

AGENDA

Meeting of the

CITY COUNCIL OF THE CITY OF TROY

**OCTOBER 19, 2009
CONVENING AT 7:30 P.M.**

**Submitted By
The City Manager**

NOTICE: Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk at (248) 524-3316 or via e-mail at clerk@troymi.gov at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

TO: The Honorable Mayor and City Council
Troy, Michigan

FROM: John Szerlag, City Manager

SUBJECT: Background Information and Reports

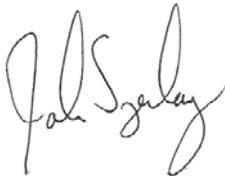
Ladies and Gentlemen:

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.

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

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "John Szerlag".

John Szerlag, City Manager



CITY COUNCIL

AGENDA

October 19, 2009 – 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 AC Phipps – Evanswood Church of God 1

ROLL CALL: 1

CERTIFICATES OF RECOGNITION: 1

- A-1 Presentations: 1
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- B-1 No Carryover Items 1

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- C-3 Granting of an Industrial Facilities Exemption Certificate (IFEC) for AxleTech International, LLC – 1400 Rochester Road 3

NOTICE: *Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk at (248) 524-3316 or via e-mail at clerk@troymi.gov at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.*

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CALL TO ORDER:

INVOCATION & PLEDGE OF ALLEGIANCE: Pastor AC Phipps – Evanswood Church of God

ROLL CALL:

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

ABSENT:

- (b) Absent Council Members

CERTIFICATES OF RECOGNITION:

A-1 Presentations:

- a) Proclamation – Celebrating 50 Years – Troy Chamber of Commerce
- b) American Public Works Association Detroit Metro Snow Plow Rodeo First Place Presentation – Douglas Billings and Nick Herzek

CARRYOVER ITEMS:

B-1 No Carryover Items**PUBLIC HEARINGS:**

C-1 Establishment of an Industrial Development District (IDD) – 1400 Rochester RoadSuggested Resolution

Resolution #2009-10-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **ESTABLISHES** an Industrial Development District (IDD) for property known as 1400 Rochester, Troy, MI. 48083-2854, Parcel #88-20-34-226-048, and #88-20-34-226-057, in accordance with City Council Policy Resolution #2009-02-042; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to forward a copy of this resolution to the State Tax Commission, Treasury Building, P.O. Box 30471, Lansing, MI 48909-7971.

Yes:

No:

C-2 Granting of a Plant Rehabilitation Exemption Certificate (PREC) to Bostick Rochester Road Development, LLC – 1400 Rochester Road

Suggested Resolution

Resolution #2009-10-

Moved by

Seconded by

WHEREAS, After due notice and proper hearing, the Troy City Council on October 19, 2009, established an Industrial Development District (IDD) for property known as 1400 Rochester, Troy, MI 48083, Parcel #88-20-34-226-048 and #88-20-34-226-057;

WHEREAS, An application has been submitted by Bostick Rochester Road Development, LLC, for a Plant Rehabilitation Exemption Certificate (PREC) for real property at 1400 Rochester, Troy, MI. 48083, for twelve (12) years; and

WHEREAS, After due and proper notice by the City Clerk, Troy City Council, on October 19, 2009, held a Public Hearing giving opportunity for comment by all taxing units as to the possibility that the granting of a Plant Rehabilitation Exemption Certificate (PREC) for Bostick Rochester Road Development, LLC, at 1400 Rochester, Troy, MI 48083 may have the effect of substantially impeding the operation of the taxing unit, or impairing the financial soundness of the taxing unit;

THEREFORE, BE IT RESOLVED, That Troy City Council has **FOUND THAT THE GRANTING** of a Plant Rehabilitation Exemption Certificate (PREC) for Bostick Rochester Road Development, LLC, at 1400 Rochester, Troy, MI 48083 shall not substantially impede the operation of the City of Troy or the other taxing units, **NOR HAS IT BEEN FOUND THAT THE GRANTING** of the Plant Rehabilitation Exemption Certificate (PREC) will impair the financial soundness of the City of Troy, or the other taxing units which levy taxes on said property; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the application for a Plant Rehabilitation Exemption Certificate (PREC) for Bostick Rochester Road Development, LLC, Inc., at 1400 Rochester, Troy, MI 48083, Parcel #88-20-34-226-048 and #88-20-34-226-057, for real property for a term of twelve (12) years, **CONTINGENT** upon the execution of a Letter of Agreement between the City of Troy and Bostick Rochester Road Development, LLC, and in accordance with Public Act 198 of 1974, as amended; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to execute the Letter of Agreement between the City of Troy and Bostick Rochester Road Development, LLC, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to complete the application and transmit same to the State Tax Commission, Treasury Building, P.O. Box 30471, Lansing, MI. 48909-7971.

Yes:

No:

C-3 Granting of an Industrial Facilities Exemption Certificate (IFEC) for AxleTech International, LLC – 1400 Rochester Road

Suggested Resolution

Resolution #2009-10-

Moved by

Seconded by

WHEREAS, After due notice and proper hearing, the Troy City Council on October 19, 2009, established an Industrial Development District (IDD) for property known as 1400 Rochester, Troy MI, 48083-2854, Parcel #88-20-34-226-048 and #88-20-34-226-057;

WHEREAS, An application has been submitted by AxleTech International, LLC, for an Industrial Facilities Exemption Certificate (IFEC) for personal property at 1400 Rochester, Troy, MI. 48083-2854, for six (6) years; and

WHEREAS, After due and proper notice by the City Clerk, Troy City Council, on October 19, 2009, held a Public Hearing giving opportunity for comment by all taxing units as to the possibility that the granting of an Industrial Facilities Exemption Certificate (IFEC) for AxleTech International, LLC, at 1400 Rochester, Troy, MI. 48083-2854 may have the effect of substantially impeding the operation of the taxing unit, or impairing the financial soundness of the taxing unit;

THEREFORE, BE IT RESOLVED, That Troy City Council has **FOUND THAT THE GRANTING** of an Industrial Facilities Exemption Certificate (IFEC) for AxleTech International, LLC, at 1400 Rochester Troy, MI 48083-2854 shall not substantially impede the operation of the City of Troy or the other taxing units, **NOR HAS IT BEEN FOUND THAT THE GRANTING** of the Industrial Facilities Exemption Certificate (IFEC) will impair the financial soundness of the City of Troy, or the other taxing units which levy taxes on said property; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the application for an Industrial Facilities Exemption Certificate (IFEC) for AxleTech International, LLC, Inc., at 1400 Rochester, Troy, MI. 48083-2854, Parcel #88-20-34-226-048 and #88-20-34-226-057, for personal property for a term of six (6) years, **CONTINGENT** upon the execution of a Letter of Agreement between the City of Troy and AxleTech International, LLC, and payment of the application fee established in accordance with Public Act 198 of 1974, as amended; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to execute the Letter of Agreement between the City of Troy and AxleTech International, LLC, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to complete the application and transmit same to the State Tax Commission, Treasury Building, P.O. Box 30471, Lansing, MI. 48909-7971.

Yes:

No:

POSTPONED ITEMS:

D-1 No Postponed Items

REGULAR BUSINESS:

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

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

E-1 Appointments to Boards and Committees: (a) Mayoral Appointments: None Scheduled (b) City Council Appointments: Advisory Committee for Senior Citizens; Ethnic Issues Advisory Board; and Personnel Board

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

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

a) Mayoral Appointments – None Scheduled

b) City Council Appointments

Suggested Resolution

Resolution #2009-10-

Moved by

Seconded by

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

Advisory Committee for Senior Citizens

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

Dorothy Pietron

Unexpired Term 04/30/2012

Ethnic Issues Advisory Board

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

Reuben Ellis

2-Year Term

Term Expires 09/30/2011

Kelly Jones

2-Year Term

Term Expires 09/30/2011

Mayada Fakhouri

2-Year Term

Term Expires 09/30/2011

Personnel Board

Appointed by Council (5-Regular) - 3-Year Terms

Gerard T. Staeger

Unexpired Term 04/30/2011

Yes:

No:

E-2 Nominations for Appointments to Boards and Committees: (a) Mayoral Nominations: None Scheduled (b) City Council Nominations: **Advisory Committee for Persons with Disabilities; Advisory Committee for Senior Citizens; Historic District Commission; Historic District Study Committee; Municipal Building Authority; and Youth Council**

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

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

a) Mayoral Nominations – None Scheduled

b) City Council Nominations

Suggested Resolution

Resolution #2009-10-
 Moved by
 Seconded by

RESOLVED, That Troy City Council hereby **FORWARDS** the following nominated persons to serve on the Boards and Committees as indicated to the next Regular City Council Meeting for action:

Advisory Committee for Persons w/Disabilities

Appointed by Council (9-Regular) – 3-Year Terms: 3-Regular-w/disabilities; 3-Regular-general populace; 3-Regular in need of transportation (3-Alternate) - 3-Year Terms

	Unexpired Term 11/01/2012
	Unexpired Term 11/01/2012
	Unexpired Term 11/01/2012
Alternate	Unexpired Term 11/01/2012
Alternate	Unexpired Term 11/01/2012

Advisory Committee for Senior Citizens

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

	Unexpired Term 04/30/2012
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Historic District Commission

Appointed by Council (7-Regular) - 3-Year Terms; Student – 1-Year Term
 (All Troy residents; at least 2 chosen by a duly organized history group & 1 architect, if available.)

Student	Term Expires 07/01/2010
Architect (if available)	Unexpired Term 05/15/2012

Historic District Study Committee

Appointed by Council (7-Regular-Ad Hoc) - 3-Year Terms (1-Historic District Comm. Member; & 1-Local Historic Preservation Organization)

	Ad Hoc
	Ad Hoc

Historic District Comm. Member** Ad Hoc

**Note: Historic District Commission notified and will forward their recommendation asap.

Municipal Building Authority

Appointed by Council (5-Regular) - 3-Year Terms

Unexpired Term 01/31/2012

Youth Council

Appointed by Council (13 Regular) - Student 1-Year Term

Term Expires 06/01/2010

Term Expires 06/01/2010

Yes:

No:

E-3 Bid Waiver – Sole Source Purchase – Top-Dress Materials

Suggested Resolution

Resolution #2009-10-

Moved by

Seconded by

WHEREAS, Sand Sales Inc. has been competitively priced and the sole supplier of top-dress materials for the City’s golf courses over the last eighteen (18) years;

WHEREAS, In accordance with scientific research readily accepted throughout the industry to continue the use of the same top-dressing material for good sound agronomic principles; and

WHEREAS, The addition of Sanctuary Lake and the practice facility to the Golf division has necessitated the need for increased quantities of materials;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and **AUTHORIZES** the purchase of top-dress materials from Sand Sales Inc. of Clarkston, Michigan for an annual cost not-to-exceed \$20,000.00 for years 2009 and 2010; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **CONFIRMS** purchases totaling an estimated \$3,200.00 over the approved administrative limit.

Yes:

No:

E-4 Troy v Munchiando

Suggested Resolution

Resolution #2009-10-
Moved by
Seconded by

RESOLVED, That Troy City Council hereby **APPROVES** the proposed Consent Judgment in the City of Troy v Munchiando condemnation case, and hereby **AUTHORIZES** payment in the amounts stated therein; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the City Attorney's Office to execute the document on behalf of the City of Troy, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes:
No:

PUBLIC COMMENT: Limited to Items Not on the Agenda

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

CONSENT AGENDA:

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

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

Suggested Resolution
Resolution #2009-10-
Moved by
Seconded by

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

Yes:
No:

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

F-2 Approval of City Council MinutesSuggested Resolution

Resolution #2009-10-

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the 7:30 PM Regular City Council Meeting of October 5, 2009 as submitted.

F-3 Proposed City of Troy Proclamation:Suggested Resolution

Resolution #2009-10-

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

- a) Celebrating 50 Years – Troy Chamber of Commerce
-

F-4 Standard Purchasing Resolutions:**a) Standard Purchasing Resolution 1: Award to Low Bidder – Ice Melt Compounds**Suggested Resolution

Resolution #2009-10-

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide one (1) year requirements of ice melt compounds with an option to renew for one (1) additional year for the City of Troy and participating MITN (Michigan Intergovernmental Trade Network) Purchasing Cooperative Members to the low bidder, Washington Elevator Co, Inc. of Washington Twp, MI, for both proposals at unit prices contained in the bid tabulation opened September 30, 2009, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with a contract expiration of October 31, 2010.

b) Standard Purchasing Resolution 3: Exercise Renewal Option – Janitorial ServicesSuggested Resolution

Resolution #2009-10-

WHEREAS, Two-year contracts to provide Janitorial Services with an option to renew for two additional years was awarded to the low bidders for each group on October 15, 2007 (Resolution 2007-10-294-E4b);

WHEREAS, All awarded contractors have agreed to exercise the option to renew the contract for four (4) years under the same terms and conditions at reduced pricing and schedule changes; and

WHEREAS, The Purchasing department has conducted a market survey and determined no benefit would be derived from soliciting formal bids, as cost reductions made by the current vendors exceed 9% per year;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES** the options to renew the contracts under the same contract terms and conditions at reduced pricing and schedule changes for four additional years expiring October 31, 2013, with adjustments allowed to labor rates after two-years pending a market review to the following vendors:

		<u>Estimated Total</u> <u>Annual Cost</u>
Group 1:	Kristel Cleaning Inc.	\$381,352.48
Group 2:	Du All Cleaning Inc.	\$ 16,386.96
Group 3:	Du All Cleaning Inc.	\$ 25,890.36
Group 4:	Omni Facility Services	\$ 21,263.88
Group 5:	Kristel Cleaning Inc.	\$ 13,371.60

c) Standard Purchasing Resolution 1: Award to Low Bidder – Jaycee Park Fencing

Suggested Resolution
Resolution #2009-10-

RESOLVED, That Troy City Council hereby **AWARDS** a contract to furnish all labor, materials and equipment to install new backstops and ball diamond fencing at Jaycee Park to the low bidder, Nationwide Construction Group of Chesterfield, MI, for an estimated total cost of \$18,367.00, at prices contained in the bid tabulation opened September 14, 2009, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

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

F-5 Contract Extension: MITN Purchasing Cooperative – Paging Services

Suggested Resolution
Resolution #2009-10-

WHEREAS, On November 3, 2003, a three (3) year contract with an option to renew for up to three (3) additional years to provide pager rental was awarded to the low bidder, Verizon Wireless Messaging Services of Lewisville, Texas for an estimated annual cost of \$29,103.00 (Resolution #2003-11-559);

WHEREAS, On May 8, 2006, Troy City Council exercised the option to renew the contract with American Messaging (formerly Verizon Wireless Messaging Services) under the same pricing structure, terms and conditions for three years expiring December 1, 2009 (Resolution #2006-05-202-E4b); and

WHEREAS, American Messaging has agreed to enter into a new five-year contract under the same terms and conditions as their original contract at favorable discounted pricing;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** and **EXTENDS** the new contract to provide paging services for the City of Troy and participating Michigan Intergovernmental Trade Network cooperative members from American Messaging under the pricing, terms and conditions as outlined in the Customer Agreement; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to execute the agreement, a copy of which shall be **ATTACHED** to the original Minutes of this meeting for an estimated annual cost to Troy of \$19,000.00 to expire December 1, 2014.

F-6 Private Agreement for HCR Manor Care – Project No. 08.923.3

Suggested Resolution
Resolution #2009-10-

RESOLVED, That Troy City Council hereby **APPROVES** the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Heartland-Oakland MI, LLC for the installation of water main, sanitary sewer, sidewalk, soil erosion, and deceleration lane on the site and in the adjacent right of way, and hereby **AUTHORIZES** the Mayor and City Clerk to execute the agreement, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-7 Request for Recognition as a Nonprofit Organization Status from Carol Finn of Troy Youth Hockey Association (TYHA)

Suggested Resolution
Resolution #2009-10-

RESOLVED, That Troy City Council hereby **APPROVES** the request from *Troy Youth Hockey Association (TYHA)*, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license as recommended by City Management and **CONTINGENT** upon receipt of Form #1023-*Application for Recognition Exemption*; as required under Section 501(c)(3) of the Internal Revenue Code verifying their 501(c)(3) status.

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings:

- a) Receive Public Input on the City of Royal Oak Hospital Finance Authority Utilizing Tax-Exempt Bonds for William Beaumont Hospital – November 9, 2009

G-2 Memorandums: None Submitted

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

H-1 Scheduling of a Special Election for February 23, 2010 and Direct City Administration to Prepare Ballot Language – Referred by Mayor SchillingSuggested Resolution

Resolution #2009-10-

Moved by

Seconded by

a) Schedule Special Election – February 23, 2010

RESOLVED, That Troy City Council hereby **SCHEDULES** a February 23, 2010 Special Election for voters to vote on a proposed millage question and **DIRECTS** City Administration to draft ballot language with a proposed millage rate increase of 1.9 mills for the next five years, to be utilized to restore Public Safety and Quality of Life venues, with the language to be provided to the City Council on the next Regular City Council Meeting Agenda for Council Action.

Yes:

No:

b) Postponement of Council Referral Item H-1a until after Agenda Item K-1 Study SessionSuggested Resolution

Resolution #2009-10-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **POSTPONES** the Council Referral Item H-1a regarding the Scheduling of a Special Election for February 23, 2010, until after Agenda Item K-1, Study Session.

Yes:

No:

COUNCIL COMMENTS:**I-1 No Council Comments Advanced**

REPORTS:**J-1 Minutes – Boards and Committees:****a)** Historic Commission/Final – March 24, 2009**b)** Historic Commission/Final – June 30, 2009**c)** Historic District Study Committee/Final – August 4, 2009**d)** Advisory Committee for Persons with Disabilities/Draft – August 5, 2009**e)** Advisory Committee for Persons with Disabilities/Final – August 5, 2009**f)** Charter Revision Committee/Final – August 13, 2009

- g) Troy Daze Advisory Committee/Draft – August 25, 2009
- h) Historic District Study Committee/Final – September 1, 2009
- i) Building Code Board of Appeals/Final – September 2, 2009
- j) Advisory Committee for Senior Citizens/Final – September 3, 2009
- k) Library Advisory Board/Final – September 10, 2009
- l) Planning Commission/Draft – September 22, 2009
- m) Planning Commission/Final – September 22, 2009
- n) Advisory Committee for Senior Citizens/Draft – October 1, 2009
- o) Building Code Board of Appeals/Draft – October 7, 2009
- p) Library Advisory Board/Draft – October 8, 2009

J-2 Department Reports:

- a) Council Member Mary Kerwin's Travel Expense Report – MML 111th Annual Conference on September 22-25, 2009
- b) Purchasing Department – Final Reporting – BidNet On-Line Auction Services – August 2009
- c) City of Troy Other Postemployment Benefits (OPEB) Actuarial Valuation Report – December 31, 2008

J-3 Letters of Appreciation:

- a) Letter from Resident Vera Rettberg Commending the Efforts of Officer Malik
- b) Letter of Appreciation to Chief Mayer from Terry Nerbonne Regarding the Successful Ferris State University Criminal Justice Summer 2009 Internship Program

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

J-5 Update on Troy/Birmingham Transit Center

J-6 Communication Regarding Proposed Amendment to Planned Unit Development Agreement – The Pavilions of Troy Planned Unit Development (PUD 9) Northwest Corner of Big Beaver and Coolidge, Section 19

STUDY ITEMS:

K-1 Continuation of Discussion on the 6-Year Organizational Restructuring Plan
PUBLIC COMMENT: Address of "K" Items

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

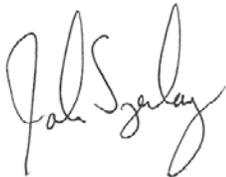
whenever possible. If you feel that the matter has not been resolved satisfactorily, you are encouraged to bring it to the attention of the City Manager, and if still not resolved satisfactorily, to the Mayor and Council.

CLOSED SESSION:

L-1 No Closed Session Requested

ADJOURNMENT

Respectfully submitted,



John Szerlag, City Manager

FUTURE CITY COUNCIL PUBLIC HEARINGS:

Monday, November 9, 2009

1. Community Development Block Grant (CDBG) 2010 Application
2. Receive Public Input on the City of Royal Oak Hospital Finance Authority Utilizing Tax-Exempt Bonds for William Beaumont Hospital

SCHEDULED CITY COUNCIL MEETINGS:

Monday, November 9, 2009	Regular City Council
Monday, November 23, 2009	Regular City Council
Monday, December 7, 2009	Regular City Council
Monday, December 21, 2009	Regular City Council

**PROCLAMATION
CELEBRATING 50 YEARS
TROY CHAMBER OF COMMERCE**

WHEREAS, Growing from five original members in 1959 to more than 700 in 2009, the **Troy Chamber** has worked diligently to strengthen the business community. The business market has shifted from one of agriculture to technology, trading cornfields for corporations. There were fewer than 100 Troy businesses when the **Troy Chamber** incorporated and the residential population was about 13,000 in 1959. Michigan was selling land to real estate developers at a bargain rate (about \$1 per square foot); and

WHEREAS, **Troy Chamber Founder Ed Rusin**, opened Troy National Bank (TNB) on the corner of Maple and Livernois in the early 1960s housed in a former gas station. He was largely responsible for the tremendous expansion of Troy. When he first came to Troy in 1963, the city didn't have sewers; it didn't have a good tax base and had no way of determining what possible success was here. Ed realized that industry had to be the first bank customers since they were the ones with the large deposits; and

WHEREAS, **Ed Rusin, Troy Chamber Founder and President from 1964-1967** felt that the bank had to build its own customers as well as help to build a tax base for the city. An industrial and commercial development committee of the City of Troy was created, acting as a liaison between the Planning Commission and the City Commission; and

WHEREAS, The **Troy Chamber** membership doubled during 1965, seeing a 100% increase in membership with the addition of 28 new businesses. **Eileen Turner** became the first Executive Director of the **Troy Chamber** in 1967 and served until 1986. During Eileen's service to the **Troy Chamber**, the first annual Troy Chamber of Commerce Golf Outing was held June 27, 1968 at Sylvan Glen Golf Course; and Kmart moved its headquarters to Troy in 1972; and

WHEREAS, **Gayla Houser** was the **Troy Chamber** President from 1987-2001. During her service, The *Wall Street Journal* featured Troy as the number 3 Boom Town of the 1990s; Robert F. Kennedy Jr. came to speak about environmental responsibility at the Troy Youth-Business Symposium; The FamilyWorks of Troy, a child/elder care referral program was developed and won the "Innovator" award in 1991; Jerry "The Beav" Mathers came to Troy in 1995 to celebrate the completion of the widening of Big Beaver Road; and The Somerset Collection created a 33-acre upscale shopping paradise with more than 200 stores in 1996; and

WHEREAS, **Michele Hodges** has been the **Troy Chamber** President since 2001. During her tenure the **Chamber** has partnered with Lawrence Tech University in the Maple Road revitalization efforts and the ALOeTERRA House; supported UM/ULI real estate forum; worked with key leaders from the cities of Troy and Birmingham to make the transit center a transportation hub for the region; sponsored the Helen eWards for web excellence for nine years; developed the Oakland County Wellness Coalition; developed the Non-Profit Network; developed key partnerships with diversity chambers in Oakland County (Michigan Hispanic Chamber, Chaldean American Chamber, Asian Pacific American Chamber); and created the Image and Arts Council of Troy;

NOW, THEREFORE, BE IT RESOLVED, That the Troy City Council does hereby congratulate the **Troy Chamber of Commerce on its 50th Anniversary** and recognizes its impact upon not only its membership, but on the entire community; and

BE IT FURTHER RESOLVED, That the City Council joins the citizens of this community in appreciation and celebration of the **Troy Chamber of Commerce's 50th anniversary** as they enter into their future with dedication to both the business community as well as the Troy residents.

Presented this 19th day of October 2009.



CITY COUNCIL ACTION REPORT

October 19, 2009

TO: John Szerlag, City Manager

FROM: John M. Lamerato, Assistant City Manager-Finance/Administration
Mark Miller, Acting Asst City Manager – Economic Development Services
Nino Licari, City Assessor

SUBJECT: Public Hearing for Establishment of an Industrial Development District (IDD) for 1400 Rochester, Troy MI. 48083

Background:

- Bostick Rochester Road Development, LLC and AxleTech International LLC, are requesting the creation of an Industrial Development District (IDD) at 1400 Rochester, Troy, MI. 48083, in order to apply for a Plant Rehabilitation Exemption Certificate (PREC) and an Industrial Facilities Exemption Certificate (IFEC), respectively, for tax abatement at the same location.

Financial Considerations:

- The Financial considerations will be discussed individually for each project, with the proposed exemptions.

Legal Considerations:

- The application meets all requirements of Public Act 198 of 1974 (as amended), the Plant Rehabilitation and Industrial Development Districts legislation.

Policy Considerations:

- The application is in compliance with the amended tax abatement policies of the City Council of the City of Troy.

City Council Outcome III, “Troy is rebuilding for a healthy economy reflecting the values of a unique community in a changing and interconnected world.”

Since both legal and policy considerations are met, staff would recommend establishing the District.

Options:

- City Council has the option to establish an Industrial Development district, or not. If Council does not establish a District, then no Exemptions can be granted. A public hearing is still necessary to deny the exemptions.

NL/nl H:\I.F.T.\AxleTech\CouncilPakIDD PH

AFFIDAVIT OF MAILING & PUBLISHING

State of Michigan

County of Oakland

City of Troy

RE: PUBLIC HEARING – City Council – Monday, October 19, 2009 at 7:30 PM to consider the establishment of an Industrial Development District (IDD) – 1400 Rochester Road – Section 34

I hereby certify that the attached notice was e-mailed to the Somerset Gazette Newspapers on Thursday, September 24, 2009 and mailed by first class mail to the attached list on Friday, September 25, 2009.

Laura Campbell
Office Assistant

PUBLISHED: Monday, September 28, 2009

CITY OF TROY
PUBLIC HEARING

A Public Hearing will be held by and before the City Council of the City of Troy at City Hall, 500 W. Big Beaver, Troy, Michigan on Monday, October 19, 2009 at 7:30 P.M. to consider the establishment of an Industrial Development District (IDD) at the following location:

88-20-34-226-048 and 88-20-34-226-057 - 1400 Rochester, Troy, MI. 48083-2854
T2N, R11E, Section 34 Part of the North East 1/4

You may express your comments regarding this matter by writing to this office, or by attending the Public Hearing.

Tonni Bartholomew, MMC
City Clerk

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

**TROY SCHOOL DISTRICT
MICHAEL ADAMCZYK
4400 LIVERNOIS
TROY MI 48098-4799**

**OAKLAND COMMUNITY COLLEGE
CLARENCE E BRANTLEY
2480 OPDYKE
BLOOMFIELD HILLS MI 48304-2266**

**OAKLAND INTERMEDIATE SCHOOLS
2111 PONTIAC LAKE
WATERFORD MI 48328**

**OAKLAND COUNTY PTA
1200 N TELEGRAPH Dept 479
PONTIAC MI 48341-0479**

**OAKLAND COUNTY EQUALIZATION
DAVID HIEBER
250 ELIZABETH LAKE RD 1000 W
PONTIAC MI 48341**

**BOSTICK ROCHESTER DEV LLC
DENNIS BOSTICK
1819 E BIG BEAVER
TROY MI 48083**

**AXLETECH INTERNATIONAL LLC
WILLIAM MILLER
3001 W BIG BEAVER STE 400
TROY MI 48084-3105**



CITY COUNCIL ACTION REPORT

October 19, 2009

TO: John Szerlag, City Manager

FROM: John M. Lamerato, Assistant City Manager-Finance/Administration
Mark Miller, Acting Asst City Manager – Economic Development Services
Nino Licari, City Assessor

SUBJECT: Public Hearing to consider granting a Plant Rehabilitation Exemption Certificate (PREC) to Bostick Rochester Road Development, LLC at 1400 Rochester, Troy, MI 48083

Background:

Bostick Rochester Road Development, LLC, intends to renovate and expand the building at 1400 Rochester, Troy, MI. 48083, to accommodate the move of AxleTech International, LLC, into the facility.

The renovation and expansion is expected to cost \$3,673,155.00.

Financial Considerations:

Plant Rehabilitation Exemptions freeze an existing Taxable Value (\$2,262,280 in this instance) for up to 12 years. The renovation costs (\$3,673,155.00) are appraised separately, and do not generate any taxes for the life of the exemption.

The total frozen taxes (assuming no change in any millage rates) equal \$1,304,520.00, of which \$251,928.00 are City taxes, that will be paid over a 12 year exemption.

The total taxes that will not be generated based on the exemption are \$1,059,039.00, of which \$204,520.00 are City taxes. This is the cost of the exemption.

Legal Considerations:

- The application and building, meet all requirements of Public Act 198 of 1974 (as amended), the Plant Rehabilitation and Industrial Development Districts legislation.

Policy Considerations:

- The application is in compliance with the amended Plant Rehabilitation tax abatement policy of the City Council of the City of Troy (Resolution #2002-05-273).

City Council Outcome III, “Troy is rebuilding for a healthy economy reflecting the values of a unique community in a changing and interconnected world.”

Since both legal and policy considerations are met, staff would recommend granting the exemption.

Options:

- City Council has the option of granting the Plant Rehabilitation Exemption Certificate for any period of one (1) to twelve (12) years, or not at all.

Staff recommends that the Exemption be granted for the full twelve (12) years.

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form or would like to request an informational packet, call (517) 373-3272.

To be completed by Clerk of Local Government Unit	
Signature of Clerk	Date received by Local Unit 8/27/09
STC Use Only	
Application Number	Date Received by STC

APPLICANT INFORMATION

All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) Bostick Rochester Road Development L.L.C.		1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code)	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 1400 Rochester Rd., Troy, MI 48083		1d. City/Township/Village (indicate which) City of Troy	1e. County Oakland
2. Type of Approval Requested <input type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input checked="" type="checkbox"/> Rehabilitation (Sec. 3(1)) <input type="checkbox"/> Research and Development (Sec. 2(9))		3a. School District where facility is located Troy	3b. School Code 63150
		4. Amount of years requested for exemption (1-12 Years) 12	

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

Upgrade of existing industrial plant containing approximately 189,000sq.ft. and addition of a new two story 20,000sq.ft. office area. See attached Budget/Scope of Work.

6a. Cost of land and building improvements (excluding cost of land) * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	▶ \$3,673,155.00 Real Property Costs
6b. Cost of machinery, equipment, furniture and fixtures * Attach itemized listing with month, day and year of beginning of installation, plus total	▶ \$0.00 Personal Property Costs
6c. Total Project Costs * Round Costs to Nearest Dollar	▶ \$3,673,155.00 Total of Real & Personal Costs

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

	Begin Date (M/D/Y)	End Date (M/D/Y)	
Real Property Improvements ▶	10/1/09		▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased
Personal Property Improvements ▶			▶ <input type="checkbox"/> Owned <input type="checkbox"/> Leased

8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. Yes No

9. No. of existing jobs at this facility that will be retained as a result of this project. **N/A**

10. No. of new jobs at this facility expected to create within 2 years of completion. **N/A**

11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.

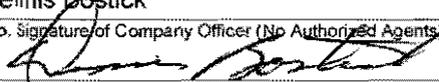
a. TV of Real Property (excluding land)	\$1,269,252.00
b. TV of Personal Property (excluding inventory)	\$0.00
c. Total TV	\$1,269,252.00

12a. Check the type of District the facility is located in: <input type="checkbox"/> Industrial Development District <input checked="" type="checkbox"/> Plant Rehabilitation District	
12b. Date district was established by local government unit (contact local unit)	12c. Is this application for a speculative building (Sec. 3(8))? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name Dennis Bostick	13b. Telephone Number (248) 709-4001	13c. Fax Number (586) 939-5888	13d. E-mail Address dbostick@troysports.com
14a. Name of Contact Person Dennis Bostick	14b. Telephone Number (248) 709-4001	14c. Fax Number (586) 939-5888	14d. E-mail Address dbostick@troysports.com
▶ 15a. Name of Company Officer (No Authorized Agents) Dennis Bostick			
15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number (586) 939-5888	15d. Date 8/27/09 
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 1819 E. Big Beaver, Troy, MI 48083		15f. Telephone Number (248) 709-4001	15g. E-mail Address dbostick@troysports.com

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit <input type="checkbox"/> Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Denied (Include Resolution Denying)	16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input type="checkbox"/> 2. Resolution establishing district <input type="checkbox"/> 3. Resolution approving/denying application. <input type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input type="checkbox"/> 6. Building Permit for real improvements if project has already begun <input type="checkbox"/> 7. Equipment List with dates of beginning of installation <input type="checkbox"/> 8. Form 3222 (if applicable) <input type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing. <input type="checkbox"/> 3. List of taxing authorities notified for district and application action. <input type="checkbox"/> 4. Lease Agreement showing applicants tax liability.	
16c. LUCI Code N/A	16d. School Code 63150
17. Name of Local Government Body City of Troy	▶ 18. Date of Resolution Approving/Denying this Application

Attached hereto is an original and one copy of the application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time.

