executive, administrative; professional; accounting; writing; clerical stenographic; drafting; and sales.

Medical office, including clinics.

Banks, credit unions, savings and loan associations, and similar uses. Such uses may include drive-in facilities only as an accessory use.

Publicly owned buildings, exchanges, and public utility offices.

Other uses similar to the above uses.

USES PERMITTED SUBJECT TO SPECIAL CONDITIONS:

Uses customarily supporting or serving the Principal Uses permitted in this District, such as pharmacies or drug stores, optical services, copy services, office supplies, book stores, art galleries, or restaurants; provided that these uses are within the

building housing the Principal Uses which they support, and provided that there is no direct outside entrance for these uses separate from the entrance serving the Principal Uses.

Data processing and computer centers, including sales support, service and maintenance of electronic data processing equipment. The sales support, service and maintenance functions shall be accessory or secondary to the Principal Uses permitted in this District, and thus shall not be operated as independent businesses.

Technical training uses, when such are accessory or secondary to the Principal Uses permitted in this District, and thus not operated as independent businesses.

USES PERMITTED SUBJECT TO SPECIAL USE APPROVAL:

Mortuary establishments.

Private service clubs fraternal organizations and lodge halls, including accessory structures and uses customarily incidental to such uses, racquet and athletic clubs.

Private ambulance facilities.

Utility sub-stations, transformer stations or gas regulator stations (without storage yards).

Mechanical or laboratory research involving testing and evaluation of products, or prototype or experimental product or process development.

Child care centers, nursery schools, or day nurseries (not including dormitories).

Range of Uses Permitted in O-1:

PRINCIPAL USES PERMITTED:

Any retail business or service establishment permitted in B-2 Districts as Principal Uses Permitted and Uses Permitted Subject to Special Conditions.

Mortuary establishments.

Bus or transit passenger stations, taxicab offices and dispatching centers, and emergency vehicle or ambulance facilities.

Parking garages and off-street parking areas.

Sales, showrooms, and incidental repair of recreational vehicles.

New and used car salesroom, showroom, or office.

Governmental offices, public utility offices, exchanges, transformer stations, pump stations and service yards but not including outdoor storage.

Other uses similar to the above uses.

Accessory structures and uses customarily incident to the above permitted uses.

USES PERMITTED SUBJECT TO SPECIAL CONDITIONS:

Drive-up windows or service facilities, as an accessory to restaurants permitted within this district.

Drive-up service facilities, as accessory to principal permitted uses within B-3 Districts, apart from restaurants.

Bowling alley, billiard hall, indoor archery range, indoor skating rinks, indoor tennis courts, athletic or health clubs, or similar forms of indoor commercial recreation, when the subject uses are located at least 100 feet from any Residential District.

Open air business uses when developed as uses subordinate to primary uses and structures within the B-3 District.

Outside seating of twenty (20) seats or less for restaurants, or other food service establishments.

USES PERMITTED SUBJECT TO SPECIAL USE APPROVAL

Persons seeking Special Use Approval for specified uses governed by this Article shall conform to the requirements of Section 03.30.00.

Outdoor sales space for exclusive sale or lease of new or second-hand automobiles, trucks, mobile homes, trailers, or recreational vehicles.

Motel or Hotel.

Veterinary hospitals or clinics, provided all activities are conducted within a totally enclosed main building and provided further that all abutting or adjacent property is non-residentially zoned.

Commercial Kennels.

Automobile repair garages, provided all activities are conducted within a completely enclosed building. Such uses shall not include the sale of fuels, vehicle body repair,

painting, refinishing, tire recapping, auto dismantling, or other such activities whose external effects could adversely extend beyond the property lines.

Outside seating areas, in excess of twenty (20) seats, for restaurants, or other food service establishments.

Vehicular and Non-motorized Access:

The property fronts on Crooks Road and Wilshire Boulevard.

Potential Storm Water and Utility Issues:

The applicant will be required to provide on-site detention.

Natural Features and Floodplains:

The Natural Features Map indicates there are no significant natural features located on the property.

Compliance with Future Land Use Plan:

The Future Land Use Plan classifies the front of the property as Non-Center Commercial and the rear of the property as Low Rise Office. According to the Future Land Use Plan, the Low Rise Office plan designation has a primary correlation with the O-1 Office Building District. The Non-Center Commercial plan designation has a primary correlation with the B-3 Zoning District. The application is therefore consistent with the Future Land Use Plan.

Compliance with Location Standards:

The B-3 General Business District does not contain location Standards.

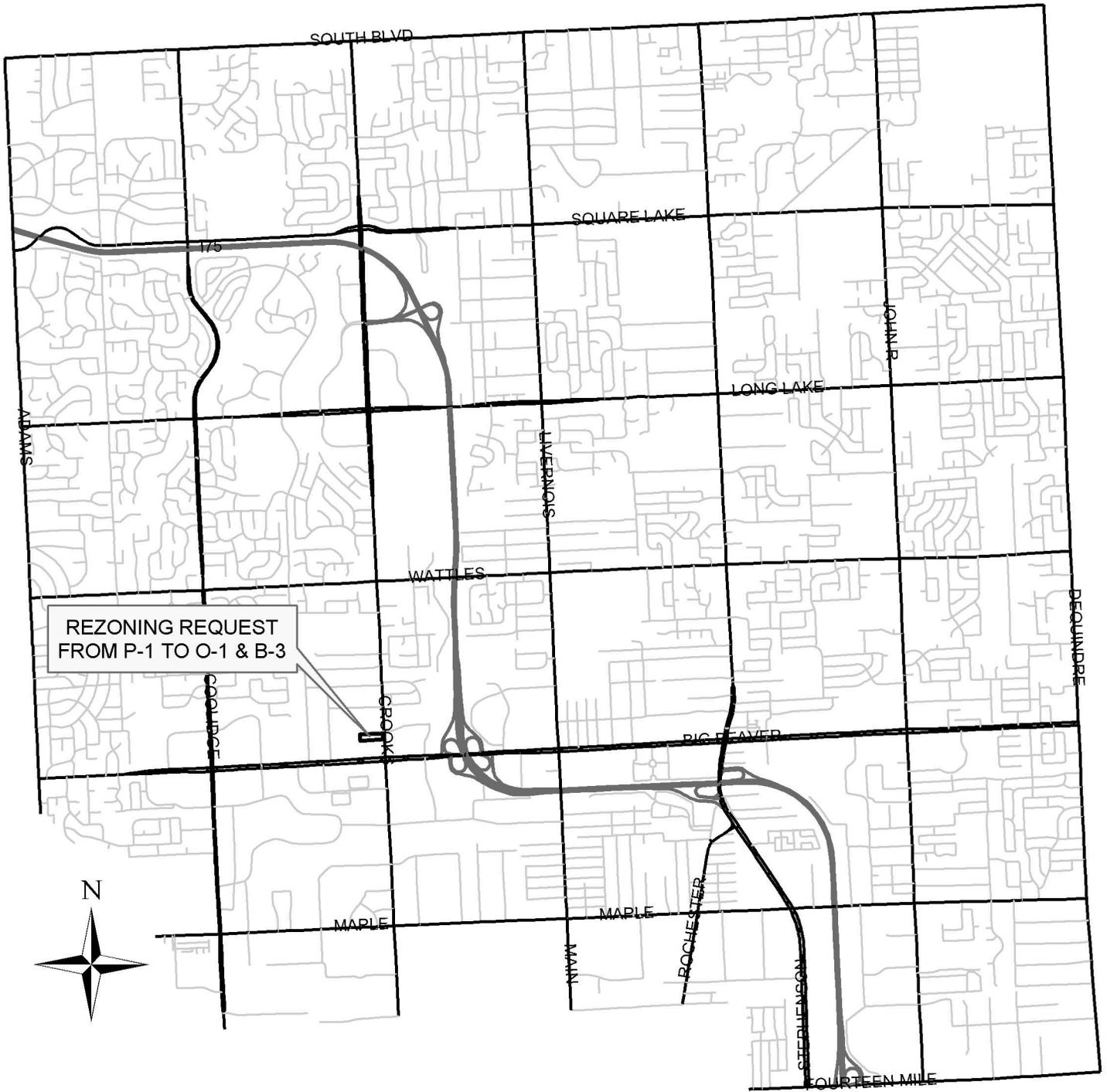
Article 24.40.10 Location Standards states the following: "The O-1 (Office Building) District may be applied when the application of such a classification is consistent with the intent of the Master Land Use Planning and policies related thereto, and therefore involves the following types of areas:

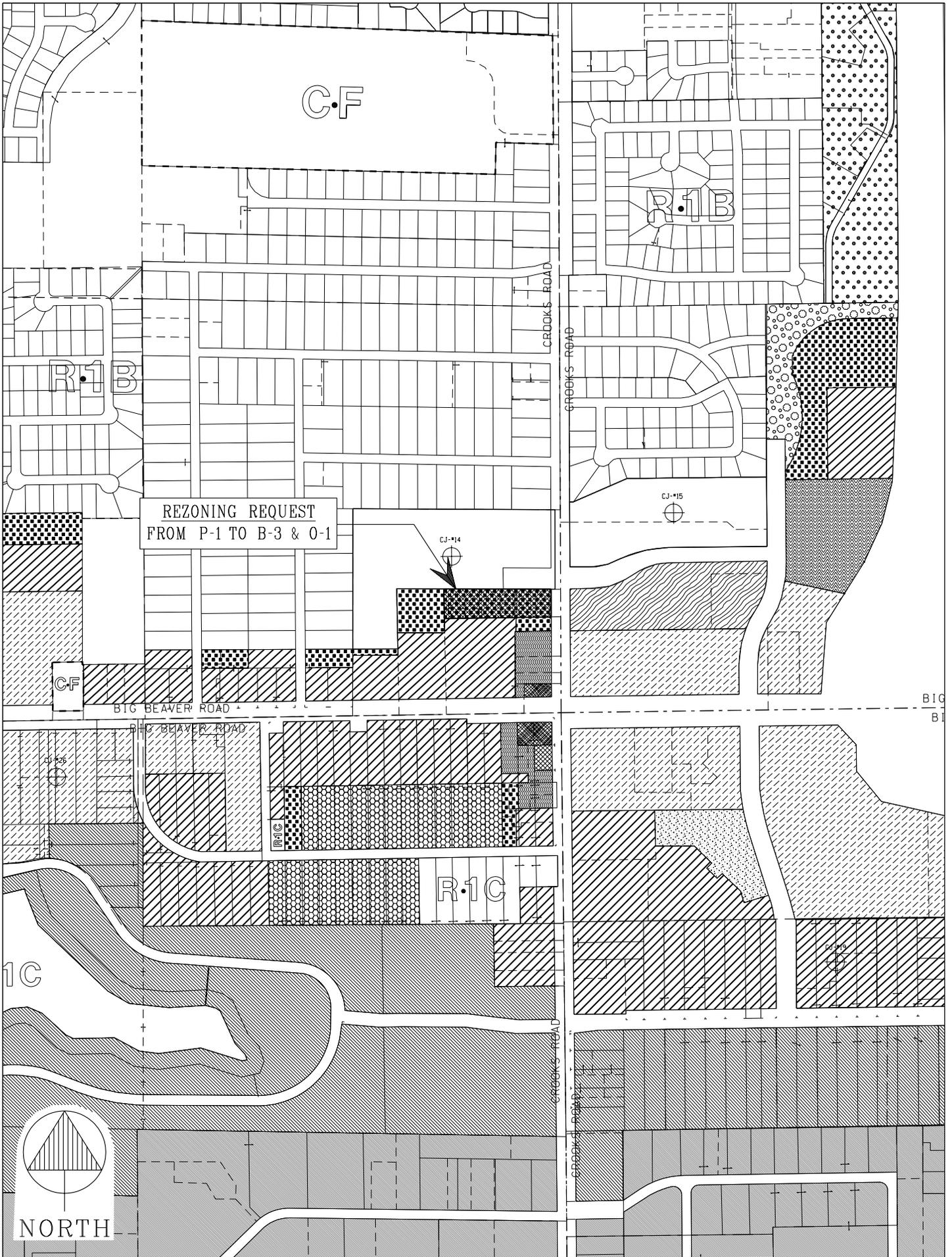
24.40.11 Areas indicated as low-rise office.

The application is therefore consistent with the Location Standards of the O-1 Office Building District.