19a. Signature of Clerk 	19b. Name of Clerk Tonni Bartholomew	19c. E-mail Address t.bartholomew@troymi.gov
19d. Clerk's Mailing Address (Street, City, State, ZIP Code) City of Troy, Clerk's Office, 500 W. Big Beaver, Troy, MI 48084-5254		
19e. Telephone Number (248) 524-3316	19f. Fax Number (248) 524-1770	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

**State Tax Commission
Michigan Department of Treasury
P.O. Box 30471
Lansing, MI 48909-7971**

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

Bostick Rochester Road
1400 Rochester Road
Troy, Michigan

Budget

Build-To-Suit 20,000 SF Two-Story Office Addition

Sitework	Sitework consist of clearing and grading the immediate construction area to workable grades. Any excess soils (not to exceed 1,000 cubic yards) shall be removed from the site. Removal of existing concrete paving assumed to be 6" to 8" concrete	
Site Utilities	Storm Drainage - Roof water drainage will be collected by roof sumps and carried by PVC drainage pipe within the building and discharged into storm drains Gas Service - Natural gas will be extended from the existing main to the building. Water Service - 1 1/2" water line to be extended from the existing main for domestic water use. Water main will be extended from the existing fire protection. Electrical - Existing incoming overhead service will pole mounted transformers will be removed and a new underground 2000 amp service to be installed. Sanitary Sewer - Sanitary sewer shall be extended from the existing sanitary sewer.	
Foundation	Reinforced concrete footings and foundations for soil bearing pressure of 3000 psf All foundations will be designed in accordance with applicable code requirements.	
Interior Concrete	Office floor 4" fiber mesh on a compacted sand base.	
Roof System	Rubber roof with ten year manufacturer warranty.	
Wall System Office	8" block with foam fill insulation in cores with face brick.	
Structural Steel	Allowance \$150,000	
Elevator	One hydraulic passenger elevator. Stainless steel doors, frame and control panels.	
Window System	Insulated and tinted commercial grade anodized aluminum window and door system.	
Hollow Metal Doors	High grade mortise locks, closers where needed and completely insulated.	
Painting	All exposed structural steel to be painted. All exposed block to be filled and painted.	
Fire Protection	Total building to be fire protected to meet ordinary hazard class. Sprinkler heads to be recessed/drop-down heads.	
Office Area Finish	Layout per owner's requirement. Interior walls to extend 6" above finish drop ceiling. Full height restroom and mechanical to be insulated. Acoustical ceiling of 2 X 4 lay-in panels. Solid core wood doors. Brushed stainless steel hardware to be ADA compliant. Ceramic tile floors in vestibule, main lobby \$8.00 p.s.f. Commercial grade carpeting \$14.00 p.s.f.	
Millwork	Lunchrooms to receive upper and lower laminate cabinets and countertops. Coffee areas to receive lower laminate cabinets and countertops.	
Plumbing	Two (2) stainless steel double-bowl sinks. Two (2) stainless steel single bowl sinks for coffee areas. Metal toilet partitions. One (1) janitor's utility sink. Four (4) drinking fountains - two on each floor	
HVAC	Office area completed heated and airconditioned through roof mounted combination air conditioner/furnaces with ducted return system	
Electrical	2' X 4' layin fixtures with acrylic lens. Outlets provided throughout office walls with a minimum of two (2) 110 volt duplex outlets. Two (2) 480/277 volt panels and two (2) 208/120 volt panels included. All power distribution to panels included. Power to exterior wall-mounted sign.	
Sub-Total		\$ 1,630,000

Bostick Rochester Road
1400 Rochester Road
Troy, Michigan

Budget

Additional Work On Existing Building

Removal of existing roofs and truss system and replace roof	75,000
Powerwash and paint exterior of building	50,000
New brick elevation for remaining office	100,000
Relocate existing Edison power and re-feed building with 2000 amp underground service	120,000
Rework existing offices/demo shop areas and build out new	600,000
Grand Total	\$ 2,575,000

Miscellaneous Requirements

Landscaping	\$ 50,000
Siding extension and enclosure	7,391
Preparation and coating of 109,776 SF with epoxy enamel	104,400
Repair truck well and touch up south bays	15,000
Powerwash and repaint 40,000 SF of siding	20,000
New high efficiency lighting	79,248
Construct new engineering lab in building	36,000
Fire protection for existing office and shop area	150,000
Commissions	362,116
Permits and Fees	25,000
Consultants	15,000
Engineers	50,000
Architects	50,000
Environmental/Soil, Etc.	10,000
Winter Property Tax	28,000
Interest reserve 4.7%, 6 months	96,000
Total Miscellaneous Requirements	\$ 1,098,155

Total Construction Cost \$ **3,673,155**

City of Troy - Assessing Department
Bostick Rochester Road Development, LLC
Estimate of Current Taxes and Tax Savings for Plant Rehabilitation Application

Year	0	1	2	3	4	5	6	7	8	9	10	11	12
Current Taxable	2,262,280	2,262,280	2,262,280	2,262,280	2,262,280	2,262,280	2,262,280	2,262,280	2,262,280	2,262,280	2,262,280	2,262,280	2,262,280
Rehab Taxable	1,836,570	1,836,570	1,836,570	1,836,570	1,836,570	1,836,570	1,836,570	1,836,570	1,836,570	1,836,570	1,836,570	1,836,570	1,836,570

2008 Millage Rate	48.0533	48.0533	48.0533	48.0533	48.0533	48.0533	48.0533	48.0533	48.0533	48.0533	48.0533	48.0533	48.0533
Frozen Taxes		\$108,710	\$108,710	\$108,710	\$108,710	\$108,710	\$108,710	\$108,710	\$108,710	\$108,710	\$108,710	\$108,710	\$108,710
Tax Savings on Rehab		\$88,253	\$88,253	\$88,253	\$88,253	\$88,253	\$88,253	\$88,253	\$88,253	\$88,253	\$88,253	\$88,253	\$88,253

2008 City Millage Rate	9.2800	9.2800	9.2800	9.2800	9.2800	9.2800	9.2800	9.2800	9.2800	9.2800	9.2800	9.2800	9.2800
Frozen City Taxes		\$20,994	\$20,994	\$20,994	\$20,994	\$20,994	\$20,994	\$20,994	\$20,994	\$20,994	\$20,994	\$20,994	\$20,994
City Tax Savings on Rehab		\$17,043	\$17,043	\$17,043	\$17,043	\$17,043	\$17,043	\$17,043	\$17,043	\$17,043	\$17,043	\$17,043	\$17,043

Total Frozen Taxes 12 Years		\$1,304,520	Total Tax Savings 12 Years		\$1,059,039
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Total Frozen City Taxes 12 Years		\$251,928	Total City Tax Savings 12 Years		\$204,520
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Applicant Name	Bostick Rochester Rd Dev., LLC
----------------	---------------------------------------

Fiscal Statement (to be completed by local unit)

- | | <u>YES</u> | <u>NO</u> |
|--|--------------------------|--------------------------|
| Is this project: | | |
| Real Property? | <input type="checkbox"/> | <input type="checkbox"/> |
| Personal Property? | <input type="checkbox"/> | <input type="checkbox"/> |
| Both Real and Personal Property - New Facility? | <input type="checkbox"/> | <input type="checkbox"/> |
| Both Real and Personal Property - Rehabilitation Facility? | <input type="checkbox"/> | <input type="checkbox"/> |
| Both New and Replacement Facility? | <input type="checkbox"/> | <input type="checkbox"/> |

Estimated Project Investment (not assessed value):

Real Property	Personal Property	Total
---------------	-------------------	-------

- | | <u>YES</u> | <u>NO</u> | <u>REMARKS</u> |
|--|--------------------------|--------------------------|----------------|
| 1. A. Has the proper local authority reviewed the plan? | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| B. Is the project located in a certified industrial park? | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| C. Is this a renovation or expansion of an existing building? | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 2. Will this project require improvement of your road service? | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 3. Will this project require improvement of your sanitary sewer services? | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 4. Will this project require improvement of your storm sewer services? | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 5. Will this project require improvement of your water services? | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 6. Will this project require additional police personnel, police equipment or a need for new police building expansion? | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 7. Will this project require the need for additional fire personnel, additional or specialized fire equipment or the need for a new fire building? | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 8. Will this project require other costs? | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 9. Are costs of infrastructure elements to be provided through Local Development Finance Authority or Tax Increment Finance Authority Bonds? | <input type="checkbox"/> | <input type="checkbox"/> | _____ |

If you answered yes to any of questions 2 through 8, the appropriate sections of the Supplement to Fiscal Statement form must be completed and accompany the IFT application. Call (517) 373-3272 to obtain that form.

LOCAL UNIT CERTIFICATION

This is to certify that the following has been provided as accurately as possible.

Signature	Name and Title of Local Governmental Unit Official
-----------	--

**City of Troy - Assessing Department
Oakland County, Michigan
Plant Rehabilitation Application**

Affidavit of:

**Statement of Total State Equalized Value (SEV) of District
Assessor's Obsolescence Statement of Subject Property**

<u>Date:</u>	09/09/09
<u>Applicant Name:</u>	Bostick Rochester Road Development, LLC
<u>Subject Property Address:</u>	1400 Rochester, Troy, MI. 48083
<u>Parcel Number(s)</u>	88-20-34-226-048 & 88-20-34-226-057
<u>Total SEV of District:</u>	\$2,631,670
<u>Total SEV of Parcel Number(s):</u>	\$2,631,670
<u>Total Taxable Value (TV) of Parcel Number(s):</u>	\$2,262,280
<u>Reconstruction Cost New (RCN) of Subject Property:</u>	\$12,412,256
<u>Reconstruction Cost New Less Depreciation (RCNLD) of Subject:</u>	\$2,538,504
<u>Total Cost of Proposed Rehabilitation:</u>	\$3,673,155
<u>% of Rehabilitation Cost to RCNLD:</u>	% 144.70

The above information is true, to the best of my knowledge

Leger A. (Nino) Licari CMAE IV, Cert # 6345
Assessor, City of Troy

Date

Land Value Estimates for Land Table IND.IND

* Factors *								
Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
	9.0543560	1.0000	1.0000	1.0000	0	100		
Flat Value:	394,218 SF @ 5.75							2,266,754
9 Actual Front Feet, 9.05 Total Acres								Total Est. Land Value = 2,266,754

Land Improvement Cost Estimates							
Description	Rate	County	Mul t.	Size	%Good	Cash Value	
D/W/P: Asphalt Paving	1.61	1.41		207105	57	267,985	
Total Estimated Land Improvements True Cash Value =							267,985

Cost Estimates for Commercial/Industrial Building/Section: 1 Built 1972
 Description of Occupancy: 0% V 08, 100% 03-04-05-06-07

Costs are taken from the Industrial, Light Manufacturing cost schedules.
 <<<<< Calculator Cost Computations >>>>>
 Class: S Quality: Average Percent Adj: +0

Base Rate for Upper Floors = 30.90

(10) Heating system: Package Heating & Cooling Cost/SqFt: 5.25 100%
 Adjusted Square Foot Cost for Upper Floors = 36.15

1 Stories Number of Stories Multiplier: 1.000
 Average Height per Story: 33 Height per Story Multiplier: 1.458
 Ave. Floor Area: 178,732 Perimeter: 2343 Perim. Multiplier: 0.873
 Refined Square Foot Cost for Upper Floors: 46.01

County Multiplier: 1.41, Final Square Foot Cost for Upper Floors = 64.878

Total Floor Area: 189,034 Base Cost New of Upper Floors = 12,264,197
 56,455 Sq. Ft. of Sprinklers @ 1.86, County Mul t.: 1.41 Cost New = 148,059

Eff. Age: 35 Phy. %Good/Abnr. Phy. /Func. /Econ. /Overall %Good: 54 /100/30 /100/16.2
 Total Depreciated Cost = 2,010,785

Local Cost Items	Rate	Quantity/Area	%Good	Depr. Cost
CRANEWAY DBL RAIL LF	429.46	1622	16	112,847
DOCK LEVELOR	6560.17	9	16	9,565

ECF (INDUSTRIAL LM 1970-1979) 1.190 => TCV of Bldg: 1 = 2,538,504
 Replacement Cost/Floor Area= 66.31 Est. TCV/Floor Area= 13.43

Total Estimated True Cash Value of Commercial/Industrial Buildings = 2,538,504

2009 Est. T.C.V. 88-20-34-226-048 = 5,073,243
 Est. TCV/Total Floor Area = 26.84, Most recent sale 03/31/2005 for 4,029,444
 2008 Assessed MBOR S.E.V. Base for Cap C.P.I.
 2,614,620 2,614,620 2,614,620 2,100,390 4.40
 2009 New Eq. Adjustment Loss Additions Tax Adjustment Losses
 -78,000 92,410
 2009 Assessed MBOR S.E.V. Capped ->Taxable<- PRE/MBT
 2,536,620 2,536,620 2,536,620 2,192,800 2,192,800





ROCHESTER

SOUTER

720

880

1010

1040

1050

1080

1100

1200

1202

1449

1395

1450

1469

1470

1450

120

1343

1401

1206

1333

1371

120

1400

1360

1344

1346

120

1340

1342

1271

1307

1330

1258

1263

1300

1210

1220

1230

1240

1250

1260

1270

1219

Legal Descriptions for IDD and PRD at 1400 Rochester Rd, Troy MI.48083

88-20-34-226-048

**T2N, R11E, SEC 34
PART OF NE 1/4
BEG AT PT DIST
S 00-01-00 E 420 FT & W 900 FT
FROM NE SEC COR,
TH S 00-01-00 E 570 FT,
TH W 194.14 FT,
TH S 00-25-30 E 168.73 FT TO CEN LINE SPENCER DRAIN,
TH N 73-57-18 W 69.28 FT,
TH N 66-31-20 W 242.88 FT,
TH N 61-37-44 W 76.01 FT,
TH N 36-42-46 W 23.02 FT,
TH N 89-43-35 W 75.73 FT,
TH N 12-06-00 E 582.87 FT,
TH E 516.84 FT
TO BEG 9.05A ALSO
S 100 FT OF LOT 12 &
THAT PART OF LOT 13
LYING NWLY OF CEN LINE SPENCER DRAIN
OF 'TROY INDUSTRIAL SUB'**

88-20-34-226-057

**T2N, R11E, SEC 34 TROY INDUSTRIAL SUB
PART OF LOT 12 BEG AT PT DIST
S 00-06-30 E 271.00 FT FROM NE LOT COR,
TH S 00-06-30 E 129.00 FT ALG
W LINE OF SOUTER BLVD
TH W 240.00 FT,
TH N 00-06-30 W 234.00 FT,
TH E 20.00 FT,
TH S 00-06-30 E 105.00 FT,
TH E 220.00 FT
TO BEG**

May 6, 2002 adopted amendment by Resolution #2002-05-273
September 11, 2000

Plant Rehabilitation

F-4

RESOLUTION #2000-412
Moved by Pallotta
Seconded by Kaszubski

WHEREAS, the City of Troy has the economic objective of (a) increasing employment opportunities, (b) reducing economic obsolescence of the Industrial base, (c) encouraging industrial expansion, (d) encouraging attractive, viable industrial sites, (e) encouraging the redevelopment of obsolete industrial buildings, and (f) maintaining a modern, efficient industrial building inventory; and

WHEREAS, The Plant Rehabilitation and Industrial Development Districts Act, being Public Act 198 of 1974 (PA 198), as amended, empowers cities to establish Plant Rehabilitation Districts (PRD) and to grant tax abatements for certain properties which meet certain criteria established by PA 198; and

WHEREAS, the City Council of the City of Troy has determined that additional criteria should be established for the creation of such districts and abatements;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Troy, that the following criteria are to be met, applied, or measured by the City Manager, or his designees in the review of areas and locations to be considered for the designation as Plant Rehabilitation Districts (PRD) by the City Council:

- 1.) The property must be included in the (M-1) Light Industrial zoning classification.
- 2.) If the district is to be established for a Replacement Facility, as defined in PA 198, it will include the site of the obsolete building, as defined by PA 198, and vacant land contiguous to the site, not separated by a dedicated public right of way.

BE IT FURTHER RESOLVED, that in addition to the criteria established by The Plant Rehabilitation and Industrial Development Districts Act, being Public Act 198 of 1974, the following criteria are established as guidelines to be met, passed, measured and ascertained by the City Manager, or his designees, as minimum standards before submitting requests or petitions for the consideration and possible approval of Plant Rehabilitation type Industrial Facilities Exemption Certificates, by the City Council of the City of Troy:

- 1.) For Rehabilitation or Replacement Facilities applications, Personal Property shall not be included as part of an abatement request.
- 2.) For Rehabilitation or Replacement Facilities applications, the minimum amount of Taxable Value generated by the renovation or replacement, shall be at least 50% of the existing Taxable Value of the obsolete building.
- 3.) For Rehabilitation or Replacement Facility applications, the maximum amount of Taxable Value generated by the renovation or replacement, shall not be more than ~~100% of the existing Taxable Value of the obsolete building.~~ 50% of the Reproduction/Replacement Cost of the existing building, as shown on the Assessing Department's current year Valuation Statement.
- 4.) For Replacement Facilities applications, the existing obsolete structures shall be demolished.
- 5.) For Replacement Facilities applications, the Replacement shall be constructed on the site of the demolished obsolete building, and on contiguous vacant land not separated by a dedicated public right of way.

Yes: Stine, Kaszubski, Pallotta, Schilling, Stevens
No: Howrylak
Absent: Allemon

September 11, 2000: Original Resolution Passes
May 6, 2002 Amendments moved by Beltramini, support Pallotta,
Yes: Broomfield, Eisenbacher, Lambert, Pallotta, Pryor, Beltramini
No: Howrylak

**CITY OF TROY
INDUSTRIAL FACILITIES EXEMPTION
CERTIFICATE LETTER OF AGREEMENT
FOR PLANT REHABILITATION**

This agreement between **Bostick Rochester Road Development, LLC**, (“Company”) and the **City of Troy**, is for the purpose of fulfilling the requirements of Public Act 198, as amended in Public Act 334, Section 22.

In consideration of approval of an Industrial Facilities Exemption Certificate (IFEC), **Bostick Rochester Road Development, LLC**, understands that through its investment of \$3,673,155 ~~and its qualification for Michigan Economic Growth Authority incentives~~, and the **City of Troy**, by its investment of the Industrial Facilities Exemption Certificate, are mutually investing in and benefiting from this economic development project, and furthermore, agree to the following:

- 1.) The length of time for which the abatement is approved is **12** years after either completion of construction of the facilities, or December 31, 2017, whichever is sooner.
- 2.) At the end of two (2) years or no later than December 31, 2011, **Bostick Rochester Road Development, LLC**, will report to the Assessing Department of the City of Troy the actual cost of this project and indicate any differences and the reason for any differences in the cost or scope of the project as compared to the IFEC application submitted by the Company.
- 3.) **Bostick Rochester Road Development, LLC**, agrees to remain within the City of Troy for the period of the Industrial Facilities Tax (IFT) abatement in order to retain the benefits of the IFT, unless permission for relocation is granted by the **City Council of the City of Troy**.

Bostick Rochester Road Development, LLC, further understands that if it chooses to leave the City of Troy without permission for relocation prior to the end of the term of the IFT, the **City Council of the City of Troy** has the right to recapture from the Company the total amount of taxes abated by the IFT.

- 4.) **Bostick Rochester Road Development, LLC**, understands that the City of Troy may reduce the term of the IFEC, revoke the IFEC and/or recover from the Company, the amount of taxes which were abated if the project has not been completed, expenditures made, as represented by the Company, in Section 12’C of its application, by sending a copy

of this Agreement along with a copy of the City Council Resolution authorizing such action to the State Tax Commission.

- 5.) **Bostick Rochester Road Development, LLC**, agrees that it will operate the Project in accordance with all applicable Federal, State and Local laws or regulations, including but not limited to zoning, outside storage, industrial waste disposal, air and water quality, noise control, other environmental regulations, and all of the terms and conditions of any Consent Judgment governing the parcel.
- 6.) By execution of the Agreement, it is understood that the Company's investment in the Project, and the City of Troy's investment in the granting of the IFEC is to encourage economic growth within the City of Troy.

The City of Troy acknowledges that in some instances economic conditions may prevent the Company from complying fully with this Agreement, and the terms of the Application. The City of Troy will give the Company an opportunity to explain the reasons for any variations from the representations contained in the Application and will evaluate the Company's situation prior to taking any action authorized by Paragraph 4 and 5 of this Letter of Agreement.

- 7.) This Agreement constitutes the entire Agreement between the parties and there are no other remedies for breach of this Agreement other than as specified in this Agreement or as provided for in Public Act 198.

This agreement may only be altered upon mutual consent of both parties.

**CITY OF TROY
INDUSTRIAL FACILITIES EXEMPTION
CERTIFICATE LETTER OF AGREEMENT
FOR PLANT REHABILITATION
(Signature page)**

Signed: _____ (date) _____

Name:

Title:

Signed: _____ (date) _____

Louise E. Schilling , Mayor
City of Troy
500 W Big Beaver
Troy, MI 48084-5285

Signed: _____ (date) _____

Tonni L. Bartholomew
City Clerk

AFFIDAVIT OF MAILING & PUBLISHING

State of Michigan

County of Oakland

City of Troy

RE: PUBLIC HEARING – City Council – Monday, October 19, 2009 at 7:30 PM to consider the request from Bostick Rochester Road Development, LLC, for the granting of a Plant Rehabilitation Exemption – 1400 Rochester Road – Section 34

I hereby certify that the attached notice was e-mailed to the Somerset Gazette Newspapers on Thursday, September 24, 2009 and mailed by first class mail to the attached list on Friday, September 25, 2009.

Laura Campbell
Office Assistant

PUBLISHED: Monday, September 28, 2009

CITY OF TROY
PUBLIC HEARING

A Public Hearing will be held by and before the City Council of the City of Troy at City Hall, 500 W. Big Beaver, Troy, Michigan on Monday, October 19, 2009 at 7:30 P.M. to consider the request from Bostick Rochester Road Development, LLC, for the granting of a Plant Rehabilitation Exemption at the following location:

88-20-34-226-048 and 88-20-34-226-057 - 1400 Rochester, Troy, MI. 48083-2854
T2N, R11E, Section 34 Part of North East 1/4

You may express your comments regarding this matter by writing to this office, or by attending the Public Hearing.

Tonni Bartholomew, MMC
City Clerk

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

**TROY SCHOOL DISTRICT
MICHAEL ADAMCZYK
4400 LIVERNOIS
TROY MI 48098-4799**

**OAKLAND COMMUNITY COLLEGE
CLARENCE E BRANTLEY
2480 OPDYKE
BLOOMFIELD HILLS MI 48304-2266**

**OAKLAND INTERMEDIATE SCHOOLS
2111 PONTIAC LAKE
WATERFORD MI 48328**

**OAKLAND COUNTY PTA
1200 N TELEGRAPH Dept 479
PONTIAC MI 48341-0479**

**OAKLAND COUNTY EQUALIZATION
DAVID HIEBER
250 ELIZABETH LAKE RD 1000 W
PONTIAC MI 48341**

**BOSTICK ROCHESTER DEV LLC
DENNIS BOSTICK
1819 E BIG BEAVER
TROY MI 48083**

**AXLETECH INTERNATIONAL LLC
WILLIAM MILLER
3001 W BIG BEAVER STE 400
TROY MI 48084-3105**



CITY COUNCIL ACTION REPORT

October 19, 2009

TO: John Szerlag, City Manager

FROM: John M. Lamerato, Assistant City Manager-Finance/Administration
Mark Miller, Acting Asst. City Manager – Economic Dev. Services
Nino Licari, City Assessor

SUBJECT: Public Hearing for granting an Industrial Facilities Exemption Certificate (IFEC) for AxleTech International, LLC, 1400 Rochester, Troy MI. 48083-2854

Background:

- AxleTech International, LLC, is requesting the granting of an Industrial Facilities Exemption Certificate (IFEC) at 1400 Rochester, Troy, MI. 48083-2854.

The exemption is for new equipment for military contracted vehicle systems.

They currently have 118 employees in Troy. They plan to add 50 new jobs to Troy with this project.

Financial Considerations:

- The estimated amount of investment in personal property is \$1,645,528.00 for the project. Over a six (6) year life, the estimated total taxes are \$70,809.34, of which \$23,152.77 would be City taxes.

A 50% abatement amounts to a savings of \$35,404.67 in total taxes, of which \$11,676.38 would be saved on City taxes. This is the financial cost to all taxing authorities.

Legal Considerations:

- The application meets all requirements of Public Act 198 of 1974 (as amended), the Plant Rehabilitation and Industrial Development Districts legislation.

Policy Considerations:

- The application is in compliance with the amended tax abatement policy of the City Council of the City of Troy (Resolution #2009-02-042, attached).

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

Since both legal and policy considerations are met, staff would recommend granting the exemption.

Options:

- City Council has the option to grant the exemption, or not.

NL/nl H:\I.F.T.\AxleTech 2009\CouncilPakIFEC PH

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form or would like to request an informational packet, call (517) 373-3272.

To be completed by Clerk of Local Government Unit	
Signature of Clerk	Date received by Local Unit 8/12/09
STC Use Only	
Application Number	Date Received by STC

APPLICANT INFORMATION
All boxes must be completed.

▶ 1a. Company Name (Applicant must be the occupant/operator of the facility) AxleTech International, LLC		▶ 1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 336350	
▶ 1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 1400 Rochester Rd., Troy, MI, 48083		▶ 1d. City/Township/Village (indicate which) Troy	▶ 1e. County Oakland
▶ 2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(1)) <input type="checkbox"/> Research and Development (Sec. 2(9))		▶ 3a. School District where facility is located Troy	▶ 3b. School Code 63150
		4. Amount of years requested for exemption (1-12 Years) 12	

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a description of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

RECEIVED

AUG 12 2009

CITY OF TROY
ASSESSING DEPT.

6a. Cost of land and building improvements (excluding cost of land) * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	▶ <u>0</u> Real Property Costs
6b. Cost of machinery, equipment, furniture and fixtures * Attach itemized listing with month, day and year of beginning of installation, plus total	▶ \$1,645,528.00 Personal Property Costs
6c. Total Project Costs * Round Costs to Nearest Dollar	▶ \$1,645,528.00 Total of Real & Personal Costs

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

	Begin Date (M/D/Y)	End Date (M/D/Y)	
Real Property Improvements	_____	_____	▶ <input type="checkbox"/> Owned <input type="checkbox"/> Leased
Personal Property Improvements	12/31/09	12/31/11	▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased

▶ 8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. Yes No

▶ 9. No. of existing jobs at this facility that will be retained as a result of this project. 118	▶ 10. No. of new jobs at this facility expected to create within 2 years of completion. 50
---	--

11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.

a. TV of Real Property (excluding land)	N/A
b. TV of Personal Property (excluding inventory)	N/A
c. Total TV	N/A

▶ 12a. Check the type of District the facility is located in:

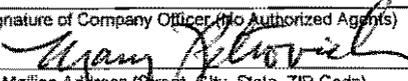
Industrial Development District Plant Rehabilitation District

▶ 12b. Date district was established by local government unit (contact local unit)	▶ 12c. Is this application for a speculative building (Sec. 3(8))? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--	---

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name William Miller	13b. Telephone Number (248) 244-9755	13c. Fax Number (248) 435-1120	13d. E-mail Address william.miller@axletech.com
14a. Name of Contact Person Mick Brody	14b. Telephone Number (248) 244-9730	14c. Fax Number (248) 435-1120	14d. E-mail Address michael.brody@axletech.com
▶ 15a. Name of Company Officer (No Authorized Agents) Mary Petrovich			
15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number (248) 435-1120	15d. Date 8/12/09
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 3001 W. Big Beaver Rd., Troy, MI, 48084		15f. Telephone Number (248) 435-1663	15g. E-mail Address mary.petrovich@axletech.com

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit <input type="checkbox"/> Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Denied (Include Resolution Denying)	16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: Check or Indicate N/A if Not Applicable <input checked="" type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input type="checkbox"/> 2. Resolution establishing district <input type="checkbox"/> 3. Resolution approving/denying application. <input type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input type="checkbox"/> 6. Building Permit for real improvements if project has already begun <input checked="" type="checkbox"/> 7. Equipment List with dates of beginning of installation <input checked="" type="checkbox"/> 8. Form 3222 (if applicable) <input checked="" type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable <input checked="" type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input checked="" type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing. <input checked="" type="checkbox"/> 3. List of taxing authorities notified for district and application action. <input type="checkbox"/> 4. Lease Agreement showing applicants tax liability.	16c. LUCI Code 336350
17. Name of Local Government Body CITY OF TROY	16d. School Code 63150
▶ 18. Date of Resolution Approving/Denying this Application	

Attached hereto is an original and one copy of the application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time.

19a. Signature of Clerk 	19b. Name of Clerk TONNI BARTHOLOMEW	19c. E-mail Address T.BARTHOLOMEW@TROYMI.GOV
19d. Clerk's Mailing Address (Street, City, State, ZIP Code) 500 W BIG BEAVER TROY MI 48064-5254		
19e. Telephone Number 248 524-3316	19f. Fax Number 248 524-1770	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

**State Tax Commission
Michigan Department of Treasury
P.O. Box 30471
Lansing, MI 48909-7971**

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

Applicant Name AxleTech International, LLC
--

Fiscal Statement (to be completed by local unit)

	<u>YES</u>	<u>NO</u>
Is this project:		
Real Property?	<input type="checkbox"/>	<input type="checkbox"/>
Personal Property?	<input type="checkbox"/>	<input type="checkbox"/>
Both Real and Personal Property - New Facility?	<input type="checkbox"/>	<input type="checkbox"/>
Both Real and Personal Property - Rehabilitation Facility?	<input type="checkbox"/>	<input type="checkbox"/>
Both New and Replacement Facility?	<input type="checkbox"/>	<input type="checkbox"/>

Estimated Project Investment (not assessed value):

Real Property	Personal Property	Total
---------------	-------------------	-------

	<u>YES</u>	<u>NO</u>	<u>REMARKS</u>
1. A. Has the proper local authority reviewed the plan?	<input type="checkbox"/>	<input type="checkbox"/>	_____
B. Is the project located in a certified industrial park?	<input type="checkbox"/>	<input type="checkbox"/>	_____
C. Is this a renovation or expansion of an existing building?	<input type="checkbox"/>	<input type="checkbox"/>	_____
2. Will this project require improvement of your road service?	<input type="checkbox"/>	<input type="checkbox"/>	_____
3. Will this project require improvement of your sanitary sewer services?	<input type="checkbox"/>	<input type="checkbox"/>	_____
4. Will this project require improvement of your storm sewer services?	<input type="checkbox"/>	<input type="checkbox"/>	_____
5. Will this project require improvement of your water services?	<input type="checkbox"/>	<input type="checkbox"/>	_____
6. Will this project require additional police personnel, police equipment or a need for new police building expansion?	<input type="checkbox"/>	<input type="checkbox"/>	_____
7. Will this project require the need for additional fire personnel, additional or specialized fire equipment or the need for a new fire building?	<input type="checkbox"/>	<input type="checkbox"/>	_____
8. Will this project require other costs?	<input type="checkbox"/>	<input type="checkbox"/>	_____
9. Are costs of infrastructure elements to be provided through Local Development Finance Authority or Tax Increment Finance Authority Bonds?	<input type="checkbox"/>	<input type="checkbox"/>	_____

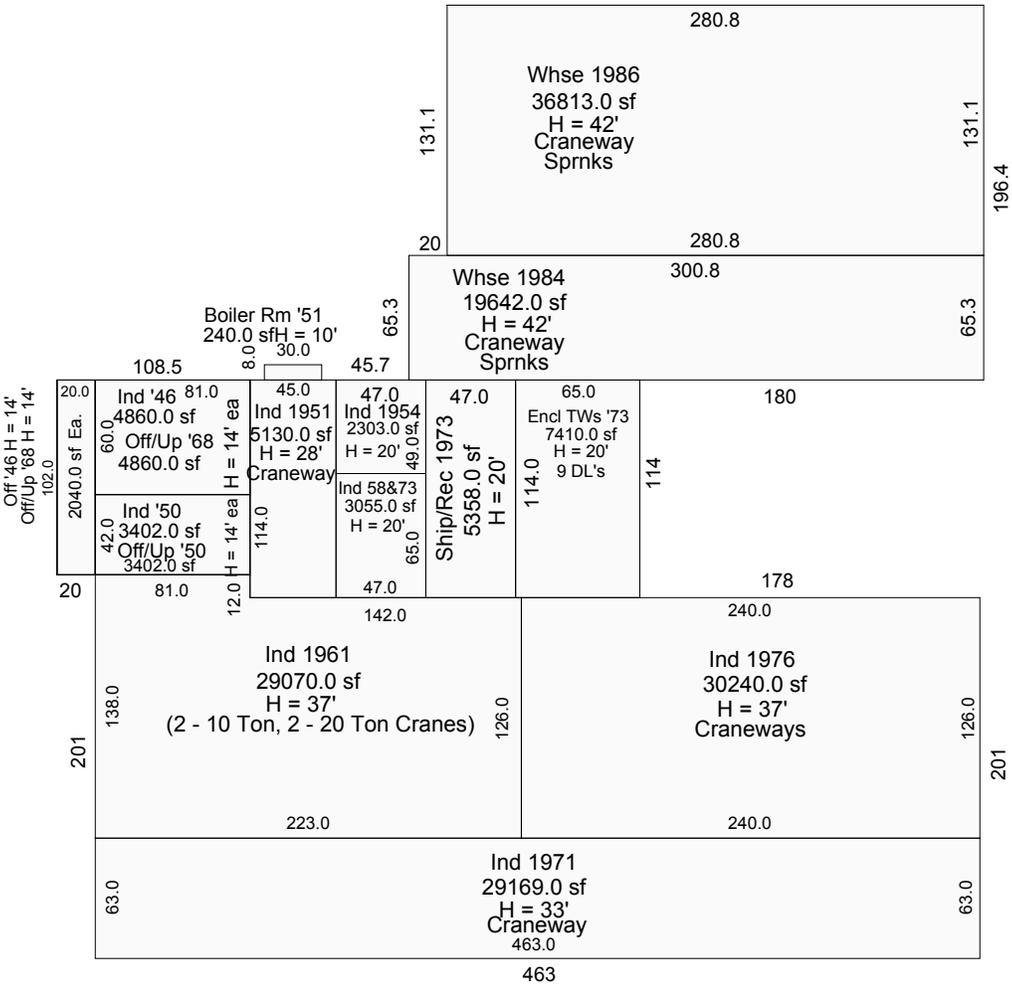
If you answered yes to any of questions 2 through 8, the appropriate sections of the Supplement to Fiscal Statement form must be completed and accompany the IFT application. Call (517) 373-3272 to obtain that form.

LOCAL UNIT CERTIFICATION

This is to certify that the following has been provided as accurately as possible.

Signature	Name and Title of Local Governmental Unit Official
-----------	--

Description	Cost	Net Book Value	Acquisition Date	Equipment Description
Pallet Racking	\$11,000	\$6,072	2/15/2010	transfer from II operation - pallet racking for large part and pallet storage
Vertical Uprights	\$6,250	\$5,106	2/15/2010	transfer from II operation - pallet racking
Belvidere Aftermarket Racking	\$6,000	\$3,737	2/15/2010	transfer from II operation - pallet racking for large part and pallet storage
Racking @ Belvidere Facility	\$7,250	\$4,515	2/15/2010	transfer from II operation - pallet racking for large part and pallet storage
Aftermarket Racking expansion	\$18,341	\$4,845	2/15/2010	transfer from II operation - pallet racking for large part and pallet storage
Aftermarket Expansion Racking	\$13,605	\$2,112	2/15/2010	transfer from II operation - pallet racking for large part and pallet storage
Electronic lab equipment	\$10,000	\$10,000	6/15/2010	electronic test equipment
Engineering MIG Welder	\$5,000	\$5,000	5/15/2010	MIG welding equipment
Engineering lab storage racking	\$0	\$0	11/15/2009	new part storage racking
Met lab equipment	\$30,000	\$30,000	12/1/2009	microscope, met lab sample cutting and polishing equipment
Engineering lab tooling	\$30,000	\$30,000	1/15/2010	axle stands, hand tools, Borescope, gauge blocks, torque wrenches, inspection tables and assembly tooling
Engineering lab material handling	\$3,000	\$3,000	1/15/2010	pallet jacks and carts
Engineering lab hoist system	\$10,000	\$10,000	1/15/2010	overhead hoist system
Metal Band Saw	\$30,000	\$30,000	2/15/2010	Band saw
Bearing press	\$7,500	\$7,500	2/15/2010	40 ton bearing press
Band saw	\$4,000	\$4,000	2/15/2010	Horizontal band saw
Ultrasonic parts washer	\$25,000	\$25,000	3/15/2010	Ultrasonic parts washer
Shot blaster and set-up	\$15,000	\$15,000	3/15/2010	Shot blast equipment
Bearing induction heater	\$10,000	\$10,000	3/15/2010	Bearing induction heater
Spin tester	\$20,000	\$20,000	3/15/2010	Axle spin tester
Leak tester	\$3,000	\$3,000	3/15/2010	Axle / 1-case leak tester
Magna-flux inspection equipment	\$20,000	\$20,000	3/15/2010	magna-flux inspection equipment
Storage area fencing with lockable sliding gate	\$2,500	\$2,500	2/15/2010	Cyclone fencing with gate for engineering storage area
Phone system	\$125,000	\$125,000	11/15/2009	New voice over internet protocol (VOIP) phone system - including desk sets
Furnitures and fixtures	\$225,000	\$225,000	11/15/2009	cubes, desks, chairs, filing cabinets, conference room tables
Servers	\$25,000	\$25,000	11/15/2009	computer room servers - file, web, windows, exchange servers
UPS	\$25,000	\$25,000	11/15/2009	uninterruptible power supply for computer servers
IT Infrastructure (switches, racks, routers, Firewalls...)	\$80,000	\$80,000	11/15/2009	IT Infrastructure (switches, racks, routers, Firewalls...)
Misc IT equipment - fiber optic backbone / cabling	\$110,000	\$110,000	11/15/2009	Misc IT equipment - fiber optic backbone / cabling
Video Conference Equipments - (TVs, Initial Lease Line charges	\$25,000	\$25,000	11/15/2009	Video conferencing equipment - LCD TV's, cameras, microphones, lease lines...
New PC (desktops / laptops / workstations)	\$50,000	\$50,000	11/15/2009	New PC (desktops / laptops / workstations)
New PC software (MS Office and misc. others)	\$20,000	\$20,000	11/15/2009	New PC software (MS Office and misc. others)
Shop floor RF equipment including software	\$80,000	\$80,000	11/15/2009	Shop floor RF equipment including software
JDE implementation	\$230,000	\$230,000	11/15/2009	consultant and implementation labor
Additional licensing costs	\$15,000	\$15,000	11/15/2009	new computer software licensing costs - Citrix and JDE additional licenses
Network implementation (network infrastructure, cabling implementation labor)	\$50,000	\$50,000	11/15/2009	Network implementation (network infrastructure, cabling implementation labor)
Security System / card key entry	\$25,000	\$25,000	11/15/2009	Security System / card key entry hardware & software
Employee time card system	\$15,000	\$15,000	11/15/2009	Employee time card system hardware & software
Time and attendance interface to JDE	\$10,000	\$10,000	1/15/2010	Development labor for interfacing time and attendance to JDE
Conference room projectors - AFM	\$2,000	\$2,000	11/15/2009	conference room projectors - AFM
Conference room projectors - Training room	\$2,000	\$2,000	3/15/2010	conference room projectors - training room
Signage	\$25,000	\$25,000	8/1/2010	Exterior and interior signage
Plant lighting systems	\$5,000	\$5,000	12/1/2009	drop down shop lights in high bay plant area
Safety equipment	\$12,000	\$12,000	12/1/2009	shipping dock guards
Building Improvements	\$50,000	\$50,000	11/15/2009	labor for lighting and systems installation
Kitting area tables	\$15,000	\$15,000	12/1/2009	new assembly end work tables
Roller conveyor systems	\$10,000	\$10,000	12/1/2009	material handling equipment - roller conveyors
Material control devices	\$1,500	\$1,500	1/15/2010	hand carts and dollies
Pallet movers	\$3,000	\$3,000	1/15/2010	plant pallet jacks and carts
Rolling carts	\$10,000	\$10,000	1/15/2010	material handling carts - over movement carts
Scales	\$6,000	\$6,000	1/15/2010	two scales to count parts
Flammable liquid cabinet	\$1,500	\$1,500	1/15/2010	safety cabinets for flammable materials
New plant racking	\$20,000	\$20,000	2/1/2010	pallet racking for large part and pallet storage
New plant small parts storage bins	\$70,000	\$70,000	11/15/2009	small parts bins for kitting areas and quick pick
Plant racking post protectors	\$2,141	\$2,141	11/15/2009	post protectors to keep rack posts from moving will loaded
CMM for TTT and AFM	\$50,000	\$50,000	2/15/2011	Coordinate measuring machine
		Value	Install date	
		\$1,224,141	11/15/2009	
		\$72,000	12/1/2009	
		\$74,000	1/15/2010	
		\$20,000	2/1/2010	
		\$70,387	2/15/2010	
		\$93,000	3/15/2010	
		\$5,000	5/15/2010	
		\$10,000	6/15/2010	
		\$25,000	8/1/2009	
		\$2,000	8/15/2009	
		\$50,000	2/15/2011	
Total:		\$1,845,528		







ROCHESTER

SOUTER

720

880

1010

1040

1050

1080

1100

1200

1202

1449

1395

1450

1469

1470

1450

1208

1343

1400

1401

1206

1333

1371

1208

1360

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1208

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1271

1307

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1258

1263

1300

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1250

1260

1270

1219

Legal Descriptions for IDD and PRD at 1400 Rochester Rd, Troy MI.48083

88-20-34-226-048

**T2N, R11E, SEC 34
PART OF NE 1/4
BEG AT PT DIST
S 00-01-00 E 420 FT & W 900 FT
FROM NE SEC COR,
TH S 00-01-00 E 570 FT,
TH W 194.14 FT,
TH S 00-25-30 E 168.73 FT TO CEN LINE SPENCER DRAIN,
TH N 73-57-18 W 69.28 FT,
TH N 66-31-20 W 242.88 FT,
TH N 61-37-44 W 76.01 FT,
TH N 36-42-46 W 23.02 FT,
TH N 89-43-35 W 75.73 FT,
TH N 12-06-00 E 582.87 FT,
TH E 516.84 FT
TO BEG 9.05A ALSO
S 100 FT OF LOT 12 &
THAT PART OF LOT 13
LYING NWLY OF CEN LINE SPENCER DRAIN
OF 'TROY INDUSTRIAL SUB'**

88-20-34-226-057

**T2N, R11E, SEC 34 TROY INDUSTRIAL SUB
PART OF LOT 12 BEG AT PT DIST
S 00-06-30 E 271.00 FT FROM NE LOT COR,
TH S 00-06-30 E 129.00 FT ALG
W LINE OF SOUTER BLVD
TH W 240.00 FT,
TH N 00-06-30 W 234.00 FT,
TH E 20.00 FT,
TH S 00-06-30 E 105.00 FT,
TH E 220.00 FT
TO BEG**

**City of Troy - Assessing Department
AxleTech, Inc.
Estimate of Total Taxes and Tax Savings for IFEC Application**

Market Value	1,645,528	1,508,456	1,257,147	942,986	628,783	366,895	183,521	76,510	25,524	0	0	0	0
50% of Value	822,764	754,228	628,573	471,493	314,391	183,447	91,760	38,255	12,762	0	0	0	0
Year		1	2	3	4	5	6	7	8	9	10	11	12
Depreciation		0.9167	0.8334	0.7501	0.6668	0.5835	0.5002	0.4169	0.3336	0.2503	0.1670	0.0837	0.0004
Taxable Value		754,228	628,573	471,493	314,391	183,447	91,760	38,255	12,762	0	0	0	0

Taxes	100% of Millage	Taxes											
Trans County	0.59000	\$444.99	\$370.86	\$278.18	\$185.49	\$108.23	\$54.14	\$22.57	\$7.53	\$0.00	\$0.00	\$0.00	\$0.00
Int Schools	4.64610	\$3,504.22	\$2,920.41	\$2,190.60	\$1,460.69	\$852.32	\$426.33	\$177.74	\$59.29	\$0.00	\$0.00	\$0.00	\$0.00
Comm Coll	3.36900	\$2,540.99	\$2,117.66	\$1,588.46	\$1,059.18	\$618.03	\$309.14	\$128.88	\$42.99	\$0.00	\$0.00	\$0.00	\$0.00
State Ed	1.58440	\$1,195.00	\$995.91	\$747.03	\$498.12	\$290.65	\$145.39	\$60.61	\$20.22	\$0.00	\$0.00	\$0.00	\$0.00
School Op	0.00000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sch Debt	4.62290	\$3,486.72	\$2,905.83	\$2,179.66	\$1,453.40	\$848.06	\$424.20	\$176.85	\$59.00	\$0.00	\$0.00	\$0.00	\$0.00
Admin	4.10000	\$3,092.33	\$2,577.15	\$1,933.12	\$1,289.01	\$752.13	\$376.22	\$156.85	\$52.32	\$0.00	\$0.00	\$0.00	\$0.00
City	0.18912	\$142.64	\$118.88	\$89.17	\$59.46	\$34.69	\$17.35	\$7.23	\$2.41	\$0.00	\$0.00	\$0.00	\$0.00
Total	9.28000	\$6,999.23	\$5,833.16	\$4,375.45	\$2,917.55	\$1,702.39	\$851.54	\$355.01	\$118.43	\$0.00	\$0.00	\$0.00	\$0.00
Total	28.38152	\$21,406.13	\$17,839.87	\$13,381.69	\$8,922.91	\$5,206.52	\$2,604.30	\$1,085.73	\$362.20	\$0.00	\$0.00	\$0.00	\$0.00

Total 12 Years	\$70,809.35
Total City 12 Yr	\$23,152.77

50% Total 12 Yr	\$35,404.68	Net Total Taxes Abated
50% Total City 12 Yr	\$11,576.38	Net Total City Taxes Abated
2% Total City 12 Yr	\$231.53	Application Fee (2% total city)

E-7 Amending the Personal Property Tax Abatement Policy

Resolution #2009-02-042

Moved by Beltramini

Seconded by Kerwin

WHEREAS, The City of Troy has the economic objective of (a) increasing employment opportunities, (b) diversifying and stabilizing the industrial base of the community, (c) reducing economic obsolescence of the industrial base, (d) providing homogenous industrial areas, (e) encouraging industrial expansion, (f) providing for improved public facilities in industrial areas, and (g) encouraging attractive, viable industrial sites; and

WHEREAS, The Industrial Facilities Tax Act (P.A. 1974 No. 198), as amended, empowers cities to establish Industrial Development Districts (IDD) and to grant tax exemptions for certain industrial properties which meet certain criteria established by the Act;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **ADOPTS** the following minimum criteria, as authorized by the Industrial Facilities Tax Act (P.A. 1974 No. 198):

1. An Industrial Facilities Exemption Certificate (IFEC) tax abatement shall not be granted until there is compliance with MCL 207.559; and
2. Real property shall not qualify for an IFEC tax abatement, except for those unique situations where there are building improvements that are required to support the personal property that otherwise qualifies for a tax abatement; and
3. Leasehold property shall not qualify for an IFEC tax abatement unless applicant is responsible for payment of the property taxes, and can demonstrate timely payment of property taxes upon the City's request; and
4. An IFEC tax abatement shall not be issued for a period or term exceeding 12 years; and
5. An IFEC tax abatement shall not be issued unless an Applicant will create more than 10 jobs and/or has a personal property investment of at least \$750,000.00, and/or owns the underlying real property or has a lease for the underlying property that exceeds 5 years, as long as two of the three criteria are satisfied.

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the use of the following matrix to calculate the length of an IFEC tax abatement, where the increase in the number of jobs created will increase the term of the IFEC abatement, and similarly the increase in the personal property investment and the ownership/lease conditions on the real property will increase the term of the IFEC abatement:

Tax Abatement Matrix					
Job Creation		Building Terms		PP Investment	
10 - 24	1 year	Own	4 years	\$ 750,000	1 year
25 - 49	2 years	Lease		\$ 2,000,000	2 years
50 - 99	3 years	1 - 5 year	None	\$ 5,000,000	3 years
100 - 149	4 years	6 - 9 year	2 years	\$ 10,000,000	4 years
150 - 199	5 years	10 + year	4 years	\$ 20,000,000	5 years
200 +	6 years				

BE IT FINALLY RESOLVED, That Troy City Council hereby **AUTHORIZES** the implementation of an application fee equal to 2 % of the estimated personal property taxes abated under the terms of the IFEC tax abatement, or the actual costs of processing the application, whichever is less, and the City of Troy will not charge or collect any other fees for the application, in keeping with MCL 207.555 (3).

Yes: Fleming, Kerwin, Schilling, Beltramini, Broomfield

No: Eisenbacher, Howrylak

MOTION CARRIED

August 12, 2009

To: State Tax Commission
P.O. Box 30471
Lansing, MI 48909-7971

From: Leger (Nino) Licari, Assessor

Re: Affidavit of Application Fees For IFEC

This affidavit attests that the City of Troy has charged a fee of \$231.53, equal to 2% of the estimated abated city taxes, for processing the application for tax abatement submitted by AxleTech International, LLC., 1400 Rochester, Troy, MI.

Further, no other fee or concession has been charged or accepted in regards to this application, or consideration thereof.

Signed, Leger (Nino) Licari, City Assessor

Dated

Signed,

Dated

**CITY OF TROY
INDUSTRIAL FACILITIES EXEMPTION
CERTIFICATE LETTER OF AGREEMENT**

This agreement between **AxleTech International, LLC**, (“Company”) and the **City of Troy**, is for the purpose of fulfilling the requirements of Public Act 198, as amended in Public Act 334, Section 22.

In consideration of approval of an Industrial Facilities Exemption Certificate (IFEC), **AxleTech International, LLC**, understands that through its investment of \$1,645,528.00 ~~and its qualification for Michigan Economic Growth Authority incentives~~, and the **City of Troy**, by its investment of the Industrial Facilities Exemption Certificate, are mutually investing in and benefiting from this economic development project, and furthermore, agree to the following:

- 1.) The length of time for which the abatement is approved is **6** years after either completion of construction of the facilities, or December 31, 2017, whichever is sooner.
- 2.) At the end of two (2) years or no later than December 31, 2011, **AxleTech International, LLC** will report to the Assessing Department of the City of Troy the actual cost of this project and indicate any differences and the reason for any differences in the cost or scope of the project as compared to the IFEC application submitted by the Company.
- 3.) **AxleTech International, LLC**, agrees to remain within the City of Troy for the period of the Industrial Facilities Tax (IFT) abatement in order to retain the benefits of the IFT, unless permission for relocation is granted by the **City Council of the City of Troy**.

AxleTech International, LLC, further understands that if it chooses to leave the City of Troy without permission for relocation prior to the end of the term of the IFT, the **City Council of the City of Troy** has the right to recapture from the Company the total amount of taxes abated by the IFT.

- 4.) **AxleTech International, LLC**, understands that the City of Troy may reduce the term of the IFEC, revoke the IFEC and/or recover from the Company, the amount of taxes which were abated if the project has not been completed, expenditures made, as represented by the Company, in Section 12’C of its application, by sending a copy of this Agreement along with a copy of the City Council Resolution authorizing such action to the State Tax Commission.

- 5.) **AxleTech International, LLC**, agrees that it will operate the Project in accordance with all applicable Federal, State and Local laws or regulations, including but not limited to zoning, outside storage, industrial waste disposal, air and water quality, noise control, other environmental regulations, and all of the terms and conditions of any Consent Judgment governing the parcel.
- 6.) By execution of the Agreement, it is understood that the Company's investment in the Project, and the City of Troy's investment in the granting of the IFEC is to encourage economic growth within the City of Troy.

The City of Troy acknowledges that in some instances economic conditions may prevent the Company from complying fully with this Agreement, and the terms of the Application. The City of Troy will give the Company an opportunity to explain the reasons for any variations from the representations contained in the Application and will evaluate the Company's situation prior to taking any action authorized by Paragraph 4 and 5 of this Letter of Agreement.

- 7.) This Agreement constitutes the entire Agreement between the parties and there are no other remedies for breach of this Agreement other than as specified in this Agreement or as provided for in Public Act 198.

This agreement may only be altered upon mutual consent of both parties.

CITY OF TROY
INDUSTRIAL FACILITIES EXEMPTION
CERTIFICATE LETTER OF AGREEMENT
(Signature page)

Signed: _____ (date) _____

Name:

Title:

Signed: _____ (date) _____
Louise E. Schilling , Mayor
City of Troy
500 W Big Beaver
Troy, MI 48084-5285

Signed: _____ (date) _____
Tonni L. Bartholomew
City Clerk

AFFIDAVIT OF MAILING & PUBLISHING

State of Michigan

County of Oakland

City of Troy

RE: PUBLIC HEARING – City Council – Monday, October 19, 2009 at 7:30 PM to consider the request from AxleTech International, LLC, for the granting of an Industrial Facilities Exemption Certificate (IFEC) – 1400 Rochester Road – Section 34

I hereby certify that the attached notice was e-mailed to the Somerset Gazette Newspapers on Thursday, September 24, 2009 and mailed by first class mail to the attached list on Friday, September 25, 2009.

Laura Campbell
Office Assistant

PUBLISHED: Monday, September 28, 2009

CITY OF TROY
PUBLIC HEARING

A Public Hearing will be held by and before the City Council of the City of Troy at City Hall, 500 W. Big Beaver, Troy, Michigan on Monday, October 19, 2009 at 7:30 P.M. to consider the request from AxleTech International, LLC, for the granting of an Industrial Facilities Exemption Certificate (IFEC) at the following location:

88-20-34-226-048 - 1400 Rochester, Troy, MI. 48083-2854
T2N, R11E, Section 34 Part of North East 1/4

You may express your comments regarding this matter by writing to this office, or by attending the Public Hearing.

Tonni Bartholomew, MMC
City Clerk

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

**TROY SCHOOL DISTRICT
MICHAEL ADAMCZYK
4400 LIVERNOIS
TROY MI 48098-4799**

**OAKLAND COMMUNITY COLLEGE
CLARENCE E BRANTLEY
2480 OPDYKE
BLOOMFIELD HILLS MI 48304-2266**

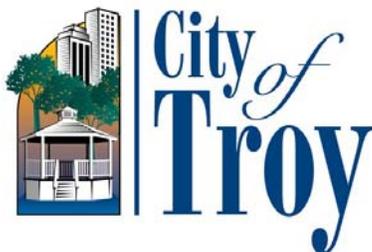
**OAKLAND INTERMEDIATE SCHOOLS
2111 PONTIAC LAKE
WATERFORD MI 48328**

**OAKLAND COUNTY PTA
1200 N TELEGRAPH Dept 479
PONTIAC MI 48341-0479**

**OAKLAND COUNTY EQUALIZATION
DAVID HIEBER
250 ELIZABETH LAKE RD 1000 W
PONTIAC MI 48341**

**BOSTICK ROCHESTER DEV LLC
DENNIS BOSTICK
1819 E BIG BEAVER
TROY MI 48083**

**AXLETECH INTERNATIONAL LLC
WILLIAM MILLER
3001 W BIG BEAVER STE 400
TROY MI 48084-3105**



CITY COUNCIL ACTION REPORT

October 9, 2009

TO: John Szerlag, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance and Administration
Susan A. Leirstein, Purchasing Director
Carol K. Anderson, Parks and Recreation Director

SUBJECT: Bid Waiver – Sole Source Purchase – Top-Dress Materials

Background

- In 2006 and again in 2008, extensive soil testing was conducted on the greens at both of the City's golf facilities. Results from the testing indicated an excessive amount of organic matter accumulation and poor percolation rates on the greens at Sylvan Glen. At Sanctuary Lake, the results were satisfactory but caution was given to continue a vigorous top-dressing schedule due to the inherent thatch accumulation produced by the new bentgrass cultivars.
- To improve conditions on the driving range and practice facility at Sanctuary Lake, an aggressive top dressing and seeding program was initiated.
- This has resulted in an increased use of top dressing material.
- Sand Sales Inc. is the only supplier which utilizes specialized screens to ensure their product mix meets USGA Specifications on Greens Sands.
- The product being purchased is TDS 60 medium-fine sand meeting all USGA particle distribution standards. The sands grain shape is subrounded to subangular making it more stable than other round grain dune or silica sands. The sand is produced through a 1 mm/18 mesh screen, yielding a better quality, consistent product and the prevention of contamination of oversized particles.
- Soil scientists and agronomists, as well as the USGA Green section agree that the same material should be used as long as it is available in a topdressing program. This prevents layering of unlike sand particles which can cause perched water tables, oxygen deprivation, restricted water percolation, as well as affect water holding capacities.
- Staff has contacted the Pine Trace Golf Course staff, a private sector course, and Oakland County Golf Division and both employ the practice of using this same material as long as it is available.
- Sand Sales Inc has been supplying the top-dress materials needed for Sylvan Glen over the last eighteen (18) years and Sanctuary Lake since 2005. Quotes have been received each year and Sand Sales prices are competitive with other vendor pricing for top dressing material. However, there are no other known suppliers with identical material.
- The amount of material used in the past has not required approval by the City Council; however, with the increased use, it is now necessary to seek approval.
- Because of the specialized screening process used exclusively by Sand Sales Inc. there are no approved alternates available.
- As there are no other known suppliers of the material, staff is requesting a waiver of formal bids.

October 9, 2009

To: John Szerlag, City Manager

Re: Bid Waiver – Sole Source Purchase – Top-Dress Materials

Financial Considerations

- Funds are budgeted in Sylvan Glen Contractor-Grounds Maintenance Account #7857802050 and Sanctuary Lake Contractor-Grounds Maintenance Account #7657802050.

Legal Considerations

- Formal bidding procedures are waived, as no benefit would be derived from soliciting formal bids.

Recommendation

- City management and the golf course division recommend awarding a contract to purchase top-dress materials from Sand Sales Inc for the two golf courses, driving range and practice facility for an annual cost not-to-exceed \$20,000.00 per year.
- In addition, City management requests confirmation of purchases totaling an estimated \$3,200.00 to maintain and improve bunkers and driving range tees.

Information provided by: Danny T. McDonald, Greens Superintendent

G:/Bid Award 08-09 New Format/Regular Business -Waiver - Sole Source TopDressMat'l-GC 09.09.doc



TO: The Mayor and Members of City Council
FROM: Lori Grigg Bluhm, City Attorney
Allan T. Motzny, Assistant City Attorney
DATE: October 8, 2009
SUBJECT: Troy v Munchiando

In order to proceed with the road improvement project for the reconstruction and widening of John R. Road from Square Lake Road to South Boulevard, it was necessary for the City to acquire property owned by Defendants James and Elizabeth Munchiando located at 6675 John R. Road. The City filed its complaint for acquisition on August 4, 2008, and, has acquired ownership of the property. The remaining issue concerning just compensation was the subject of a case evaluation held on September 2, 2009. The case evaluators entered an award establishing a fair market value for the property of \$487,500.

Attached is a proposed Consent Judgment. Pursuant to the proposed judgment, the final just compensation is \$609,375.00, which represents the case evaluation determination of fair market value multiplied by 1.25 as required under Michigan's Constitution for the condemnation of a principal residence. The proposed judgment also provides the City will reimburse the Munchiando's for expert real estate appraisal fees in the amount of \$7,050.00 and attorney fees in the amount of \$26,041.67. These fees are authorized by MCL 213.66, which requires a condemning agency to reimburse the property owner for expert witness fees and attorney fees in an amount up to 1/3 of the amount by which the ultimate just compensation exceeds the original written good faith offer to purchase the property. The City's original good faith offer was \$531,250.00. Paragraph 7 of the proposed judgment indicates that a previous order allowing the Munchiando's to stay in the home until the end of this year, subject to the payment of rent to the City, shall remain in effect.

Since the proposed Consent Judgment comports with the case evaluation award and the applicable statutory provisions for payment of expert witness and attorney fees, we recommend its approval. If you should have any questions regarding this matter, please let us know.

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR OAKLAND COUNTY

CITY OF TROY,

Plaintiff,

vs.

Case No. 08-093535-CC
Hon. Wendy Potts

JAMES W. MUNCHIANDO and
ELIZABETH S. MUNCHIANDO, ET AL.,

Defendants.

CITY OF TROY -- CITY ATTORNEY'S OFFICE
By: Lori Grigg Bluhm (P46908)
And: Allan T. Motzny (P37580)
500 West Big Beaver Road
Troy, Michigan 48084
(248) 524-3320
Attorneys for Plaintiff

STEINHARDT PESICK & COHEN
Professional Corporation
By: Jerome P. Pesick (P29039)
And: Jason C. Long (P59244)
380 N. Old Woodward, Ste. 120
Birmingham, Michigan 48009
(248) 646-0888
Attorneys for James and Elizabeth
Munchiando

CONSENT JUDGMENT

At a session of the Oakland County Circuit Court held
in the City of Pontiac, Michigan,

on: _____
Present: the Hon. Wendy L. Potts

A case evaluation hearing was held in this matter on September 2, 2009. Plaintiff (the "City") and Defendants (the "Munchiandos") have both accepted the case evaluation award, and the parties have requested that the Court enter this Consent Judgment to resolve all outstanding issues in this case. Having been so advised, and being otherwise fully advised in the premises, this Court therefore **ORDERS** and **ADJUDGES** as follows:

1. The City shall pay to the Munchiandos final just compensation in the amount of \$609,375.00, less compensation previously paid in the amount of \$531,250.00, resulting in increased just compensation totaling \$78,125.00 (the "Increased Compensation").

2. Pursuant to MCL 213.66, the City shall reimburse the Munchiandos for expert real estate appraisal fees in the amount of \$7,005.00 (the "Appraisal Reimbursement").

3. The City shall pay the Increased Compensation and the Appraisal Reimbursement to the Munchiandos in the form of a check payable to the Munchiandos.

4. Pursuant to MCL 213.66, the City shall reimburse the Munchiandos for attorney fees incurred in the amount of \$26,041.67 (the "Attorney Fee Reimbursement").

5. The City shall pay the Attorney Fee Reimbursement to the Munchiandos in the form of a check payable to Steinhardt Pesick & Cohen, Professional Corporation.

6. All payments set forth in the Judgment shall be delivered by the City to Steinhardt Pesick & Cohen, Professional Corporation, within 21 days of the date of this Judgment.

7. The terms of this Court's Stipulated Order Extending Deadline for Surrender of Possession and Continuation of Monthly Rental Payments, dated August 11, 2009, shall remain in effect.

8. The Munchiandos' rights to relocation benefits and other statutory and administrative allowances provided under Michigan and/or federal law are not affected by this Judgment.

This Judgment resolves the last pending claim and closes this case.

Hon. Wendy Potts

Stipulation for Entry of Consent Judgment

On behalf of the parties, we hereby stipulate and agree to entry of the foregoing
Consent Judgment.

TROY CITY ATTORNEY

STEINHARDT PESICK & COHEN
Professional Corporation

By: _____
Lori Grigg Bluhm (P46908)
Allan T. Motzny (P37580)
Attorneys for Plaintiff

By: _____
Jerome P. Pesick (P29039)
Jason C. Long (P59244)
Attorneys for Defendants James
and Elizabeth Munchiando

Dated: _____

Dated: _____

A Regular Meeting of the Troy City Council was held Monday, October 5, 2009, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:30 PM.

Brian Tabert, member of Kensington Community Church, gave the Invocation. The Pledge of Allegiance to the Flag was given.

ROLL CALL:

Mayor Louise E. Schilling
Robin Beltramini
David Eisenbacher
Wade Fleming
Mayor Pro Tem Martin Howrylak
Mary Kerwin

ABSENT:

Cristina Broomfield – Absent from the county.

Vote on Resolution to Excuse Council Member Broomfield

Resolution #2009-10-292
Moved by Fleming
Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of Council Member Broomfield at the Regular City Council Meeting of Monday, October 5, 2009 due being out of the county.

Yes: Schilling, Beltramini, Eisenbacher, Fleming, Howrylak, Kerwin
No: None
Absent: Broomfield

MOTION CARRIED

There was a consensus of City Council Members present that if there appears to be a large number of the public wishing to speak under Agenda Item K-1 *Continuation of Discussion on the 6-Year Organizational Restructuring Plan*, that Public Comment would be reduced from five minutes to three minutes.

CERTIFICATES OF RECOGNITION:

A-1 Presentation:

- a) Gary Mayer, Chief of the Troy Police Department, provided a brief presentation and Mayor Louise Schilling recognized Sergeant Robert Wolfe, and Police Officers Russell Bragg, Craig Fitzpatrick, Patrick McWilliams, and Milton Stansbury who won the Class A competition at the annual Michigan Police Shoot in Jackson, Michigan and as a result were recipients of the *Governor's Cup Pistol Team Award* for their seventh year in a row.

CARRYOVER ITEMS:

B-1 No Carryover Items

PUBLIC HEARINGS:

C-1 Zoning Ordinance Text Amendment (File Number: ZOTA 240) – Article 43 – BZA Provisions

Marvin Reinhardt Opposed to complicated language

Resolution #2009-10-293
Moved by Beltramini
Seconded by Fleming

RESOLVED, That Troy City Council hereby **AMENDS** Article XLIII (Board of Zoning Appeals) of the City of Troy Zoning Ordinance, pertaining to the requirement of Planning Commission review for items that require site plan approval and a variance(s), prior to being considered by the Board of Zoning Appeals, to read as written in the proposed Zoning Ordinance Text Amendment (ZOTA 240), City Council Public Hearing Draft, as recommended by the Planning Commission.

Yes: Beltramini, Fleming, Kerwin, Schilling
No: Eisenbacher, Howrylak
Absent: Broomfield

MOTION CARRIED

POSTPONED ITEMS:

D-1 No Postponed Items

REGULAR BUSINESS:

E-3 Interlocal Agreement for the Major Case Assistance Team (MCAT)

Marvin Reinhardt

Resolution #2009-10-294
Moved by Eisenbacher
Seconded by Beltramini

WHEREAS, The Major Case Assistance Team (MCAT) is a collaborative initiative aimed at resolving complex criminal cases through the provision of additional trained personnel and equipment to member agencies involved in major criminal investigations; and

WHEREAS, In order to participate in MCAT, approval of the Interlocal Agreement between the City of Troy and Oakland County is required;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the attached Interlocal Agreement for the Major Case Assistance Team between the City of Troy and Oakland County; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Chief of Police to sign the Interlocal Agreement on behalf of the City of Troy, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: Eisenbacher, Fleming, Howrylak, Kerwin, Schilling, Beltramini

No: None

Absent: Broomfield

MOTION CARRIED

E-5 Amendment of Consent Judgment – The Pavilions of Troy

Marvin Reinhardt Supports demolition of K-mart site; Opposed to complicated contract language
Mike Benoit Williams Williams Rattner & Plunkett, P.C.
Rick Rattner Williams Williams Rattner & Plunkett, P.C.

Resolution #2009-10-295

Moved by Fleming

Seconded by Kerwin

WHEREAS, The City of Troy is a party to a Consent Judgment in Case Number 70-69246, Oakland County Circuit Court, governing 113 acres at the northwest corner of Big Beaver and Coolidge;

WHEREAS, There have been several amendments to the above referenced Consent Judgment, with the last amendment being the Fifth Order Amending the Consent Judgment, which was entered by the Court on November 28, 2006; and

WHEREAS, An amendment to the above referenced Consent Judgment is required in order to allow the development of PUD #9, a mixed use development named The Pavilions of Troy, which was approved by the Troy City Council on October 15, 2007 with the approval of The Pavilions of Troy Planned Unit Development Agreement and The Pavilions of Troy Conceptual Development Plan;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the proposed Sixth Order Amending Consent Judgment as to substance; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the City Attorney to execute this Sixth Order Amending Consent Judgment, or a substantively similar document, as soon as the document has been executed by the other parties to the Consent Judgment, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FINALLY RESOLVED, That upon the approval of all parties to the Consent Judgment, and the satisfaction of all terms and conditions of this or any other agreement between the parties, Troy City Council hereby **DIRECTS** the City Attorney to present the Sixth Order Amending Consent Judgment to the Court for entry and also to record the document with the Oakland County Register of Deeds.

Yes: Fleming, Kerwin, Beltramini, Eisenbacher

No: Howrylak, Schilling

Absent: Broomfield

MOTION CARRIED

E-9 Troy City Code Ordinance Amendments – Chapter 82, Property Maintenance Code; Chapter 48, Litter Ordinance; Chapter 79 – General Building Regulations, Appeal Procedures; Chapter 82-B – Dangerous Buildings Ordinance; Chapter 88 – Nuisance Ordinance; and Chapter 89 – Weed Control Ordinance

Marvin Reinhardt Opposed to the membership of the proposed Appeal Board

a) Update of Chapter 82 - Property Maintenance Code

Resolution #2009-10-296a

Moved by Beltramini

Seconded by Schilling

RESOLVED, That Troy City Council hereby **ADOPTS** an ordinance amendment to Chapter 82, Property Maintenance Code, of the Troy City Code, by deleting the existing text in its entirety and adopting new text in accordance with the proposal prepared by City Management, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FURTHER RESOLVED, That these revisions shall become **EFFECTIVE** on January 1, 2010.

Yes: Howrylak, Kerwin, Schilling, Beltramini, Eisenbacher, Fleming

No: None

Absent: Broomfield

MOTION CARRIED

b) Amendment to Chapter 48 – Litter Ordinance

Resolution #2009-10-296b

Moved by Beltramini

Seconded by Schilling

RESOLVED, That Troy City Council hereby **ADOPTS** an ordinance amendment to Chapter 48, Litter, of the Troy City Code, by amending certain sections in accordance with the proposal prepared by City Management, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FURTHER RESOLVED, That these revisions shall become **EFFECTIVE** on January 1, 2010.

Yes: Howrylak, Kerwin, Schilling, Beltramini, Eisenbacher, Fleming
No: None
Absent: Broomfield

MOTION CARRIED

c) Amendment to Chapter 79 – General Building Regulations, Appeal Procedures

Resolution #2009-10-296c
Moved by Beltramini
Seconded by Schilling

RESOLVED, That Troy City Council hereby **ADOPTS** an ordinance amendment to Chapter 79, General Building Regulations, of the Troy City Code, by amending certain sections in accordance with the proposal prepared by City Management, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FURTHER RESOLVED, That these revisions shall become **EFFECTIVE** on January 1, 2010.

Yes: Howrylak, Kerwin, Schilling, Beltramini, Eisenbacher, Fleming
No: None
Absent: Broomfield

MOTION CARRIED

d) Amendment to Chapter 82-B – Dangerous Buildings Ordinance

Resolution #2009-10-296d
Moved by Beltramini
Seconded by Schilling

RESOLVED, That Troy City Council hereby **ADOPTS** an ordinance amendment to Chapter 82-B, Dangerous Buildings, of the Troy City Code, by deleting it in its entirety in accordance with the proposal prepared by City Management, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FURTHER RESOLVED, That these revisions shall become **EFFECTIVE** on January 1, 2010.

Yes: Howrylak, Kerwin, Schilling, Beltramini, Eisenbacher, Fleming
No: None
Absent: Broomfield

MOTION CARRIED

e) Amendment to Chapter 88 – Nuisance Ordinance

Resolution #2009-10-296e
Moved by Beltramini
Seconded by Schilling

RESOLVED, That Troy City Council hereby **ADOPTS** an ordinance amendment to Chapter 88, Nuisances, of the Troy City Code, by deleting certain sections in accordance with the proposal prepared by City Management, a copy of which shall be **ATTACHED** to the original Minutes of the meeting; and

BE IT FURTHER RESOLVED, That these revisions shall become **EFFECTIVE** on January 1, 2010.