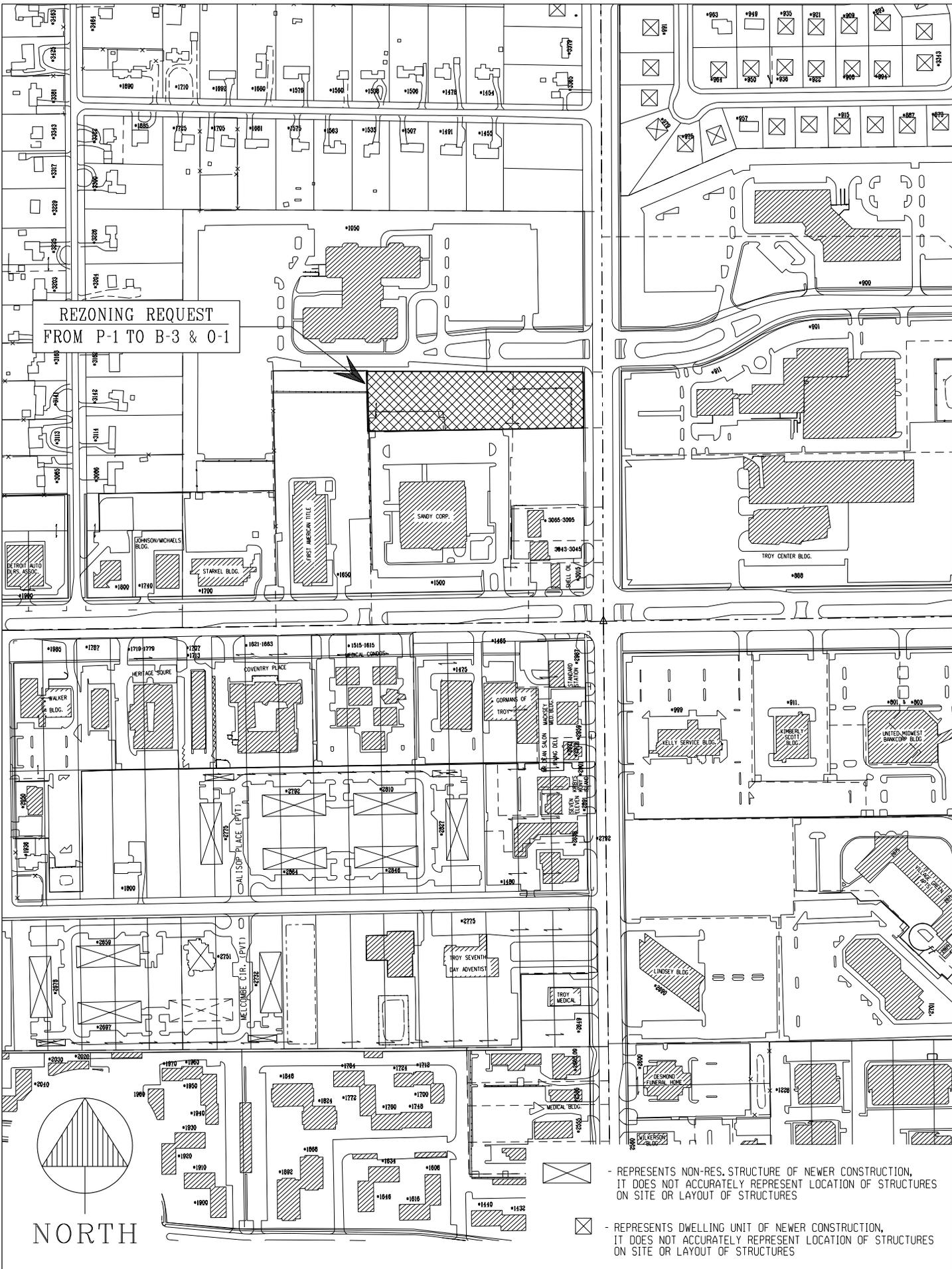
cc: Applicant
File (Z 697)

CITY OF TROY





REZONING REQUEST
FROM P-1 TO B-3 & 0-1



- 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

M

P

C

20

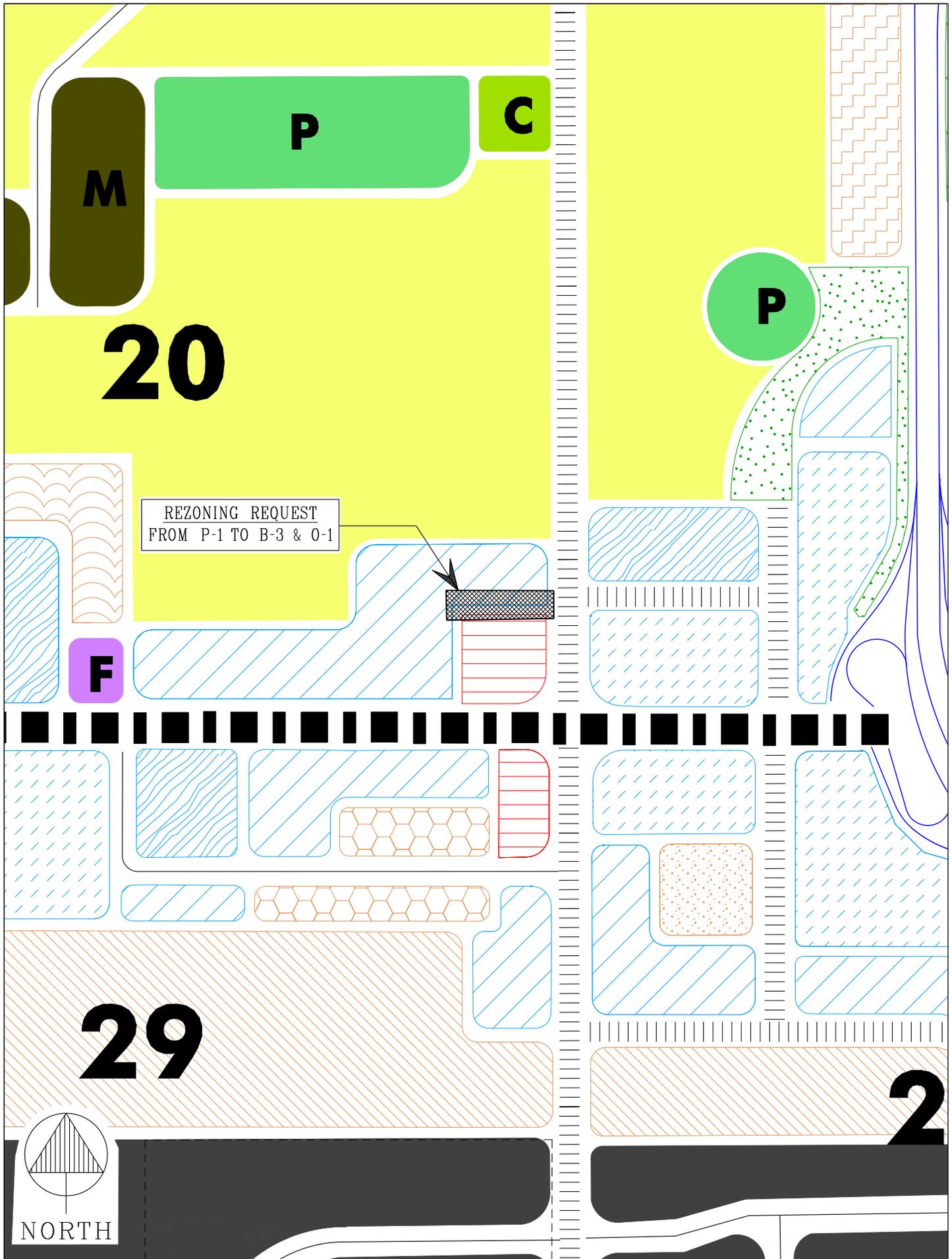
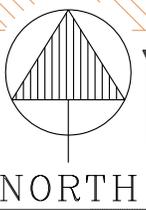
P

REZONING REQUEST
FROM P-1 TO B-3 & O-1

F

29

2





REZONING REQUEST
PROPOSED CROOKS ROAD OFFICE & RETAIL DEVEL.
FROM P-1 TO B-3 & O-1
NORTH OF BIG BEAVER, WEST SIDE OF CROOKS
SEC. 20 (Z-697)

REZONING REQUEST
FROM P-1 TO B-3 & O-1

0 50 100 200 300 400 Feet



REZONING REQUEST

7. **PUBLIC HEARING – PROPOSED REZONING (Z 697)** – Proposed Crooks Office and Retail Development, West side of Crooks, North of Big Beaver, Section 20 – From P-1 (Vehicular Parking) to O-1 (Low Rise Office) and B-3 (General Business)

Mr. Miller presented a summary of the Planning Department report for the proposed rezoning. Mr. Miller reported that it is the recommendation of the Planning Department to approve the rezoning request.

Michael Boggio of 30100 Telegraph Road, Bingham Farms, was present to represent the petitioner. Mr. Boggio demonstrated, with the use of display boards, the extension of the B-3 and O-1 zoning northward to Wilshire Boulevard that is in conformance with the Future Land Use Plan. Mr. Boggio indicated that, with site plan approval, the proposed development would provide future access from Wilshire Boulevard to the properties to the south. He said the access would be a welcome addition to area.

Mr. Strat asked if the proposed O-1 zoning would be landlocked.

Mr. Boggio replied that there is an easement currently to the west that would allow traffic from the O-1 zoned property to enter and exit out to Big Beaver. He noted the petitioner has control over the entire piece of property, and would be proposing easements between the B-3 and O-1 zoned properties. Mr. Boggio further addressed site plan issues with respect to cross access easements to the west and south and a new curb cut approach to the new development.

Chair Waller asked why the proposed B-3 zoning is further to the west than the existing B-3 zoning property line.

Mr. Boggio replied that the B-3 zoning is extended further to the west to alleviate parking difficulties during lunch hours in the development.

Mr. Littman asked if the property to the west would have cross access easement to the new development.

The petitioner, Harvey Weiss of 6960 Orchard Lake Road, West Bloomfield, was present. Mr. Weiss said there is an agreement with First American Title to give the proposed development access to Big Beaver Road and, in turn, they would be given access to Crooks Road.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2004-10-115

Moved by: Schultz

Seconded by: Strat

RESOLVED, That the Planning Commission hereby recommends to the City Council that the P-1 to O-1 and B-3 rezoning request, located on the west side of Crooks Road and north of Big Beaver Road, within Section 20, being 3.11 acres in size, be granted.

Yes: All present (6)

No: None

Absent: Chamberlain, Khan, Vleck

MOTION CARRIED

DATE: November 8, 2004

TO: John Szerlag, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Services
Mark Stimac, Director of Building and Zoning

SUBJECT: Agenda Item-Announcement of Public Hearing
Parking Variance
1717 Stutz Drive

We have received a permit application from Joseph Damico of Damico Contracting, Inc, for the alteration of an existing industrial building at 1717 Stutz Drive. This is a tenant space in a multi tenant industrial building addressed 1715-1717 Stutz. As part of that alteration, the plans include the installation of two new overhead doors on the south side of the building. That area of the site currently contains the parking lot for the building. The installation of the doors would eliminate 4 of the existing parking spaces. The resultant parking available for this site would be only 36 spaces. Section 40.21.81 of the Zoning Ordinance requires that for an industrial building of this size, a minimum of 40 parking spaces be available on the site.

In response to our denial of the permit application for this work, the applicants have submitted an request for variance for the 4 parking space deficiency. A Public Hearing has been scheduled for your meeting of November 28, 2004, in accordance with Section 44.01.00.

I should note that subsequent to denying the permit application, it has come to our attention that the overhead doors have already been installed at this site. We have taken action to see that the overhead doors are not used until this matter can be resolved.

Prepared by: Mark Stimac, Director of Building and Zoning

<p>PARKING VARIANCE APPLICATION FOR PUBLIC HEARING BEFORE CITY COUNCIL CITY OF TROY</p>	<p>RECEIVED NOV 03 2004 BUILDING DEPARTMENT</p>
--	---

TO TROY CITY COUNCIL

DATE: 11-2-04

Request is hereby made for a variance to modify the parking provisions of the Zoning Ordinance enacted by the City Council or contrary to a decision rendered by the Building Official in denying an application for a permit.

Applicant: DAMICO CONTRACTING, INC. Phone: 248-524-4870
 Address: 1898 LARCHWOOD, TROY, MI 48083
 Address of Property: 1717 STUTZ, TROY, MI 48084
 Lot # 6 Subdivision: MILES-KAPLAN INDUSTRIAL PARK
 Zoning District: M1 LIGHT IND Sidwell # 20-29-326-022
 Owner of Property: AL JADACH Phone: 248-376-0897
 Address: 1820 VINTON ROAD, ROYAL OAK, MI 48067

This appeal is made on a determination by the Director of Building & Zoning, in the enforcement of the Zoning Ordinance, in a letter dated: 11-1-04

Has there been a previous appeal involving this property? NO If Yes, state date _____ and particulars _____

REASON FOR VARIANCE:

Dimension of Stall? _____	Parking Spaces Required: <u>20</u>
Number of Stalls? _____	Parking Spaces Provided: <u>16</u>
Other Dimensions? _____	Variance Requested: <u>4 SPACES</u>

Outline your appeal, listing sections of the ordinance from which relief is sought and also outline your proposals, indicating your hardships. (continued on back of page)

SEE ATTACHED LETTER.
 NOTE: SITE PLAN SHOWS BOTH 1717 AND 1715 STUTZ. 20 SPACES ALLOCATED TO EACH ADDRESS.



RESIDENTIAL & COMMERCIAL CARPENTRY

November 2, 2004

City of Troy City Council

Re: Parking Variance for 1717 Stutz

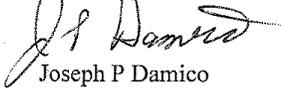
RECEIVED
NOV 03 2004
BUILDING DEPARTMENT

Dear Council,

In reference to the attached parking variance application we respectfully request relief from zoning ordinance, section 40.21.81. We have operated our businesses here in Troy for over 20 years and are relocating within the city for additional warehouse/office space. We have a total of 10 employees that would need parking. Four of these employees spend nearly 75% of their time out of the office. Our businesses have no dealings with the public and expect additional parking requirements to be about 1 or 2 cars per day at any given time for no longer than 2 hours. We have already invested in excess of \$50,000.00 for this move and we would suffer significantly if we were unable to use the overhead doors for access to the warehouse.

Your attention to this matter is greatly appreciated.

Sincerely,



Joseph P Damico

DATE: November 8, 2004

TO: John Szerlag, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Services
Mark Stimac, Director of Building & Zoning

SUBJECT: Agenda Item - Announcement of Public Hearing
Commercial Vehicle Appeal
3035 Heritage

On October 27, 2004, information was sent to Tai Hsiang Chiang that identified restrictions related to a commercial vehicle located on residential property. As part of that information, they were advised that the GMC cube van parked on the property did not comply with the exceptions found in Chapter 39, Section 40.66.00. They were given the option to remove the vehicle or appeal to City Council for relief of the Ordinance.

In response to our letter, they filed an appeal. The appeal requests that a public hearing date be held in accordance with the ordinance. A public hearing has been scheduled for your meeting of November 29, 2004.

Should you have any questions or require additional information, kindly advise.

Attachments

Prepared by: Mark Stimac, Director of Building and Zoning

**COMMERCIAL VEHICLE
APPEAL APPLICATION**

Request is hereby made for permission to keep a commercial vehicle(s) as described below, on the following residential zoned site:

NAME: TAI HSIANG CHIANG

ADDRESS: 3035 HERITAGE DR.

CITY: TROY MI. ZIP: 48083 PHONE: (248)528-3866

ADDRESS OF SITE: FRONT OF GARAGE DRIVE WAY Cell # (313) 304-1578

NUMBER OF VEHICLES: 1

VEHICLE IDENTIFICATION NUMBER(S)
1GDGG31K3TF852044

LICENSE PLATE NUMBER(S) CO221J

DESCRIPTION OF VEHICLE(S) 1996 GMC VAN

REASON FOR APPEAL (see A - D below) THE LOCATION AVAILABLE ON THE RESIDENTIAL SITE

FOR THE OUTDOOR PARKING OF THE SUBJECT COMMERCIAL VEHICLE IS ADEQUATE TO PROVIDE FOR SUCH PARKING IN A MANNER THAT WILL NOT NEGATIVELY IMPACT ADJACENT RESIDENTIAL PROPERTIES, AND WILL NOT NEGATIVELY IMPACT PEDESTRIAN AND VEHICULAR MOVEMENT ALONG THE FRONTAGE STREET(S).

THE APPLICANT IS AWARE OF THE REQUIRED FINDINGS WHICH ARE STATED IN THE FOLLOWING:

44.02.01 ACTIONS TO GRANT APPEALS ... SHALL BE BASED UPON AT LEAST ONE OF THE FOLLOWING FINDINGS BY THE CITY COUNCIL:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined there are no reasonable or feasible alternative locations for parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject site cannot accommodate, or cannot reasonably be constructed or modified to accommodate the subject commercial vehicle
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner that will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s).

COMMERCIAL VEHICLE APPEAL APPLICATION

40.02.2. The City Council may grant appeals in relation to the type, character or number of commercial vehicles to be parked outdoors in Residential Districts for an initial period not to exceed two (2) years, and may thereafter extend such actions for a similar period.

Supporting data, attached to the application, shall include: a plot plan, drawn to scale, a description and location of the vehicle(s) and a photo of the vehicle on-site..



(signature of applicant)

STATE OF MICHIGAN
COUNTY OF OAKLAND

On this 8TH day of NOVEMBER, 2004 before me personally appeared the above named person who depose and sayeth that he/she signed this application with full knowledge of its contents and that all matters stated therein are true.



Notary Public, _____ County, Michigan

My Commission Expires: _____

MICHAEL F. THOMAS
NOTARY PUBLIC OAKLAND CO., MI
MY COMMISSION EXPIRES MAY 31, 2008

MTN: BELINDA

(1)

MORTGAGE CERTIFICATE

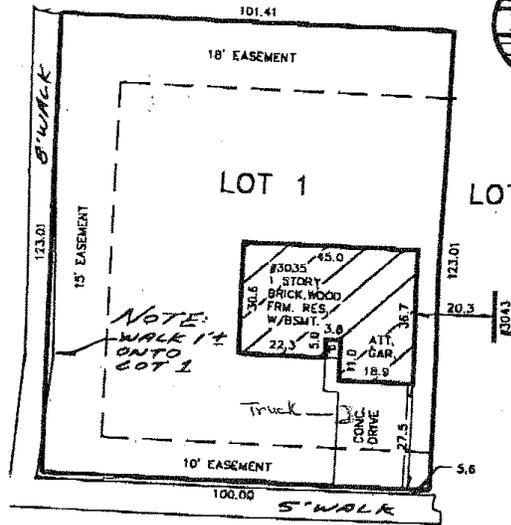
CERTIFIED TO ALL TITLE COMPANIES AND TO REPUBLIC BANCORP MORTGAGE INCORPORATED

Applicant: TAI-HSIANG CHIANG AND YEHNEY JIANG

Property Description:
Lot 1 of GOLDEN GATE SQUARE SUB., City of Troy, Oakland County, Michigan, as recorded in Liber 183 of Plats, Pages 9 and 10 of Oakland County Records.

I, Michael J. Yambor, certify that the parcel as described is in Zone "C" according to the recorded plat as conforming to the Subdivision Control Act of 1987.
NOTE: Unless actual elevations are measured, no liability for the above statement will be assumed.

BIG BEAVER RD. 120' WD.



HERITAGE DRIVE 60' WD.

We hereby certify that this mortgage inspection shows the improvement(s) as located on the premises described. That the improvement(s) are entirely within lot lines and that there are no encroachments upon the premises described by the improvement(s) of any adjoining premises except as indicated. We further certify that this mortgage certificate was prepared for identification purposes only for the mortgagee in connection with a new mortgage within 20 days of the date shown, and is not to be used to establish property lines, assessment lines, public right-of-ways, parking lines, conformity or non-conformity to state, county, or local ordinances and/or codes, etc. Easements as shown are per recorded plat unless otherwise noted. Fences and other way locations shown are approximate. To accurately locate fences, etc. and property corners, a certified Land Survey (State Survey) is recommended.



LEGAL DESCRIPTION PROVIDED BY OTHERS.
Michael J. Yambor
JOB NO. 96-27069 SCALE 1"=30'
DATE 10/25/96 DR. BY G.C.



MICHAEL J. YAMBOR & ASSOCIATES, INC.
Licensed Land Surveyors
(810) 244-0954 - Telefax (810) 244-9410
500 Oliver, Troy, Michigan 48064



A Regular Meeting of the Troy Advisory Committee for Persons with Disabilities was held Wednesday, October 6, 2004, at the lower level conference room at City Hall. Leonard Bertin called the Meeting to order at 7:10 P.M.

Present: L Bertin, member A. Furhman, alternate
 K. Gauri, member P. Manetta, member
 T. House, member A. Wigar, student

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

Absent: C. Buchanan, member, EA S. Burt, member, EA
 A. Done, member, EA N. Johnson, alternate, UA
 M. Pritzlaff, alternate, EA D. Pietron, member, UA

ITEM B – APPROVAL OF MINUTES OF MEETING OF September 1, 2004

Gauri made a motion that the minutes of September 1, 2004, as amended, be approved. Supported by House. All voted in favor.

ITEM C – VISITORS, DELEGATIONS AND GENERAL PUBLIC

Troy Police Sgt. Don Ostrowski, Emergency Response and Preparedness, was present at the meeting by invitation from Buchanan. Don explained how problems for people with disabilities were handled during the blackout of 2003, such as oxygen, water, medication refrigeration, and cooling issues. Sgt. Ostrowski can be reached at 248-619-7619 and his partner, Lt. Mouch, Troy Fire Department, can be reached at 248-524-3313 with questions. Bertin questioned how City residents are made aware of available emergency services. Don will discuss with Cindy Stewart.

ITEM D – NEW BUSINESS

The National Center for Boundless Playgrounds provided Bertin with information packs regarding accessible playgrounds for children with disabilities. This information will be sent to Dr. Janet Jopke, Troy School Superintendent and Ron Hynd, Landscape Analyst, City of Troy. The website is www.boundlessplaygrounds.org.

ITEM E – REGULAR BUSINESS

Manetta will attend the 10/18 City Council meeting and Bertin will check the agenda for 10/25 to determine necessity for attending. House will attend 11/8.

The Disability Expo was a disappointment. Location was not good and there was very little traffic. All deposits will be returned to vendors because of such poor turn-out. Bertin had a brief discussion with Jim Zerlewski and Bob Burke regarding location and sharing of a tent with Beaumont. Further discussion to follow. The Expo will not continue unless improvements are made next year.

ITEM F – OLD BUSINESS

No information received from the school district regarding the bond issue for building improvement.

The Committee's goals for 2005 will be discussed at the November meeting due to the small turnout in October.

ITEM G – INFORMATIONAL ITEMS

Dick Kuschinsky has resigned from this Committee. Dick has been a valued member for many years; he will be missed.

ITEM H – ADJOURN

House made a motion to adjourn at 8:25, Fuhrman seconded.

Leonard Bertin, Chairperson

Kathy Jearls, Recording Secretary

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 T. House, member A. Wigar, student

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

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Leonard Bertin, Chairperson



Kathy Jearls, Recording Secretary

Advisory Committee for Senior Citizens

A Regular meeting of the Advisory Committee for Senior Citizens was held on Thursday, November 4 2004 at the Troy Community Center. Chair JoAnn Thompson called the meeting to order at 10:01 AM.

Present:	JoAnn Thompson, Chair	Bill Weisgerber, Vice-Chair
	David Ogg, Member	Marie Hoag, Member
	Bud Black, Member	Jo Rhoads – Member
	Merrill Dixon, Member	Carla Vaughan, Staff
	Pauline Noce, Member	

Absent: None

Visitors: Jo-Anne Stein

Approval of Minutes

Resolution # SC-2004-11-001
Moved by Bud Black
Seconded by Jo Rhoads

RESOLVED, That the Minutes of October 7, 2004 be approved as submitted.

Yes: 7
No: 0

MOTION CARRIED

Visitor Comments

Jo-Anne Stein commented on the Senior Council name change – see below.

Old Business

Troy Senior Council Name Change: JoAnn Thompson reported that she will meet with the City Attorney next week who said it would be a simple process to change the Senior Council’s name. Jo-Anne Stein is agreeable to changing it to something that better reflects the social theme of the organization if they have help with the paperwork.

New Member Information: Bill Wiesgerber led a discussion on what should be included in a new advisory committee member packet. Items will include 2000 census information, a list of members and when their terms expire, the senior program annual report, Advisory Committee minutes for the past six months, Committee bylaws, the council memo describing the Committee’s purpose, and a sheet of business cards.

Senior Centers in Neighboring Cities/Shuffleboard: JoAnn Thompson reported that she has a list of cities that offer shuffleboard. Carla will draft a form that committee members can use to gather information when they visit other senior centers to find out how they operate.

New Business

Catering Service at the Community Center: JoAnn Thompson lead a discussion about the dissatisfaction that many groups feel about having to use a caterer at the Community Center. Either they do not have a budget for this, or they would just prefer to bring special refreshments prepared at home. The current policy does not serve the needs of the community. Carla was asked to draft the memo for City Council based on today’s discussion suggesting that the policy be changed for review at the December meeting.

Reports

Park Board: Bill Weisgerber reported that they discussed ash tree removal and replacement, the new video telephone at the Community Center and Melissa’s resignation.

Medi-Go: Jo Rhoads circulated a report showing ridership statistics and said that there are still a lot of people who don’t know about the service.

Nutrition: No report.

Senior Program: Carla reported that the Parks and Recreation Department took a bus to the flu shot clinic at the health department in Pontiac on October 29. 18 people participated (we had only two days to advertise it). Interviews are being held for Melissa’s position. Troy is organizing a new women’s 50 Plus softball league, and nine other cities in Oakland County have agreed to sponsor a team. JoAnn reported that the spelling duel is coming up and that people can participate in the practices even if they don’t go to the competition.

OLHSA: Jo Rhoads reported that they had a presentation by Blue Dolphin, an agency that offers water therapy for those with a doctor’s referral. OLHSA offers energy conservation programs for low income seniors. OLHSA is merging with Community Services of Oakland.

Suggestion Box: None.

Comments

JoAnn Thompson reported that she worked at the election and it is very well run in Troy. She was home by 9 p.m.

JoAnn Thompson led a discussion about the newspaper article that Bill Weisgerber distributed related to lunch program donations.

The meeting was adjourned at 11:30 p.m.

Respectfully submitted,

JoAnn Thompson, Chair

Carla Vaughan, Secretary

Advisory Committee for Senior Citizens

A Regular meeting of the Advisory Committee for Senior Citizens was held on Thursday, October 7 2004 at the Troy Community Center. Chair JoAnn Thompson called the meeting to order at 10:15 AM.

Present: JoAnn Thompson, Chair Bill Weisgerber, Vice-Chair
David Ogg, Member Marie Hoag, Member
Bud Black, Member Jo Rhoads – Member
Merrill Dixon, Member Carla Vaughan, Staff

Absent: Pauline Noce, excused

Visitors: Mary Beth Halushka, Troy School Board
Jim Blundo, 41st House District candidate
Irene Walters, resident

Approval of Minutes

Resolution # SC-2004-10-001
Moved by Jo Rhoads
Seconded by Marie Hoag

RESOLVED, That the Minutes of Sept. 2, 2004 be approved as submitted.

Yes: 7
No: 0

MOTION CARRIED

Visitor Comments

Mary Beth Halushka handed out literature about the school district’s vision and goals. Irene Walters wanted to discuss shuffleboard courts and was informed that it is on the agenda.

Old Business

Annual Report: The annual report on the senior citizen program was discussed. The committee thought it was an excellent report and would like to see it every year. Carla will put a box in the newsletter each month highlighting some information from this report so the seniors have a better idea of what is going on with the senior program.

Troy Daze: Carla received one suggestion that there be dessert and two serving lines.

Troy Senior Council Name Change: Carla reported that Senior Council president Jo-Anne Stein did discuss a name change with her group but they do not want to have to change their name on bank and 501C records. Bill suggested asking the legal department to help them with this. JoAnn Thompson will speak to Jo-Anne Stein about this again.

Reports

Park Board: Merrill Dixon reported that they discussed shuffleboard courts. Irene Walters spoke in support of the idea. JoAnne Thompson read a letter received from a senior in favor of shuffleboard, bocce and horseshoes, and two other suggestions in favor. Bill Weisgerber visited the courts in Warren. JoAnn Thompson will visit the courts in St. Clair Shores.

Resolution # SC-2004-10-002
Moved by David Ogg
Seconded by Bud Black

RESOLVED, That the committee pursue the shuffleboard issue. A petition will be developed to gather signatures of those interested in shuffleboard, bocce or horseshoed, and the committee will get information about costs and present both to the Park Board.

Yes: 7
No: 0

MOTION CARRIED

Mr. Dixon also handed out budget information and reported that the Park Board discussed religious displays.

Medi-Go: Jo Rhoads reported that Medi-Go is doing well and they are happy.

Nutrition: There were 1033 meals served on 21 days in July. The average donation was \$1.93. 2411 homebound meals were delivered. There were 1117 meals served on 22 days in August. The average donation was \$1.93. 2680 homebound meals were delivered. There were 1053 meals served on 22 days in September. The average donation was \$1.98. 2585 homebound meals were delivered.

Senior Program: Carla reported that the flu shot clinic has been cancelled. In July, we began distributing Focus Hope food monthly at the Community Center. There are now 43 people enrolled. Oakland Park Towers and Bethany Villa have their own distributions. Eighty-five people attended the SeniorNet computer lab open house in September – a good turnout. We started a second duplicate bridge club in September and they are averaging 16 tables per week.

OLHSA: Jo Rhoads reported that she did not attend the last meeting.

Suggestion Box: There were two suggestions previously discussed about Troy Daze and shuffleboard.

New Business

New Member Information: Bill Weisgerber led a discussion on providing new members with information about the committee. It was decided that the vice-chairman will see that new committee members get a packet of information about the history and purpose of the

committee. Members were asked to bring their ideas about what should be included in this packet to the next meeting.