Yes: Howrylak, Kerwin, Schilling, Beltramini, Eisenbacher, Fleming
No: None
Absent: Broomfield

MOTION CARRIED**f) Amendment to Chapter 89 – Weed Control Ordinance**

Resolution #2009-10-296f
Moved by Beltramini
Seconded by Schilling

RESOLVED, That Troy City Council hereby **ADOPTS** an ordinance amendment to Chapter 89, Weed Control, of the Troy City Code, by deleting it in its entirety in accordance with the proposal prepared by City Management, a copy of which shall be **ATTACHED** to the original Minutes of the meeting; and

BE IT FURTHER RESOLVED, That these revisions shall become **EFFECTIVE** on January 1, 2010.

Yes: Howrylak, Kerwin, Schilling, Beltramini, Eisenbacher, Fleming
No: None
Absent: Broomfield

MOTION CARRIED

E-8 Bid Waiver – Sole Source Purchase – Top-Dress Materials - Withdrawn by City Management – To appear as a Regular Business item at the Regular City Council Meeting on Monday, November 9, 2009

Marvin Reinhardt Opposed

E-1 **Appointments to Boards and Committees: (a) Mayoral Appointments: None Scheduled (b) City Council Appointments: None Scheduled**

E-2 **Nominations for Appointments to Boards and Committees: (a) Mayoral Nominations: (b) City Council Nominations: Advisory Committee for Senior Citizens; Ethnic Issues Advisory Board; Historic District Commission; Personnel Board; and Youth Council**

a) **Mayoral Nominations – None Scheduled**

b) **City Council Nominations**

Resolution #2009-10-297
Moved by Howrylak
Seconded by Fleming

RESOLVED, That Troy City Council hereby **FORWARDS** the following nominated person(s) to serve on the Boards and Committees as indicated to the next Regular City Council Meeting for action:

Advisory Committee for Senior Citizens

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

Dorothy Pietron Unexpired Term 04/30/2012

Ethnic Issues Advisory Board

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

Reuben Ellis 2-Year Term Term Expires 09/30/2011

Kelly Jones 2-Year Term Term Expires 09/30/2011

Mayada Fakhouri 2-Year Term Term Expires 09/30/2011

Personnel Board

Appointed by Council (5-Regular) - 3-Year Terms

Gerard T. Staeger Unexpired Term 04/30/2011

Yes: Kerwin, Schilling, Beltramini, Eisenbacher, Fleming, Howrylak
No: None
Absent: Broomfield

MOTION CARRIED

E-4 Bid Waiver – Casualty and Property Insurance – Two (2) Year Renewal with the Michigan Municipal Risk Management Authority (MMRMA) for November 2009-10 and November 2010-11

Resolution #2009-10-298

Moved by Eisenbacher

Seconded by Beltramini

WHEREAS, On April 20, 2009, City Council authorized City Management to negotiate a new agreement for Casualty and Property Insurance with the Michigan Municipal Risk Management Authority (MMRMA) (Resolution #2009-04-139-F-5);

WHEREAS, The MMRMA has provided an exceptional offer of a two year agreement under the same terms and conditions as the previous agreement; and

WHEREAS, The agreement would include a \$3,377.00 premium decrease in the first year (2009/2010), and a not to exceed 3% premium increase in the second year (2010/2011);

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and hereby **APPROVES** the new agreement with the MMRMA to provide Casualty and Property Insurance for a premium of \$316,499.00 in 2009/2010, and a not to exceed premium of \$325,994.00 in 2010/2011; and

BE IT FINALLY RESOLVED, This contract also **INCLUDES** the maintenance of a positive loss fund balance of up to \$150,000.00 expiring November 7, 2011.

Yes: Schilling, Beltramini, Eisenbacher, Fleming, Howrylak, Kerwin

No: None

Absent: Broomfield

MOTION CARRIED

E-6 City of Troy v. UEOS Troy, LLC, et. al.

Resolution #2009-10-299

Moved by Eisenbacher

Seconded by Fleming

RESOLVED, That Troy City Council hereby **APPROVES** the Consent Judgment in the matter of *City of Troy v. UEOS Troy, LLC, et. al.* (Oakland County Circuit Court Case No. 09-098178-CC) and hereby **AUTHORIZES** the City Attorney to execute the Consent Judgment and have it entered with the Court, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: Beltramini, Eisenbacher, Fleming, Howrylak, Kerwin, Schilling

No: None

Absent: Broomfield

MOTION CARRIED

E-7 Sole Source – East Jordan Iron Works – Complete Hydrant and Valve Repair Parts

Resolution #2009-10-300
Moved by Eisenbacher
Seconded by Beltramini

WHEREAS, All fire hydrants in the City have been standardized and are manufactured by East Jordan Iron Works; and

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

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** a contract to provide East Jordan complete hydrants, and valve and hydrant repair parts from East Jordan Iron Works at list prices with discounts that range between 40% and 50%.

Yes: Eisenbacher, Fleming, Howrylak, Kerwin, Schilling, Beltramini
No: None
Absent: Broomfield

MOTION CARRIED

PUBLIC COMMENT: Limited to Items Not on the Agenda

Marvin Reinhardt Spoke on various topics
Jerry Seija Sterling Heights resident

The meeting **RECESSED** at 8:51 PM.

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

CONSENT AGENDA:

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

Resolution #2009-10-301
Moved by Eisenbacher
Seconded by Kerwin

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

Yes: Fleming, Howrylak, Kerwin, Schilling, Beltramini, Eisenbacher
No: None
Absent: Broomfield

MOTION CARRIED

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

F-2 Approval of City Council Minutes

Resolution #2009-10-301-F-2

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the 6:00 PM Special/Joint City Council Meeting of September 28, 2009 as submitted; the Minutes of the 7:30 PM Regular City Council Meeting of September 28, 2009 as submitted; and the Minutes of the Special City Council Meeting of September 28, 2009 as submitted.

F-3 Proposed City of Troy Proclamation: None Submitted

F-4 Standard Purchasing Resolutions:**a) Standard Purchasing Resolution 1: Award to Low Bidder – Asphalt Patching Material - Cold**

Resolution #2009-10-301-F-4a

RESOLVED, That Troy City Council hereby **AWARDS** a seasonal contract for asphalt patching material – QPR/UPM to the low bidder, Saginaw Asphalt Paving Company of Saginaw, MI, at unit prices contained in the bid tabulation electronically received September 15, 2009, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with the contract expiring April 30, 2010; and

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

b) Standard Purchasing Resolution 1: Award to Low Bidder – Library Parking Lot Improvement Project

Resolution #2009-10-301-F-4b

RESOLVED, That Troy City Council hereby **AWARDS** a contract to complete the Troy Public Library Parking Lot Improvement Project to the low total bidder, McCarthy Construction Company of Commerce Twp, MI, at unit prices contained in the bid tabulation opened September 16, 2009, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

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

c) Standard Purchasing Resolution 1: Award to Low Bidder – Tee Shirts

Resolution #2009-10-301-F-4c

RESOLVED, That Troy City Council hereby **AWARDS** a contract for one-year requirements of Tee Shirts (various types) with an option to renew for one additional year to the low total bidder, Custom T's of Clawson, MI, at unit prices contained in the bid tabulation opened September 2, 2009, a copy of which shall be **ATTACHED** to the original Minutes of this meeting with a contract expiration of September 30, 2010.

F-5 Announcement of Public Hearing for November 9, 2009 – Community Development Block Grant (CDBG) 2010 Application

Resolution #2009-10-301-F-5

RESOLVED, That Troy City Council hereby **SCHEDULES** a Public Hearing on November 9, 2009 at 7:30 PM or as soon thereafter as the agenda will permit for the purpose of hearing public comments on the adoption of the Community Development Block Grant 2010 application.

F-6 Approval of MDOT Contract 09-5601 between the City of Troy and Michigan Department of Transportation for the Utility Relocation Work for the Reconstruction of Rochester Road from Torpey to Barclay – Project No. 99.203.5

Resolution #2009-10-301-F-6

RESOLVED, That Troy City Council hereby **APPROVES** MDOT Contract No. 09-5601 between the City of Troy and the Michigan Department of Transportation for the utility relocation work by AT&T and Consumers Energy for the reconstruction of Rochester Road from Torpey to Barclay at an estimated cost to the City of Troy of \$122,001.00, and **AUTHORIZES** the Mayor and City Clerk to execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-7 Macy's Fireworks Permit Application

Resolution #2009-10-301-F-7

RESOLVED, That Troy City Council hereby **ISSUES** a fireworks permit to Zambelli Fireworks, Inc. of New Castle, PA, for the display of fireworks at Macy's at the Oakland Mall on November 6, 2009.

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings: None Submitted

G-2 Memorandums: None Submitted

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

H-1 No Council Referrals Advanced

COUNCIL COMMENTS:

I-1 Council Comments Advanced

Mayor Schilling congratulated the Fire Department on the success of the Fire Department open house held this past weekend.

City Management responded to several questions raised by the public during Public Comment at the request of Council Member Eisenbacher.

Council Member Eisenbacher provided City Management with a listing of several questions he received recently from a member of the public and requested that they research and respond to them.

REPORTS:

J-1 Minutes – Boards and Committees:

- a) Advisory Committee for Senior Citizens/Final – June 4, 2009
- b) Liquor Advisory Committee/Final – June 8, 2009
- c) Library Advisory Board/Final – June 11, 2009
- d) Employees' Retirement System Board of Trustees/Final – August 12, 2009
- e) Historic District Commission/Final – August 18, 2009
- f) Planning Commission Special/Study/Final – August 25, 2009
- g) Joint Birmingham Planning Board/Planning Commission/Draft – August 26, 2009
- h) Youth Council/Final – August 26, 2009
- i) Election Commission/Final – August 27, 2009
- j) Ethnic Issues Advisory Board/Draft – August 27, 2009
- k) Planning Commission Special/Study/Final – September 1, 2009
- l) Building Code Board of Appeals/Draft – September 2, 2009
- m) Advisory Committee for Senior Citizens/Draft – September 3, 2009
- n) Liquor Advisory Committee/Draft – September 14, 2009
- o) Youth Council/Draft – September 23, 2009
- p) Election Commission/Draft – September 25, 2009

Noted and Filed

J-2 Department Reports:

- a) City Attorney's Office – 2009 Third Quarter Litigation Report
Noted and Filed

J-3 Letters of Appreciation:

- a) Letter of Thanks to Andy Willetts and the Water Department from McClure's and Pickle Staff Regarding Assistance in Maintaining Water during Construction Project
Noted and Filed

J-4 Proposed Proclamations/Resolutions from Other Organizations:

- a) City of Farmington Hills Resolution in Support of Area-Wide Public Transportation
- b) Consideration of a Resolution from the Clawson Historical Museum Board Disapproving Executive Order No. 2009-36, Setting Forth Changes in the Organization of the Executive Branch of State Government
- c) Consideration of a Resolution from the Blair Memorial Library Board Disapproving Executive Order No. 2009-36, Setting Forth Changes in the Organization of the Executive Branch of State Government

Noted and Filed

J-5 Troy Youth Assistance Board Meeting Minutes/Final – August 20, 2009

Noted and Filed

STUDY ITEMS:**K-1 Continuation of Discussion on the 6-Year Organizational Restructuring Plan**

John M. Lamerato, Assistant City Manager/Finance & Administration, responded to requests received from the City Council and the public resulting from the last City Council meeting presentation for additional information relative to the Downtown Development Authority, the Brownfield Redevelopment Authority and the proposed Transit Center, Civic Center improvements and trail system. He also provided additional information regarding the City's golf courses and the Aquatic Center. Mr. Lamerato summarized questions regarding pension contributions and cost-cutting measures already taken in other funds.

Peggy Sears, Human Resources Director, provided an overview relative to staff, wage and benefit reductions that have occurred over the last six years.

Public Comment received from:

Sergeant Robert Redmond, TCOA President	Association is committed to protecting the jobs that are necessary to keep the city safe.
Officer Michael Geise, TPOA President	Association values IBB process and they understand difficult decisions will have to be made.
Mike Pihaylic, AFSCME 574	Will negotiate on behalf of members toward reaching amicable solutions for Streets & Drains, Water & Sewer, Parks & Recreation, Fleet Maintenance and the Engineering Department.

John Szerlag, City Manager, presented an overview of two proposed options outlined in a *6-Year Organizational Restructuring Plan* which includes personnel reductions through privatization, regionalization, and elimination or combination of departments and lay-offs.

Tonni L. Bartholomew, City Clerk, provided information regarding the process and timeline necessary to hold a Special election for voting on an increase in the City's millage rate.

Mayor Schilling departed from the Council Chamber at 11:09 PM.

Mayor Schilling returned to the Council Chamber at 11:11 PM.

PUBLIC COMMENT RECEIVED FROM:

James Savage	Opposed to recommendations
John Witt	Opposed to recommendations
Audre Zembrzuski	Supports Library
Jerry Seija	Supports Police; Sterling Heights resident

CLOSED SESSION:

L-1 No Closed Session Requested

The meeting **ADJOURNED** on Tuesday, October 6, 2009 at 12:04 AM.

Louise E. Schilling, Mayor

Tonni L. Bartholomew, MMC
City Clerk

**PROCLAMATION
CELEBRATING 50 YEARS
TROY CHAMBER OF COMMERCE**

WHEREAS, Growing from five original members in 1959 to more than 700 in 2009, the **Troy Chamber** has worked diligently to strengthen the business community. The business market has shifted from one of agriculture to technology, trading cornfields for corporations. There were fewer than 100 Troy businesses when the **Troy Chamber** incorporated and the residential population was about 13,000 in 1959. Michigan was selling land to real estate developers at a bargain rate (about \$1 per square foot); and

WHEREAS, **Troy Chamber Founder Ed Rusin**, opened Troy National Bank (TNB) on the corner of Maple and Livernois in the early 1960s housed in a former gas station. He was largely responsible for the tremendous expansion of Troy. When he first came to Troy in 1963, the city didn't have sewers; it didn't have a good tax base and had no way of determining what possible success was here. Ed realized that industry had to be the first bank customers since they were the ones with the large deposits; and

WHEREAS, **Ed Rusin, Troy Chamber** Founder and President from 1964-1967 felt that the bank had to build its own customers as well as help to build a tax base for the city. An industrial and commercial development committee of the City of Troy was created, acting as a liaison between the Planning Commission and the City Commission; and

WHEREAS, The **Troy Chamber** membership doubled during 1965, seeing a 100% increase in membership with the addition of 28 new businesses. **Eileen Turner** became the first Executive Director of the **Troy Chamber** in 1967 and served until 1986. During Eileen's service to the **Troy Chamber**, the first annual Troy Chamber of Commerce Golf Outing was held June 27, 1968 at Sylvan Glen Golf Course; and Kmart moved its headquarters to Troy in 1972; and

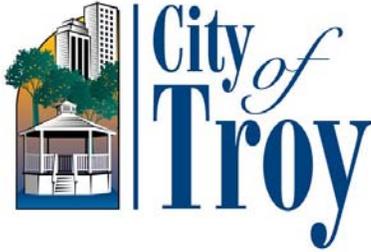
WHEREAS, **Gayla Houser** was the **Troy Chamber** President from 1987-2001. During her service, *The Wall Street Journal* featured Troy as the number 3 Boom Town of the 1990s; Robert F. Kennedy Jr. came to speak about environmental responsibility at the Troy Youth-Business Symposium; The FamilyWorks of Troy, a child/elder care referral program was developed and won the "Innovator" award in 1991; Jerry "The Beav" Mathers came to Troy in 1995 to celebrate the completion of the widening of Big Beaver Road; and The Somerset Collection created a 33-acre upscale shopping paradise with more than 200 stores in 1996; and

WHEREAS, **Michele Hodges** has been the **Troy Chamber** President since 2001. During her tenure the **Chamber** has partnered with Lawrence Tech University in the Maple Road revitalization efforts and the ALOeTERRA House; supported UM/ULI real estate forum; worked with key leaders from the cities of Troy and Birmingham to make the transit center a transportation hub for the region; sponsored the Helen eWards for web excellence for nine years; developed the Oakland County Wellness Coalition; developed the Non-Profit Network; developed key partnerships with diversity chambers in Oakland County (Michigan Hispanic Chamber, Chaldean American Chamber, Asian Pacific American Chamber); and created the Image and Arts Council of Troy;

NOW, THEREFORE, BE IT RESOLVED, That the Troy City Council does hereby congratulate the **Troy Chamber of Commerce on its 50th Anniversary** and recognizes its impact upon not only its membership, but on the entire community; and

BE IT FURTHER RESOLVED, That the City Council joins the citizens of this community in appreciation and celebration of the **Troy Chamber of Commerce's 50th anniversary** as they enter into their future with dedication to both the business community as well as the Troy residents.

Presented this 19th day of October 2009.



CITY COUNCIL ACTION REPORT

October 13, 2009

TO: John Szerlag, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance & Administration
Susan A. Leirstein, Purchasing Director
Carol K. Anderson, Parks and Recreation Director

SUBJECT: Standard Purchasing Resolution 1: Award To Low Bidder – Ice Melt Compounds

Background

- On September 30, 2009, bid proposals were opened publicly to provide one (1) year requirements of ice melt compounds with an option to renew for one (1) additional year for the City of Troy and participating MITN Purchasing Cooperative Members.
- 179 Vendors were notified via the MITN system with ten (10) bids received, as well as one statement of no bid.
- The low bidder, Washington Elevator has the capability and agrees to formulate the three-way blend as specified at bid prices.
- The products are used to remove ice from municipal sidewalks to reduce slip and fall hazards.

Financial Considerations

- Funds are available in the Parks and Recreation maintenance account for operating supplies - #101.751.30.756.7740.010.

Legal Considerations

- ITB-COT 09-40, Ice Melt Compounds were competitively bid as required by City Charter and Code.
- All bidders were given the opportunity to respond with their level of interest in providing ice melt compounds to the City of Troy and MITN Cooperative Members.

Recommendation

- City management and the Parks and Recreation department recommend awarding a one-year contract with a one (1) year option to renew for Ice Melt Compounds to the low bidder, Washington Elevator for both proposals at an estimated total annual cost of \$13,508.00 at unit prices contained in the bid tabulation opened September 30, 2009:

PROPOSAL	COMPANY	ESTIMATED COST
A: Ice Melt Compound – Three Way Blend	Washington Elevator Co, Washington MI	\$ 9,758.00
B: Screened Rock Salt	Washington Elevator Co, Washington MI	\$ 3,750.00

TROY'S ESTIMATED TOTAL ANNUAL COST: \$13,508.00

Opening Date -- 9/30/09
 Date Prepared -- 9/30/09

jh

CITY OF TROY
 BID TABULATION
 ICE MELT COMPOUND

VENDOR NAME:

		Washington Elevator Company, Inc.	Colman Supply Company	State Line Salt & Equipment	Main's Landscape Supply & Salt Store
PROPOSAL A:		PRICE/EA BAG	PRICE/EA BAG	PRICE/EA BAG	PRICE/EA BAG
EST QTY (BAGS)	DESCRIPTION				
6,200 Bags (310,000 lbs)	SIDEWALK ICE MELTING COMPOUND, Three-Way Blend	\$ 5.95	\$ 6.99	900+ Bags- \$6.92 500-850 Bags - \$7.07	\$ 7.29
Quoting On:		Ice Biter	PIM50	Road Runner	Mr. Magic
Manufactured By:		Washington Elevator	Spring Valley	Scotwood	Magco Corporation
50# Bags/50 bags per Pallet		50 lb Bags	50 lb Bags	50 lb Bags	50 lb Bags
		50 Bags/Pallet	50 Bags/Pallet	50 Bags/Pallet	49 Bags/Pallet
PROPOSAL B:		PRICE/EA BAG	PRICE/EA BAG	PRICE/EA BAG	PRICE/EA BAG
EST QTY (BAGS)	DESCRIPTION				
7,950 Bags (397,500 lbs)	SCREENED ROCK SALT 50# bags in accordance with specifications	\$ 3.75	\$ 4.37	900+ Bags- \$4.57 500-850 Bags - \$4.79	\$ 4.64
50# Bags/50 bags per Pallet		49 bags/Pallet	49 Bags/Pallet	49 or 50 /Pallet	49 or 56 /Pallet
		50 lb Bags	50 lb Bags	50 lb Bags	50 lb Bags
Delivery will be within		3 Days	2 Days	2 - 4 Days	1 -2 Days
CONTACT INFORMATION		Hrs extended during Storms-Sat 8 -12			
Hrs of Oper Phone #		8 AM - 5 PM M-F 586-255-3395	7 AM to 5 PM 313-737-3874	7 AM to 5 PM 847-658-7626	8 AM - 5 PM M-F 248-356-8660
THREE-WAY FORMULA:		Potassium Chloride 3%	Company	10	10
Calcium Chloride not < 10%		5	Trade	5	2
Magnesium Chloride not < 2%		87	Secret	85	88
Sodium Chloride not > 88%		Blue	Spring Valley	No	Yes
Pattern Indicator:		granules coated w/mag chloride	will not divulge	Yes	Yes
Organic anti-caking agent:		Yes	Yes	Yes	w/exceptions Yes
EXTENSION OF AWARD TO MITN PURCHASING COOP:Y/N		Blank	49 Bags	500 Bags	Blank
Minimum Order (Initial)		1 Pallet	1 Pallet		1 Pallett
(Add'l)		30 Days	Net 30	Net 30	Net 30 Days
PAYMENT TERMS		Blank	Blank	2-3 Yr. Shelf Life	When used as directed
WARRANTY		Within 3 Days	24-48 Hours	2 - 4 Days	1 -2 Days
DELIVERY		Blank	Unable to verify the breakdown of the blended Ice Melt	Min 500 bgs per location All deliveries in Semis Dock required - RH deliveries flatbed/forklift	Blank
EXCEPTIONS		Yes	Yes	Add \$200 per Delivery Yes	Yes
ACKNOWLEDGEMENT Signed: Y or N		No	No	Yes	No
ALL OR NONE AWARD					

NO BID: The Brulin Corporation

NOTE: Washington Elevator can meet formula as specified at the prices quoted.

BOLDFACE TYPE DENOTES LOW BIDDER

ATTEST:
 Diane Fisher
 Jeff Biegler
 Linda Bockstanz

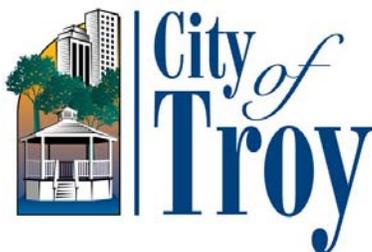
Susan Leirstein CPPB
 Purchasing Director

Alternate

VENDOR NAME:		Carefree Lawn Center	Lower Huron Company	John Deere Landscapes	Lower Huron Company
PROPOSAL A:					
EST QTY (BAGS)	DESCRIPTION	PRICE/EA BAG	PRICE/EA BAG	PRICE/EA BAG	PRICE/EA BAG
6,200 Bags (310,000 lbs)	SIDEWALK ICE MELTING COMPOUND, Three-Way Blend	\$ 7.60	\$ 7.70	\$ 8.65	\$ 8.70
Quoting On:		Safer than Salt	Ice Trax	Polar Ice	Safer than Salt
Manufactured By:		Magco Corporation	Fratz Company	Kissner	Fratz Company
50# Bags/50 bags per Pallet		50 lb Bags	50 lb Bags	50 lb Bags	50 lb Bags
		49 Bags/Pallet		50 Bags/Pallet	50 Bags/Pallet
PROPOSAL B:					
EST QTY (BAGS)	DESCRIPTION	PRICE/EA BAG	PRICE/EA BAG	PRICE/EA BAG	PRICE/EA BAG
7,950 Bags (397,500 lbs)	SCREENED ROCK SALT 50# bags in accordance with specifications	\$ 3.95	No Bid \$5.95 When Available	\$ 4.25	No Bid \$5.95 When Available
50# Bags/50 bags per Pallet		49 bags/Pallet 50 lb Bags	50 Bags/Pallet 50 lb Bags	50 Bags/Pallet 50 lb Bags	50 Bags/Pallet 50 lb Bags
Delivery will be within		7 Days	1 - 3 Days	7 Days	1 - 3 Days
CONTACT INFORMATION			After Hrs when required		After Hrs when required
Hrs of Oper. Phone #		8 AM to 5 PM 734-675-4745	7 AM to 5 PM 734-968-2416	7:30AM to 5 PM 586-944-1033	7 AM to 5 PM 734-968-2416
THREE-WAY FORMULA:			Potassium 20%		Potassium 10%
Calcium Chloride not < 10%		12		10	20
Magnesium Chloride not < 2%		7	30	10	30
Sodium Chloride not > 88%		81	50	80	50
Pattern Indicator:		Yes	Blue	Non	Blue
Organic anti-caking agent:		Yes	Yes	Yes	Yes
EXTENSION OF AWARD TO MITN PURCHASING COOP:Y/N		Yes	Yes	Yes	Yes
Minimum Order (Initial)		2 Pallets	50 Bags	450 Bags	50 Bags
(Add'l)		1 Pallet	1 Pallet	1 Pallet	1 Pallet
PAYMENT TERMS		Net 30 Days	Orders placed prior 12/31/09 - payment due on 2/1/2010 Net 30 Days	Net 30 Days	Net 30
WARRANTY		None	Will melt Ice to 10 below Freezing	None	Will melt Ice to 20 below Freezing
DELIVERY		Blank	1 - 3 Days	in price	1 - 3 Days
EXCEPTIONS		Blank	Fratz Brand - No	Blank	Product mfg by Fratz
			Calcium Chloride - has		Mix % are APX
			Potassium Chloride		
ACKNOWLEDGEMENT Signed: Y or N		Yes	Yes	Yes	Yes
ALL OR NONE AWARD		Yes	No	No	No

PROPOSAL: 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 Purchasing Cooperative Members

VENDOR NAME:		HP Products	Central		
			Irrigation		
			Supply		
PROPOSAL A:					
EST		PRICE/EA	PRICE/EA		
QTY (BAGS)	DESCRIPTION	BAG	BAG		
6,200 Bags (310,000 lbs)	SIDEWALK ICE MELTING COMPOUND, Three-Way Blend	\$ 9.20	\$ 11.57		
	Quoting On:	Remove Ice Melt	Safer than Salt		
	Manufactured By:	Knox Fertilizer	Magco		
	50# Bags/50 bags per Pallet	50 lb Bags	50 lb Bags		
		42 Bags/Pallet	50 Bags/Pallet		
PROPOSAL B:					
EST		PRICE/EA	PRICE/EA		
QTY (BAGS)	DESCRIPTION	BAG	BAG		
7,950 Bags (397,500 lbs)	SCREENED ROCK SALT 50# bags in accordance with specifications	\$ 4.82	\$ 5.07		
	50# Bags/50 bags per Pallet	49 bags/Pallett 50 lb Bags	50 Bags/Pallet 50 lb Bags		
	Delivery will be within	1 - 3 Days	3 Days		
	CONTACT INFORMATION	Hrs of Oper.			
		Phone #			
		8AM to 5PM M- F	7 AM to 5 PM		
		313-303-3911	248-877-4239		
	THREE-WAY FORMULA:	Potassium 40%			
	Calcium Chloride not < 10%	0	10		
	Magnesium Chloride not < 2%	10	10		
	Sodium Chloride not > 88%	50	80		
	Pattern Indicator:	Yes	Blue		
	Organic anti-caking agent:	Yes	Yes		
	EXTENSION OF AWARD TO MITN PURCHASING COOP:Y/N	Yes	Yes		
	Minimum Order (Initial)	Full Pallets	300 Bags		
	(Add'l)	1 Pallet	1 Pallet		
	PAYMENT TERMS	Net 30	Net 30		
	WARRANTY	Manufacturers	Blank		
	DELIVERY	1 - 3 Days	As Needed		
	EXCEPTIONS	Specifications are limited and exclusive	Blank		
	ACKNOWLEDGEMENT Signed: Y or N	Yes	Yes		
	ALL OR NONE AWARD	No	No		



CITY COUNCIL ACTION REPORT

October 7, 2009

TO: John Szerlag, City Manager

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

SUBJECT: Standard Purchasing Resolution 3: Exercise Renewal Option – Janitorial Services.

Background

- On October 15, 2007, Troy City Council approved two-year contracts for janitorial services for all City of Troy facilities, with options to renew for two (2) additional years. CC Res #2007-10-294-E4b
- This contract is for janitorial services in compliance with the specifications developed by the City of Troy Building Operations Department along with input from all other City facilities. The contract is needed to provide cleaning at City Hall, Police Department, Library, Museum, Community Center, Police and Fire Training Center, Nature Center, DPW, Fire Stations, Golf Courses, Parks and Recreation Maintenance Building, Field Engineering Office and the 52-4 District Court.
- All above buildings are currently under janitorial service with three different companies. Kristel Cleaning, Inc., Macomb, Michigan, Du All Cleaning, Inc., Macomb, Michigan, and Omni Facility Services, Southfield, Michigan. All companies have agreed to provide cost reductions as an option to the current contract including price, terms and conditions until October 31, 2013.

Group	Vendor	Current – Contract Annual Cost	Contract Option - 4 Years @ Annual Cost
Group 1: Main Campus	Kristel Cleaning, Inc.	\$ 423,730.72	\$381,352.48 Price reduction casual labor and night time cleaning
Group 2: Garage Facilities	Du All Cleaning, Inc.	\$ 16,386.96	\$ 16,386.96 No reduction due to night time cleaning service's only
Group 3: Enrichment Facilities	Du All Cleaning, Inc.	\$ 29,340.08	\$ 25,890.36 Price reduction casual labor
Group 4: Fire Sites	Omni Facility Services	\$ 22,165.51	\$ 21,263.88 Price reduction night time cleaning
Group 5: Golf Courses and Engineering Field Office	Kristel Cleaning, Inc.	\$ 13,371.60	\$ 13,371.60 No reduction due to night time cleaning
	Total Cost:	\$504,994.87	\$458,265.28 9.25% reduction -savings per year

October 7, 2009

To: John Szerlag, City Manager
Re: Exercise Renewal Option – Janitorial Services

Background – continued

- The Purchasing department conducted a market survey and determined no benefit would be derived from soliciting additional sealed bids at this time; even though labor and material costs are expected to remain the same or be reduced up to 3.5%. The concessions made by the current vendors exceed any anticipated savings.
- At the time of this renewal, the contract allows for the service providers to submit new prices based upon verifiable changes in labor contracts or the use of the Consumer Price Index for the Detroit/Ann Arbor/Flint area, which would have allowed for a 1.4% increase.
- The concessions by the service providers show a commitment to continued service and a valued partnership with the City, as we work through these unpredictable economic times.

Financial Considerations

- Funds are budgeted and available in the various Custodial Service accounts citywide.
- Moving forward, as offices are vacated and less space needs to be cleaned, a reduction in square footage will result in additional savings.

Legal Considerations

- ITB-COT 07-20, two-year requirements of janitorial services with two (2) year options to renew was competitively bid, in accordance with City Charter and Code.

Recommendation

- City management and the Building Operations department recommend exercising the options to renew for four (4) additional years to provide janitorial services with the low bidders, Kristel Cleaning, Inc., Du All Cleaning Inc., and Omni Facility Services under reduced pricing and schedule changes, and at the same terms and conditions to expire October 31, 2013, with adjustments allowed to labor rates after two-years pending a market review.



Kristel Cleaning, Inc.
Building Service Contractor

KRISTEL CLEANING, INC.

BUILDING SERVICE CONTRACTOR

(586) 286-1202 Office

48815 Vintage Lane * Macomb, MI 48044
www.kristelcleaning.com

(586) 226 - 0374 (FAX)

September 24, 2009

Attn: Steven A. Pallotta
Director of Building Operations
CITY OF TROY
500. W. Big Beaver Rd
Troy, Michigan 48084

Dear Mr. Pallotta;

Subsequent to our meeting of Thursday, September 10, 2009 with you and Purchasing Director, Susan Leirstein, I have prepared a proposal reflecting an overall reduction of 10% or \$42,378.24 in Casual Labor and Janitorial costs for the City of Troy. Despite this reduction, as President of Kristel Cleaning, Inc, it is my personal goal to maintain the high quality of service that the City has become accustomed to expect. However, I respectfully request that the City of Troy consider extending our two (2) year contractual renewal option to a four (4) year option to compensate for our financial concession.

Please contact me if you have additional questions regarding my proposal.
We look forward to continuing to provide our services and partnering with the City of Troy as we work through these difficult and unpredictable economic times.

Sincerely,

Mirela Pllumaj
President



Kristel Cleaning, Inc.
Building Service Contractor

KRISTEL CLEANING, INC.

BUILDING SERVICE CONTRACTOR

(586) 286-1202 Office

48815 Vintage Lane * Macomb, MI 48044
www.kristelcleaning.com

(586) 226 - 0374 (FAX)

September 24, 2009

Attn: Steven A. Pollatta
Director of Building Operations
CITY OF TROY
500 W. Big Beaver Rd.
Troy, Michigan 48084

PROPOSAL

GROUP 1:

Current Annual Casual Labor Hours			New Annual Casual Labor Hours	
City Hall & Police	8380 Hours	-	2095 hours	6285 Hours
52-4 District Court	2080 Hours			2080 Hours
Community Center	9360 Hours	-	926 hours	8434 Hours
Troy Library	3000 Hours	-	468 hours	2532 Hours

Total Group 1: Annual Casual Labor Hours **New Total, Annual Casual Labor Hours**

22820 Hours X \$ 11.00 = \$ 251,020.00

19331 Hours X \$ 11.00 = \$ 212,641.00

Total Annual Save Casual Labor \$ 38,379.00

LOCATION Group1; SQFT : \$/SQFT: Monthly: Annual \$/SQFT Monthly: Annual

City Hall & Police	86,388	.050	\$ 4319.40	\$51,832.80	.049	\$4,233.00	\$50,796.00
52-4 District Court	29,000	.056	\$ 1624.00	\$19,488.00	.054	\$1,566.00	\$18,792.00
Community Center	99,864	.065	\$ 6491.16	\$77,893.92	.064	\$6,391.29	\$76,695.48
Troy Library	44,500	.044	\$ 1958.00	\$23,496.00	.042	\$1,869.00	\$22,428.00

Current Annual Total Cost: \$ 172,710.72;

New Annual Total Cost: \$ 168,711.48

Total Annual Save Janitorial \$ 3999.24

Sincerely,

Mirela Pllumaj
President

Susan A Leirstein

From: Mondirakaj [duallcleaninginc@yahoo.com]
Sent: Wednesday, October 07, 2009 11:55 AM
To: Susan A Leirstein
Subject: Re: Janitorial Contract - Group 2 & 3

Dear Suzan,

I confirm that the revised prices that we submit yesterday will remain the same from November 1st 2009 until October 31st 2013, with adjustments allowed after 2 years pending in market review.

I do wanna go over with you one more time re: Revised prices and hours in these facilities that Du All Cleaning will be charging after November 1st 2009 until October 31st 2013.

D.P.W Facility : 4 hours per day , 5 days per week. Price per Month \$ 1045.00.

Parks & Recreation Garage: 1 hour per day November 1st - April 1st , 5 days per week.
April 1st - November 1st :1.5 hours per day , 7 days a week. Price per Month \$ 320.58.

Nature Center : 3.5 hours per day including casual labor hours, 6 days per week. Price per Month \$ 1257.00.

Troy Museum : 3 hours per day including casual labor hours, 5 days per week. Price per Month \$ 900.53

Let me know if you have any questions.

Talk to you soon.

Thanks
Mondirakaj
Vice President
Du All Cleaning Inc.
47465 Barbara Rd
Macomb, Mi 48044
(586)709-9517 Tel.
(586)566-6573 Fax.

From: Susan A Leirstein <LeirsteiSA@troymi.gov>
To: duallcleaninginc@yahoo.com
Sent: Wed, October 7, 2009 10:46:16 AM
Subject: Janitorial Contract - Group 2 & 3

Du All Cleaning Inc

47465 Barbara Road

Macomb MI 48044

Dear Mondir,

I have received the revised pricing from Steve Pallotta, Building Operations Director for your portion of the janitorial contract, groups 2 and 3 (ITB-COT 07-20). Please confirm these prices will remain in effect until

October 31, 2013, with adjustments allowed after two-years pending a market review. Please call my office if you have any further questions.

Sincerely,

Susan Leirstein CPPB

Purchasing Director

City of Troy

500 W Big Beaver Road

Troy MI 48084

248.524.3338

email: Leirsteisa@troymi.gov

Susan A Leirstein

Subject: FW: Troy Public Safety Training Center

From: Ron Zacharias [mailto:ronz@ofs-na.com]
Sent: Thursday, October 08, 2009 11:57 AM
To: Susan A Leirstein
Subject: Re: Troy Public Safety Training Center

Hi Sue,

O.K. On the price freeze except for governmentally imposed increases in taxes fees or benefits.

Thanks,

RZ

Sent from my BlackBerry Wireless Handheld

From: Susan A Leirstein
To: Ron Zacharias
Cc: Steve A Pallotta
Sent: Wed Oct 07 08:01:58 2009
Subject: Troy Public Safety Training Center

Dear Ron,

Please confirm the new pricing for the Police / Fire Training Center of \$692.42 per month and the pricing originally bid for ITB-COT 07-20 will remain in effect until October 31, 2013, with adjustments allowed after two-years pending a market review.

Susan Leirstein CPPB
Purchasing Director
City of Troy
500 W Big Beaver Road
Troy MI 48084
248.524.3338
email: Leirsteisa@troymi.gov

From: Ron Zacharias [mailto:ronz@ofs-na.com]
Sent: Wednesday, September 30, 2009 1:53 PM
To: Julie Hamilton; Steve A Pallotta; Sue Leirstein,
Cc: Robbin Ursu; Ray Melton; Jessie Clark
Subject: Troy Public Safety Training Center

Hi team,,

As a result of discussions with Omni operations and City of Troy representative Omni will reduce the billing amount for the above location by 10% per month.

The new amount billed for October 2009 forward will be \$692.42.

Cleaning hours will be reduced to compensate the reduction.

Sincerely

Ron Zacharias

Vice President, Business Development

OMNIFACILITY SERVICES

24300 Southfield Road ste 220

Southfield MI 48075

DATE: October 7, 2009

TO: Susan Leirstein CPPB
Purchasing Director

FROM: Linda N. Bockstanz
Associate Buyer

RE: MARKET SURVEY – Janitorial Services

THIS IS IT CLEANING - Ronald Bonin (586) 416-4609

Per Ronald Bonin – he is going to keep his prices the same because they are low as he wants to go. (\$8.00 per Hour) His company does more than just Janitorial Services, they do window and carpet cleaning too. His business is family owned and they hire English speaking employees so there is not a language barrier between their company employees and the company that they service.

ROAD RUNR MAINTENANCE – Debra (248) 332-4242

Debra has indicated that they have lowered their cost for Janitorial Services to keep up with the competition. They have reduced services with some companies and have changed some of their company's procedures with others. Their employees are being paid the same but with reduced hours of work. They have three shifts plus a weekend shift. Office operation is 9 AM to 6 PM and employees are 24/7. They are trying to do more cost savings procedures to stay in business.

AMERICAN CLEANING L.L.C. – Brisida Bibashani (586) 677-9240

According to Brisida – their company has lowered their prices 3.5% for Janitorial Services. They have reduced some hours with their employees and lowered their wages to \$8.00 per hour. They are lowering costs wherever they can to keep in business. Office hours are 9 AM to 5 PM.

GIANT JANITORIAL SERVICE, INC - Laura or Peter Huthwaite (313) 886-7797

Called 10/2, 10/6, & 10/7/09 – Left Messages – No response.

Based upon the above comments, I respectfully recommend that the City review the current contracts for Janitorial Services, based on the fact that costs of Janitorial services are expected to decrease in price due to increased competition.

CC: File

b) Standard Purchasing Resolution 1: Award to Low Bidders – Janitorial Services

Resolution #2007-10-294-E-4b

RESOLVED, That Troy City Council hereby **AWARDS** contracts to provide two-year requirements of janitorial services for various City locations with an option to renew for two (2) additional years to the low bidders by group as follows:

<u>COMPANY NAME</u>	<u>GROUP</u>
Kristel Cleaning, Inc. of Macomb, MI	1 and 5
Du All Cleaning, Inc. of Macomb, MI	2 and 3
Omni Facility Services of Southfield, MI	4

at unit prices as contained in the bid tabulation opened August 7, 2007, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with contracts expiring October 31, 2009; and

BE IT FURTHER RESOLVED, That the awards are **CONTINGENT** upon contractor submission of properly executed bids and contract documents, including insurance certificates, janitorial bonds, and all other specified requirements.

c) Standard Purchasing Resolution 1: Award to Low Bidder – Tee Shirt Contract

Resolution #2007-10-294-E-4c

RESOLVED, That Troy City Council hereby **AWARDS** a contract for one-year requirements of Tee Shirts (various types) with an option to renew for one additional year to the low total bidder, E.A. Graphics of Sterling Heights, MI, at unit prices contained in the bid tabulation opened October 2, 2007, a copy of which shall be **ATTACHED** to the original Minutes of this meeting with a contract expiration of September 30, 2008.

E-5 Recognition of Nonprofit Organization Status from Tim Palmer, President – The Lakeshoremens Drum and Bugle Corps

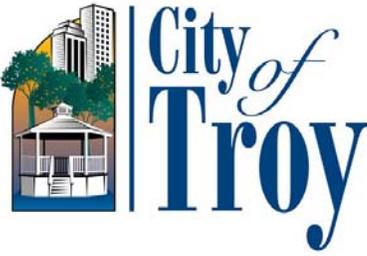
Resolution #2007-10-294-E-5

RESOLVED, That Troy City Council hereby **APPROVES** the request from *The Lakeshoremens Drum and Bugle Corps*, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license.

E-6 Private Agreement for Dr. Joseph Medical Building – Project No. 06.925.3

Resolution #2007-10-294-E-6

RESOLVED, That Troy City Council hereby **APPROVES** the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and John R. Joseph, MD, for the installation of water main, sanitary sewer, storm sewer, sidewalks, paving and soil erosion on the site and in the adjacent right of way, and **AUTHORIZES** the Mayor and City Clerk



CITY COUNCIL ACTION REPORT

October 1, 2007

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Standard Purchasing Resolution 1: Award To Low Bidders – Janitorial Services

Background

- On August 7, 2007, bid proposals were received to provide two-year requirements of janitorial services with an option to renew for two (2) additional years.
- One-hundred and eighty-two (182) vendors were notified via the MITN system with (13) thirteen-bidders responding. One vendor was considered non-responsive for failure to include a bid surety check, as specified. Three (3) statements of no bid were also received.
- In the effort to lower overall janitorial costs and provide off-site buildings with more individual control, the bid was created to evaluate both the low bidder for each group of individual sites, and also to the low total bidder, whichever method of award was considered to be in the City's best interest.
- Various locations were grouped based upon the type of cleaning, the cleaning schedule, or "like" services provided.
- Upon review, it was determined that by splitting the award, the City would experience an estimated savings of \$7,672.37 annually or \$15,344.74 over the two-year contract period. If the contract is extended for an additional two-year period, the amount of savings increases to approximately \$30,689.48.

Financial Considerations

- Funds are budgeted and available in various Custodial Contract Service accounts citywide.

Legal Considerations

- ITB-COT 07-20, two-year requirements of janitorial services for various City locations with an option to renew for two (2) additional years was competitively bid and opened with (13) thirteen bidders responding.
- All bidders were given the opportunity to respond with their level of interest in providing janitorial services for the City of Troy.
- The award is contingent upon the recommended bidders' submission of proper contracts and bid documents, including insurance certificates, janitorial bonds, and all other specified requirements.

Policy Considerations

- Bidding services of this type helps to minimize cost and increase efficiency of City government. (Goal II)
- Provides the public and staff with clean building facilities in accordance with the City's higher standards. (Goal V).
- Moving this work forward will keep up with the cleanliness and health standards in place for the City and Public well-being, and reduce liability for the City. (Goals I & V)

October 1, 2007

To: Phillip L. Nelson, City Manager
Re: Bid Award – Janitorial Services

Options

- City management and the Building Operations Department recommend awarding contracts for two-year requirements of Janitorial Services with an option to renew for two (2) additional years to the following low bidders for Groups 1, 2, 3, 4 and 5 at an estimated annual cost of \$504,994.87, at unit prices as contained in the bid tabulation opened August 7, 2007.

GROUP	COMPANY	ESTIMATED COST
1 and 5	Kristel Cleaning, Inc., Macomb, Michigan	\$437,102.32
2 and 3	Du All Cleaning, Inc., Macomb, Michigan	\$45,727.04
4	Omni Facility Services, Southfield, Michigan	\$22,165.51

ESTIMATED TOTAL ANNUAL COST: \$504,994.87

Opening Date -- 8/7/07
Date Prepared -- 8/8/07

CITY OF TROY
BID TABULATION
JANITORIAL SERVICES

VENDOR NAME:	Kristel Cleaning, Inc.	OMNI Facility Services	Du All Cleaning, Inc.
CHECK #	11889007	377995134-6	100053544-1,100037169-8,100053550-8 &
CHECK AMOUNT	\$ 15,150.00	\$ 15,150.00	100053557-3 (3 Cks \$900 ea - 1 Ck 12,000)

LOCATION	SQUARE FOOTAGE	COST / MONTH	\$ PER SQUARE FT.	COST / MONTH	\$ PER SQUARE FT.	COST / MONTH	\$ PER SQUARE FT.
Group 1: Civic Center Sites							
CITY HALL & POLICE	86,388	\$ 4,319.40	\$ 0.050	\$ 5,874.38	0.068	\$ 6,911.04	\$ 0.08
52-4 DISTRICT COURT	29,000	\$ 1,624.00	\$ 0.056	\$ 1,798.00	0.062	\$ 2,900.00	\$ 0.10
COMMUNITY CENTER	99,864	\$ 6,491.16	\$ 0.065	\$ 7,989.12	0.080	\$ 10,985.04	\$ 0.11
LIBRARY	44,500	\$ 1,958.00	\$ 0.044	\$ 3,248.50	0.073	\$ 4,450.00	\$ 0.10
Monthly TOTAL of GROUP		\$ 14,392.56		\$ 18,910.00		\$ 25,246.08	
Yearly Total of Group 1:		\$ 172,710.72		\$ 226,920.05		\$ 302,952.96	
CASUAL - 22,820 Hrs x Regular Time;		\$ 251,020.00		\$ 256,040.40		\$ 251,020.00	
GRAND TOTAL -W/CASUAL - GROUP 1:		\$ 423,730.72		\$ 482,960.45		\$ 553,972.96	
Group 2: Garage Facilities							
DPW FACILITY	9,500	\$ 950.00	\$ 0.10	\$ 1,273.00	\$ 0.134	\$ 1,045.00	\$ 0.11
P&R GARAGE	1,781	\$ 623.35	\$ 0.35	\$ 471.97	\$ 0.265	\$ 320.58	\$ 0.18
Monthly TOTAL of GROUP 2:		\$ 1,573.35		\$ 1,744.97		\$ 1,365.58	
Yearly Total of Group 2:		\$ 18,880.20		\$ 20,939.58		\$ 16,386.96	
Group 3: Enrichment Facilities							
MUSEUM	5X / Week 10,846	\$ 813.45	\$ 0.075	\$ 520.61	\$ 0.048	\$ 542.30	\$ 0.05
LLOYD STAGE	6X / Week	\$ 613.80	\$ 0.075	\$ 613.80	\$ 0.075	\$ 491.04	\$ 0.06
NATURE CENTER	8,184						
Monthly TOTAL of GROUP 3:		\$ 1,427.25		\$ 1,134.41		\$ 1,033.34	
Yearly Total of Group 3		\$ 17,127.00		\$ 13,612.90		\$ 12,400.08	
CASUAL - 1,540 Hrs x Regular Time;		\$ 16,940.00		\$ 17,278.80		\$ 16,940.00	
GRAND TOTAL -W/CASUAL - GROUP 3:		\$ 34,067.00		\$ 30,891.70		\$ 29,340.08	
Group 4: Fire Sites							
FIRE HALLS:							
1 (Tuesday and Friday)	2,175	\$ 239.25	\$ 0.110	\$ 180.53	\$ 0.083	\$ 217.50	\$ 0.10
2 (Monday and Thursday)	2,320	\$ 243.60	\$ 0.105	\$ 178.64	\$ 0.077	\$ 232.00	\$ 0.10
3 (Tuesday and Friday)	3,000	\$ 255.00	\$ 0.085	\$ 180.00	\$ 0.060	\$ 300.00	\$ 0.10
4 (Tuesday and Friday)	1,914	\$ 210.54	\$ 0.110	\$ 179.92	\$ 0.094	\$ 191.40	\$ 0.10
5 (Monday and Thursday)	3,000	\$ 255.00	\$ 0.085	\$ 180.00	\$ 0.060	\$ 300.00	\$ 0.10
6 (Monday and Thursday)	1,920	\$ 211.20	\$ 0.110	\$ 180.48	\$ 0.094	\$ 192.00	\$ 0.10
FIRE/ POLICE TRAIN (5X)	6,915	\$ 470.22	\$ 0.068	\$ 767.57	\$ 0.111	\$ 760.65	\$ 0.11
Monthly TOTAL of GROUP 4:		\$ 1,884.81		\$ 1,847.13		\$ 2,193.55	
Yearly Total of Group 4:		\$ 22,617.72		\$ 22,165.51		\$ 26,322.60	
Group 5: Other Sites							
SYLVAN GLEN: Maintenance Bldg. - All Year	2X / 750	\$ 150.00	\$ 0.20	\$ 205.50	\$ 0.274	\$ -	\$ -
SYLVAN GLEN GC: Pro Shop (9 mos./yr)	5X / WEEK 1,700	\$ 238.00	\$ 0.14	\$ 518.50	\$ 0.305	\$ -	\$ -
SANCTUARY LAKE GC: Maintenance Bldg(9 mos./yr)	2X / 719	\$ 143.80	\$ 0.20	\$ 205.63	\$ 0.286	\$ -	\$ -
SANCTUARY LAKE GC: Pro Shop (9 mos./yr)	5X / WEEK 1,000	\$ 200.00	\$ 0.20	\$ 519.00	\$ 0.519	\$ -	\$ -
ENGINEERING FIELD OFFICE: All Year	2X / Week 2,550	\$ 382.50	\$ 0.15	\$ 260.10	\$ 0.102	\$ -	\$ -
Monthly TOTAL of GROUP 5:		\$ 1,114.30		\$ 1,708.73		\$ -	
Yearly Total of Group 5:		\$ 13,371.60		\$ 20,504.81		\$ -	
Monthly GRAND TOTAL GROUPS 1 - 5		\$ 20,392.27		\$ 25,345.24		\$ 29,838.55	
Yearly Grand Totals - Groups 1 - 5		\$ 244,707.24		\$ 304,142.84		\$ 358,062.60	
GRAND TOTAL - Groups 1-5 w/Causal		\$ 512,667.24		\$ 577,462.04		\$ 626,022.60	

VENDOR NAME:		Kristel Cleaning LLC	OMNI Facility Services	Du All Cleaning, Inc
CASUAL LABOR:				
City Hall, Courts, Comm.Ctr, Library				
22,820 Hrs x Regular Time;		\$ 251,020.00	\$ 256,040.40	\$ 251,020.00
Holiday Time 96 Hrs		\$ 1,536.00	\$ 1,309.44	\$ 1,344.00
Nature Center/Museum -		\$ 16,940.00	\$ 17,278.80	\$ 16,940.00
1,540 Hrs x Regular Time				
Regular Time:		\$ 11.00	\$ 11.22	\$ 11.00
Employee Pay Range:		7.25 - 9.00	8.00 - 8.25	7.50 - 8.50
Holiday Time:		\$ 16.00	\$ 13.64	\$ 14.00
TOTAL OF CASUAL LABOR:		\$ 269,496.00	\$ 274,628.64	\$ 269,304.00
RETURN OF BID DEPOSIT:				
Pick Up		XX		XX
Mail			XX	
INSURANCE:				
Can Meet		XX	XX	XX
Cannot Meet				
SITE INSPECTIONS:				
Y or N		Yes	Yes	Yes
DATE		7/25/2007	7/25/2007	7/31/2007
VENDOR QUESTIONNAIRE				
Y or N		Yes	Yes	Yes
TWO FORM COMPLETED				
Legal Status	Y or N	Yes	Yes	Yes
Non-Collusion	Y or N	Yes	Yes	Yes
TERMS:				
		Blank	Net 30	Blank
ACKNOWLEDGEMENT				
Y or N		Yes	Yes	Yes
EXCEPTIONS:				
		Blank	None	N/A
ADDENDUM #1				
Y or N		Yes	No	Yes

PROPOSAL: Two(2) Year Requirements of Janitorial Services for Various City Locations with an Option to Renew for Two(2) Additional Years

DISQUALIFIED:

C&W Associates D/B/A Sparkle Janitorial (Did not submit bid surety check with bid)

NO BIDS:

Saber Building Services
Sparkle Commercial Cleaning
Commercial Maintenance, Inc.

BOLD AND HIGHLIGHTED TYPE DENOTES LOW BIDDERS

ATTEST:

Steve Pallotta
 Diane M. Fisher
 Julie Hamilton

Susan Leirstein CPPB
 Purchasing Director

Opening Date -- 8/7/07
 Date Prepared -- 8/8/07

CITY OF TROY
 BID TABULATION
 JANITORIAL SERVICES

VENDOR NAME:	McCoy Maintenance, Inc.	Forma Restoration	Missy Mae Cleaning Service
CHECK #	547382382-3	150840759	4452628513
CHECK AMOUNT	\$ 3,150.00	\$ 3,150.00	\$ 900.00

LOCATION	SQUARE FOOTAGE	COST / MONTH	\$ PER SQUARE FT.	COST / MONTH	\$ PER SQUARE FT.	COST / MONTH	\$ PER SQUARE FT.
Group 1: Civic Center Sites							
CITY HALL & POLICE	86,388	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
52-4 DISTRICT COURT	29,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
COMMUNITY CENTER	99,864	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
LIBRARY	44,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Monthly TOTAL of GROUP 1		\$ -		\$ -		\$ -	
Yearly Total of Group 1:		\$ -		\$ -		\$ -	
CASUAL - 22,820 Hrs x Regular Time;							
GRAND TOTAL -W/CASUAL - GROUP 1:		\$ -		\$ -		\$ -	
Group 2: Garage Facilities							
DPW FACILITY	9,500	\$ 997.50	\$ 0.105	\$ 1,596.00	\$ 0.168	\$ -	\$ -
P&R GARAGE	1,781	\$ 427.44	\$ 0.240	\$ 641.16	\$ 0.360	\$ -	\$ -
Monthly TOTAL of GROUP 2:		\$ 1,424.94		\$ 2,237.16		\$ -	\$ -
Yearly Total of Group 2:		\$ 17,099.28		\$ 26,845.92		\$ -	\$ -
Group 3: Enrichment Facilities							
MUSEUM	5X / Week 10,846	\$ 759.22	\$ 0.070	\$ 867.68	\$ 0.08	\$ -	\$ -
LLOYD STAGE	6X / Week	\$ 695.64	\$ 0.085	\$ 900.24	\$ 0.11	\$ -	\$ -
NATURE CENTER	8,184						
Monthly TOTAL of GROUP 3:		\$ 1,454.86		\$ 1,767.92		\$ -	
Yearly Total of Group 3		\$ 17,458.32		\$ 21,215.04		\$ -	
CASUAL - 1,540 Hrs x Regular Time;		\$ 18,480.00		\$ 16,555.00			
GRAND TOTAL -W/CASUAL - GROUP 3:		\$ 35,938.32		\$ 37,770.04		\$ -	
Group 4: Fire Sites							
FIRE HALLS:							
1 (Tuesday and Friday)	2,175	\$ 206.63	\$ 0.095	\$ 278.40	\$ 0.128	\$ 2,697.00	\$ 1.24
2 (Monday and Thursday)	2,320	\$ 220.40	\$ 0.095	\$ 296.96	\$ 0.128	\$ 2,876.80	\$ 1.24
3 (Tuesday and Friday)	3,000	\$ 285.00	\$ 0.095	\$ 384.00	\$ 0.128	\$ 3,720.00	\$ 1.24
4 (Tuesday and Friday)	1,914	\$ 195.23	\$ 0.102	\$ 244.99	\$ 0.128	\$ 2,373.36	\$ 1.24
5 (Monday and Thursday)	3,000	\$ 285.00	\$ 0.095	\$ 384.00	\$ 0.128	\$ 3,720.00	\$ 1.24
6 (Monday and Thursday)	1,920	\$ 195.84	\$ 0.102	\$ 245.76	\$ 0.128	\$ 2,380.80	\$ 1.24
FIRE/ POLICE TRAIN (5X)	6,915	\$ 546.29	\$ 0.079	\$ 691.50	\$ 0.100	\$ 8,574.60	\$ 1.24
Monthly TOTAL of GROUP 4:		\$ 1,934.38		\$ 2,525.61		\$ 26,342.56	
Yearly Total of Group 4:		\$ 23,212.54		\$ 30,307.34		#####	
Group 5: Other Sites							
SYLVAN GLEN: Maintenance Bldg. - All Year	2X / 750	\$ 195.00	\$ 0.260	\$ 285.00	\$ 0.38	\$ -	\$ -
SYLVAN GLEN GC: Pro Shop (9 mos./yr)	5X / WEEK 1,700	\$ 357.00	\$ 0.210	\$ 357.00	\$ 0.21	\$ -	\$ -
SANCTUARY LAKE GC: Maintenance Bldg(9 mos./yr)	2X / 719	\$ 194.13	\$ 0.270	\$ 287.60	\$ 0.40	\$ -	\$ -
SANCTUARY LAKE GC: Pro Shop (9 mos./yr)	5X / WEEK 1,000	\$ 358.00	\$ 0.358	\$ 360.00	\$ 0.36	\$ -	\$ -
ENGINEERING FIELD OFFICE: All Year	2X / Week 2,550	\$ 242.25	\$ 0.095	\$ 255.00	\$ 0.10	\$ -	\$ -
Monthly TOTAL of GROUP 5:		\$ 1,346.38		\$ 1,544.60		\$ -	
Yearly Total of Group 5:		\$ 16,156.56		\$ 18,535.20		\$ -	
Monthly GRAND TOTAL GROUPS 1 - 5		\$ 6,160.56		\$ 8,075.29		\$ 26,342.56	
Yearly Grand Totals - Groups 1 - 5		\$ 73,926.70		\$ 96,903.50		\$ 316,110.72	
GRAND TOTAL - Groups 1-5 w/Causal		\$ 92,406.70		\$ 113,458.50		\$ 316,110.72	

VENDOR NAME:		McCoy Maintenance	Forma Restoration	Missy Mae Cleaning Service
CASUAL LABOR:				
City Hall, Courts, Comm.Ctr, Library				
22,820 Hrs x Regular Time;		\$ 273,840.00	\$ 245,315.00	\$ -
Holiday Time 96 Hrs		\$ 1,728.00	\$ 1,547.52	\$ -
Nature Center/Museum - 1,540 Hrs X Regular Time;		\$ 18,480.00	\$ 16,555.00	\$ -
Regular Time:		\$ 12.00	\$ 10.75	\$ -
Employee Pay Range:		7.50 - 12.00	7.00 - 10.75	0
Holiday Time:		\$ 18.00	\$ 16.12	\$ -
TOTAL OF CASUAL LABOR:		\$ 294,048.00	\$ 263,417.52	\$ -
RETURN OF BID DEPOSIT:	Pick Up Mail	XX		XX
			XX	
INSURANCE:	Can Meet	XX	XX	XX
	Cannot Meet			
SITE INSPECTIONS:	Y or N	Yes	Yes	Yes
	DATE	7/30/2007	7/25/2007	7/31/2007
VENDOR QUESTIONNAIRE	Y or N	Yes	Yes	Yes
TWO FORM COMPLETED				
	Legal Status	Y or N	Yes	Yes
	Non-Collusion	Y or N	Yes	Yes
TERMS:		Net 30 days	Blank	Blank
ACKNOWLEDGEMENT	Y or N	Yes	Yes	Yes
EXCEPTIONS:		N/A	Blank	Blank
ADDENDUM #1	Y or N	Yes	Yes	Yes

PROPOSAL: Two(2) Year Requirements of Janitorial Services for Various City Locations with an Option to Renew for Two(2) Additional Years

Opening Date -- 8/7/07
Date Prepared -- 8/8/07

CITY OF TROY
BID TABULATION
JANITORIAL SERVICES

VENDOR NAME:	This Is It Cleaning	Road Runr Maintenance	American Cleaning LLC
CHECK #	87112469	102609201	127704743
CHECK AMOUNT	\$ 14,700.00 (\$450 on file)	\$ 15,150.00	\$ 15,150.00

LOCATION	SQUARE FOOTAGE	COST / MONTH	\$ PER SQUARE FT.	COST / MONTH	\$ PER SQUARE FT.	COST / MONTH	\$ PER SQUARE FT.
Group 1: Civic Center Sites							
CITY HALL & POLICE	86,388	\$ 5,010.50	\$ 0.0580	\$ 6,349.52	\$ 0.0735	\$ 8,638.80	\$ 0.10
52-4 DISTRICT COURT	29,000	\$ 2,117.00	\$ 0.0730	\$ 2,375.10	\$ 0.0819	\$ 3,190.00	\$ 0.11
COMMUNITY CENTER	99,864	\$ 8,568.33	\$ 0.0858	\$ 8,808.00	\$ 0.0882	\$ 10,985.04	\$ 0.11
LIBRARY	44,500	\$ 2,545.40	\$ 0.0572	\$ 3,502.15	\$ 0.0787	\$ 4,895.00	\$ 0.11
Monthly TOTAL of GROUP 1		\$ 18,241.24		\$ 21,034.77		\$ 27,708.84	
Yearly Total of Group 1:		\$ 218,894.82		\$ 252,417.27		\$ 332,506.08	
CASUAL - 22,820 Hrs x Regular Time;		\$ 284,793.60		\$ 285,250.00		\$ 245,315.00	9.00 - 12.50
GRAND TOTAL -W/CASUAL - GROUP 1:		\$ 503,688.42		\$ 537,667.27		\$ 577,821.08	
Group 2: Garage Facilities							
DPW FACILITY	9,500	\$ 1,151.40	\$ 0.1212	\$ 1,185.60	\$ 0.12480	\$ 1,045.00	\$ 0.11
P&R GARAGE	1,781	\$ 353.88	\$ 0.1987	\$ 600.02	\$ 0.33690	\$ 516.49	\$ 0.29
Monthly TOTAL of GROUP 2:		\$ 1,505.28		\$ 1,785.62		\$ 1,561.49	
Yearly Total of Group 2:		\$ 18,063.42		\$ 21,427.43		\$ 18,737.88	
Group 3: Enrichment Facilities							
MUSEUM	5X / Week 10,846	\$ 902.39	\$ 0.0832	\$ 800.43	\$ 0.0738	\$ 867.68	\$ 0.08
LLOYD STAGE	6X / Week	\$ 680.91	\$ 0.0832	\$ 800.40	\$ 0.0978	\$ 736.56	\$ 0.09
NATURE CENTER	8,184						
Monthly TOTAL of GROUP 3:		\$ 1,583.30		\$ 1,600.83		\$ 1,604.24	
Yearly Total of Group 3		\$ 18,999.55		\$ 19,209.96		\$ 19,250.88	
CASUAL - 1,540 Hrs x Regular Time;		\$ 19,219.20		\$ 19,250.00		\$ 16,555.00	
GRAND TOTAL -W/CASUAL - GROUP 3:		\$ 38,218.75		\$ 38,459.96		\$ 35,805.88	
Group 4: Fire Sites							
FIRE HALLS:							
1 (Tuesday and Friday)	2,175	\$ 237.73	\$ 0.1093	\$ 250.13	\$ 0.1150	\$ 237.08	\$ 0.109
2 (Monday and Thursday)	2,320	\$ 281.42	\$ 0.1213	\$ 250.10	\$ 0.1078	\$ 252.88	\$ 0.109
3 (Tuesday and Friday)	3,000	\$ 327.90	\$ 0.1093	\$ 250.20	\$ 0.0834	\$ 315.00	\$ 0.105
4 (Tuesday and Friday)	1,914	\$ 209.20	\$ 0.1093	\$ 250.16	\$ 0.1307	\$ 208.63	\$ 0.109
5 (Monday and Thursday)	3,000	\$ 364.50	\$ 0.1215	\$ 250.20	\$ 0.0834	\$ 315.00	\$ 0.105
6 (Monday and Thursday)	1,920	\$ 233.28	\$ 0.1215	\$ 249.98	\$ 0.1302	\$ 209.28	\$ 0.109
FIRE/ POLICE TRAIN (5X)	6,915	\$ 600.22	\$ 0.0868	\$ 800.07	\$ 0.1157	\$ 684.59	\$ 0.099
Monthly TOTAL of GROUP 4:		\$ 2,254.25		\$ 2,300.83		\$ 2,222.45	
Yearly Total of Group 4:		\$ 27,050.95		\$ 27,609.96		\$ 26,669.35	
Group 5: Other Sites							
SYLVAN GLEN: Maintenance Bldg. - All Year	2X / 750	\$ 112.32	\$ 0.14976	\$ 300.00	\$ 0.4000	\$ 150.00	\$ 0.20
SYLVAN GLEN GC: Pro Shop (9 mos./yr)	5X / 1,700	\$ 324.56	\$ 0.19092	\$ 675.07	\$ 0.3971	\$ 595.00	\$ 0.35
SANCTUARY LAKE GC: Maintenance Bldg(9 mos./yr)	2X / 719	\$ 149.82	\$ 0.20837	\$ 300.04	\$ 0.4173	\$ 143.80	\$ 0.20
SANCTUARY LAKE GC: Pro Shop (9 mos./yr)	5X / 1,000	\$ 224.90	\$ 0.22490	\$ 675.00	\$ 0.6750	\$ 350.00	\$ 0.35
ENGINEERING FIELD OFFICE: All Year	2X / Week 2,550	\$ 325.00	\$ 0.12745	\$ 250.16	\$ 0.0981	\$ 510.00	\$ 0.20
Monthly TOTAL of GROUP 5:		\$ 1,136.60		\$ 2,200.26		\$ 1,748.80	
Yearly Total of Group 5:		\$ 13,639.15		\$ 26,403.16		\$ 20,985.60	
Monthly GRAND TOTAL GROUPS 1 - 5		\$ 24,720.66		\$ 28,922.32		\$ 34,845.82	
Yearly Grand Totals - Groups 1 - 5		\$ 296,647.89		\$ 347,067.79		\$ 418,149.79	
GRAND TOTAL - Groups 1-5 w/Causal		\$ 600,660.69		\$ 651,567.79		\$ 680,019.79	

VENDOR NAME:		This Is It Cleaning	Road Runr Maintenance	American Cleaning LLC
CASUAL LABOR:				
City Hall, Courts, Comm.Ctr, Library				
22,820 Hrs x Regular Time;		\$ 284,793.60	\$ 285,250.00	\$245,315.00
Holiday Time 96 Hrs		\$ 1,797.12	\$ 1,536.00	\$ 1,440.00
Nature Center/Museum - 1,540 Hrs X Regular Time;		\$ 19,219.20	\$ 19,250.00	\$ 16,555.00
Average				
Regular Time:		\$ 12.48	\$ 12.50	\$ 10.75
Employee Pay Range:		8.75 - 10.00	7.50 - 10.00	9.00 - 12.50
Holiday Time:		\$ 18.72	\$ 16.00	\$ 15.00
TOTAL OF CASUAL LABOR:		\$ 305,809.92	\$ 306,036.00	\$263,310.00
RETURN OF BID DEPOSIT:				
Pick Up Mail		XX	XX	XX
INSURANCE:				
Can Meet		XX	XX	XX
Cannot Meet				
SITE INSPECTIONS:				
Y or N		Yes	Yes	Yes
DATE		7/31/1007	7/25/2007	7/25/2007
VENDOR QUESTIONNAIRE				
Y or N		Yes	Yes	Yes
TWO FORM COMPLETED				
Legal Status		No	Yes	Blank
Non-Collusion		Yes	Yes	Blank
TERMS:				
		Full	Net 30 days	Blank
ACKNOWLEDGEMENT				
Y or N		Yes	Yes	Yes
EXCEPTIONS:				
		Our goal is to be awarded the contracts for all groups but will be satisfied with at least three	Blank	Blank
ADDENDUM #1				
Y or N		Yes	Yes	Yes

PROPOSAL: Two(2) Year Requirements of Janitorial Services for Various City Locations with an Option to Renew for Two(2) Additional Years

Opening Date -- 8/7/07
 Date Prepared -- 8/8/07

CITY OF TROY
 BID TABULATION
 JANITORIAL SERVICES

VENDOR NAME:	ALBA Cleaning Inc.	Hi-Tec Building Services	Centennial One of Washington, Inc. dba/ Skyline Building Services, Inc.
CHECK #	4452616882	751462656	68378
CHECK AMOUNT	\$ 12,000.00	\$ 15,150.00	\$ 15,150.00