Senior Centers in Neighboring Cities: Bill Weisgerber suggest that the committee needs to know more about what is going on in neighboring senior centers, especially regarding organization and funding, and the committee discussed how they could go about this.

Comments

Merrill Dixon will draft a letter thanking Bill Weisgerber’s son for the use of the car for the Troy Daze parade.

David Ogg has spoken to Jane Crowe and she is doing well.

Bill Weisgerber questioned how the information gathered from the transportation study is being used.

The meeting was adjourned at 12:05 p.m.

Respectfully submitted,

JoAnn Thompson, Chair

Carla Vaughan, Secretary

A regular meeting of the Liquor Advisory Committee was held on Monday, November 8, 2004 in Conference Room C of Troy City Hall, 500 West Big Beaver Road. Chairman Max K. Ehlert called the meeting to order at 7:02 p.m.

ROLL CALL:

PRESENT: Max K. Ehlert, Chairman
Henry W. Allemon
Alex Bennett
W. Stan Godlewski
Patrick F. Hall
James R. Peard
Emily Polet, Student Representative
Sergeant Thomas J. Gordon
Pat Gladysz

ABSENT: Anita Elenbaum

Resolution to Excuse Committee Member Elenbaum

Resolution #LC2004-11-128
Moved by Godlewski
Seconded by Bennett

RESOLVED, that the absence of Committee member Elenbaum at the Liquor Advisory Committee meeting of November 8, 2004 BE EXCUSED.

Yes: 6
No: 0
Absent: Elenbaum

Resolution to Approve Minutes of October 11, 2004 Meeting

Resolution #LC2004-11-129
Moved by Peard
Seconded by Hall

RESOLVED, that the Minutes of the October 11, 2004 meeting of the Liquor Advisory Committee be approved.

Yes: 6
No: 0

Absent: Elenbaum

Agenda Items:

1. **TROY ROBIN, INC.**, requests a **new full year (quota) Class C** license with Official Permit (Food), Sunday Sales, Entertainment Permit, and **new SDM**, to be located at 5460 Corporate Dr., Troy, MI 48098, Oakland County. Proposed Red Robin restaurant at old Cooker's site.

Present to answer questions from the Committee were John Carlin and Lew Ansara.

Red Robin is a full-service, family restaurant with approximate seating capacity of 230 patrons. The entertainment permit is required because of holiday events that will be geared to children. This will be the 13th Red Robin restaurant in Michigan. The management is planning a major renovation to the existing building that should begin in approximately one month. They hope to open in March 2005.

Resolution #LC2004-11-130

Moved by Allemon

Seconded by Godlewski

RESOLVED, that TROY ROBIN, INC., be granted a new full year (quota) Class C license with Official Permit (Food), Sunday Sales, Entertainment Permit, and new SDM, to be located at 5460 Corporate Dr., Troy, MI 48098, Oakland County.

Yes: 6

No: 0

Absent: Elenbaum

2. **BRAVO DEVELOPMENT INC., d/b/a CUCINA DEVELOPMENT INC.**, requests a **new full year (quota) Class C** license with Official Permit (Food), Sunday Sales, and **new SDM**, to be located at 2800 W. Big Beaver Rd., Troy, MI 48084, Oakland County. Proposed new restaurant at Somerset South.

Present to answer questions from the Committee was John Carlin.

After renovations to an existing 6,800 square foot retail store, Brio Tuscan Grille will open at Somerset Collection South. An outside entrance will be added. This is a high-end, upscale Italian restaurant with capacity for approximately 250 patrons. The parent

company currently has family-type restaurants located in Lansing, Rochester Hills, and Livonia, as well as nationwide. They have never received a liquor violation.

Resolution #LC2004-11-131

Moved by Allemon

Seconded by Peard

RESOLVED, that BRAVO DEVELOPMENT INC., d/b/a CUCINA DEVELOPMENT INC., be granted a new full year (quota) Class C license with Official Permit (Food), Sunday Sales, and new SDM, to be located at 2800 W. Big Beaver Rd., Troy, MI 48084, Oakland County.

Yes: 6

No: 0

Absent: Elenbaum

Informational Items:

4. Discussion of new Michigan subsidiary of Brinker Restaurant Corporation, specifically the MLCC requirement for a local government resolution approving “paper” transfers.

There was a presentation by John Carlin followed by a brief discussion regarding this Informational Item. There was no objection by the Committee, so the paperwork relating to this name change will proceed.

The meeting adjourned at 7:49 p.m.

Max K. Ehlert, Chairman

Patricia A. Gladysz, Office Assistant II

A regular meeting of the Liquor Advisory Committee was held on Monday, October 11, 2004 in Conference Room C of Troy City Hall, 500 West Big Beaver Road. Chairman Max K. Ehlert called the meeting to order at 6:56 p.m.

ROLL CALL:

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

ABSENT: Henry W. Allemon
 Anita Elenbaum
 James C. Moseley

Resolution to Excuse Committee Members Allemon, Elenbaum, and Moseley

Resolution #LC2004-10-123

Moved by Peard

Seconded by Bennett

RESOLVED, that the absence of Committee members Allemon, Elenbaum, and Moseley at the Liquor Advisory Committee meeting of October 11, 2004 BE EXCUSED.

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

Resolution to Approve Minutes of September 13, 2004 Meeting

Resolution #LC2004-10-124

Moved by Peard

Seconded by Godlewski

RESOLVED, that the Minutes of the September 13, 2004 meeting of the Liquor Advisory Committee be approved.

Yes: 4

No: 0
Absent: Allemon, Elenbaum, and Moseley

Agenda Items:

1. **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*

Present to answer questions from the Committee was Terrence Conlin.

The request to change the names of the licensees is a result of refinancing. The ownership of the Embassy Suites Hotel has not changed.

Resolution #LC2004-10-125

Moved by Godlewski

Seconded by Peard

RESOLVED, that DT MANAGEMENT, INC. (AN ARIZONA CORPORATION), be allowed 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 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.

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

2. **THE MAY DEPARTMENT STORES COMPANY (A NEW YORK CORPORATION)**,

requests to **transfer ownership** of 2004 Class C licensed business with 4 direct connections and 2 bars, and add bar permit cancelled in field, located at 500 W. Fourteen Mile Rd., Troy, MI 48084, Oakland County, from Target Corporation (A Minnesota Corporation). [MLCC REQ ID #269853]

THE MAY DEPARTMENT STORES COMPANY (A NEW YORK CORPORATION), requests a **new SDM** license with Direct Connection to be located at 500 W. Fourteen Mile Rd., Troy, MI 48083, Oakland County. [MLCC REQ ID# 269817]

Present to answer questions from the Committee were Sandra Cotter, Karen Course, Will MacFarland, and Denise Walsh.

These requests are a result of the sale of the Marshall Fields Division of the Target Corporation to May Department Stores. The management and employees did not change.

Resolution #LC2004-10-126
Moved by Peard
Seconded by Godlewski

RESOLVED, that THE MAY DEPARTMENT STORES COMPANY (A NEW YORK CORPORATION), be allowed to transfer ownership of 2004 Class C licensed business with 4 direct connections and 2 bars, and add bar permit cancelled in field, located at 500 W. Fourteen Mile Rd., Troy, MI 48084, Oakland County, from Target Corporation (A Minnesota Corporation).

FURTHER RESOLVED, that THE MAY DEPARTMENT STORES COMPANY (A NEW YORK CORPORATION), be granted a new SDM license with Direct Connection to be located at 500 W. Fourteen Mile Rd., Troy, MI 48083, Oakland County.

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

-
3. **THE MAY DEPARTMENT STORES COMPANY (A NEW YORK CORPORATION)**, requests to **transfer ownership** of 2004 12 Months Resort Class C licensed

business (MCL 436.1531(2)) with 1 direct connection, located at 2752 W. Big Beaver Rd., Troy, MI 48084, Oakland County, from Target Corporation (A Minnesota Corporation), and request a new official permit (food). [MLCC REQ ID# 269869]

THE MAY DEPARTMENT STORES COMPANY (A NEW YORK CORPORATION), requests a **new SDM** license with direct connection to be located at 2752 W. Big Beaver Rd., Troy, MI 48084, Oakland County. [MLCC REQ ID# 269824]

Present to answer questions from the Committee were Sandra Cotter, Karen Course, Will MacFarland, and Denise Walsh.

These requests are a result of the sale of the Marshall Fields Division of the Target Corporation to May Department Stores. The management and employees did not change.

Resolution #LC2004-10-127

Moved by Peard

Seconded by Godlewski

RESOLVED, that THE MAY DEPARTMENT STORES COMPANY (A NEW YORK CORPORATION), be allowed to transfer ownership of 2004 12 Months Resort Class C licensed business (MCL 436.1531(2)) with 1 direct connection, located at 2752 W. Big Beaver Rd., Troy, MI 48084, Oakland County, from Target Corporation (A Minnesota Corporation), and request a new official permit (food).

FURTHER RESOLVED that THE MAY DEPARTMENT STORES COMPANY (A NEW YORK CORPORATION), be granted a new SDM license with direct connection to be located at 2752 W. Big Beaver Rd., Troy, MI 48084, Oakland County.

Yes: 4

No: 0

Absent: Allemon, Elenbaum, and Moseley

The meeting adjourned at 7:12 p.m.

Max K. Ehlert, Chairman

Patricia A. Gladysz, Office Assistant II

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chair Waller at 7:30 p.m. on October 26, 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 (arrived 7:48 p.m.)
David T. Waller
Wayne Wright

Absent:

Mark J. Vleck

Also Present:

Mark F. Miller, Planning Director
Brent Savidant, Principal Planner
Allan Motzny, Assistant City Attorney
John Szerlag, City Manager
Brian Murphy, Assistant City Manager/Services
Douglas J. Smith, Real Estate and Development Director
Mark Stimac, Building & Zoning Director
Richard K. Carlisle, Carlisle/Wortman Associates
Kathy Czarnecki, Recording Secretary

Resolution # PC-2004-10-117

Moved by: Littman
Seconded by: Wright

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

Yes: All present (7)
No: None
Absent: Strat, Vleck

2. MINUTES

Resolution # PC-2004-10-118

Moved by: Wright
Seconded by: Khan

RESOLVED, To approve the October 5, 2004 Special/Study Meeting minutes as published.

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

MOTION CARRIED

Chair Waller requested that the October 12, 2004 Regular Meeting minutes reflect under the *Good of the Order* that he and Mr. Strat requested the Planning Department to provide the list of garages and their locations prior to delivery of the meeting packet.

Resolution # PC-2004-10-119

Moved by: Schultz
Seconded by: Wright

RESOLVED, To approve the October 12, 2004 Regular Meeting minutes as amended.

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

MOTION CARRIED

3. **PUBLIC COMMENTS**

There was no one present who wished to speak.

4. **BOARD OF ZONING APPEALS (BZA) REPORT**

The Board of Zoning Appeals report will be placed on the November 2, 2004 Special/Study Meeting agenda.

5. **DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT**

The October 20, 2004 Downtown Development Authority meeting was cancelled.

6. PLANNING AND ZONING REPORT

Mr. Miller gave the following report.

October 25, 2004 City Council Action Items

- *Big Beaver Corridor Study* – City Management was authorized to proceed with the selection process and the City Planning Consultant to prepare the Request for Proposal (RFP). Interviews will be conducted around Thanksgiving 2004. The selection committee includes David Eisenbacher (City Council), Dave Waller (Planning Commission), Alan Kiriluk (Downtown Development Authority), John Szerlag (City Manager), Brian Murphy (Assistant City Manager/Services), Doug Smith (Real Estate and Development Director), Mark Miller (Planning Director), and Richard Carlisle (City Planning Consultant).
- *Final Plat for Wyngate of Troy Subdivision, East Side of Coolidge Highway, North of Square Lake Road, Section 5* – Approved
- *Multi-Use Facility on Civic Center Site* – City Management was authorized to further explore a multi-use facility on the Civic Center site; i.e., minor league baseball field.
- *Rezoning (Z 696), West Side of Rochester Road, North of Square Lake, Section 3* – Approved. Mr. Miller noted that the two lots north of the subject parcel were submitted for rezoning by the petitioner and will be incorporated in the future development.

Planning Department Items

- *PUD 5, Maple Forest Crossing, east side of Rochester Road, south of South Boulevard* – The proposal is in the very early conceptual phases. The proposal includes retail, medium density residential, single family residential, and combined parking with Pettruzello's banquet facility.
- *PUD 4, Platinum Parc, north side of Big Beaver, west of Crooks, between Alpine and McClure* – Petitioner is moving forward with a more complete package.

7. ZONING ORDINANCE TEXT AMENDMENT (ZOTA 215) – Articles 04.20.00, 10.00.00, 30.00.00, 31.00.00, and 40.00.00 Accessory Structures and Neighborhood Compatibility

Mr. Miller introduced the City representatives who were present for discussion of the matter and informed those present of the presentation format that would be followed.

Mr. Szerlag announced that the situation on Alpine resulted from a resident finding a loophole in the Zoning Ordinance that would allow a monster garage to be built. City Council's concern resulted in a study session with City staff and the Planning

Consultant. The recommendation of City Council was to have the Planning Commission find a way to plug the loopholes that currently exist in the ordinance and amend the ordinance to allow for better compatibility on attached and detached accessory structures. Mr. Szerlag said regulation of size, use and compatibility was discussed at the study session, and that compatibility was defined as the conditional element of size, use, height, and setbacks, but not materials. On behalf of City Council, Mr. Szerlag stressed the urgency to find a solution that would plug the loopholes in the ordinance and stop future construction of monster garages or accessory structures. He explained that City staff is continuing its negotiations with the Alpine property owner to resolve the matter of that particular monster garage.

Mr. Miller provided a slide presentation. The presentation displayed 14 homes in the City that have existing garages with more square footage than the actual homes.

[Mr. Strat arrived at 7:48 p.m.]

Mr. Stimac said the garages displayed in the slide presentation are all attached garages, but acknowledged there are homes in the City with detached garages that exceed the ground floor area of the living space of the home. Mr. Stimac reviewed various changes that were made in the Zoning Ordinance, and cited examples of related accessory structures. He reported that cases before the Board of Zoning Appeals requesting to construct detached garages of significant size have been based on the City requirement to store commercial vehicles. Mr. Stimac said that, in part, the construction of large garages is the result of residents complying with the ordinance that requires residents to store their commercial vehicles indoors.