LOCATION	SQUARE FOOTAGE	COST / MONTH	\$ PER SQUARE FT.	COST / MONTH	\$ PER SQUARE FT.	COST / MONTH	\$ PER SQUARE FT.
Group 1: Civic Center Sites							
CITY HALL & POLICE	86,388	\$ 12,094.32	\$ 0.14	\$ 7,256.59	\$ 0.084	\$ 12,187.62	\$ 0.14108
52-4 DISTRICT COURT	29,000	\$ 3,770.00	\$ 0.13	\$ 2,726.00	\$ 0.094	\$ 3,497.43	\$ 0.120601
COMMUNITY CENTER	99,864	\$ 16,976.88	\$ 0.17	\$ 9,886.54	\$ 0.099	\$ 16,272.84	\$ 0.16295
LIBRARY	44,500	\$ 6,230.00	\$ 0.14	\$ 4,094.00	\$ 0.092	\$ 6,657.20	\$ 0.14960
Monthly TOTAL of GROUP		\$ 39,071.20		\$ 23,963.13		\$ 38,615.09	
Yearly Total of Group 1:		\$ 468,854.40		\$ 287,557.54	8.00 -10.00	\$ 463,381.04	
CASUAL - 22,820 Hrs x Regular Time;		\$ 273,840.00		\$ 318,339.00		\$ 505,006.50	
GRAND TOTAL -W/CASUAL - GROUP 1:		\$ 742,694.40		\$ 605,896.54		\$ 968,387.54	
Group 2: Garage Facilities							
DPW FACILITY	9,500	\$ -	-	\$ 1,824.00	\$ 0.192	\$ 1,911.78	\$ 0.20124
P&R GARAGE	1,781	\$ -	-	\$ 703.50	\$ 0.395	\$ 824.44	\$ 0.46291
Monthly TOTAL of GROUP 2:		\$ -	-	\$ 2,527.50		\$ 2,736.22	
Yearly Total of Group 2:		\$ -		\$ 30,329.94		\$ 32,834.67	
Group 3:							
Enrichment Facilities							
MUSEUM	5X / Week 10,846	\$ -	-	\$ 867.68	\$ 0.080	\$ 955.86	\$ 0.08813
LLOYD STAGE	6X / Week	\$ -	-	\$ 1,023.00	\$ 0.125	\$ 1,183.49	\$ 0.14461
NATURE CENTER	8,184						
Monthly TOTAL of GROUP 3:		\$ -		\$ 1,890.68		\$ 2,139.35	
Yearly Total of Group 3		\$ -		\$ 22,688.16		\$ 25,672.15	
CASUAL - 1,540 Hrs x Regular Time;				\$ 21,483.00		\$ 34,080.20	
GRAND TOTAL -W/CASUAL - GROUP 3:		\$ -		\$ 44,171.16		\$ 59,752.35	
Group 4: Fire Sites							
FIRE HALLS:							
1 (Tuesday and Friday)	2,175	\$ -	\$ -	\$ 393.68	\$ 0.181	\$ 394.50	\$ 0.18138
2 (Monday and Thursday)	2,320	\$ -	\$ -	\$ 394.40	\$ 0.170	\$ 394.49	\$ 0.17004
3 (Tuesday and Friday)	3,000	\$ -	\$ -	\$ 393.00	\$ 0.131	\$ 394.50	\$ 0.13150
4 (Tuesday and Friday)	1,914	\$ -	\$ -	\$ 394.28	\$ 0.206	\$ 394.49	\$ 0.20611
5 (Monday and Thursday)	3,000	\$ -	\$ -	\$ 393.00	\$ 0.131	\$ 394.50	\$ 0.13150
6 (Monday and Thursday)	1,920	\$ -	\$ -	\$ 393.60	\$ 0.205	\$ 394.48	\$ 0.20546
FIRE/ POLICE TRAIN (5X)	6,915	\$ -	\$ -	\$ 919.70	\$ 0.133	\$ 1,433.83	\$ 0.20735
Monthly TOTAL of GROUP 4:		\$ -		\$ 3,281.65		\$ 3,800.80	
Yearly Total of Group 4:		\$ -		\$ 39,379.85		\$ 45,609.57	
Group 5: Other Sites							
SYLVAN GLEN: Maintenance Bldg. - All Year	2X / Week 750	\$ -	\$ -	\$ 394.50	\$ 0.526	\$ 394.50	\$ 0.5260
SYLVAN GLEN GC: Pro Shop (9 mos./yr)	5X / WEEK 1,700	\$ -	\$ -	\$ 494.70	\$ 0.291	\$ 955.91	\$ 0.5623
SANCTUARY LAKE GC: Maintenance Bldg(9 mos./yr)	2X / Week 719	\$ -	\$ -	\$ 294.79	\$ 0.410	\$ 394.52	\$ 0.5487
SANCTUARY LAKE GC: Pro Shop (9 mos./yr)	5X / WEEK 1,000	\$ -	\$ -	\$ 295.00	\$ 0.295	\$ 955.90	\$ 0.9559
ENGINEERING FIELD OFFICE: All Year	2X / Week 2,550	\$ -	\$ -	\$ 668.10	\$ 0.262	\$ 788.97	\$ 0.3094
Monthly TOTAL of GROUP 5:		\$ -		\$ 2,147.09		\$ 3,489.80	
Yearly Total of Group 5:		\$ -		\$ 25,765.08		\$ 41,877.54	
Monthly GRAND TOTAL GROUPS 1 - 5		\$ 39,071.20		\$ 33,810.05		\$ 50,781.25	
Yearly Grand Totals - Groups 1 - 5		\$ 468,854.40		\$ 405,720.56		\$ 609,374.98	
GRAND TOTAL - Groups 1-5 w/Causal		\$ 742,694.40		\$ 745,542.56		\$ 1,148,461.68	

VENDOR NAME:		ALBA Cleaning Inc.	Hi-Tech Building Services	Centennial One of Washington, Inc. dba/ Skyline Building Services, Inc.
CASUAL LABOR:				
City Hall, Courts, Comm.Ctr, Library				
22,820 Hrs x Regular Time;		\$ 273,840.00	\$ 318,339.00	\$ 505,006.60
Holiday Time 96 Hrs		\$ 960.00	\$ 1,627.20	\$ 3,187.20
Nature Center/Museum - 1,540 Hrs X Regular Time;		\$ 18,480.00	\$ 21,483.00	\$ 34,080.20
Regular Time:		\$ 12.00	\$ 13.95	\$ 22.13
Employee Pay Range:		8.00 - 11.00	8.00 - 10.00	8.00 - 8.50
Holiday Time:		\$ 10.00	\$ 16.95	\$ 33.20
TOTAL OF CASUAL LABOR:		\$ 293,280.00	\$ 341,449.20	\$ 542,274.00
RETURN OF BID DEPOSIT:	Pick Up Mail	XX	Blank	XX
INSURANCE:	Can Meet	XX	XX	XX
	Cannot Meet			
SITE INSPECTIONS:	Y or N	Yes	Yes	Yes
	DATE	7/31/2007	7/31/2007	7/25/2007
VENDOR QUESTIONNAIRE	Y or N	Yes	Yes	Yes
TWO FORM COMPLETED				
	Legal Status	Y or N	Yes	Yes
	Non-Collusion	Y or N	Yes	Yes
TERMS:		Net 30	2 years - groups 1 -5	Blank
ACKNOWLEDGEMENT	Y or N	Yes	Yes	Yes
EXCEPTIONS:		N/A	No exceptions to this bid-may decline if not selectd for all locations. 2% discount if awarded all locations	We accept all terms and specs, Including all exceptions, deviations, substitutions etc from the City of Troy
ADDENDUM #1	Y or N	Yes	Yes	Yes

PROPOSAL: Two(2) Year Requirements of Janitorial Services for Various City Locations with an Option to Renew for Two(2) Additional Years

Opening Date -- 8/7/07
 Date Prepared -- 8/8/07

CITY OF TROY
 BID TABULATION
 JANITORIAL SERVICES

VENDOR NAME: Giant Janitorial Service Inc

CHECK # 336435073

CHECK AMOUNT \$ 15,150.00

LOCATION	SQUARE FOOTAGE	COST / MONTH	\$ PER SQUARE FT.				
Group 1: Civic Center Sites							
CITY HALL & POLICE	86,388	\$ 4,578.56	\$ 0.053				
52-4 DISTRICT COURT	29,000	\$ 1,827.00	\$ 0.063				
COMMUNITY CENTER	99,864	\$ 7,889.26	\$ 0.079				
LIBRARY	44,500	\$ 2,403.00	\$ 0.054				
Monthly TOTAL of GROUP 1		\$ 16,697.82					
Yearly Total of Group 1:		\$ 200,373.84					
CASUAL - 22,820 Hrs x Regular Time;		\$ 262,430.00	7.50 - 9.50				
GRAND TOTAL -W/CASUAL - GROUP 1:		\$ 462,803.84					
Group 2: Garage Facilities							
DPW FACILITY	9,500	\$ 15,675.00	\$ 1.65				
P&R GARAGE	1,781	\$ 6,233.50	\$ 3.50				
Monthly TOTAL of GROUP 2:		\$ 21,908.50					
Yearly Total of Group 2:		\$ 262,902.00					
Group 3: Enrichment Facilities							
MUSEUM	5X / Week 10,846	\$ 759.22	\$ 0.070				
LLOYD STAGE	6X /	\$ 810.22	\$ 0.099				
NATURE CENTER	8,184						
Monthly TOTAL of GROUP 3:		\$ 1,569.44					
Yearly Total of Group 3		\$ 18,833.23					
CASUAL - 1,540 Hrs x Regular Time;		\$ 17,710.00					
GRAND TOTAL -W/CASUAL - GROUP 3:		\$ 36,543.23					
Group 4: Fire Sites							
FIRE HALLS:							
1 (Tuesday and Friday)	2,175	\$ 2,610.00	\$ 1.20				
2 (Monday and Thursday)	2,320	\$ 2,784.00	\$ 1.20				
3 (Tuesday and Friday)	3,000	\$ 3,000.00	\$ 1.00				
4 (Tuesday and Friday)	1,914	\$ 2,105.40	\$ 1.10				
5 (Monday and Thursday)	3,000	\$ 3,000.00	\$ 1.00				
6 (Monday and Thursday)	1,920	\$ 2,112.00	\$ 1.10				
FIRE/ POLICE TRAIN (5X)	6,915	\$ 5,186.25	\$ 0.75				
Monthly TOTAL of GROUP 4:		\$ 20,797.65					
Yearly Total of Group 4:		\$ 249,571.80					
Group 5: Other Sites							
SYLVAN GLEN: Maintenance Bldg. - All Year	2X / 750	\$ 2,625.00	\$ 3.50				
SYLVAN GLEN GC: Pro Shop (9 mos./yr)	5X / 1,700	\$ 5,950.00	\$ 3.50				
SANCTUARY LAKE GC: Maintenance Bldg(9 mos./yr)	2X / 719	\$ 2,157.00	\$ 3.00				
SANCTUARY LAKE GC: Pro Shop (9 mos./yr)	5X / 1,000	\$ 3,000.00	\$ 3.00				
ENGINEERING FIELD OFFICE: All Year	2X / 2,550	\$ 3,187.50	\$ 1.25				
Monthly TOTAL of GROUP 5:		\$ 16,919.50					
Yearly Total of Group 5:		\$ 203,034.00					
Monthly GRAND TOTAL GROUPS 1 - 5		\$ 77,892.91					
Yearly Grand Totals - Groups 1 - 5		\$ 934,714.87					
GRAND TOTAL - Groups 1-5 w/Causal		\$ 1,214,854.87					

VENDOR NAME: Giant Janitorial Services, Inc.

CASUAL LABOR:

City Hall, Courts, Comm.Ctr, Library	
22,820 Hrs x Regular Time;	\$ 262,430.00
Holiday Time 96 Hrs	\$ 1,248.00
Nature Center/Museum - 1,540 Hrs X Regular Time;	\$ 17,710.00
Regular Time:	\$ 11.50
Employee Pay Range:	7.50 - 9.00
Holiday Time:	\$ 13.00

TOTAL OF CASUAL LABOR: \$ 281,388.00

RETURN OF BID DEPOSIT:	Pick Up Mail	XX		
INSURANCE:	Can Meet	XX		
	Cannot Meet			
SITE INSPECTIONS:	Y or N	Yes		
	DATE	7/25/007		
VENDOR QUESTIONNAIRE	Y or N	Yes		
TWO FORM COMPLETED				
	Legal Status	Y or N	Yes	
	Non-Collusion	Y or N	Yes	
TERMS:		Net 10		
ACKNOWLEDGEMENT	Y or N	Yes		
EXCEPTIONS:		Blank		
ADDENDUM #1	Y or N	Yes		

PROPOSAL: Two(2) Year Requirements of Janitorial Services for Various City Locations with an Option to Renew for Two(2) Additional Years



CITY COUNCIL ACTION REPORT

October 8, 2009

TO: John Szerlag, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance & Administration
Susan A. Leirstein, Purchasing Director
Carol K. Anderson, Parks and Recreation Director

SUBJECT: Standard Purchasing Resolution 1: Award to Low Bidder – Jaycee Park Fencing

Background

- On September 14, 2009, bids were received to replace the aging backstops, dugout and safety fencing of the two (2) ball diamonds at Jaycee Park.
- 88 Vendors were notified of the bid opportunity via the MITN system with six (6) qualified bids received, as well as one (1) vendor who could not be considered since the specified bid surety was not submitted.
- Nationwide Construction Group, 53861 Gratiot, Chesterfield, MI submitted the lowest bid at \$18,367.00.

Financial Considerations

- Funds are available in the 2009/10 Parks Capital Funds Account for Park Development - #401.751.770.7974.040.
- The City of Troy has been awarded a Community Grant of \$2,500.00 from the Metro-Detroit Amateur Softball Association to assist with the fencing improvement of the ball diamonds at Jaycee Park.

Legal Considerations

- ITB-COT 09-30 to furnish all labor, materials, and equipment to remove old and install new fencing for Jaycee Park Ball Diamonds was competitively bid as required by City Charter and Code.
- The award is contingent upon the recommended bidder's submission of proper contracts and bid documents, including insurance certificates and all other specified requirements.

Recommendation

- City management and the Parks and Recreation department recommend awarding a contract to install new ball diamond fencing at Jaycee Park to the low bidder, Nationwide Construction Group, of Chesterfield, MI, for an estimated total cost of \$18,367.00, with a project completion date of December 1, 2009.

VENDOR NAME:

5% CHECK #:

CHECK AMOUNT:

Nationwide	American Fence	Motor City Fence	Riteway Fence, Inc
Construction Group		Company	
9012301821	413529	1542656	4288
\$1,000.00	\$996.60	\$1,096.40	\$1,175.00

PROPOSAL: To furnish all labor, materials, and equipment to remove and Install new fencing for Jaycee Park Ball Diamonds, in accordance with specifications and drawings.

COMPLETE FOR THE SUM OF:

\$ 18,367.00	\$ 19,938.00	\$ 21,928.00	\$ 23,500.00
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SCHEDULE OF VALUES: Y or N

Y	Y	Y	Y
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SITE INSPECTION: Y/N
Date

Y	Y	Y	Y
9/9/2009	9/11/2009	9/9/2009	9/11/2009

CONTACT INFORMATION:
Hours of Operation
24HR Phone #

7-5pm	7:30-5pm	8-5	6-5 M-F
586.484.5890	313.909.1523	248.269.8888	586.262.3730

COMPLETION DATE:

December 1, 2009			
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Can Meet
Cannot Meet
Offers
Work Shall Commence

XX	XX	XX	XX
10 Days	10 Days	14 Days	14 Days

PROGRESS PAYMENTS:

Net 30 Days	Net 30	Net 30	Upon Completion
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INSURANCE: Can Meet
Cannot Meet

XX	XX	XX	XX

PAYMENT TERMS:

Net 30	Net 30	Net 30	Net 30
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WARRANTY:

1 Year	1 Year	1 Year	1 Year Labor
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EXCEPTIONS:

No Exceptions	Blank	Blank	N/A

ACKNOWLEDGEMENT:

Y	Y	Y	Y
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QUESTIONNAIRE: Attached Y or N

Y	Y	Y	Y
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DISQUALIFIED:

Future Fence Company (Submitted company check as bid surety - must be cashier/money order/or certified funds)

BOLDFACE TYPE DENOTES LOW BIDDER

ATTEST:

Jeff Biegler
 Diane Fisher
 Julie Hamilton

 Susan Leirstein CPPB
 Purchasing Director

VENDOR NAME:	Michigan Fence & Supply Company	Great Lakes Fence Company, Inc		
5% CHECK #:	100392923	9197102283		
CHECK AMOUNT:	\$ 1,396.30	\$ 1,674.50		

PROPOSAL: To furnish all labor, materials, and equipment to remove and Install new fencing for Jaycee Park Ball Diamonds, in accordance with the specifications and drawings.

		Alt: 6' High 6 gauge bottom of backstop add \$250.00		
COMPLETE FOR THE SUM OF:	\$	27,926.00	\$	33,490.00
SCHEDULE OF VALUES:	Y or N	Y	Y	
SITE INSPECTION:	Y/N Date	Y 9/11/2009	Y 9/11/2009	
CONTACT INFORMATION:	Hours of Operation 24HR Phone #	7-5 586.468.2531	8-4pm M-F 313.300.4180	
COMPLETION DATE:		December 1, 2009		
	Can Meet	XX	XX	
	Cannot Meet			
	Offers			
	Work Shall Commence	3 Days	21 Days	
PROGRESS PAYMENTS:		Net 30 Days	Net 30 0% Retainage	
INSURANCE:	Can Meet	XX	XX	
	Cannot Meet			
PAYMENT TERMS:		Net 30 Days	Net 30	
WARRANTY:		1 Yr Workmanship	1 Yr Parts & Labor	
EXCEPTIONS:		Blank	Blank	
ACKNOWLEDGEMENT:		Y	Y	
QUESTIONNAIRE:	Attached Y or N	Y	Y	



CITY COUNCIL ACTION REPORT

October 12, 2009

TO: John Szerlag, City Manager

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

SUBJECT: Contract Extension: MITN Purchasing Cooperative – Paging Services

BACKGROUND

Since November 2003, the City of Troy and other MITN Cooperative members have been authorized to utilize the services of American Messaging (formerly Verizon Wireless) for paging services through December 1, 2009. {CC Res #2006-05-202-E4b / 2003-11-559-E21} After an extensive market research, only two major suppliers have the capability to provide services at a national level, American Messaging (AM) and USA Mobility. The attached survey details the difference in contract pricing. {See Attachment A} Although USA Mobility holds the state of Michigan contract, American Messaging negotiated pricing, which is lower than the state's, including favorable terms and conditions to continue its relationship with the cooperative agencies it serves, which has over a 1000 units currently in use.

The value of all wireless devices rests on coverage. Engineering maps for coverage received by Livingston County from both AM and USA Mobility found that USA Mobility would have to put up an antenna in the northern part of the county to support their emergency responders. The City of Troy and other participating cooperative entities have not experienced any major coverage issues with American Messaging.

In addition, there are labor costs associated with changing systems/carriers. Gathering and returning all pagers, obtaining and deploying new cap codes, obtaining and deploying new programming software and cables, programming new pagers, re-programming the computer aided dispatch (CAD) system for the new carrier, changing all pager numbers in existing Codespear and Infoview databases, and pager lists, as the current numbers will not port to the new carrier. Then, there is the trickle down effect with Clawson, since their fire department also uses American Messaging pagers for notification from our CAD.

FINANCIAL CONSIDERATIONS

- Funds for this contract are currently available in various departmental operating budgets under Communications-Pagers.
- The number of pagers in our fleet has declined from 466 in 2003 to 312 today; and used primarily by volunteer firefighters and on-call personnel.
- Rates for the alpha-numeric pagers Troy has in-house have dropped 20%, from \$4.95 to \$3.95 per month. See Attachment A for proposed contract pricing.

LEGAL CONSIDERATIONS

- In accordance with the American Messaging Customer Agreement and Attachments incorporated herein for reference.

October 12, 2009

To: John Szerlag, City Manager
Re: Contract Extension – Paging Services

MARKET SURVEY

- A market survey conducted by the Purchasing Department indicates the MITN contract continues to be the best value when compared to others in the marketplace.

RECOMMENDATION

- City management requests authorization to extend the current contract for paging services with American Messaging, in accordance with the customer agreement attached for the City of Troy and participating Michigan Intergovernmental Trade Network (MITN) Cooperative members for an estimated annual cost to Troy of \$19,000.00 expiring December 1, 2014.

Reviewed as to form and legality:

Lori Grigg Bluhm, City Attorney

	ATTACHMENT A		
Market Survey for Pagers - September 29, 2009			
PAGER CONTRACTS			
	CURRENT	PROPOSED	
	MITN Cooperative	MITN Cooperative	State of Michigan
Contract	Yes	Yes	Yes
Expiration	12/1/2009	12/1/2014	5/31/2010
Vendor	American Messaging (formerly Verizon)	American Messaging (formerly Verizon)	USA Mobility
Contact	Gena Sprow	Gena Sprow	Barbara Williams
Phone #	313.274.2822	313.274.2822	616.257.9468
<u>Contract Rates:</u>			
Number Pagers	\$2.95/month	\$1.85/month	\$2.25/month
Alpha-Numeric (State)	\$4.95/month	\$3.95/month	\$4.50/month
Alpha-Numeric (Nation)	\$18.90/month	\$17.95/month	\$14.95/month
Two-Way Pagers	\$17.95/month	\$17.95/month	\$19.95/month
Key Note (Tone/Voice)	None	None	
Blackberry Wireless	None	None	None
Group Capcode	No Charge	No Charge	\$3.75
*Batteries	Free	Free	Not Included
<u>Replacements:</u>			
Numeric	\$27.00 each	\$19.95 each	\$15.00 each
Alpha-Numeric	\$55.00 each	\$39.95 each	\$30.00 each
Two-Way Pagers	\$119.00 each	\$99.95 each	\$45.00 each
*one battery per pager per month			
MICTA - REMC - US Communities do not have pager contracts.			
Oakland County utilizes the services of USA Mobility			

This Account Agreement (“Agreement”) is made and entered into as of the date of execution by Customer (“Effective Date”) by and between American Messaging Services, LLC with its headquarters located at Lewisville OPS Center, 1720 Lakepointe Drive, Suite 100, Lewisville, TX 75057 (“Carrier”) and Cooperative Cities, with a billing address located at <Address> (“Customer”). All eligible agencies as listed under <http://www.govbids.com/scripts/mitn/public/ParticipatingAgency.asp> have the ability to purchase from this agreement by completing a Subscriber Form (example included as Attachment 2).

1. **Services to be Performed by Carrier:** Carrier and/or its affiliates shall provide services and may provide equipment to Customer subject to the terms and conditions of this Agreement and Attachment 1, and all applicable federal, state and local laws, rules and regulations.
2. **Term:** The term of this Agreement shall begin on the Effective Date and continue for a period of five (5) years unless earlier terminated pursuant to the terms of this Agreement (“Term”).
3. **Pricing:** Equipment and services provided under this Agreement shall be provided in accordance with the Pricing set forth on this Agreement and Paging plans. Carrier reserves the right to increase pricing equal to the consumer price index of the preceding year, one time per Calendar year, with mutual consent of both parties. Optional offerings may be referenced in this agreement and/or may be offered to Customer and all such offerings shall be governed by this Agreement and by the terms provided to customer that are associated with such offerings. The optional offerings include but are not limited to: Pager Replacement Program, Automatic Payment Plan, Pager Exchange Program, and Employee Pager Program.
4. **Billing and Payments:** Customer will be billed on a monthly basis or according to Customer’s Billing Cycle, and Customer’s bill will reflect the rates in effect under the applicable price plan at the time charges are incurred, plus any other charges that apply. Any unused call/packet counts from one month may not be transferred to another. Call/packet counts may not be aggregated as between wireless devices on the same account. Payment is due thirty (30) days from the date of invoice. Customer waives any billing errors if Customer does not notify Carrier of such errors within sixty (60) days from date of the invoice containing such error. If Customer defaults, Carrier may: (a) require Customer to return all Carrier owned equipment to Carrier, and/or (b) be entitled to a judgment against Customer. A LATE FEE PAYMENT OF THE GREATER OF UP TO ONE AND ONE-HALF PERCENT (1.5%) PER MONTH (18 PERCENT ANNUALLY) OR ONE DOLLAR AND 50 CENTS (\$1.50) PER ACCOUNT APPLIES TO BALANCES THAT REMAIN UNPAID. HOWEVER, IF THIS LATE FEE EXCEEDS THAT ALLOWED BY APPLICABLE LAW, THEN THE MAXIMUM FEE ALLOWED BY LAW SHALL APPLY (In California, Customer will be charged at 1.5%). Customer shall pay all reasonable costs of collection, including payment of attorneys’ fees and court costs. These remedies shall be cumulative and in addition to any other remedies Carrier has at law or in equity. If service is interrupted due to non-payment, and Carrier reactivates Customer account, Customer will be required to pay a reconnection fee.
5. **Wireless Equipment:** Customer bears the risk of loss or damage to wireless equipment, whether leased or purchased, once received. If Customer has purchased the equipment the same shall be deemed accepted within fifteen (15) days of receipt or when the equipment is activated and provided with service, whichever occurs earlier. Acceptance of the equipment shall be deemed a complete discharge of Carrier’s obligations as it concerns the purchased equipment. However, Customer shall have thirty (30) days from the date the equipment is received to discover alleged defects in such equipment and to return the equipment to Carrier for a replacement of similar type. Leased equipment remains the property of Carrier. If this Agreement is terminated, Customer will return all leased wireless equipment and accessories provided under this Agreement in reasonably good condition or reimburse Carrier at current retail rates for similar equipment and/or accessories. Lease charges will continue to accrue until all wireless equipment is returned or paid for by Customer.
6. **Relationship of the Parties:** Both parties agree and understand that the services performed under this Agreement are performed by Carrier as an independent contractor and not as an employee of the Customer.
7. **Limitation of Liability:** Carrier shall not be liable to Customer, its employees, agents, or any third party for injuries to persons or property arising from Customer's use of the services, the wireless equipment or related equipment, or for any defect in the services or equipment. Furthermore, Carrier shall not be liable for the installation, repair or maintenance of the services or equipment by any parties who are not employees of Carrier, or subcontractors of Carrier. Carrier’s performance hereunder shall be excused if affected by equipment failure, acts of God, strikes, severe weather conditions, fire, riots, war, earthquakes, equipment or facility shortage or any other event or causes beyond Carrier’s reasonable control. **IN NO EVENT SHALL EITHER PARTY BE LIABLE FOR ANY INDIRECT, SPECIAL, CONSEQUENTIAL, INCIDENTAL OR PUNITIVE DAMAGES, HOWEVER CAUSED, WHICH ARE INCURRED BY THE OTHER PARTY AND WHICH ARISE OUT OF ANY ACT OR FAILURE TO ACT RELATING TO THIS AGREEMENT, EVEN IF SUCH PARTY HAS BEEN ADVISED OF THE CLAIM OR POTENTIAL CLAIM OR OF THE POSSIBILITY OF SUCH DAMAGES. IN NO EVENT SHALL CARRIER BE LIABLE FOR LOSSES, DAMAGES, OR CLAIMS ARISING OUT OF THE USE OR ATTEMPTED USE OF EMERGENCY SERVICES, NOR SHALL CARRIER BE LIABLE FOR THE INABILITY TO ACCESS EMERGENCY SERVICE.**

AMERICAN MESSAGING SERVICES, LLC
CUSTOMER AGREEMENT

8. **INFORMATION REGARDING WARRANTIES:** Carrier agrees to assign to Customer any of the manufacturers' consumer warranties received by Carrier and intended for the end user with respect to the wireless equipment. CUSTOMER ACKNOWLEDGES THAT CARRIER IS NOT THE MANUFACTURER OF THE WIRELESS EQUIPMENT AND CUSTOMER AGREES THAT CARRIER HAS NOT MADE AND MAKES NO REPRESENTATIONS OR WARRANTIES WHATSOEVER, DIRECTLY OR INDIRECTLY, EXPRESS OR IMPLIED, AS TO THE SUITABILITY, DURABILITY, FITNESS FOR USE, MERCHANTABILITY, CONDITION OR QUALITY OF THE WIRELESS EQUIPMENT. WITH RESPECT TO CARRIER, CUSTOMER PURCHASES OR LEASES THE WIRELESS EQUIPMENT "AS IS". CARRIER SHALL NOT BE LIABLE TO CUSTOMER FOR ANY LOSS, DAMAGE OR EXPENSE OF ANY KIND OR NATURE CAUSED DIRECTLY OR INDIRECTLY BY THE WIRELESS EQUIPMENT, OR BY ANY INTERRUPTION OF SERVICE OR LOSS OF USE OF THE WIRELESS EQUIPMENT, OR FOR ANY LOSS OF BUSINESS OR DAMAGE WHATSOEVER AND HOWSOEVER CAUSED UNLESS LOSS OR DAMAGE IS DIRECTLY CAUSED BY CARRIER'S WILLFUL MISCONDUCT. CUSTOMER ACKNOWLEDGES THAT DISSATISFACTION WITH THE WIRELESS EQUIPMENT WILL NOT RELIEVE CUSTOMER OF ANY OBLIGATION UNDER THIS AGREEMENT. NOT WITHSTANDING THE ABOVE, CUSTOMER MAY RETURN THE EQUIPMENT PER THE TERMS OF SECTION 5 HEREIN.
9. **Intellectual Property:** Carrier shall have no liability for violation of any patent, copyright, trademark or trade secret or for violation of any license or franchise arising out of or resulting from (a) the use of the services or wireless equipment in combination with any other product or service not supplied by Carrier, or (b) modification of the services or wireless equipment by, or on behalf of, Customer.
10. **Indemnity:** Each party agrees to be responsible for any personal injury or property damage caused by negligent acts or negligent omissions by or through itself or its agents, employees and contracted servants and each party further agrees to defend itself and themselves and pay any judgments and costs arising out of such negligent acts or negligent omissions, and nothing in this Agreement shall impute or transfer any such responsibility from one to the other.
11. **Confidential Information:** Customer shall hold in strictest confidence information provided to it by Carrier that is marked confidential or proprietary ("Confidential Information") for the Term of this Agreement and for a period of two years following the expiration or termination of this Agreement. Carrier acknowledges that Customer is subject to release of public records under the Freedom of Information Act. Customer will make a good faith effort to inform Carrier immediately of any third party requests for access to information defined as confidential under the this Agreement. Carrier acknowledges that the Freedom of Information Act requires a five (5) day response to a request for information. Carrier agrees to provide a response to Customer within three (3) days as to its position regarding the release of the requested information. If Carrier requests that the information not be released, Carrier agrees to specify in writing to Customer, the applicable exception to release of the information in the Freedom of Information Act. If it is Customer's decision to release the information to the third party, Customer will notify Carrier prior to its release and may exercise its options under law. Carrier agrees that is shall not initiate any action against Customer based upon Customer's release of information under the Freedom of Information Act. Nothing herein is intended to preclude Carrier from seeking an injunction for any other relief to prevent release of such information. Customer acknowledges that Carrier would suffer irreparable damage in the event of any material breach of these provisions. Accordingly, in such event, Carrier would be entitled to obtain preliminary and final injunctive relief, as well as any other applicable remedies at law or in equity as the result of a breach or threatened breach of this section.
12. **Termination:** Customer has the option to terminate this agreement during the first 30 days of service without penalty. A non-breaching party may terminate this Agreement if the other party commits a material breach of any term or condition of this Agreement and fails to cure such breach within a thirty (30) day period after receiving notice of such breach. Except as provided above, if Customer has less than ten (10) wireless devices in service and terminates service to any wireless devices within the Term of this Agreement or Carrier terminates Customer's service for good cause, then Customer shall pay \$75.00 per unit to Carrier for each such termination as an early termination fee. If Customer has ten (10) or more wireless devices in service and at any time terminates service on twenty (20) percent of the contracted units in service, then Customer shall pay Carrier the monthly fee for each terminated device multiplied times the number of months remaining in the Term of this Agreement. Furthermore, if Carrier determines that Customer is misusing the equipment or service in a manner that negatively impacts Carrier's network, then Carrier may terminate and/or suspend service without notice to Customer.
13. **Availability of Service:** Messaging and paging services use radio transmissions, so Carrier cannot provide service when Customer's wireless equipment is not in range of one of our transmission sites, or a transmission site of another company that has agreed to carry Carrier's service, or if there is not sufficient network capacity available at the moment. Also, there are places, particularly in remote areas, with no service at all. Weather, topography, buildings, Customer's wireless equipment, and other conditions Carrier does not control may also cause missed pages or other problems.
14. **Response Procedure:** If service is unavailable in Carrier's service area for more than twenty-four (24) continuous hours due to Carrier's fault, Carrier will give Customer a pro rata daily credit for the period Customer is without service. To receive such

**AMERICAN MESSAGING SERVICES, LLC
CUSTOMER AGREEMENT**

credit, Customer must notify Carrier in writing within thirty (30) days after the first bill is received for the period during which the interruption started.

15. **Assignment:** Neither Party may assign this Agreement, except in the case of a merger or sale of all or substantially all its assets, without the prior written consent of the other party, which shall not be unreasonably withheld. Subject to these restrictions, this Agreement shall apply to, inure to the benefit of, and be binding upon the successors and assignees of the respective parties.
16. **Notices:** All notices required or permitted to be given hereunder shall be in writing and shall be valid and sufficient if dispatched by (a) registered or certified mail, postage prepaid, in any Post Office in the United States; (b) hand delivery; (c) overnight courier; or (d) facsimile transmission upon confirmation of receipt by the recipient.

If to Carrier:
Contract Support Group
American Messaging Services, LLC.
1720 Lakepointe Drive, Suite 100
Lewisville, TX 75057

If to Customer:
To the billing address of record maintained by
Carrier.

17. **Severability:** Whenever possible, each provision of this Agreement shall be interpreted in such a manner as to be effective and valid under applicable law. If any provision of this Agreement shall be held by a court of competent jurisdiction or by a duly appointed arbitrator to be invalid or unenforceable under applicable law, such provision shall be ineffective only to the extent of its invalidity or unenforceability, and the remainder of such provision and the remaining provisions of this Agreement shall remain in full force and effect.
18. **Wireless Number And/Or Internet Address:** Carrier will assign one wireless telephone number (also referred to as an “access number”, “pager number”, or “wireless number”), cap code and/or internet address, if applicable, to each unit in service. Customer agrees that it does not have any property right or ownership in the wireless number, cap code or Internet address or in the personal identification number (“PIN(s)”) the Customer or Carrier may establish. Carrier may change the Customer’s wireless number if Carrier determines it is necessary to comply with regulatory and/or commercial requirements; however, Carrier shall not arbitrarily change Customer’s wireless number and in the event of change Carrier shall specifically advise Customer of the reason for such change.
19. **Charges:**
- 19.1. **Charges:** Refer to Attachment 1 – Pricing for Cooperative Cities
- 19.2. **Tax:** If any federal, state or local government tax, fee, duty, or surcharge (collectively referred to as a “Tax”) is required by applicable law to be collected from Customer by Carrier, then (a) Carrier shall bill Customer for such Tax, (b) Customer shall timely remit such Tax to Carrier, and (c) Carrier shall, where applicable, remit such collected Tax to the appropriate taxing authority. If Carrier does not collect a Tax because Customer has provided Carrier with evidence of exemption, and if such as an exemption is later determined to be inadequate, then, as between Carrier and Customer, Customer shall be liable for such uncollected Tax and for all interest, penalties and additions to Tax which are determined to be due with respect to such uncollected Tax.
20. **Authority:** The parties hereby represent that they have full power and authority to enter into and perform this Agreement and know of no contracts, agreements, promises or undertakings that would prevent the full execution and performance of this Agreement.
21. **Reservation of Rights:** Either party's waiver of any of its remedies for a breach by the other party shall not operate to waive any other remedies available to it, nor shall such waiver operate to waive rights to any remedies for a future breach, whether of a like or different character.
22. **Entire Agreement:** This Agreement, together with the Attachment 1 and the Renewal Form, if applicable, contains the full and complete understanding between the parties, supersedes all prior agreements and understandings, whether written or oral pertaining to the services and cannot be modified except by a written instrument signed by both parties.
23. **Governing Law:** Except as provided below, this Agreement shall be governed by the laws of the State of Michigan regardless of any conflicts of laws or rules that would require the application of the laws of another jurisdiction. Disputes requiring arbitration shall be resolved in the State of Michigan.
24. **Execution of Agreement:** This Agreement may be executed in several counterparts, a copy of which shall be considered an original for all purposes whatsoever.

**AMERICAN MESSAGING SERVICES, LLC
CUSTOMER AGREEMENT**

25. IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date of signature by Customer.

CUSTOMER:
Cooperative Cities
By: _____

Name:
 Its Authorized Representative

Title:

Dated:
 ("Effective Date")

CARRIER:
American Messaging Services, LLC
By: _____

Name:
 Its Authorized Representative

Title:

Dated:

**AMERICAN MESSAGING SERVICES, LLC
CUSTOMER AGREEMENT**

**Attachment 1
PRICING for Cooperative Cities**

This is Attachment number 1 to the American Messaging Services, LLC Agreement and it is incorporated into and made part of that Agreement. The pricing set forth below is applicable during the initial term of the Agreement and any subsequent terms unless the parties agree to change or modify such pricing.

ACTIVATION INFORMATION

Contracted Units in Service	
------------------------------------	--

ALPHA AND NUMERIC ONE-WAY PRICING

NUMERIC	Service	Access Fee (Includes Lease Fee)	Page Allowance (Per Month)	Charge per page over Allowance	
		Statewide*	\$ 1.85 per month	Unlimited	N/A
ALPHA	Service	Access Fee (Includes Lease Fee)	Page Allowance** (Per Month)	Charge per page over Allowance	
		Statewide*	\$ 3.95 per month	Unlimited	N/A
		Nationwide	\$ 17.95 per month	Unlimited	N/A

*Local service includes one or more Metropolitan Statistical Areas (MSAs), Statewide service includes major MSAs within a State. **Two hundred forty (240) character limit per page.

TWO-WAY PRICING

Two-Way P900 Leased	Service	Access Fee (Includes Lease Fee)	Packet Allowance (Per Month)	Charge per packet over Allowance
		Nationwide	\$17.95 per month	500

Third Party Carrier Pricing

In certain instances, American Messaging may utilize third party carriers to provide paging services. The pricing contained herein is based on services provided directly by American Messaging. If we determine that the use of a third-party carrier is necessary, our customer's associated service costs will be negotiated separately.

ENHANCED SERVICE OPTIONS

Secondary 800/888/877 Number	\$ 3.95 per month
Group Calls	No Charge
Voice Mail Pkg. D (20/60/72)	\$ 1.50 per month
Custom Greeting	No Charge
Operator Dispatch	To be determined based on needs of customer.
Page Saver SM Numeric Retrieval	No Charge
Page Forwarding	No Charge
Alpha Software	No Charge – limited quantity based on total units
Batteries (ordered quarterly)	1 battery per pager per month at No Charge (includes free shipping)

AMERICAN MESSAGING SERVICES, LLC
CUSTOMER AGREEMENT

PAGER REPLACEMENT PROGRAM (PRP)

American Messaging will exchange leased paging units at no additional charge that are defective or stop working due to normal wear and tear. The optional Pager Replacement Program will protect you against theft, loss or damage to your pager. Without PRP, you are responsible for the full pager replacement charge. With PRP, any repairable damage is covered 100% and if your pager is lost, stolen or damaged beyond repair, it will be replaced with a comparable one (see fee schedule).

Service	Fee	Loss Fee with PRP	Note: American Messaging Services, LLC reserves the right to change or discontinue models during this agreement.
Numeric	No Charge	\$19.95	
Alpha	No Charge	\$39.95	
Two-Way	No Charge	\$99.95	

SHIPPING CHARGES AND MISC. CHARGES

SHIPPING CHARGES

American Messaging Services, LLC provides automated order fulfillment. By contacting Major Account Customer Service, a representative can initiate the shipping order and prioritize it to meet Cooperative Cities' needs for the pager(s) to arrive at the location and by the time specified by Cooperative Cities. American Messaging Services, LLC will pass onto Cooperative Cities any charges that are incurred for expedited shipping and handling. **American Messaging will provide UPS Ground shipments at No Charge to the Cooperative Cities.**

TAXES AND FEES

Prices do not include state and local sales tax, and other applicable taxes, fees, charges, or pass through assessments.

AMERICAN MESSAGING'S EXPLANATION OF USE FEES

*The Telecommunications Act of 1996 requires American Messaging Services, LLC to support the Federal Universal Service Fund. American Messaging will separately list the Federal Universal Service Charge (FUSC) and Regulatory Charge (RC) on our customer's bill. All accounts will be assessed a monthly charge. The actual amount of the FUSC charge may vary monthly; the history is listed below. The Regulatory Charge is \$0.06 per line per month as of January 1, 2009.

Assessment Rate History:

- (3Q) July 1, 2009 – September 30, 2009 FUSC rate: 1.55%
- (2Q) April 1, 2009- June 30, 2009 FUSC rate: 1.36%
- (1Q) January 1, 2009 – March 31, 2009 FUSC rate: 1.14%
- (4Q) October 1, 2008 – December 31, 2008 FUSC rate: 1.368%

Some states have developed their own Universal Service programs and the USF rate is determined by the individual state. American Messaging Services, LLC will provide more information regarding this State Universal Service Fund upon request from Cooperative Cities.

RESTOCKING FEE

Pagers returned between the 46th and the 180th day will be charged a \$10.00 restocking fee. (No line item will appear on the invoice for the restocking fee, the credit issued will be \$10.00 less that what was charged for the equipment.) Pagers returned after the 180th day will not receive an equipment credit. Lost pagers will follow the same process. If returned prior to the 45th day, a full credit will be issued.

INVOICE FEE

Customers will be charged an invoice fee of \$4.95. The fee will appear on invoices for customers with 1 to 99 UIS that are not paperless. By going paperless, they can avoid this fee. **This fee will be waived for Cooperative Cities.**

NETWORK ADMINISTRATION FEE

Customers will be charged a network administration fee of up to 9.95% per account. The fee is applied to recurring charges including overcalls if applicable, and is not applied to the Universal Service Fund charges or taxes.

AMERICAN MESSAGING SERVICES, LLC
CUSTOMER AGREEMENT

Attachment 2

Subscriber Agreement

American Messaging Services Subscriber Agreement for Cooperative Cities Eligible Entities

This Account Agreement is made and entered into as of _____, 20__ by and between American Messaging Services LLC d/b/a American Messaging and _____, with a billing address of _____.

- A. American Messaging entered into a five (5) year Services Agreement with Cooperative Cities dated _____ and any and all related Amendments, (collectively the "Service Agreement") to provide wireless paging service and equipment ("Services").
- B. Whereas, the undersigned represents that it is a Cooperative Cities affiliate or location entitled to participate in the Service Agreement and desires to purchase materials/services from American Messaging under the same terms, conditions, specifications, and pricing as set forth in the Agreement;
- C. Therefore, the undersigned hereby agrees to the terms and provisions of the Service Agreement and agrees to participate in the Service Agreement to purchase Services from American Messaging.

ELIGIBLE AGENCY: _____

Name: _____ Signature: _____

Title: _____ Date: _____

ORDER SUMMARY (add lines as needed)		or EXISTING ACCOUNT (account #) _____	
# of units	Type of equipment	Coverage	Enhanced Services

The following employee(s) are authorized to access the account, purchase equipment, add lines of service, cancel service, make changes to the account and to sign an American Messaging customer service order for the Eligible Agency indicated above for lines of wireless and paging service:

AUTHORIZED CONTACT PERSON(S):	
Name: _____	Title: _____
Employee I.D No.: _____	Signature: _____
Mailing Address: _____	
Telephone: _____	Fax: _____
Email: _____	
Name: _____	Title: _____
Employee I.D No.: _____	Signature: _____
Mailing Address: _____	
Telephone: _____	Fax: _____
Email: _____	

E-4 Standard Purchasing Resolutions**a) Standard Purchasing Resolution 1: Award to Low Bidder – Grass Seed and Hydro-Seeding Mulch/Fertilizer**

Resolution #2006-05-202-E-4a

RESOLVED, That a contract to purchase grass seed and hydro-seeding mulch/fertilizer is hereby **AWARDED** to the low total bidder, Tri-Turf of Farmington Hills, Michigan, for an estimated total cost of \$12,099.00, at unit prices contained in the bid tabulation opened April 18, 2006, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

b) Standard Purchasing Resolution 3: Exercise Renewal Option – MITN Purchasing Cooperative Pager Rental Contract

Resolution #2006-05-202-E-4b

WHEREAS, On November 3, 2003, a three (3) year contract with an option to renew for up to three (3) additional years to provide pager rental was awarded to the low bidder, Verizon Wireless Messaging Services of Lewisville, Texas for an estimated annual cost of \$29,103.00 (Resolution #2003-11-559);

WHEREAS, Verizon Wireless has agreed to exercise the three-year option to renew the contract under the same pricing structure, terms, and conditions for participating members of the MITN (Michigan Intergovernmental Trade Network) Cooperative;

NOW, THEREFORE, BE IT RESOLVED, That the option to renew the contract is hereby **EXERCISED** with Verizon Wireless Messaging Services to provide pager rental services under the same pricing structure, terms and conditions for three years expiring December 1, 2009.

c) Standard Purchasing Resolution 10: Travel Authorization and Approval to Expend Funds for Troy City Council Members' Travel Expenses – National League of Cities (NLC) FAIR/Public Finance Panel Spring Steering Committee Meeting

Resolution #2006-05-202-E-4c

RESOLVED, That those Council members interested are **AUTHORIZED** to attend the National League of Cities (NLC) FAIR/Public Finance Panel Spring Steering Committee Meeting on June 15 - 17, 2006 in Cambridge, Massachusetts in accordance with accounting procedures of the City of Troy.

d) Standard Purchasing Resolution 4: State of Michigan, MiDeal Purchasing Agreement – SMARTMSG, Emergency Notification System

Resolution #2006-05-202-E-4d

RESOLVED, That contracts to purchase SMARTMSG, an emergency notification system, which includes hardware and software from Codespear, AT&T, Hewlett Packard, and EDS are hereby **APPROVED** through State of Michigan MiDeal contracts for an estimated total project cost of

April 27, 2006

TO: John M. Lamerato, Acting City Manager

FROM: Jeanette Bennett, Purchasing Director

Subject: **Agenda Item:** Standard Purchasing Resolution 3: Exercise Renewal Option - MITN Purchasing Cooperative Pager Rental Contract

RECOMMENDATION

On October 28, 2003, informal quotations were received to furnish three (3) year requirements of pager rental with an option to renew for up to three (3) additional years. Troy City Council awarded the contract on November 3, 2003, to the low bidder, Verizon Wireless Messaging Services of Lewisville, Texas, for an estimated annual total cost of \$29,103.00. (Resolution #2003-11-559). City management recommends exercising the option to renew for three (3) additional years at the same prices, terms, and conditions as the original contract to expire December 1, 2009.

Verizon has agreed to exercise the option to renew the contract for the (3) three additional years under the same discount structure, terms, and conditions.

Numeric Pagers	2.95 per mo
Alpha-Numeric (State)	4.95 per mo
Alpha-Numeric (Nation)	18.90 per mo
Two-Way Pagers	17.95 per mo

MARKET SURVEY

A market survey conducted by the Purchasing Department indicates the MITN contract continues to be the best value when compared to others in the marketplace. Therefore, staff concurs with the recommendation to exercise the option to renew for (3) three additional years.

SUMMARY

The City of Troy is the host city for the bid process conducted on behalf of the MITN Purchasing Cooperative including Farmington Hills, Sterling Heights, Warren, Rochester Hills, Pontiac and the County of Livingston.

BUDGET

Funds for this contract are currently available in various departmental operating budgets under Communications-Pagers.

Market Survey for Pagers - February 15, 2006						
		PAGER CONTRACTS				
	MITN Cooperative	State of Michigan	Oakland County	MiCTA	REMC	US Communities
Contract	Yes	Yes	Yes	Yes	No	No
Expires	12/1/2006	10/1/2006	12/31/2006	9/20/2008	0	0
Company	Verizon	USA Mobility	USA Mobility	Verizon Business	None	None
		(aka Arch Wireless)	(aka Arch Wireless)	(formerly MCI)		
Company Contact	Michelle Bearse	Barbara Williams	Wanda Williams	Jerry A. Edgeton	None	None
Phone #	1-888-858-7712	1-800-412-1044	248-423-2840		None	None
		Lower Peninsula				
<u>Contract Rates:</u>						
Numeric Pagers	2.95 per mo	2.95 per mo	None	6.99 per mo	None	None
Alpha-Numeric (State)	4.95 per mo	5.75 per mo	6.95 per mo	8.99 per mo	None	None
Alpha-Numeric (Nation)	18.90 per mo	None	38.00 per mo	34.55 per mo	None	None
Two-Way Pagers	17.95 per mo	None	38.45 per mo	7.26 per mo	None	None
Key Note (Tone/Voice)	None	11.95 per mo	None	None	None	None
BlackBerry Wireless	None	None	69.00 per mo	43.75 per mo		
<u>Replacements: w/out Ins.</u>						
Numeric	27.00 ea	49.00 ea		20.00 ea	None	None
Alpha-Numeric	55.00 ea	129.00 ea		64.99 ea	None	None
Two-Way Pagers	119.00 ea	None		49.95 ea	None	None
Key Note	None	145.00 ea		None	None	None

D-3 Proposed Zoning Ordinance Text Amendment for Section 03.40 – Site Plan Review/Approval (ZOTA #199)

Vote on Resolution to Refer to Planning Commission

Resolution #2003-11-558
Moved by Lambert
Seconded by Beltramini

RESOLVED, That proposed Zoning Ordinance Text Amendment for Section 03.40 – Site Plan Review/Approval (ZOTA #199) be **REFERRED** to the Planning Commission for further review.

Yes: All-6
No: None
Absent: Stine

RECESS: 9:20 P.M. – 9:41 P.M.

PUBLIC COMMENT:

A. Items on the Current Agenda

E-21 Standard Purchasing Resolution 1: Award to Low Bidder – Tri-County Purchasing Cooperative Pager Rental Contract

Resolution #2003-11-559
Moved by Eisenbacher
Seconded by Broomfield

RESOLVED, That a contract to provide three-year requirements of pager rentals for the City of Troy and various members of the Tri-County Purchasing Cooperative with an option to renew for up to three years is hereby **AWARDED** to the low bidder, Verizon Wireless Messaging Services, for an estimated annual cost of \$29,103.00, at unit prices contained in the tabulation dated October 28, 2003, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon contractor submission of properly executed proposal and agreement documents acceptable to the City of Troy **AUTHORIZED AND EXECUTED** by the Mayor and City Clerk.

Yes: All-6
No: None
Absent: Stine

October 28, 2003

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager
John M. Lamerato, Assistant City Manager/ Finance and Administration
Jeanette Bennett, Purchasing Director

Subject: Standard Purchasing Resolution 1: Award To Low Bidder -
Tri-County Purchasing Cooperative Pager Rental Contract

RECOMMENDATION

On Tuesday, October 28, 2003, three (3) informal quotations were due and received to furnish three (3) year requirements of Pager Rental with an option to renew for up to three (3) additional years. City management recommends that the Troy City Council award the contract to the low total bidder, Verizon Wireless Messaging Services, for an estimated annual total cost of \$73,839.00, at unit prices contained in the attached quote tabulation. Troy's annual total is estimated to be \$ 29,103.20. The annual savings for the Cooperative due to the re-bid using adjusted quantities equals approximately \$12,236.40 or \$5,426.80 for Troy.

REVERSE AUCTION VS. INFORMAL QUOTATIONS

At the Council meeting of October 20, 2003, staff gained approval to re-bid the pager rental contract either by means of a reverse auction or informal quotation process (Resolution #2003-10-513). Two problems were experienced in trying to conduct the reverse auction. First, both Public Safety Communications and Skytel declined to participate in the reverse auction (letters attached). Secondly, there were stringent timing issues associated with when the auction would close. At this time, Bidcorp, the enabler of the reverse auction process, could not change a midnight auction closing time; nor could they allow for continued bidding when vendors bid within the last couple minutes (seconds) of a closing time. To achieve the competition necessary for a reverse auction, the ending time should be within normal working hours so all could actively participate. Reverse auctions are the wave of the future, and the City will encourage active participation when market conditions allow.

SUMMARY

The City of Troy is the host city for the bid process conducted on behalf of the Tri-County Purchasing Cooperative cities including Farmington Hills, Sterling Heights, Warren, Rochester Hills, St. Clair Shores, and Pontiac.

BUDGET

Funds for this contract are currently available in various departmental operating budgets under Communications-Pagers.

3 Vendors – Electronically Notified
3 Bid Responses Received

Closing Date -- 10/28/03		CITY OF TROY						RFQ-COT 03-34			
Date Prepared -- 10/28/03		INFORMAL QUOTE									
		PAGER RENTAL									
VENDOR NAME: *		Verizon Wireless			Public Safety Co. LLC			Skytel Communications			
		Messaging Services									
PROPOSAL --		NUMBERIC, ALPHA-NUMERIC, AND TWO-WAY PAGERS									
		ALL COSTS BASED ON 500 PAGES PER MONTH EXCEPT AS NOTED									
	EST QTY	COST	MON/Cost	YEAR/Cost	COST	MON/Cost	YEAR/Cost	COST	MON/Cost	YEAR/Cost	
NUMERIC PAGERS:											
	State-wide	465	\$ 2.95	\$ 1,371.75	\$ 16,461.00	\$ 3.15	\$ 1,464.75	\$ 17,577.00	\$ 4.99	\$ 2,320.35	\$ 27,844.20
ALPHA NUMERIC PAGERS:											
	State-wide	790	\$ 4.95	\$ 3,910.50	\$ 46,926.00	\$ 5.00	\$ 3,950.00	\$ 47,400.00	\$ 6.99	\$ 5,522.10	\$ 66,265.20
	Nationwide *	20	\$ 18.90	\$ 378.00	\$ 4,536.00	\$ 17.95	\$ 359.00	\$ 4,308.00	\$ 19.95	\$ 399.00	\$ 4,788.00
* (200 pages per month)											
TWO-WAY PAGERS:											
	State-wide/Nationwide	20	\$ 17.95	\$ 359.00	\$ 4,308.00	\$ 17.95	\$ 359.00	\$ 4,308.00	\$ 19.95	\$ 399.00	\$ 4,788.00
REPLACEMENT PAGERS: (If not insured) Lost or Stolen											
	Numeric Pager	10	\$ 27.00	\$ 270.00	\$ 35.00	\$ 350.00	\$ 45.00	\$ 450.00	\$ 45.00	\$ 450.00	\$ 450.00
	Alpha Numeric Pager	20	\$ 55.00	\$ 1,100.00	\$ 75.00	\$ 1,500.00	\$ 90.00	\$ 1,800.00	\$ 90.00	\$ 1,800.00	\$ 1,800.00
	Two-Way Pager	2	\$ 119.00	\$ 238.00	\$ 159.00	\$ 318.00	\$ 150.00	\$ 300.00	\$ 150.00	\$ 300.00	\$ 300.00
ESTIMATED TOTAL PER YEAR:				* \$ 73,839.00			\$ 75,761.00			\$ 106,235.40	
ESTIMATED GRAND TOTAL - 3 YRS				\$ 221,517.00			\$ 227,283.00			\$ 318,706.20	
Quoting on:		Motorola			Davis Comm / Bravo 800 / Sun Telecom			Motorola			
Make/Model:		BR850/BRAVO FLEX/ADVISOR ELITE/ADVISOR GOLD/T900			ST-800 / Motorola / Talkabout						
OPTIONAL: ADDITIONAL COSTS											
INSURANCE COST:											
			Unit Cost			Unit Cost			Unit Cost		
	Numeric Pager		\$ 0.45			N/A			\$ 1.00		
	Alpha Numeric Pager		\$ 0.45			N/A			\$ 1.00		
	Two-Way Pager		\$ 1.50			N/A			\$ 1.00		
REPLACEMENT COSTS W/INSURANCE:											
	Numeric Pager		\$ 15.00			N/A			\$ 20.00	DEDUCTIBLE	
	Alpha Numeric		\$ 35.00			N/A			\$ 65.00	DEDUCTIBLE	
	Two-Way Pager		\$ 80.00			N/A			\$ 99.00	DEDUCTIBLE	
BAUD RATE:			FLEX			FLEX			2400		
TERMS:			NET 30			NET 30 DAYS			3 YRS BUT 30 DAYS OUT		
EXCEPTIONS:			ATTACHED TO BID			BLANK			ATTACHED TO BID		
			(EXCEPTIONS / CLARIFICATIONS)						CANNOT DO REPLACEMENT BATTERIES		
									CANNOT DO FREE SHIPPING		
									FREE MONTHLY BILLING		
PAGER SERVICES/OPTIONS TO BE OFFERED AT NO CHARGE											
PC SOFTWARE/MESSAGE ENTRY											
CAP CODE BURNERS											
NETWORK SOFTWARE FOR ALPHA-NUMERIC OR TWO-WAY PAGERS - ALLOWS GROUP PAGING											
SPARE PAGERS											
PUBLIC SAFETY INFORMATION SERVICES											
DATACAST											
PROPOSAL-- Three Year Requirements of Pager Rentals for the City of Troy and Various Members of the Tri-County Purchasing Cooperative Group with an Option to Renew for Up to Three Years											
* DENOTES LOW TOTAL BIDDER											
Jeanette Bennett Purchasing Director											

Public Safety Communications, LLC
30246 Rosenbusch
Warren, Michigan 48088
Office: 888-PSC-0911 Fax: 877-616-9334
Garry Watts - Timothy Teer
sales@publicsafetycommunications.net



October 22, 2003

City of Troy
Attention: Jeanette Bennett
Purchasing Department

It is the choice of PSC, LLC to use the option of "Electronic Quote" for bidding the pagers.

We feel that using the reverse auction procedure would be unfair since it hasn't been used in a bid like this. We also feel that having exposed pricing already would create further issues.

Thank You

A handwritten signature in black ink, appearing to read 'Garry Watts', is written over the printed name.

President
Public Safety Communications, LLC



1 Towne Square
Suite 900
Southfield, MI 48076

Jeanette Bennett
City of Troy

Dear Jeanette:

Thank you for inviting us to participate in the reverse auction process for your paging business. While we appreciate the opportunity we will have to decline the offer. We would prefer to simply offer you the lowest rates we can right off the bat. I have spoken with SkyTel's upper management to get the best rates. When you advise us to the Internet procedure I will submit our "best and final offer." Please keep in mind that while some companies treat paging as a loss leader and a commodity, value added paging is SkyTel's only business. We own and operate two paging networks that many regard as the best and most reliable in the country. As a resident of Farmington Hills I hope my tax dollars are going to the best product and value on the market not the cheapest. As recent history has shown reliable paging services and networks save lives and money.

Customers Rely on SkyTel During the Power Outage

The recent outage in the Northeast and Midwest was a challenge to everyone -- Individuals and businesses alike. But SkyTel service made staying in touch a little easier for customers in New York, New Jersey, Chicago, Detroit, Cleveland and Toledo:

Throughout the outage, street level coverage was available on the SkyTel one-way and two-way networks. So, while our in-building penetration was below normal in some cases, most customers were able to use their SkyTel services without incident.

Here's what some SkyTel customers had to say:

"SKYTEL RULES!!!!!! YOU GUYS PROVIDED THE ONLY COMMUNICATION DURING THE ENTIRE BLACKOUT!!!! I WAS ABLE TO REACH MY TEAM TO SHUT DOWN SERVERS, DEAL WITH EMERGENCY BACK-UPS, SEE IF EVERYONE GOT HOME, ETC.AWESOME!!!!!!"

VERIZON, AT&T, NEXTEL AND SPRINT WERE DOWN MOST OF THE TIME. YOU GUYS ROCK!!!!!!!!!!"

- Angela Lynch -McGraw Hill

"The pager was a life saver for all of us here in IT despite some few latency and basic service issues. All in all, the pager did help us get through the black out, so we are very grateful for it...."

-- Jenny - BNP Paribas

"SkyTel's network was up the entire time when many other things were not. We were able to keep our firefighters updated and informed throughout the entire blackout. Two-way messaging came in handy numerous times throughout the night, especially in light of the fact that most cellular networks were down. This event reinforced our belief in SkyTel as a rock-solid service provider."

- David Pilster, Port Washington Fire Department

Another reminder that the more critical the Communications need, the more critical it is for that customer to have SkyTel!

Sincerely,

Tim Wilson
Major Account Executive
SkyTel

Susan A Leirstein

From: Deborah.Kroeger@VerizonWireless.com
Sent: Thursday, October 23, 2003 11:58 AM
To: LeirsteiSA@ci.troy.mi.us
Subject: Reverse Auction Bid Process

Susan-

Verizon Wireless Messaging Services does not have any problems competing in a reverse auction. If you have any questions, please contact me at the number listed below.

Thank you!

Debi Kroeger

Verizon Wireless Messaging Services
Consultant, Sales Support
Lewisville, TX
(214) 222-6491

"Its not the size of the dog in the fight, its the size of the fight in the dog"

POSTPONED ITEMS

D-1 Standard Purchasing Resolution 2: Bid Award – Lowest Acceptable Bidder Meeting Specifications – Pager Contract

Resolution #2003-10-513

Moved by Eisenbacher

Seconded by Broomfield

RESOLVED, That the bid proposal for ITB-COT 03-20, pagers, opened July 30, 2003, is hereby **REJECTED**.

BE IT FURTHER RESOLVED, That the Troy City Council determines that the public interest will be best served without obtaining sealed bids and allowing an alternate competitive purchasing process since:

- 1) Formal bids have already been received once, but could not be awarded.
- 2) There are potential savings to be experienced from an electronic process due to process speed and timesavings.
- 3) The processes proposed (electronic informal quotations or reverse auction) are competitive although, with the changes in technology, not obtained in a traditional sealed method.

Yes: Howrylak, Pryor, Beltramini, Broomfield, Eisenbacher

No: Lambert

Absent: Stine

MOTION CARRIED**Suspend City Council Rules #5 and Change Order of Business**

Resolution #2003-10-514

Moved by Eisenbacher

Seconded by Lambert

RESOLVED, That City Council **SUSPEND** Rules of Procedure #5 and **MOVE FORWARD** F-8, Request from CCPTF: Change Proposed Location of Reflective Head on the current agenda.

Yes: All-6

No: None

Absent: Stine

F-8 Request from CCPTF – Change Proposed Location of Reflective Head

Resolution #2003-10-515

Moved by Beltramini

October 15, 2003

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager
John M. Lamerato, Assistant City Manager/Finance and Administration
Jeanette Bennett, Purchasing Director

SUBJECT: Rejection of Bid – Pagers

RECOMMENDATION

City management recommends that City Council approve the rejection of all bids for pagers opened July 30, 2003 (ITB-COT 03-20). Verizon, our current provider, misconstrued the bid proposal documents and forced their bid to be evaluated with normalized quantities since an essential price was not submitted for replacements without insurance.

Staff also recommends the waiver of a formal bid procedure and the use of one of the following alternate competitive purchasing processes: electronic quotations or, our preferred course, an electronic reverse auction. Since this bid included other entities from the Tri-County Purchasing Cooperative, the largest member entities were canvassed, and they agreed to the rejection and either alternate process.

The charter states: "...In all sales or purchases in excess of ten thousand dollars, (a) the sales or purchases shall be approved by the Council, (b) ***sealed bids shall be obtained, except where the Council shall determine*** that an emergency exists ***or that the public interest will be best served without obtaining sealed bids...***" The following reasons are proposed to fulfill the requirement that the public interest would be served without sealed bids:

1. Sealed bids have been formally taken once. In the interest of saving time and money for both the City and the bidders involved in conducting another entire bid process, the alternate processes can be completed quickly and result in a less costly process. The bids that are being rejected are approximately \$2.20 / pager / month less than current rates. This translates into a monthly savings of approximately \$1,025.20 or \$12,302.40 annually. Time is money.
2. Both processes are competitive and ensure competition, although the current interpretation of a "sealed bid" is compromised. Charter and ordinance changes are pending to allow electronic processes.
3. The pager contract is a perfect fit to handle in an electronic format. During the July-October bid process, much was discovered concerning the current pager market. Those market changes could be accommodated with modified and compressed specifications to allow a simplified document and pricing structure that results in savings to the City and the Cooperative.

Pager Rejection
Page 2 of 2

BACKGROUND

Since, to our knowledge, a reverse auction has not been conducted in Michigan, we are dependent upon one of our current electronic providers Bidcorp or Bidnet to implement the process. At this point, Bidcorp is confident they can accommodate a reverse auction and Purchasing is reviewing the implementation of such a process with them.



CITY COUNCIL ACTION REPORT

October 13, 2009

TO: John Szerlag, City Manager

FROM: Mark Miller, Acting Asst. City Manager/Economic Development Services
Steven J. Vandette, City Engineer *SJV*

SUBJECT: Private Agreement for HCR Manor Care
Project No. 08.923.3

Recommendation:

- The Engineering Department has reviewed the plans for this project and recommends approval. The plans include water main, sanitary sewer, sidewalk, soil erosion, and deceleration lane. The site is located on the southeast corner of Livernois and South Boulevard.

Financial Considerations:

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

Legal Considerations:

- There are no legal considerations associated with this item.

Policy Considerations:

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

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

Prepared by: G. Scott Finlay, PE

Detailed Summary of Required Deposits & Fees
Heartland Health Care
08.923.3

ESCROW DEPOSITS (PUBLIC):

Sanitary Sewers	<u>\$30,000</u>
Water Mains	<u>\$7,800</u>
Sidewalk	<u>\$14,125</u>
Deceleration and/or Passing Lane - MAJOR ROAD	<u>\$21,296</u>
<u>TOTAL ESCROW DEPOSITS (Refundable):</u>	<u>\$73,221</u>

CASH FEES (Non-Refundable):

Water Main Testing and Chlorination	<u>\$650</u>
Engineering Review Fee (Private Improvements)	<u>\$7,048</u>
Plan Review and Construction Inspection Fee (Public Improvements)	<u>\$5,931</u>
<u>TOTAL CASH FEES (NON-REFUNDABLE):</u>	<u>\$13,629</u>

CASH DEPOSITS (Refundable):

Street Cleaning/Road Maintenance	<u>\$5,000</u>
----------------------------------	----------------

PAID
OCT 12 2009
CITY OF TROY
TREASURER'S OFFICE

City Of Troy

Contract for Installation of Municipal Improvements
(Private Agreement)

Project No.: 08.923.3

Project Location: NW 1/4 Section 3

Resolution No: _____

Date of Council Approval: _____

This Contract, made and entered into this 8th day of October, 20⁰⁹ by and between the City of Troy, a Michigan Municipal Corporation of the County of Oakland, Michigan, hereinafter referred to as "City" and Heartland-Oakland MI, LLC whose address is 333 N. Summit, Toledo, Ohio 43699 and whose telephone number is 419-252-5958 hereinafter referred to as "Owners", provides as follows:

FIRST: That the City agrees to permit the installation of water main, sanitary sewer, sidewalk, soil erosion and deceleration lane in accordance with plans prepared by Nowak & Fraus whose address is 1350 N. Stephenson Hwy., Royal Oak, MI 48067 and whose telephone number is 248-399-0886 and approved prior to construction by the City in accordance with City of Troy specifications.

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

Refundable escrow deposit equal to the estimated construction cost of \$ 73,221.00. This amount will be deposited with the City in the form of (check one):

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

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

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

Non-refundable cash fees in the amount of \$ 13,629.00. This amount will be paid to the City in the form of (check one):

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

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

City Of Troy

Contract for Installation of Municipal Improvements (Private Agreement)

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

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

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

City Of Troy

Contract for Installation of Municipal Improvements
(Private Agreement)

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed in duplicate on this _____ day of October, 2009.

OWNERS
Heartland-Oakland MI, LLC
By: Matthew S. Kang
Its: Secretary/Treasurer

CITY OF TROY

By:

Matthew S. Kang
Please Print or Type

Louise E. Schilling, Mayor

Please Print or Type

Tonni Bartholomew, City Clerk

STATE OF MICHIGAN, COUNTY OF OAKLAND

On this _____ day of October, A.D. 2009, before me personally appeared _____ known by me to be the same person(s) who executed this instrument and who acknowledged this to be his/her/their free act and deed.

NOTARY PUBLIC, Oakland County, Michigan
Acting in Oakland County, Michigan
My commission expires: _____

STATE OF OHIO, COUNTY OF LUCAS

On this 09th day of October, A.D. 2009, before me personally appeared Matthew S. Kang, the Secretary/Treasurer of Heartland-Oakland MI, LLC, known by me to be the same person who executed this instrument and who acknowledged this to be his free act and deed on behalf of the Company.

Cheryl Adamski
Notary Public, Lucas County, Ohio
Acting in Lucas County
My Commission Expires: 07-27-2013



CHERYL L. ADAMSKI
Notary Public, State of Ohio
My Commission Expires 07-27-2013



CITY COUNCIL ACTION REPORT

October 5, 2009

TO: John Szerlag, City Manager

FROM: Tonni L. Bartholomew, City Clerk

SUBJECT: Request for Recognition as a Nonprofit Organization Status from Carol Finn of Troy Youth Hockey Association (TYHA)

Background:

- Attached is a request from Carol Finn of Troy Youth Hockey Association (TYHA) seeking recognition as a nonprofit organization status for the purpose of obtaining a charitable gaming license for fundraising purposes.
- Due to changes in the organization's officers, the current secretary is unable to locate Form #1023-*Application for Recognition Exemption*. The applicant has recently applied for a copy of the form and was informed by the IRS that processing time could take as long as 60-days. The applicant requested that we proceed with the process with an approval contingent upon the City receiving Form #1023 from them.
- It has been City Management's practice to support the approval of all such requests.