Mr. Chamberlain asked the number of parcels with attached and detached large garages that were constructed in compliance with the Zoning Ordinance requirement to store commercial vehicles.

Mr. Stimac estimated 30 parcels, but noted that a study has not been done. Mr. Stimac said the parameter of the 14 garages displayed in the slide presentation was that the square footage of the garage exceeds the square footage of the house, and that detached garages were not covered in the slide presentation. Mr. Stimac said it is his opinion that many of the large garages in the City, both attached and detached, have been generated in part by the desire to house commercial vehicles.

Mr. Strat asked how many of the garages have been built in the last 5 to 10 years.

Mr. Stimac responded that approximately 20 out of the estimated 30 garages were built within the last 8 to 10 years.

Mr. Carlisle distributed two informational items: (1) proposed definitions and ordinance language changes relating to outdoor parking and commercial vehicles in residential districts and a revised definition of a commercial vehicle; and (2) Truck Driver's Guidebook. Mr. Carlisle provided the material as a preface to his opinion that the

current regulations relating to parking of commercial vehicles have in part led to the concern of monster accessory structures. He said, to some degree, the construction of extremely large buildings has resulted from the regulations placed on parking of commercial vehicles in residential areas. Mr. Carlisle would ultimately like to see parking of commercial vehicles restricted in residential districts. Mr. Carlisle said that if commercial parking is not addressed, the City is in essence doing only half the job as it addresses monster accessory structures.

Mr. Carlisle highlighted his observations of the current Zoning Ordinance and reviewed his recommended revisions to the ordinance that were provided in his October 21, 2004 memorandum. Mr. Carlisle suggested that material compatibility be addressed in the future.

Specific items discussed were:

- Definition of "incidental"
- Material compatibility
- Garage door height and size / definition of measurement
- Size limitation on greenhouse
- "Barn" designation in the ordinance
- Ground floor living area
- Definition of play structures; recreational structures
- User-friendly Zoning Ordinance (readability, indexing, etc.)
- Appeal process
- City Council's aspect

Mr. Strat referenced his "revised" e-mail that was inadvertently not distributed to the Commission members prior to tonight's meeting. Mr. Strat said he is not in favor of a percentage of lot size as a consideration in the size of an accessory building; i.e., narrow lots. He said the size of a garage door should be limited. Mr. Strat suggested that an appeal process be in place to grant exceptions, and that consideration be given to Special Land Use approval that would require a Public Hearing. He suggested that building elevations and identification of materials be requirements of the review process. Mr. Strat said it is very difficult to legislate and enforce material compatibility.

Mr. Schultz said enforcement of the current Zoning Ordinance with respect to commercial vehicles is most important. He agrees that the garage door height should be limited. Mr. Schultz said the material used for an accessory structure is a matter of preference and should not be dictated by the City. Mr. Schultz said he would be in favor of limiting an attached accessory structure to 750 square feet, or $\frac{3}{4}$ of the ground floor living area of the house.

Ms. Drake-Batts would like the ordinance to address material compatibility. She questioned if the suggested limitations on the garage door would be enough.

Mr. Littman questioned (1) the clarity of the phrase "clearly incidental" in Section 04.20.01, (2) no size limitation on greenhouses, and (3) the meaning of ground floor living area.

There was a brief discussion whether the ordinance should provide definitions of specific structures that are related to recreational hobbies; i.e., playhouses.

Mr. Stimac stated that play structures need to be specifically defined in the ordinance.

Mr. Carlisle said there was discussion at the City Council level that residents should not be penalized from being able to have recreational types of structures. Those types of structures are not used for storage, are not typically large in size and have a specific purpose as well as design.

Chair Waller suggested the ordinance reflect some sort of indexing and referencing for a user-friendly ordinance.

Mr. Chamberlain said the text in the Special Use ordinance has been reorganized and has not moved forward.

Mr. Chamberlain said the main issue to solve is the problem of monster commercial garages. He said the slide presentation tonight showed some garages that were compatible with the home and the land. He said the heart of the whole issue and where the process should begin is with the definition of commercial vehicles. Mr. Chamberlain said staff is asking for direction in the next two weeks, prior to the Public Hearing. Mr. Chamberlain said the door height is important and it is necessary to make sure that the garage door disappears into the ceiling. Mr. Chamberlain said that Special Land Use approval would not work. He said it would become a crapshoot for anyone who wants to construct an accessory building because they would not know whether the City would approve it. Mr. Chamberlain said the ordinance must be written with the appropriate text and size limitations, and appeals to any restrictions would go before the BZA for review and approval. Mr. Chamberlain said the City should not get involved in building material compatibility because the building appearance is in the eyes of the beholder and this is not a Communist country. Mr. Chamberlain said the concern with narrow lot size is not an issue, and noted that setbacks within the ordinance would resolve that concern. Mr. Chamberlain said he agrees with the recommendations of Mr. Carlisle except that the garage door height should be addressed, and his preference would be that it be over 8 feet.

Mr. Wright said he likes the commercial vehicle definition created by Mr. Carlisle. He noted the definition was an item with which the Commission struggled in the late 1980's and early 1990's.

Mr. Strat commended Mr. Carlisle's recommendations. He stated the garage door would not dictate the height of the door as far as internal clearance. Mr. Strat again stressed that the matter should be considered by Special Land Use approval and that the BZA is not the appropriate appeal process.

Mr. Stimac asked that there be a height limitation indicated for supplemental buildings. Mr. Stimac noted that it would not be difficult for a resident to prove a hardship to the Board of Zoning Appeals with respect to the garage door height limitation.

Mr. Stimac acknowledged that stacked condominiums should be addressed, where the first floor of the building is primarily a garage. He said consideration should be given to the definition of building versus multiple buildings and how the formula would apply to non single-family residential detached structures, such as carports.

Mr. Szerlag suggested a tiered approach in addressing (1) monster accessory buildings, (2) commercial vehicles, and (3) material compatibility. He stressed the immediate need to address the size of accessory structures and to enable the Building Department to not issue building permits for monster garages.

Mr. Miller confirmed that the exact proposed ordinance text amendment does not have to be published prior to the Public Hearing. It is required to publish only a summary of the ordinance sections in which proposed revisions are being considered. Mr. Miller reminded the Commission that the matter could be discussed further at the next study session.

Council Member Robin Beltramini was present. Ms. Beltramini commended Mr. Carlisle for a good job in summarizing the will of the City Council. She said she appreciates the tiered approach suggested by Mr. Szerlag. Ms. Beltramini said she surmised by tonight's comments and her good notes that at least half of the members believe the concern of monster accessory structures is driven by the commercial vehicle issue, and that she agrees. She said she heard a fair amount of consensus from the members with respect to the ordinance provisions. Ms. Beltramini said she would prefer that the members brainstorm on the heart of the matter, and address the material compatibility at a later date.

Council Member Jeanne Stine was present. Ms. Stine said the crux of the matter is dependent on the need to hide commercial vehicles, and she was very pleased that Mr. Carlisle addressed that aspect with the City Council. She asked for clarification on the definition of "incidental", as cited in Section 40.55.01.

Mr. Carlisle said "incidental" is defined as secondary; not primary.

Ms. Stine asked if that would deal with size also.

Mr. Carlisle said that is a very important point. He said it is highly suspect when an "accessory structure" exceeds the principle structure by three or four times.

Ms. Stine referenced the accessory structure located on Windmill [from the slide presentation]. Ms. Stine said it is the size of the garage that is so disconcerting, not so much the materials. She said the neighbors are not happy, and the purpose of that particular garage is to house commercial vehicles. Ms. Stine said one of the initial purposes of the Alpine monster garage was to house recreational vehicles. She suggested that a definition be created for "recreational vehicle".

Mr. Smith commented that there has been a lot of discussion on the three uses of accessory buildings, storage, recreation and vehicles. He suggested that the uses be incorporated into the ordinance.

Mr. Strat briefly addressed outdoor storage facilities with respect to housing commercial and recreational vehicles.

Discussion followed with the approach to take on the matter.

Ms. Beltramini said she believes City Council wants some definable effort on this issue on the part of the Planning Commission members prior to the City Council Public Hearing in November. She said they would take "half a loaf" should that be all that is available.

Ms. Stine said she is familiar with City Council objectives, attitude and concerns, and is appreciative of the City Manager's suggested tiered approach. Ms. Stine said the "whole loaf" might be more acceptable to City Council. She said that commercial vehicles is a difficult matter to address at the table.

Mr. Szerlag said he also sensed that from City Council, and thinks it would be reasonable to address commercial vehicles and material compatibility in 30 to 45 days after addressing the immediate concern of monster accessory structures.

Mr. Chamberlain said the definition of commercial vehicle is adequate and City Council should be given the "whole loaf".

Mr. Szerlag said City Management and the Legal Department would work together to move the matter forward.

Revisions to the proposed amendments:

- Height of garage door (consensus 8 feet, arrived from straw vote)
- Garage door width (14 foot)
- Limitation of 200 square feet on all supplemental accessory buildings
- Add height limit to supplemental buildings
- Address condominiums with respect to ground floor living area
- Definition list to have specificity

It was determined that separate reports and separate proposed amendments would be prepared for accessory structures and commercial vehicles, and material compatibility would be addressed in the very near future.

Chair Waller asked Mr. Carlisle if a chart could be created showing parameters of accessory buildings.

8. PUBLIC COMMENTS

Tom Krent of 3184 Alpine, Troy, was present. Mr. Krent addressed the definitions of "incidental" and "secondary". He suggested that the proposed ordinance language is clear and in simple terms. Mr. Krent also addressed material compatibility and emphasized the importance of placing restrictions on construction materials with respect to property values of neighboring homes.

GOOD OF THE ORDER

Ms. Drake-Batts addressed concern with personal information (i.e., office phone number) being given to the public.

Mr. Miller assured Ms. Drake-Batts that personal information of any Commission member is not given out from the Planning Department. He noted information kept in the Clerk's office is considered public information.

Ms. Drake-Batts said she hopes to see the proposed ballpark facility on the Civic Center site move forward.

Mr. Schultz said tonight's session was a good one. He said fewer items on a study session agenda provide more time to review that particular item, and he would hope to see future study session agenda items be limited.

Mr. Schultz addressed the 2005 Planning Commission calendar.

Resolution # PC-2004-10-120

Moved by: Schultz

Seconded by: Wright

RESOLVED, That the meeting schedule of the Troy Planning Commission for the 2005 calendar year is established as follows: Regular Meetings will be held on the second Tuesday of each month, Special/Study Meetings will be held on the first and fourth Tuesday of each month, with the exceptions of July 5, September 6, November 22, and December 27. All meetings are scheduled to begin at 7:30 p.m. local time. This is a tentative schedule for the purpose of providing information for the City calendar and shall be officially adopted by this body in January 2005.

Yes: All present (8)
No: None
Absent: Vleck

MOTION CARRIED

Resolution # PC-2004-10-121

Moved by: Chamberlain
Seconded by: Schultz

RESOLVED, To cancel the November 23, 2004 Special/Study Meeting.

Yes: All present (8)
No: None
Absent: Vleck

MOTION CARRIED

Mr. Wright said tonight's meeting was a very good session.

Mr. Chamberlain said he viewed the DVD's of the two meetings he was not in attendance. Mr. Chamberlain referenced the October 12, 2004 Regular Meeting agenda item in which the petitioner requested site plan renewal for a proposed office development located on the north side of Big Beaver and west of John R in Section 23. Mr. Chamberlain said he was glad that the Legal Department addressed the matter. He said that a petitioner has the right to approach this body and request a renewal.

Mr. Chamberlain suggested regular circulation of pertinent Legal Department informational memoranda as a refresher for current members and information for new members.

Chair Waller announced that the reports of the 2004 Michigan Society of Planning Annual Conference from staff and members would be moved to next week's agenda.

Mr. Miller addressed three items: (1) Next week's meeting is on Election Day. He said there would be a lot of activity in City Hall that evening. Off-site meeting locations were considered but complications exist. (2) The November 9, 2004 Regular Meeting agenda is quite entailed and could make it for a late evening. (3) Expense reports for Members Khan and Wright for the annual conference are outstanding.

ADJOURN

The Special/Study Meeting of the Planning Commission was adjourned at 9:58 p.m.

Respectfully submitted,

David T. Waller, Chair

Kathy L. Czarnecki, Recording Secretary

G:\Planning Commission Minutes\2004 PC Minutes\Draft\10-26-04 Special Study Meeting_Draft.doc

A meeting of the **Troy Youth Council (TYC)** was held on October 27, 2004 at 7:00 PM at City Hall in the Lower Level Conference Room, 500 West Big Beaver Road. The meeting was called to order at 7:05 p.m.

MEMBERS PRESENT: Alexandra (Sasha) Bozimowski
Juliana D'Amico (arrived 7:09 P.M.)
Maniesh Joshi
Rishi Joshi
Jessica Kraft
Monika Raj
Manessa Shaw
Nicole Vitale
YuJing Wang

MEMBERS ABSENT: Emily Burns
Min Chong (excused)
Catherine Herzog (excused)
Maniesh Joshi (excused)
Andrew Kalinowski (excused)

ALSO PRESENT: Laura Fitzpatrick, Assistant to the City Manager

1. **Roll Call:** All present
2. **Approval of Minutes**

Resolution # TY-2004-10-019

Moved by Chong

Seconded by Wang

RESOLVED, That the minutes of 9/22/04 be approved.

Yes: All - 8

No: None

Absent 5 – Burns, Chong, D'Amico, Herzog, Joshi, Kalinowski

MOTION CARRIED

3. **Attendance Report:** Noted and Filed
4. **Motion to Excuse Absent Members Who Have Provided Advance Notification**

Resolution # TY-2004-10-020

Moved by Shaw

Seconded by D'Amico

RESOLVED, That members Herzog, Johsi, and Kalinowski are excused.

MOTION CARRIED

5. **Report on Visit to Farmington Youth Council**

Observations:

Smaller, 8 members

Pizza and pop at every meeting

More staff present; 3 staff members present

Trying to start a web site
Liaison with businesses to find job opportunities for youth
“Meet the Mayor” Night in November
Host parties (via Parks and Recreation)/”Battle of the Bands”

TYC is interested in visiting other Youth Councils; Fitzpatrick to provide more meeting dates and locations
TYC would like to “Meet the Mayor” at one of their meetings, or if the mayor is not available a council members. Fitzpatrick to look into this.

- 6. **Brainstorm:** Ways for Troy Community Coalition to Promote Spring Break Event to Students; how can TYC help
 - Announcements on school PA systems
 - Distribute flyers
 - Put “crash car” on display where kids will see it
 - Target SADD groups
 - Distribute ribbons for kids to wear
 - A flyer with TYC endorsement?

- 7. **City Event:** Tree Lighting; Tuesday 12/7 @ 7:00 PM
“Toys for Tots” Drop Off Point: The TYC will help promote this event; Fitzpatrick to look into encouraging students to donate toys – a school drop off point.

- 8. **Youth Council Comments**
 - There is an interest in attending Troy Daze Committee meetings: Sasha, Min, Jessica, Manessa, Nicole; Fitzpatrick to email meeting dates
 - Fitzpatrick inquired as to whether there was an interesting in having TYC Founder Lusi Fang (now a junior at Harvard and former Student Member of the Planning Commission Jordan Keolian speak to the TYC about their college experiences relative to their Troy local government experiences.)

- 9. **Miscellaneous Announcements:**
 - *Next Meeting:* Reminder Next Meeting: WED Nov 17th 7:00 P.M.
@ the Community Center

10. PUBLIC COMMENT

The meeting adjourned at 7:35 P.M.

Rishi Joshi, Co-chair

Laura Fitzpatrick, Assistant to the City Manager



*RJC
OKS*

RECEIVED

RECEIVED BY
CITY MANAGER'S OFFICE

October 28, 2004

Mr. John Szerlag
City Manager
City of Troy
500 W Big Beaver Rd
Troy, MI 48084-5254

Dear John:

On behalf of the members and staff of the International City/County Management Association, I would like to thank you for your participation in the 90th Annual Conference in San Diego. Due to speakers such as yourself, the 2004 Conference Evaluation Committee rated this year's educational sessions some of the best they've ever attended! That is certainly a tribute to the hard work and effort put into the sessions by all of the speakers and moderators.

This year's conference was a great success in many areas, but the educational tracks were a definite highlight. Attendees have many choices to make during their time at the conference and it was apparent that many felt that the sessions were a priority in San Diego. The evaluations for many sessions indicated high satisfaction with the speakers, the material presented, and the applicability of the topic to both individual and community needs.

Again, we appreciate the work that you did to prepare for your session and hope that you also enjoyed the rest of the conference. We look forward to working with you again in the future. Thank you and we'll see you in Minneapolis!

Sincerely,

Robert J. O'Neill, Jr.
Executive Director



J-03b

Office of the Prosecuting Attorney

DAVID G. GORCYCA
Prosecuting Attorney
County of Oakland

Deborah L. Carley
Chief Deputy Prosecutor

October 27, 2004

Chief Charles Craft
Troy Police Department
500 West Big Beaver
Troy MI 48084

Dear Chief Craft:

I read in the most recent publication of the *Michigan Association of Chiefs of Police* that the Troy Police Department was the First Place Winner in the Class A Division of the 67th Michigan Police Shoot. On behalf of my entire office, congratulations to the members of the team! I'm certain that you're proud of the officers who demonstrated this outstanding ability; they are certainly deserving of the honor. Please extend my personal congratulations to each of them.

Sincerely,

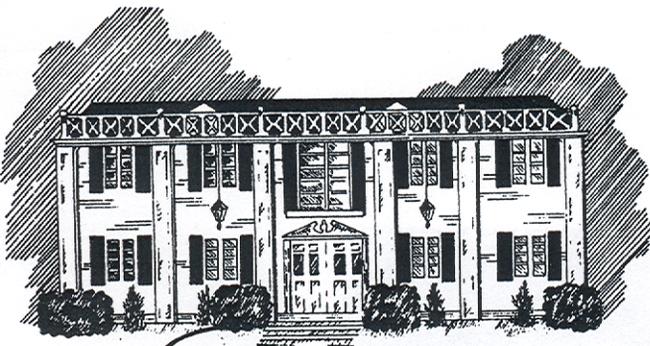
David G. Gorcyca
Prosecuting Attorney

DGG:nas

CC: City Mgr.
Capt. McQuitty
Capt. Manly
Sgt. Bjork
File



J-03c



PRICE FUNERAL HOME

ESTABLISHED 1956

3725 SOUTH ROCHESTER ROAD • TROY, MICHIGAN 48083-5244 • (248) 689-0700 Phone
(248) 689-8244 fax

October 25, 2004

Captain Edward Murphy
Troy Police Department
500 West Big Beaver Road
Troy, Michigan 48084

Dear Captain Murphy:

The owner and staff of Price Funeral Home would like to express our gratitude for the support received from the Troy Police Department on Tuesday, September 28, 2004 during the funeral services of Mr. Moinuddin Rashid.

The funeral for this gentleman was well attended, with a large procession of cars to the cemetery. Police Service Aides Mary Stark and Jeff Strong provided traffic control assistance as we exited our parking lot en route to White Chapel Cemetery. As you know, traffic accidents are not uncommon during funeral processions and police intervention is always welcome.

Again, please extend our gratitude to Sergeant Cantlon and the staff that assisted us.

Sincerely

John V. Gladysz
Director

RECEIVED
Chief of Police

10/29/04 CTC

cc: City Mgr.
Capt. Murphy
dept - Files
BB

Thank You

October 6, 2004
Troy Police Department
Troy, MI 48083

Dear Troy Police Department,

Thank you for spending time with me during the police station tour. It was very interesting to see how police operate and to learn about tactical police officers. I especially enjoyed seeing the detectives at work.

I will be using my new knowledge to help me decide which classes I should take in school to help me prepare for the career of a police officer.

It was very nice to meet you. Thank you so much for your generosity.

Yours truly,



David Prince

RECEIVED
Chief of Police
11/4/04 CTC

CC: Copy Mgr.
DEPT - File
TBB

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

NOTICE OF HEARING
FOR THE ELECTRIC CUSTOMERS OF
THE DETROIT EDISON COMPANY
CASE NO. U-14275

RECEIVED
SEP 19 2004
CITY OF TROY
CITY MANAGER'S OFFICE

- The Detroit Edison Company plans to use a power supply cost recovery factor of 1.82 mills per kilowatt-hour (kWh) in customers' bills for the period January 1, 2005 through December 31, 2005, if the Michigan Public Service Commission approves its request.
- The information below describes how a person may participate in this case.
- You may call or write The Detroit Edison Company, 2000 Second Avenue, Detroit, Michigan 48226-1279, (313) 235-7706, for a free copy of its application. Any person may review the application at the offices of The Detroit Edison Company.
- The first public hearing in this matter will be held:

DATE: November 23, 2004
This hearing will be a prehearing conference to set future hearing dates and decide other procedural matters.

TIME: 9:00 a.m.

PRESIDING OFFICER: Administrative Law Judge Daniel E. Nickerson, Jr.

LOCATION: Michigan Public Service Commission
6545 Mercantile Way, Suite 7
Lansing, Michigan

PARTICIPATION: Any interested person may attend and participate. Persons with disabilities, needing help to participate, should call the Commission's Executive Secretary at (517) 241-6160 a week in advance to request mobility, visual, hearing or other assistance.

The Michigan Public Service Commission (Commission) will hold a public hearing to consider the September 30, 2004 request of The Detroit Edison Company (Detroit Edison) for

approval to include a power supply cost recovery (PSCR) factor of 1.82 mills per kilowatt hour (kWh) in customers' bills for the period January 1, 2005 through December 31, 2005.

The Commission has selected this case for participation in its Paperless Electronic Filings Program. The Commission recognizes that filers may not have the computer equipment or access to the Internet necessary to submit documents electronically. Therefore, filers may submit an original and one paper copy to the: Executive Secretary, Michigan Public Service Commission, 6545 Mercantile Way, P.O. Box 30221, Lansing, Michigan 48909. Otherwise, no paper documents will be required to be filed in this case. Requirements and instructions for filing electronic documents can be found in the Electronic Filings Users Manual at: <http://efile.mpsc.cis.state.mi.us/efile/usersmanual.pdf>. The application for account and letter of assurance are located at <http://efile.mpsc.cis.state.mi.us/efile/help>. You may contact Commission staff at 517.241.6170 or by e-mail at mpscfilecases@michigan.gov with questions and to obtain access privileges prior to filing.

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by November 16, 2004. (Residential customers may file petitions to intervene using the traditional paper format.) The proof of service shall indicate service upon Detroit Edison's attorney, Jon P. Christinidis, 2000 Second Avenue, Detroit, MI 48226-1279.

A member of the public who wishes to make a statement of position without becoming a party to the case, may participate by filing an appearance. To file the appearance, the individual must attend the hearing and advise the presiding administrative law judge of his or her wish to make a statement of position.

A copy of Detroit Edison's request may be reviewed on the Commission's Web site at <http://efile.mpsc.cis.state.mi.us/efile> and at the office of The Detroit Edison Company, 2000 Second Avenue, Detroit, MI. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 241-6170.

A Utility Consumer Representative Fund has been created for the purpose of aiding the representation of residential utility customers in energy proceedings. Further information may be obtained from the Chairperson, Utility Consumer Participation Board, Department of Labor & Economic Growth, P.O. Box 30004, Lansing, Michigan 48909.

Jurisdiction is pursuant to 1909 PA 106, as amended, MCL 460.551 et seq.; 1919 PA 419, as amended, MCL 460.51 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1982 PA 304, as amended, MCL 460.6h et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; and the Commission's Rules of Practice and Procedure, as amended, 1992 AACS, R 460.17101 et seq.

**THE DETROIT EDISON COMPANY HAS REQUESTED THE
POWER SUPPLY COST RECOVERY FACTOR DESCRIBED
IN THIS NOTICE. THE MICHIGAN PUBLIC SERVICE
COMMISSION MAY APPROVE, REJECT OR AMEND THE
FACTOR.**

October 15, 2004
Lansing, Michigan

November 2004

November 2004							December 2004						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
7	8	9	10	11	12	13	5	6	7	8	9	10	11
14	15	16	17	18	19	20	12	13	14	15	16	17	18
21	22	23	24	25	26	27	19	20	21	22	23	24	25
28	29	30					26	27	28	29	30	31	

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 LL) 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)					

December 2004

December 2004							January 2005						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
			1	2	3	4							1
5	6	7	8	9	10	11	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	29
							30	31					

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
		December 1			
		8:30am BUILDING CODE BOARD OF APPEALS (Conference Room LL)			
		7:00pm Persons w/Dis (Conference Room Lower Level)			
6	7	8	9	10	11
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)	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)		
13	14	15	16	17	18
	2:00pm Board of Review (Conference Room D) 7:30pm Planning Commission - Reg (Council Chambers)	7:30am DDA Meeting (Conference Room Lower Level) 7:00pm Troy Youth (Community Center)			
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)				
27	28	29	30	31	

January 2005

January 2005							February 2005						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
2	3	4	5	6	7	1	6	7	1	2	3	4	5
9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28					
30	31												

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
					January 1, 05
					2
3	4	5	6	7	8
		8:30am BUILDING CODE BOARD OF APPEALS (Conference Room LL)			9
10	11	12	13	14	15
7:30pm City Council-Regular (Council Chambers)					16
17	18	19	20	21	22
	7:30pm BZA (Chambers) 7:30pm BOARD OF ZONING APPEALS (Council Chambers)	7:30am DDA Meeting (Conference Room Lower Level)			23
24	25	26	27	28	29
7:30pm City Council-Regular (Council Chambers)					30
31					

November 9, 2004

TO: John Szerlag, City Manager

FROM: Brian Murphy, Assistant City Manager / Services
Steve Vandette, City Engineer
John Abraham, Deputy City Engineer/Traffic Engineer

SUBJECT: I-75 Crooks / Long Lake Interchange Improvement -
Information on Environmental Assessment

This is a follow-up to the comments made at the November 8th Council meeting on the Environmental Assessment for the I-75 Crooks/Long Lake interchange improvement project.

As mentioned in the previous memo, the EA will address social, economic, and environmental impacts of the project, including purpose and need for the project. Also, the EA includes a review of the MDEQ list of leaking underground storage tanks. Any tanks that are found near the project area including those known to have been removed from the Kamax property would trigger further investigation. In the absence of an EA, this work would be done during the design process.

The proposal to have an alternative that eliminates on-ramps from Long Lake will be discussed with the Federal Highway Administration and the Michigan Department of Transportation; however, previous studies have shown that the interchange improvement needs the on-ramps from Long Lake to achieve significant reductions in congestion. Simulation results show that southbound Crooks road is almost reduced to one lane during the peak hours due to left turn traffic attempting to turn onto the freeway ramp with the existing geometrics. Eliminating the on-ramps will not serve "distribution" of trips in the area; which is one of the major objectives and benefits of this project.

The EA itself will be conducted by MDOT and they are responsible for all meeting notifications. Typically the notices are published in local newspapers so that all interested citizen can attend and have their comments heard. We will work with MDOT as requested to supplement their notifications with e-mail notices.

JKA

October 12, 2004

J-07

TO: John Szerlag, City Manager

FROM: Brian Murphy – Assistance City Manager / Services
Carol Anderson – Director of Parks and Recreation

SUBJECT: Agenda Item – Report and Communication
Statue to be added to the Peace Garden

Summary:

The Peace Garden Committee has purchased a theme appropriate bronze statue for placement in the Peace Garden. The 47" statue is of a small boy balanced on a rock and shall be located at the north end of the garden so as to complement and support previously placed art objects.

Selection of the statue and proposed site of installation was done under the guidance and with the support of City staff.

The Peace Garden Committee will cover cost of the statue and installation.

This will be an undedicated piece of art.



CKA/rh

November 8, 2004

To: John Szerlag, City Manager

From: Brian Murphy, Assistant City Manager/Services
Brian Stoutenburg, Library Director

Subject: **Agenda Item** - Citation of Excellence

The Troy Public Library received one of two Citations of Excellence this year from the Library of Michigan Foundation at the annual Michigan Library Association Conference in late October. The Library was nominated by a member of the Library Advisory Board and several patrons. The focus of the nomination was on our efforts to serve our diverse community through our International Language Collection, our cultural programming sponsored by the Friends of the Troy Public Library and our partnering with the Oakland County Literacy Council in developing English as a Second Language services.

The Citations of Excellence are given to libraries that provide new, innovative and superior services to its patrons in a cost-effective manner, with a can-do attitude and by always delivering on promises. The library must demonstrate a commitment to high standards of customer service and the delivery of quality by the staff.

This Citation helps to validate the importance of our library to our community as it promotes and nurtures the life of the mind.

Dave Lambert

1188 Player Dr.
Troy, MI 48085

November 10, 2004

TO: Mayor, Council, City Manager, and City Attorney

Thank you for providing me with the opportunity to attend the Michigan Municipal League (MML) Annual Convention in Mackinac Island.

Because Mayor Pro Tem Beltramini provided a thorough report, I will not attempt to duplicate her work. Instead, I will provide a brief synopsis of the education sessions that I attended.

Wednesday, September 29*Election Consolidation*

The session speaker was Pete Dishnaw from the Michigan Bureau of Elections. Much of the information from this session was nothing new due to the excellent work of the Troy City Clerk's office. It appears that school district elections will be one of the biggest challenges to Tonni and her staff.

One question came up at the session that was not answered. Does the new state election consolidation law require the Mayor and Councilmembers to wait until January 1st to assume office? Maybe Lori Bluhm or Tonni Bartholomew can answer that question.

Fall Expo and Welcoming Reception

I spent a significant amount of time talking to a vendor who sells the new and improved pedestrian signal control devices. These devices incorporate a "countdown" function to inform pedestrians about the amount of time they have left before the signal changes. I've passed the vendor's contact information on to John Szerlag. I hope that the Big Beaver Corridor study will seriously look at utilizing these types of improvements to make our "downtown" more pedestrian-friendly.

Thursday, September 30*Project Showcase: What Can GIS do for You?*

The speaker at this session was Heather Dermeyer from Ayres, Lewis, Norris, & May, Inc. Because the City of Troy is a trendsetter in this area, there was no new information to be passed along in this report.

System Failure: Michigan's Municipal Finance Structure and the Road to Financial Ruin

The speakers at this session were Frank Audia (Plante & Moran, LLC), Tony Minghine (Canton Charter Township), Laurie Van Pelt (Oakland County Department of Management and Budget), Alex Allie (City of Huntington Woods), and Summer Hallwood Minnick (MML). The speakers described the fiscal challenges that face local units of government in Michigan. They stated that these challenges were compounded after the adoption of Proposal A in 1994. The Proposal A enabling legislation adopted by the Michigan Legislature, combined with Headlee Amendment enabling legislation, is reducing the millage capacity of many local units of government.

While a municipality can address their millage rate through a Headlee override vote, there are other problems with the existing property tax they believe should be addressed. For example, longer-term property owners are paying on a taxable value that is increasing at a rate that is less than inflation. In addition, business property owners are paying a decreasing share of the total property tax burden in many jurisdictions.

The speakers stated that there is no need to repeal either Proposal A or the Headlee Amendment. Instead, Governor Granholm and the Michigan Legislature need to change the enabling legislation so that local units of government can address their revenue needs and the inequities in our current property tax system.

Friday, October 1

Bankruptcy of a Business and the Effect on Local Taxes

Sandra S. Hamilton, Shareholder of Nantz, Litowich, Smith & Girard P.C., was the speaker at this session. Ms. Hamilton discussed the impact on a city when a large business files for bankruptcy. One of the disadvantages that we face in Troy is that most of the bankruptcy judges in our District are extremely sympathetic to the interests of bankrupts. This can affect our ability to collect on delinquent taxes.

Ms. Hamilton urged every city to change its property tax lien date to March 1st or earlier. She also suggested that all city charters change the word "penalty" to "interest." She believes that both steps will provide cities with greater protection in the bankruptcy process.

Conclusion

One good addition to the Convention packet this year was a copy of the session handouts. I would be happy to allow anyone to borrow my copy. Also, if there are no copyright restrictions, maybe City staff can look into providing a photocopy of the booklet for anyone interested.

I would like to thank the taxpayers of the City of Troy for providing the revenue that allows their elected officials to attend these types of educational meetings.

Mary F Redden

From: Nino A Licari
Sent: Wednesday, November 10, 2004 1:11 PM
To: Mary F Redden
Cc: John Szerlag; John M Lamerato
Subject: FW: Resolution from Oakland County Clerk - Register of Deeds

The highlighted text is the only revision I am aware of.

Nino Licari
Assessor, City of Troy

-----Original Message-----
From: Mary F Redden
Sent: Wednesday, November 10, 2004 12:47 PM
To: John M Lamerato; Nino A Licari
Subject: Resolution from Oakland County Clerk - Register of Deeds



G. WILLIAM CADDELL
OAKLAND COUNTY CLERK - REGISTER OF DEEDS

*Agenda
C: Schulz
Nino*

FRANK H. MILLARD, JR.
DEPUTY CLERK - REGISTER

JAMES H. VAN LEUVEN
DEPUTY CLERK - REGISTER

STEPHANIE A. SCHROEDER
Chief Deputy County Clerk

KAREN LIVINGSTONE
Chief Deputy Register

ELLEN DAVIS HALSEY
Director of Elections

PAMELA L. AGELINK
Administrative Assistant

November 1, 2004

To Whom It May Concern:

Enclosed please find a certified copy of Miscellaneous Resolution #04299 – BOARD OF COMMISSIONERS – OPPOSITION TO EFFORTS TO RUSH REVISIONS TO MICHIGAN'S TAX CODE DURING LAME DUCK SESSION which was adopted by the Oakland County Board of Commissioners on October 21, 2004.

As the County Clerk/Register, I have been instructed to provide you with this adopted resolution.

Sincerely,

G. William Caddell
Clerk/Register of Deeds
County of Oakland

enclosure

MISCELLANEOUS RESOLUTION #04299

BY: Commissioners Sue Douglas, District #12 and Eric S. Wilson, District #3

IN RE: BOARD OF COMMISSIONERS - OPPOSITION TO EFFORTS TO RUSH REVISIONS TO MICHIGAN'S TAX CODE DURING LAME DUCK SESSION

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS Executive Office and Legislators may consider a restructuring of the Michigan tax system to occur during the lame-duck session of the Michigan Legislature; and

WHEREAS Michigan lawmakers should not adopt a wholesale revision of the state's tax system during the upcoming lame duck session period between the election and the end of the year; and

WHEREAS this effort to exclude stakeholders from the process, which is likely the reason for moving substantive tax legislation in lame duck, undermines public input and a deliberative decision making process; and

WHEREAS such an important and dramatic change to the tax system should not be rushed through the lame duck session of the Legislature, when many lawmakers making the decisions will not be returning next year and won't have to face the consequences of their votes; and

WHEREAS the 38 or more new members of the Michigan House of Representatives and the citizens who voted for them, will be denied a voice in such a major decision, if tax revisions are pushed through the lame duck session; and

WHEREAS one possible revision of the tax code that may be proposed includes expanding the state sales tax to include a sales tax on services - which will have a detrimental impact on small businesses, service providers and the economy; and

WHEREAS it's never healthy or wise to try to make major reforms or major changes in a manner that circumvents deliberative decision making and sufficient time to allow ample opportunity for all stakeholders to have input.

WHEREAS Executive Office and Legislators should not back themselves, or the next legislature, into a corner by making piecemeal revisions to the tax system that may set the stage for justifying the need for a sales tax services.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby voices its emphatic opposition to any effort to rush through revisions go to the Michigan Tax Code during the lame duck session of the Michigan Legislature.

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners requests the Oakland County Clerk to forward copies of this adopted resolution to Governor Granholm, the Oakland County delegation to the state legislature, Michigan Association of Counties, the cities, villages and townships of Oakland County, and Oakland County's legislative lobbyists.

Chairperson, we move the adoption of the foregoing Resolution.

EILEEN KOWALL, SUE ANN DOUGLAS, MIKE ROGERS, JOHN SCOTT, CHARLES E. PALMER, GREG JAMIAN, ERIC S. WILSON, TOM MCMILLIN, JEFFREY POTTER, WILLIAM R. PATTERSON, HUGH D. CRAWFORD, MARTIN KNOLLENBERG, ERIC COLEMAN, THOMAS F. MIDDLETON, CHRISTINE A. LONG, THOMAS A. LAW, BILL BULLARD, JR., CHUCK MOSS, DAVID L. MOFFITT

Moved by Patterson supported by Scott the resolution be adopted.

Moved by Patterson supported by Douglas the General Government Committee Report be accepted.

A sufficient majority having voted therefore, the report was accepted.

Moved by Patterson supported by Moffitt the resolution be amended to coincide with the recommendation in the General Government Committee Report.

A sufficient majority having voted therefore, the amendment carried.

Moved by Wilson supported by Zack the resolution be further amended in the 1st WHEREAS paragraph to add the words **Executive Office and** as follows:

WHEREAS **Executive Office and** Legislators may consider a restructuring of the Michigan tax system to occur during the lame-duck session of the Michigan Legislature; and

Amend the 8th WHEREAS added by the recommendation in the General Government Committee Report to add the words **Executive Office and** as follows:

WHEREAS **Executive Office and** Legislators, should not back themselves, or the next legislature, into a corner by making piecemeal revisions to the tax system that may set the stage for justifying the need for a sales tax on services.

Amend the NOW THEREFORE BE IT RESOLVED paragraph to add the word **to** before the **Michigan Tax Code**.

Moved by Moffitt supported by Wilson to further amend the NOW THEREFORE BE IT RESOLVED paragraph to change the word **fervent** to **emphatic**. The paragraph is to read as follows:

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby voices its **emphatic** opposition to any effort to rush through revisions go **to** the Michigan Tax Code during the lame duck session of the Michigan Legislature.

A sufficient majority having voted therefore, the amendments carried.

Moved by Patterson supported by Douglas the resolution, as amended, be adopted.

Vote on resolution as amended:

AYES: Hatchett, Jamian, Knollenberg, Kowall, Law, Long, McMillin, Middleton, Moffitt, Moss, Painer, Patterson, Potter, Rogers, Scott, Suarez, Webster, Wilson, Zack, Bullard, Coleman, Coulter, Crawford, Douglas, Gregory. (25)

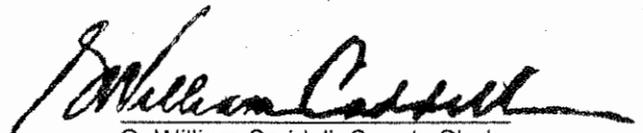
NAYS: None. (0)

A sufficient majority having voted therefore, the resolution, as amended, was adopted.

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

I, G. William Caddell, Clerk of the County of Oakland, do hereby certify that the foregoing resolution is a true and accurate copy of a resolution adopted by the Oakland County Board of Commissioners on October 21st, 2004 with the original record thereof now remaining in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of the County of Oakland at Pontiac, Michigan this 21st day of October, 2004.



G. William Caddell, County Clerk

DOES NOT REQUIRE COUNTY EXECUTIVE ACTION

November 10, 2004

TO: John Szerlag, City Manager

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

Subject: Agenda Item: 2004 3CMA Savvy Award – Community Visioning Process

Council requested a copy of our entry for the 2004 3CMA Savvy Award – Community Visioning Process, which won the first place award this year. Our entry was “Diversity in Troy.” Attached is a copy of the entry submission. We also included photographs and articles from local newspapers related to Ethnic Issues Advisory Board sponsored events (Sights & Sounds).

CS

Descriptive Letter – Community Visioning Process

Diversity in Troy

Problem/Opportunity Statement

The City of Troy is a vibrant community rich in diversity and culture. Over 80 languages are spoken by children in our school district, and Troy is the second most diverse City in Michigan. For many years, the City recognized diversity in the community with the EthniCity program held annually at the Troy Daze Festival in September. Troy Daze is a four-day community festival with carnival rides, food, live entertainment, community booths and a parade. Over 100,000 people attend the festival each year. The EthniCity celebration is a significant part of the festival with ethnic entertainment, an EthniCity Tent that features ethnic food and multicultural wares sold to the public. The festival also has a parade in which the flags of 50 countries are proudly displayed. EthniCity is a wonderful annual celebration of multiculturalism in Troy, but since the ethnic population in Troy continues to grow significantly each year, the City became aware that more had to be done to promote diversity and develop a vision for consistently recognizing and celebrating diversity in the community throughout the year.

As a result, the City's Community Affairs Department took the lead in establishing significant diversity awareness in Troy. Functioning as the primary public relations and communications entity for the City, our Department began increasing diversity external communications initiatives through marketing collateral, special programs and the establishment of the Ethnic Issues Advisory Board (EIAB).

The Ethnic Issues Advisory Board (EIAB) was created in January 2003, and has made outstanding contributions in advancing ethnicity in Troy. The Board consists of minority representatives from the Troy community who are dedicated to increasing cultural awareness. Almost every month, the Board sponsors a Sights and Sounds event that celebrates a single ethnic group in Troy. Since October 2003, Italian, Korean, Chinese, Middle Eastern, Philippine, Greek and Indian cultures have been featured. These events feature a variety of events including food demonstrations,

children's activities, fashion shows and live entertainment. Each month, citizens attend these events for free, and all the people who participate are volunteers.

In addition to EthniCity and EIAB, the Community Affairs Department consistently communicates cultural awareness through marketing collateral. The committee is currently working on translating brochures in different languages, to better assist residents who do not use English as their first language. The first brochure, titled "Fast Facts About the 52-4 District Court State of Michigan," will be translated into Chinese, Spanish, Arabic, Korean, Hindi and Gujarati. This brochure, which is enclosed, will be the first of many to be translated. The next translated brochures will focus on recycling and a self-guided tour of the Troy Museum. Additionally this year, we have chosen the submitted image of a young Indian-American girl in full Indian dress at the 2003 Troy Daze Festival. Her stunning beauty, youth and traditional garb perfectly capture the spirit of diversity in our community. Her photograph is used consistently throughout our marketing materials to promote diversity in Troy.

Intended Goals or Outcomes

Our intended diversity goals are as follows:

- Acknowledge the diverse cultures that exist in the City
- Promote the City's diversity by spotlighting individual cultures through programs, brochures and cable programming
- Establish a resource guide for the various ethnic groups to access, which includes regional associations and general information relating to the availability of a specific local cultural activity, ethnic food or individual interpreter
- Develop and distribute materials to emphasize diversity, including brochures about the various ethnic populations in Troy and website information
- Support the Troy Daze Festival Committee in relation to EthniCity.
- Continue to expand through the encouragement of volunteerism among the various Ethnic groups.

Documentation of Achievement

We are successfully realizing our goals through the well-attended Sights and Sounds series and EthniCity program. From 400 – 700 people attend each Sights and Sounds event, and over 100,000 people attend EthniCity at the Troy Daze Festival. We experience extensive media coverage of our diversity events because of press releases and a proactive relationship with local newspapers. Relevant articles pertaining to our diversity programs are attached. Our department also runs the government cable station, WTRY, which consistently advertises diversity programs and regularly airs the Sights and Sounds public service announcement, which is included in our application.

Budget and Use of Outside Resources

Our diversity programs are a part of our overall communications budget. There is no budget for the EIAB or Sights and Sounds events, aside from \$10 – 20 used on decorations for each event. The EIAB Board members receive no money, and all Sights and Sounds events are staffed by volunteers, including the entertainment. The City contracts a professional freelance photographer who takes pictures on assignment. The half-day rate for the submitted photograph was \$200. The EthniCity brochure, which we produce annually, is approximately \$500 per year, and we dedicate at least one page in the *Troy Today* newsletter – approximately \$230 each quarter.

November 10, 2004

TO: The Honorable Mayor and City Council Members
FROM: John Szerlag, City Manager
SUBJECT: Alternative Sites for Minor League Baseball Facility

Attached is a memorandum from staff members which examines the pros and cons of locating a minor league baseball facility on the following sites:

- Civic Center
- Flynn Park
- Firefighters Park
- Troy Farm
- Livernois Park Land

This report concludes that the most viable site for this multi-use facility is on Civic Center property.

Normally, the next steps of our process methodology would be to:

- 1) Determination of environmental impacts. This includes traffic, and also would incorporate light and noise impacts on adjacent residential properties to the Civic Center site. Additionally, infrastructure costs as well as financing for development would also be ascertained.
- 2) Review our findings with the Parks and Recreation Board, and perform further analysis if so requested. Of course, area residents and other members of the general public would be invited to this meeting and participate in the discussion.

However, Council's previous actions relative to an IMAX theater, and children's museum have given me cause to stop further study and input until a firm direction is given by Council. *Specifically, is the Civic Center site off limits to development of a minor league baseball facility that will also include a fountain and plaza, amphitheater, outdoor skating rink, and location for festivals?*

If your answer to my question is "yes" then I'm confident the developer will locate a facility outside the city of Troy.

Alternative Sites for Minor League Baseball Facility
November 10, 2004
Page Two

If your direction is such that it's acceptable to proceed with further examining the viability of locating this facility on the Civic Center site, then staff will proceed with determining environmental impacts from the proposed project, as well as the financing structure.

We'll also proceed with obtaining input from the Parks and Recreation Board, area residents, and general public.

One intervening variable you may wish to consider in your decision-making process is that location of a minor league baseball stadium from the developer's perspective is time-sensitive.

As always, I'll be happy to respond to any comments or questions you may have.

November 8, 2004

To: John Szerlag, City Manager

From: Brian Murphy, Assistant City Manager/Services
John M. Lamerato, Assistant City Manager/Finance and Administration
Doug Smith, Real Estate and Development Director
Carol K. Anderson, Parks and Recreation Director

Subject: Alternative Sites for Minor League Baseball Facility

At the October 25, 2004 Council meeting, City Council directed staff to further explore a multi-use facility on the Civic Center property.

Staff, along with the proposed operator(s), visited alternative sites large enough to accommodate the facility. Site visits included: Flynn Park, Firefighters Park, the Troy Farm and the new Livernois Park. Considerations of each site included:

- Location
- Physical geometrics
- Environmental impact
- Parking
- Infrastructure
- Displacement/relocation of current activities

Alternative #1 - Flynn Park

Pros:

- Good visibility and accessibility off of M-59

Cons:

- The site, a former landfill, would require DEQ approvals adding undetermined time to completion date.
- Would require replacement of four baseball/softball fields that are used daily from April through October.
- Would require construction of significant additional parking, adding substantially to the project cost.

Alternative #2 - Firefighters Park

Pros:

- Site is attractive and close to I-75

Cons:

- Residents abut the property on three sides.
- There is only one road going in and out of the park.
- Would require construction of significant additional parking, adding substantially to the project cost.

- Would require relocation of soccer fields, play structures, park shelters, and a ball diamond

Alternative #3 - Troy Farm

Pros

- Site is large enough for stadium and parking.

Cons

- No major freeway or main road access.
- Relocation of senior gardens, Nature Center programs and day camps.
- Would require construction of significant additional parking, adding substantially to the project cost.

Alternative #4 - Livernois parkland

Pros:

- Large parking lot adjacent to site on church property may accommodate most of parking needs.

Cons:

- Development of wetlands would require DEQ approvals and wetlands replacement elsewhere.
- Site is located on 20-year flood plain.
- It would be difficult and maybe impossible to configure stadium without impact to the wetlands or around the flood plain.
- Closer to neighborhoods than Civic Center site.
- Master planning process with resident input has been completed for the site and would have to be revised.
- Residents abut property on two sides.

Civic Center

Pros:

- All three possible sites on the Civic Center have accessibility from multiple roadways in and out of the Civic Center site.
- Ample parking available in and around the Civic Center.
- Major roadways already in existence at Big Beaver and Livernois.
- No known environmental issues.
- The replacement of zoned soccer and baseball facilities was known to staff when the Civic Center Task Force completed its development plan.
- The site could be used by community organizations for special events and activities
- Development could incorporate some of the goals of the Task Force including the fountain and plaza, amphitheatre, walkways, and a location for festivals and outdoor exhibit space.

Cons:

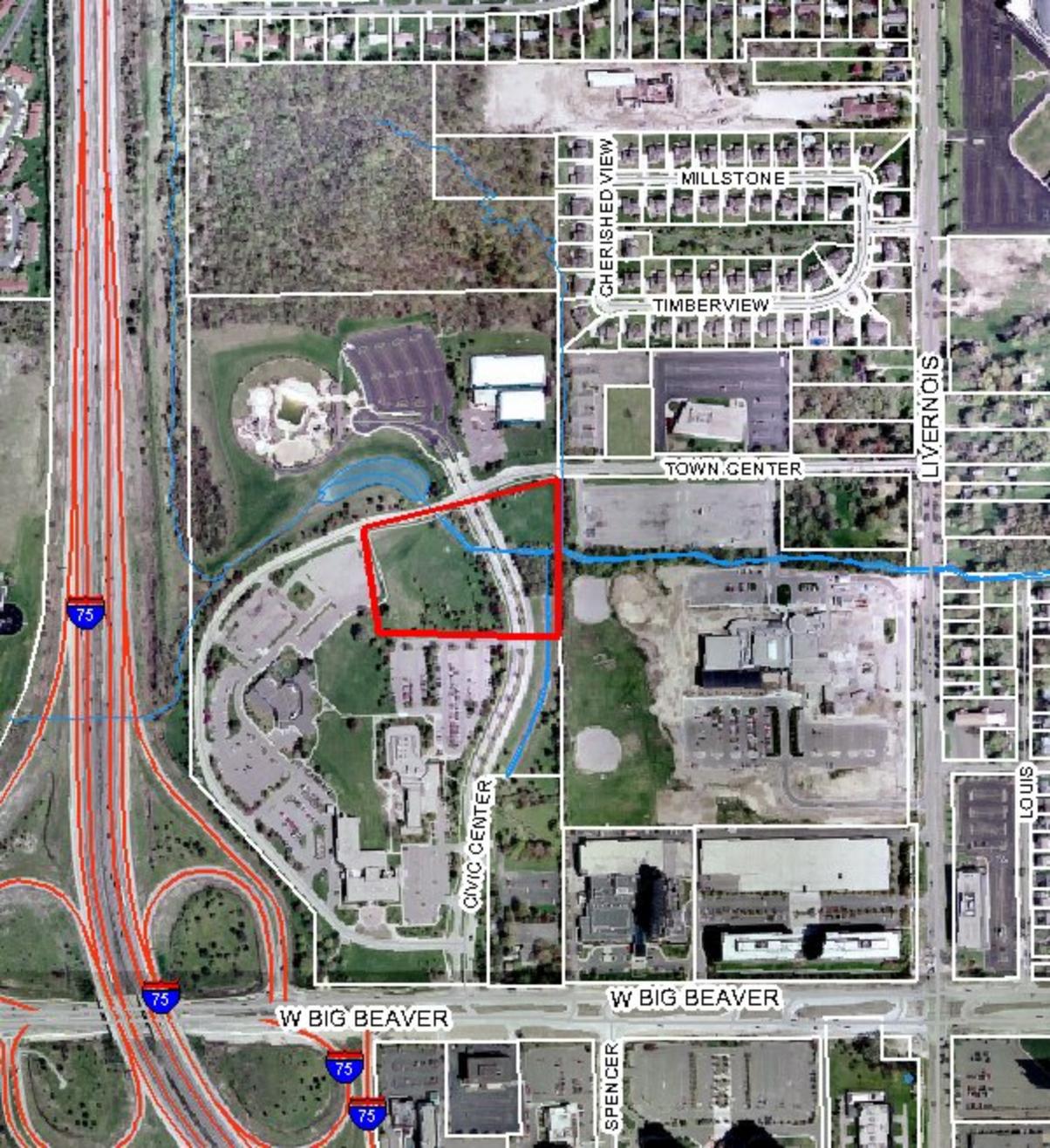
- The stadium may reduce open green space on the site.
- Possible sound and light impacts for adjacent property owners.

Summary

Consistent with the amendment by Council to consider the development on city owned land, every effort was made to consider viable city owned property within Troy. This examination resulted in a conclusion, by both city staff and the developer that the most appropriate site was somewhere on the civic center site.

Two sites have been identified on the civic center site (see attached map) and the next step is to ascertain noise and light impact on adjacent (to the north) residential properties and to determine the infrastructure costs associated with both sites.

Staff also continues to meet with the developer to work out the details of any agreement and will keep Council apprised of the progress of the negotiations.



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CHERISHED VIEW

MILLSTONE

TIMBERVIEW

TOWN CENTER

LIVERNOIS

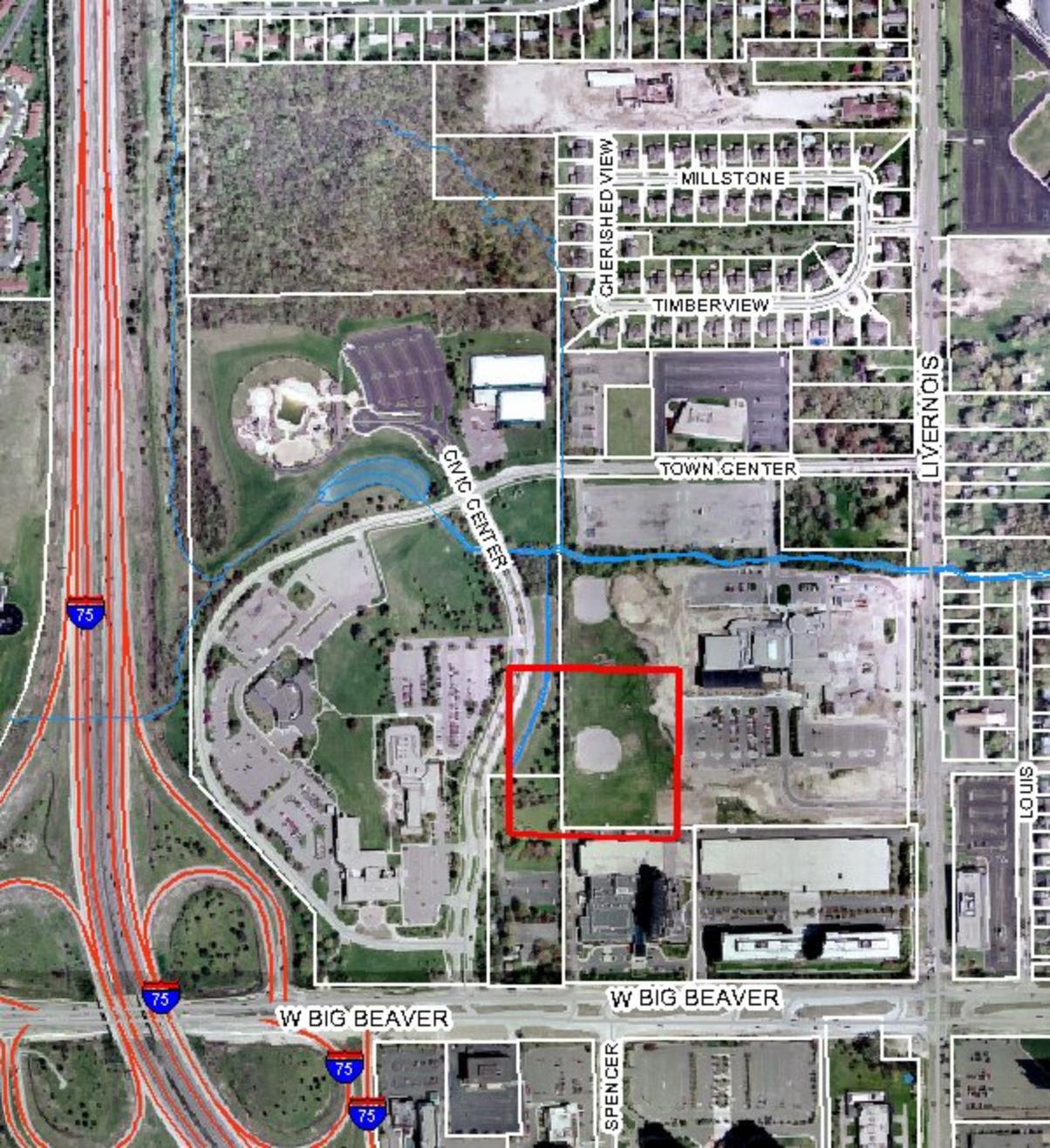
LOUIS

CIVIC CENTER

W BIG BEAVER

W BIG BEAVER

SPENCER



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W BIG BEAVER

SPENCER

W BIG BEAVER

CVC CENTER

TOWN CENTER

TIMBERVIEW

MILLSTONE

CHERISHED VIEW

LIVERNOIS

LOUIS