Troy Youth Hockey Association

1819 E. Big Beaver Road

Troy, Michigan 48083

September 25th, 2009

Troy City Council &
Mayor Louise Schilling
Troy City Hall
500 W. Big Beaver
Troy, MI 48084

Dear Troy City Council;

The purpose of this letter is to request recognition as a non-profit organization for the purpose of obtaining a gaming license for the Troy Youth Hockey Association. The Troy Youth Hockey Association (TYHA) is a non-profit Corporation that is organized under the Laws of the State of Michigan. We are asking for this recognition for the sole purpose of hosting a fundraising event for our travel teams in hopes to reduce ice costs for the team members. We have enclosed all the required documentation and hope you will be able to grant us recognition during your next scheduled City Council meeting on October 5th, 2009. Thank you for taking the time to review our request. If you should have any questions please do not hesitate to contact me at your convenience, (248) 941-1281.

Sincerely,

Carol Finn



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

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

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

called to order by _____ on _____
DATE

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

Moved by _____ and supported by _____

that the request from _____ of _____,
NAME OF ORGANIZATION CITY

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

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

gaming licenses, be considered for _____.
APPROVAL/DISAPPROVAL

APPROVAL

DISAPPROVAL

Yeas: _____

Yeas: _____

Nays: _____

Nays: _____

Absent: _____

Absent: _____

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the _____ at a _____
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL

meeting held on _____.
DATE

SIGNED: _____
TOWNSHIP, CITY, OR VILLAGE CLERK

PRINTED NAME AND TITLE

ADDRESS

COMPLETION: Required.
 PENALTY: Possible denial of application.
 BSL-CG-1153(R10/06)

P.O. Box 2508
Cincinnati OH 45201

In reply refer to: 0248556163
Aug. 18, 2008 LTR 4168C E0
38-3347202 000000 00 000
00022087
BODC: TE

TROY YOUTH HOCKEY ASSOCIATION
% GREGORY GURACECH
1819 E BIG BEAVER RD
TROY MI 48063-2007198



003262

Employer Identification Number: [REDACTED]
Person to Contact: Mrs. Crouch
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your request of Aug. 07, 2008, regarding your tax-exempt status.

Our records indicate that a determination letter was issued in November 1997, that recognized you as exempt from Federal income tax, and discloses that you are currently exempt under section 501(c)(3) of the Internal Revenue Code.

Our records also indicate you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section 509(a)(2).

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

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely yours,

Michele M. Sullivan, Oper. Mgr.
Accounts Management Operations I

MICHIGAN DEPARTMENT OF COMMERCE - CORPORATION AND SECURITIES BUREAU

22

Date Received

MAR 19 1997

(FOR BUREAU USE ONLY)

FILED

MAR 25 1997

Administrator
MI DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
CORPORATION, SECURITIES & LAND DEVELOPMENT BUREAU

EFFECTIVE DATE:

Name		
Address		
City	State	Zip Code

Document will be returned to the name and address you enter above



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

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

ARTICLE I

The name of the corporation is:

TROY YOUTH HOCKEY ASSOCIATION

ARTICLE II

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

See attached.

ARTICLE III

The corporation is organized upon a Nonstock basis.
(Stock or Nonstock)

1. If organized on a stock basis, the total number of shares which the corporation has authority to issue is

not applicable

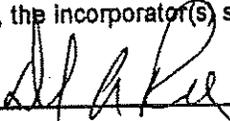
If the shares are, or are to be, divided into classes, the designation of each class, the number of shares in each class, and the relative rights, preferences and limitations of the shares of each class are as follows:

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

See Article VI attached.

I, (We), the incorporator(s) sign my (our) name(s) this 17th day of March, 1997.



Dan Rea

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

TROY YOUTH HOCKEY ASSOCIATION

Attachment to Articles of Incorporation

ARTICLE II: The purposes for which TROY YOUTH HOCKEY ASSOCIATION (the "Association") is organized are:

a. To promote, foster, organize and administer amateur youth hockey programs and teams; to promote the sport of ice hockey generally; to provide youth with winter recreation and to develop and encourage sportsmanship and social well being between the members; and to further the purpose of the Association with all powers conferred upon it by the provisions of the Michigan Nonprofit Corporation Act (the "Act") by the Articles of Incorporation and By-Laws of the Association.

b. To operate exclusively as a tax-exempt organization under the Internal Revenue Code of 1986, as amended, or corresponding section of any future federal tax code (the "Code").

c. To receive and administer funds, to raise funds through fundraising efforts, to acquire, to own, to invest, to dispose of, and to deal with real and personal property and interests therein, and to apply gifts, grants, contributions, bequests and devises, and the income and proceeds thereof, in furtherance of the purposes of the Association.

d. Notwithstanding any other provisions of these Articles, the Association shall not carry on any other activities not permitted to be carried on by a tax-exempt organization under the Internal Revenue Code of 1986.

e. No part of the net earnings of the Association shall inure to the benefit of, or be distributable to, its directors, officers or other private persons, except that the Association shall be authorized to pay reasonable compensation for services rendered and to make payments in furtherance of the purposes set forth in Article II.

ARTICLE VI: LIABILITY LIMITATIONS.

a. To the full extent permitted by law, no volunteer director of the Association shall be personally liable to the Association or its members for damages for breach of the director's fiduciary duty.

b. The Association assumes the liability for all acts or omissions of a nondirector volunteer, provided that:

i. The volunteer was acting or reasonably believed he or she was acting within the scope of his or her authority;

MAR 25 1997

Troy Youth Hockey Association
Attachment to Articles of Incorporation
Page 2

- ii. The volunteer was acting in good faith;
- iii. The volunteer's conduct did not amount to gross negligence or willful and wanton misconduct;
- iv. The volunteer's conduct was not an intentional tort; and
- v. The volunteer's conduct was not a tort arising out of the ownership, maintenance or use of a motor vehicle as described in Section 209(e)(v) of the Michigan Nonprofit Corporation Act.

Troy Youth Hockey Association

By Laws and House Draft Rules

Article I

Name and Address

- 1.1 Name: The Corporation shall be known as the Troy Youth Hockey Association (hereinafter referred to as the-"Corporation").
- 1.2 Registered Office: Troy Youth Hockey Association
Troy Sports Center
1819 E. Big Beaver Road
Troy, MI 48083
- 1.3 Other Locations: The Corporation may establish such other offices as shall be designated by the Board of Directors from time to time.

Article II

Purpose and Objectives

- 2.1 Purpose and Objectives: The purpose and objectives of the Corporation are:
 - A. To foster, promote and teach amateur hockey and to provide the maximum opportunity for all eligible individuals to participate in amateur hockey activities.
 - B. To promote community spirit, encourage sportsmanship and good fellowship among all members and to improve the physical, mental and social well being of the members.
 - C. To develop, organize and control team competition and promote hockey as a recreational activity in the House Division.
 - D. To provide the maximum opportunity for all qualified individuals to play hockey at a competitive level in the Travel Division.
 - E. To use any revenues solely for the promotion of these purposes and objectives.
 - F. To carry on any activity in connection with these purposes and objectives not forbidden by law and with all powers conferred on the Corporation under the laws of the State of Michigan applicable to non-profit organizations.

Article III **Organization**

- 3.1 Non-Profit: This Corporation is organized as a non-profit Corporation under the laws of the State of Michigan upon a non-stock membership basis, not involving pecuniary gain or profit for any of its members.
- 3.2 Use of Funds: All funds and property of the Corporation of whatsoever kind and nature shall be used and distributed exclusively for carrying out the purpose and objectives of the Corporation set forth in Article II.
- 3.3 Non-Discrimination: It is the policy of the Corporation that no person, on the basis of race, sex, color, religion, national origin or ancestry, handicap or other inappropriate criteria as prescribed by law shall be discriminated against in participating or receiving any of the benefits be sanctioned activities of the Corporation. This policy shall include but not be limited to participating players, parents, coaches, volunteers, referees, scorekeeper and directors.
- 3.4 Distribution of Assets: All assets are pledged to charitable purposes. Real and personal property shall revert to the benefit of the local government in the event the Association is dissolved.

Article IV **Membership**

- 4.1 Members: All directors, franchise holders, coaches, assistant coaches, managers, and players and their parents or legal guardians shall be members of this Corporation.
- 4.2 Voting Members: Each of the following members shall be entitled to one vote at the time of any membership meeting: executive directors, appointed directors, and franchise holders or their assigned representatives.
- 4.3 Dues: The operation and conduct of the Corporation shall be financed by regular membership fees and dues, voluntary contributions and incidental receipts. All membership fees and dues shall be in an amount determined by the Board of Directors from time to time.
- 4.4 Membership Meetings: There shall be a minimum of one general membership meeting held each calendar year. The date will be determined by the Board of Directors but shall be held within sixty (60) days following the beginning of the scheduled season.
- 4.5 Special Meeting: Special meetings of the membership may be called at any time by a majority of the executive Board of Directors, or by the President, and shall be called by the President or Secretary at the written request of not less than ten (10) members.

- 4.6 Place and Time of Meetings: Membership meetings may be held at the principle office of the Corporation or at such other place as may be designated in the notice of the meeting.
- 4.7 Notice: Written notice of the time, place, and purpose of membership meetings shall be given not less than three (3) weeks before the date of such meeting by posting in a prominent place in the arena used by the Corporation and/or on the association's website (www.TYHA.net). Notice of special meetings shall be given by written notice at least three (3) days prior to the date of any special meeting by posting in a prominent place in the arena and/or on the association's website (www.TYHA.net).
- 4.8 Quorum: A majority of the voting members shall constitute a quorum for the transaction of business at a membership meeting.
- 4.9 Nominations: Persons nominated for any position either, as an Officer or Director of the Corporation must be present to accept such nomination or have filed a written acceptance of such nomination with the Secretary prior to a vote being held on such nomination.

Article V

Board of Directors

- 5.1 General Powers: The affairs of the Corporation shall be managed by its Board of Directors. The Board of Directors shall consist of the Executive Directors and the Appointed Directors. The Directors may determine policies for membership, including classes and categories of membership and the fees associated thereto. Fees for the house program only, shall be determined by the Board in cooperation with the Troy Sports Center and such determination shall be facilitated by the Rink Liaison.
- 5.2 Executive Directors: The Executive Directors shall consist of the following officers: President, 1st Vice President, 2nd Vice President, Treasurer, Secretary, House Director, ACE Coordinator, Past President and Rink Liaison. All of the Executive Directors shall collectively hereinafter be referred to as the "Executive Board." The term of office for each member of the Executive Board shall be for a period of three years commencing in the fall following his/her election. In the event that a member is appointed pursuant to paragraphs 5.6 or 5.8, the board may assign a shorter term (not longer) in order to avoid a year where there is 100% turnover on the board. Subject to the potential exception outlined in the previous sentence of this paragraph, if a board member is appointed to the board to fill a vacancy pursuant to paragraph 5.8, that board member's term will be deemed to be stepping into the shoes of the departed board member. The newly appointed board member will fulfill the remainder of the departed board member's term and such term will not preclude said member from serving on the Executive Board in the future. However, no individual may serve on the Executive Board in the same position for greater than the equivalent of two consecutive terms (6 years).

- 5.3 Appointed Directors: The Executive Board shall, as necessary for conducting the business of the association, appoint the following officers (the "Appointed Directors") who shall each serve a term of one (1) year on the Board of Directors: Director of Travel, Ice Coordinator, Fundraising Director, Registrar/Statistician and Referee-In-Chief. To the extent that the Executive Board is unable to fill all such positions due to either a lack of volunteers and/or unsuitable candidates and to the extent necessary for the successful operation of the Association, the Executive Board shall ensure that all such duties are carried out by members of the Executive Board, other Appointed Directors and/or other members of the association. In addition, the Executive Board shall have the authority to outsource such duties to the extent that same is in the best interest of the association (i.e. registration/roster certification).
- 5.4 Honorary Directors: The Board of Directors may elect the following Honorary Directors who shall not be eligible to vote at any Board meetings: Skating Director and Novice Director.
- 5.5 Changes in the Number of Executive Directors: If the number of Executive Directors is changed, any increase or decrease shall be apportioned among the classes of the Executive Board, so as to maintain the number of directors in each class as near equal as possible, but in no event will a decrease in the number of the Executive Board shorten the term of incumbent Executive Director. When the number of Executive Directors is increased by the Board of Directors, any newly created Executive Board position shall be filled by the Board of Directors and the additional Executive Directors shall be classified as provided by the Board of Directors.
- 5.6 Election: The Executive Board shall be elected by a majority of the votes cast by the Voting Members present at the annual membership meeting. The Executive Directors shall hold office until the annual membership meeting for the year which his or her term expires and until his or her successor shall be elected and qualified, subject to prior death, resignation, retirement, disqualification or removal from office whenever such action shall be deemed to be in the best interests of the Corporation.
- 5.7 Vacancies: Any vacancy occurring on the Board of Directors and any directorship to be filled by reason of an increase in the number of Directors shall be filled by the Board of Directors at a regular or special meeting. A Director elected to fill a vacancy shall be elected for the unexpired term of his or her predecessor in office. If the number of Directors then in office is less than a quorum, such newly created positions and vacancy may be filled by a majority of the Directors then in office although less than a quorum or by the sole remaining Directors.
- 5.8 Absences: Any Director who accumulates excessive absences may be requested to resign or removed from office by a two-thirds vote of the Board of Directors. The suspended Director shall have the right to be heard and appeal his or her suspension at the next regularly scheduled Board of Directors meeting at which time a two-thirds vote of the Board of Directors shall be required to reinstate the suspended Director.

- 5.9 New Board of Directors: Commencing with the first regular meeting of the Board of Directors for the fiscal year, those Directors whose term have not expired and the newly elected Directors shall take over the management and operations of the Corporation. Outgoing members of the Board of Directors shall be encouraged to attend this meeting to ensure a smooth transition and make recommendations.
- 5.10 Quorum: A majority of the Board of Directors (at least 51 %) shall constitute a quorum for the transaction of business at any meeting of the Board of Directors; but if less than the majority of Directors are present at said meeting, a majority of Directors present may adjourn the meeting from time to time without further notice.
- 5.11 Tie: In the event of a tie, the President is entitled to an additional vote to break the tie.
- 5.12 Additional Duties: The following duties will be assigned to the individual Directors for supervision: public relations, drafts, banquet, sled hockey, equipment, MAHA liaison, rink liaison, year book, pictures, coaches program, newsletter, and rules and discipline. The actual responsibilities associated with each of these positions may be performed by the Director or another volunteer.
- 5.13 Compensation: No salary or other compensation shall be paid to Executive Directors or appointed Directors for services rendered to the Corporation in the course of holding office. The Board of Directors may authorize reasonable compensation for services of value performed by a Director independent of his or her office. The Board of Directors can also authorize reimbursement of reasonable expenses incurred in the performance as a Director.

Article VI

Executive Board

- 6.1 President: The President shall be the Principal Executive Officer of the Corporation and shall, in general, supervise and control all the business and affairs of the Corporation. Except for the first President of the Corporation, it shall be a prerequisite for any person nominated to serve as President of the Corporation that such person serve as a Director of the Corporation for at least one year. In addition, the duties of the President shall include:
- A. The President shall have the authority to call special meetings of the Membership and the Board of Directors and shall preside over all meetings of the Board of Directors and the membership;
 - B. The President shall have responsibility for all league operations, subject to the approval of the Board of Directors;
 - C. The President shall serve as an ex-officio member of all committees;
 - D. The President shall designate the Chairperson on all committees where such

provision has not been provided for;

- E. The President shall direct and supervise the Corporation's affairs and the administration thereof by the other Directors of the Corporation;
- F. The President shall attend or designate a representative to attend all amateur hockey meetings pertaining to the Corporation; and
- G. The president shall work with the district MAHA representative.

In addition, the President is granted executive privilege and authority to act in emergency matters of either a policy or financial nature on behalf of the Corporation; such actions must be presented to the Board of Directors at or before the next regularly scheduled meeting, who shall have the authority to affirm, modify or repeal said acts.

- 6.2 First Vice President: The First Vice President shall perform all duties, and exercise all powers of and be subject to all the restrictions of the President, when the President is absent or is otherwise unable to act. The First Vice President shall also have such powers and shall perform such duties as may be assigned by the Board of Directors or the President, including but not limited to overseeing the travel hockey program.
- 6.3 Second Vice President: The Second Vice President shall perform all duties and exercise all powers of and be subject to all restrictions of the President and First Vice President when both are absent or otherwise unable to act. In this capacity, the Second Vice President shall have full authority and privileges of said office. The Second Vice President shall have such powers and shall perform all such duties as may be assigned by the Board of Directors or the President, including but not limited to overseeing the house hockey program.
- 6.4 Secretary: The Secretary shall keep and distribute minutes of all meetings of the members and of the Board of Directors, shall be custodian of the corporate records, shall give all notices as are required by law or by these By Laws, and generally, shall perform all duties incident to the office of Secretary and such other duties as may be required by law, or by these By Laws, or which may be assigned to him/her from time to time by the President or by the Board of Directors. In addition, the Secretary shall maintain a roster of all members.
- 6.5 Treasurer: The Treasurer shall have charge and custody of all funds of the Corporation, and shall deposit such funds as required by the Board of Directors, shall keep and maintain adequate and correct accounts of the Corporation's properties and business transaction; shall develop a budget; shall render reports and accounting to the Directors and to the members as required by the Board of Directors or members; and shall, in general perform all duties incident to the office of Treasurer and such other duties as may be required by law, or these By Laws, or which may be assigned to him/her from time to time by the Board of Directors. The Treasurer shall bill and collect all ice fees from Travel teams and shall work with the Rink Liaison and Troy Sports Center to ensure

payment of House related ice fees and/or other league related expenses. The Treasurer shall be responsible for collecting monthly financial statements for both Travel and House teams and shall submit a financial report to the Board of Directors at each meeting or at the request of any Director. The Treasurer shall have responsibility for the preparation of the financial statements and all tax returns, and other financial reporting required by law, these By Laws or as determined by the Board of Directors.

6.6 Association Coaching and Education Coordinator ("ACE"): The duties of the Association Coaching and Education Coordinator shall be as follows:

- A. Oversee the recruitment, selection, training, and evaluation of all coaches and instructors;
- B. Organize and develop periodic workshops for all coaches and instructors;
- C. Plan, develop and organize skating clinic, goal tending clinics and checking clinics which will meet the needs of all players;
- D. Develop a teaching practice curriculum;
- E. Evaluate and supervise practice sessions offering constructive criticism to improve the Travel and House programs; and
- F. Establish and maintain an association resource center for coaches, instructors, parents, players, and officers.

It shall be a prerequisite to anybody holding the Association Coaching and Education Coordinator office that such person has reached the advanced level of USA Hockey's coaching education program. Such person shall also have effective communication skills and a strong commitment to skill development of youth players. Such person shall also have a strong background in the sport of hockey, both as a player and as a coach.

6.7 Past President: The Past-President of the Corporation shall have such duties as may be designated by the Board of Directors and/or the President of the Corporation.

6.8 Rink Liaison: The duties of the Rink Liaison shall be, subject to approval by the Board of Directors, as follows:

- A. Work directly with the Troy Sports Center to ensure proper registration of House Players and overall implementation of the House program;
- B. Work directly with the Troy Sports Center to coordinate ice time for the House program;
- C. Work directly with the Troy Sports Center to implement programs designed to foster the growth of the House program; and

- D. Work directly with the Troy Sports Center to respond to and/or otherwise address any and all complaints and/or concerns expressed by members with regard to implementation of the House program.

Article VII

Appointed Directors

- 7.1 Term: All Appointed Directors shall serve a term of one (1) year or until their successor has been appointed by the Executive Board. All Appointed Directors shall have one vote at all meetings of the Board of Directors.

- 7.2 Registrar/Statistician: Registrar/Statistician shall:
 - A. Be the official MAHA Registrar for the Corporation and attend all MAHA functions on behalf of the Corporation.

 - B. Oversee and approve the submission of all rosters and other registration material with USE Hockey and MAHA; and

 - C. Be responsible for distributing and maintaining records for the House teams and the distribution of any patches and awards to players who earn such awards including Hat Trick, Playmaker, Shut Out and Defenseman Specialist and any other awards the Board of Directors may establish from time to time. The Registrar shall also record and distribute on a weekly basis team standings and individual statistics.

- 7.3 Ice Coordinator: Ice Coordinator shall have the responsibility for coordinating all ice schedules for Travel teams as well as any playoffs and tournaments. The Ice Coordinator shall also be responsible for coordinating with the Referee-In-Chief all regular season, playoff, and tournament schedules. The Ice Coordinator, shall, as necessary, work with the Rink Liaison with respect to coordinating the ice schedule for the House league.

- 7.5 Director of the Travel Division: The Director of the Travel Division shall have the following duties:
 - A. Oversee and direct the operations of the Travel Division, including the activities of all House players, coaches, managers, and assistant coaches;

 - B. Be responsible, along with the Registrar, for maintaining records of the Travel teams and individual statistics;

 - C. To post and/or provide playing rules and procedures associated with the Travel program so that same are available to all members;

- D. To obtain financial statements from all team managers of Travel teams on a monthly basis and submit them to the Treasurer for review; and
- E. Receive franchise and/or coaching applications submitted by individuals who wish to be awarded a Travel franchise and/or be appointed as a Travel coach and to assist the Board of Directors in evaluating and selecting the franchise holders and coaches.

7.6 Fundraising Director: The duties of the Fundraising Director shall be as follows:

- A. Investigate and present to the Board of Directors all fundraising opportunities of the Corporation and implement same as approved by the Board of Directors;
- B. Maintain all financial records of any fundraising activities of the Corporation;
- C. Oversee and approve all fundraising activities of the Travel and House Teams;
- D. Coordinate all activities associated with the fundraising efforts of the Corporation; and
- E. Make recommendations to the Board of Directors as to how fundraising dollars should be allocated within the association. A majority vote of the Board of Directors shall be required to determine how such dollars will be allocated within the association.

7.7 Referee-In-Chief: The Referee-In-Chief shall have the following duties:

- A. Oversee all referees and other officials by the Corporation;
- B. Oversee and be responsible for the registration, education and certification of all referees associated with the Corporation as may be approved by the Board of Directors and USA Hockey Training Staff;
- C. Coordinate the scheduling of all referees and other officials for all House regular season, playoff, and tournament games and all Travel team regular season, tournament, and playoff games, which are played at the Troy Sport Center;
- D. Report all playing rule changes to the membership and Board of Directors; and
- E. Immediately or as soon as is practicable, report any action or incident involving a player, coach, or other team member, that could result in any disciplinary action by MAHA or any other authority to the Board of Directors.

Article VIII

Committees

- 8.1 Appointment of Committees: The Board of Directors may designate one or more ad hoc committees, each of which will consist of at least one (1) committee chairperson and one (1) or more committee member. Committee members may be members of the Board of Directors or other interested individuals. The resolution designating the committees shall provide for the appointment of its members and Chairperson, state its purpose and provide for its termination. The Board of Directors may also designate additional standing committees. The studies, findings, and recommendations of all committees will be reported to the Directors for consideration and action, except as otherwise ordered by the Board of Directors. Committees may adopt such rules for the conduct of business as are appropriated and as are not inconsistent with these Bylaws, the Articles of Incorporation, or the Michigan Non-Profit Corporation Act.

Article IX

Indemnification of Directors, Officers, and Employees

- 9.1 Actions in the Best Interest of the Corporation: The Corporation shall have the power to indemnify any person who was or is a party or is threatened to be made a party to any pending or completed action, suit or proceeding; whether civil, criminal, administrative, or investigative (other than an action by or in the right of the Corporation) by reason of the fact that he or she is or was a Director, Officer, employee or agent of the Corporation against expenses (including attorney fees), judgments, fines, and amounts paid in settlement actually and reasonably incurred by him or her in connection with such action, suit or proceeding if he or she acted in good faith and in a manner he or she reasonable believed to be in or not opposed to the best interest of the Corporation and with respect to any criminal action or proceeding, and no reasonable cause to believe his or her conduct was unlawful.
- 9.2 Actions By or in Tight of the Corporation: The Corporation shall have the power to indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action or suit by or in the right of the Corporation to procure a judgment in its favor by reason of that fact that he or she is or was a Directors, Officer, employee or agent of the Corporation against expenses (including attorney fees) actually and reasonably incurred by him or her in connection with the defense or settlement of such action or suit if he or she acted in good faith and in a manner he or she reasonably believed to be in or not opposed to the best interest of the Corporation, except that no indemnification shall be made in respect of any claim, issue or matter as to which such person shall have been adjudged to be liable for negligence or misconduct in the performance of a duty to the Corporation unless and only to the extent that the Court in which such action or suit was brought shall determine upon application that despite the adjudication of liability but in view of all the circumstances of the case, he or she is fairly and reasonably entitled to indemnification for such expenses which the Court shall deem proper.

- 9.3 Expenses: To the extent that a Director, Officer, employee or agent of the Corporation has been successful on the merits or otherwise in defense of any action, suit or proceeding referred to in Sections 9.1 or 9.2 or in defense of any claim, issue or matter therein, he or she shall be indemnified against expenses (including attorney fees) actually and reasonably incurred by him or her in connection therewith.
- 9.4 Determination of Indemnification: Any indemnification considered under section 9.1 and 9.2 (unless ordered by a Court) shall be made by the Corporation only as authorized in the specific case upon a determination that indemnification of the Director, Officer, employee or agent is proper in the circumstances because he or she had met the applicable standard of conduct set forth in Sections 9.1 or 9.2. Such determination shall be made (I) by the Board of Directors by a majority vote of a quorum (as defined in Section 4.8 of these By Laws) consisting of Directors who were not parties to such action, suit, or proceeding, or (ii) if such quorum is not obtainable, or, even if obtainable, a quorum of disinterested Directors do direct, by independent legal counsel in a written opinion. Notwithstanding the failure or refusal of the Directors or counsel to make provision thereof, such indemnification shall be made if a court of competent jurisdiction makes a determination that the Director, Officer, employee or agent has a right to indemnification hereunder in any specific case upon the application of such Director, Officer employee or agent.
- 9.5 Repayment of Expenses: Expenses incurred in defending a civil or criminal action, suit or proceeding described in Sections 9.1 or 9.2 may be paid by the Corporation in advance of the final disposition of such action, suit or proceeding as authorized by the Board of Directors in the specific case upon receipt of an undertaking by or on behalf of the Director, Officer, employee or agent to repay such amount unless it shall ultimately be determined that he or she is entitled to be indemnified by the Corporation.
- 9.6 Insurance: The Corporation shall have power to purchase and maintain insurance on behalf of any person who is or was a Director, Officer, employee or agent of the Corporation or is or was serving at the request of the Corporation as a Director, Officer, employee or agent of another foundation, corporation, partnership, joint venture, trust, or other enterprise, against any liability asserted against him or her or the Corporation and incurred by him or her or the Corporation in any such capacity, or arising out of his or her status as such, whether or not the Corporation would have the power to implement the provisions of this Article.

Article X

Conflict of Interest

- 10.1 Statement of Policy: It is the policy of the Corporation that all Officers, Directors, committee members and employees of the Corporation shall avoid any conflict between their own respective individual interests and the interests of the Corporation, in any and all actions taken by them on behalf of the Corporation in their respective capacity.
- 10.2 Dealing with the Corporation: A contract or other transaction between the Corporation

and one or more of its Directors or Officers, or between the Corporation and a domestic or foreign corporation, firm or association of any type or kind in which one or more of the Corporation's Directors or Officers are Directors or Officers, or are otherwise interested, is not void or voidable solely because of such common directorship, officership or interest, or solely because such Directors are present at the meeting of the Board of Directors or committee thereof at which such contract or transaction is acted upon, or solely because their votes are counted for such purpose, if any of the following conditions is satisfied:

- A. The contract or other transaction is fair and reasonable to the Corporation when it is authorized, approved or ratified; or
- B. The material facts as to such Director's relationship or interest and as to contract or transaction are disclosed or known to the Board of Directors or committee thereof and the Board of Directors or committee thereof authorizes, approves or ratifies the contract or transaction by a vote sufficient for the purpose without counting the vote of any common or interested Director; or
- C. The material fact as to such Director's relationship or interest and as to the contract or transaction are disclosed or known to the membership, and the membership authorizes, approves or ratifies the contract or transaction.

10.3 Procedure in Event of Potential Conflict of Interest: In the event that any Officer, Director, committee member or employee of the Corporation shall have any direct or indirect interest in, or relationship with, any individual or organization which proposes to enter into any transaction with the Corporation, including but not limited to transaction involving: (1) the sale purchase, lease or rental of any property or other asset; (2) employment, or rendition of services, personal or otherwise; (3) the award of any grant, contract or subcontract; or, (4) the investment or deposit of any funds of the Corporation; such Officer, Director, committee member or employee shall give the Board of Directors notice of such interest or relationship and shall thereafter refrain from voting or otherwise attempting to exert any influence on the Corporation, its Board of Directors, or its committees, to affect its decision to participate or not to participate in such transaction.

10.4 Special Voting Rules: Any member of the Board of Directors who has a conflict of interest on any matter involving the Corporation shall not be counted in determining the quorum for the meeting at which the matter is to be acted upon, even when permitted by law. The minutes of the meeting shall reflect that a disclosure was made regarding the abstention from voting, and the quorum situation.

10.5 Notice of Policy: The President immediately upon election or appointment shall advise every Officer, Director, committee member or employee of this policy. Each Officer, Director, committee member or employee may be asked to submit a letter outlining any possible area of conflict of interest at the first meeting of the Board of Directors following his or her election or appointment, and the letter shall become a part of the permanent records of the Corporation.

Article XI
Financial Reports and Fiscal Year

- 11.1 Financial Reports: The Treasurer shall prepare an annual financial statement and such other financial reports of the Corporation as may be required by the Board of Directors.
- 11.2 Fiscal Year: The Board of Directors shall determine the fiscal year of the Corporation.
- 11.3 Banking: The Corporation shall maintain such bank accounts and checks as is necessary to conduct the business of the association. Upon the creation of such accounts, same shall be signed by at least two officers of the Corporation, as may be designated by the Board of Directors. Notes or other evidence of indebtedness issued in the name of the Corporation shall be signed by officers of the Corporation in such a manner as shall from time to time be determined by resolution of the Board of Directors. The Corporation will notify its bank that all monthly bank statements must be mailed to an officer or other representative of the Corporation other than an officer or other person having authority to sign checks on behalf of the Corporation.
- 11.4 Bond: Persons having signature authority on the general funds of the Corporation shall be bonded in an amount as determined by the Board of Directors. The Corporation shall pay the premiums for such bond.

Article XII
Miscellaneous Provisions

- 12.1 Method of Giving Notice: Any notice required by Statute or by these By Laws to be given to the Members, Directors, or to any Officers of the Corporation, unless otherwise provided herein or in any Statute, shall be given by mailing to such member, Director or Officer at such Member's, Director's or Officer's last address as appears on the records of the Corporation and such notice shall be deemed to have been given at the time of such mailing.
- 12.2 Robert's Rules of Order: To the extent not inconsistent with the Corporation's Articles of Incorporation or these By Laws, the proceedings of the Board of Directors and committee meetings shall be governed by Robert's Rules of Order.
- 12.3 Amendments: The By Laws may be altered or amended by a majority of the Voting Members or a majority of the Board of Directors then in office.
- 12.4 Additional Rules: The Board of Directors may adopt additional rules and procedures for the conduct of their meetings, and additional rules and regulations for the conduct of the affairs of the Corporation, provided that no such additional rule shall be inconsistent with the Articles of Incorporation or these By Laws.

Article XIII
TYHA PLAYER REGISTRATION

- 13.1 Players who desire to play on teams established within TYHA must be properly registered including the payment of their NON-REFUNDABLE Association registration fee. Travel players shall pay said registration directly to the team's franchise holder or manager. House players shall pay said registration fee directly to the Troy Sports Center.
- 13.2 The following definitions shall be used to prioritize players:
- a. "In District player": A player whose parent or legal guardian are residents of a city covered by District 3 as prescribed by MAHA;
 - b. "Out of district": All players who do not reside in District 3 as prescribed by MAHA;
 - c. "Returning player": A player who was registered with and played the entire preceding season in the Association, and who has met all team and Association financial responsibilities; and
 - d. "New player": A player who does not qualify as a "returning player".
- 13.3 Returning players registration shall take place as follows:
- a. Returning travel players shall be given a registration form by the team franchise holder, head coach and/or team manager. All other registration processes, team rostering, try-outs and the like are handled directly by each individual travel team franchise holder. The remainder of the provisions in this section apply to the House program only;
 - b. Returning house players shall be given a registration form by the team franchise holder, head coach and/or team manager and/or such forms shall otherwise be made available by the association in cooperation with the Troy Sports Center to be facilitated by the Rink Liaison and/or the Board of Directors;
 - c. Pre-registration may begin in February and end on March 15th;
 - d. Registrants shall follow directions on the registration form for proper procedure, due dates, deadlines and other details. Such details are to be determined by and between and in cooperation between the Troy Sports Center, the Rink Liaison and the Board of Directors;
 - e. May 15 will be the final registration day though the Board of Directors, with the assistance of the Rink Liaison and in cooperation with the Troy Sports Center, may extend the registration deadline in its discretion; and

- f. All returning players who register before May 15 or by any extension as determined by subsection "d" above, and attend the confirmation day in August will be placed on a team in the Fall subject to the terms outlined in Sections 13.5(c) and (d) below.

13.4 Future Wings

- a. All Future Wings players are eligible to register for the Fall TYHA program;
- b. A TYHA representative will meet with parents of Future Wings players in March or at any other time deemed to be convenient and/or advantageous to achieving the objectives outlined in Section 7.10(C) above to discuss the Association and registration procedures. Such meetings shall be arranged in cooperation with the Troy Sports Center, the Rink Liaison and/or the Board of Directors;
- c. TYHA Registration Forms for the House program shall be made in cooperation with the Troy Sports Center and shall be made available at the Troy Sports Center's front office anytime after February 1. Said forms may also be made available on the TYHA website. Said forms will not be mailed out to Future Wings participants. Parents of Future Wing players who may be interested in trying out for a travel team shall be directed to contact the First Vice President, the coach or franchise holder of the appropriate year travel team and/or any other Board Member for assistance.
- d. Future Wings registrants Registrants shall follow directions on the registration form for proper procedure, due dates, deadlines and other details. Such details are to be determined by and between and in cooperation between the Troy Sports Center, the Rink Liaison and the Board of Directors.
- e. The Future Wing program will rate its participants and provide TYHA with a list of potential players categorized by age, ability and skills;
- f. TYHA shall make every effort to place all Future Wings players who meet minimum standard skill requirements on a Fall House team. Future Wings players desiring to play on a travel team must participate in tryouts as determined by the franchise holder of the travel team said player desires to try out for; and
- g. It is expected that MiniMite, Mite and Squirt level Future Wings players will be placed on a Fall House team if registration is effectuated by May 15. Though every effort will be made to place registrants at the Pee Wee, Bantam and Midget levels, placement is less predictable due to fluctuations in registration related to general attrition, players going to travel teams and/or high school teams.

13.5 New Player/Late Registration and Wait List Process (Spring and Summer)

- a. TYHA registration status (i.e. number of registrants) for the House program will be assessed in April or at a time determined by the Board of Directors to be appropriate

- and/or necessary (# of teams per division and max number of players accepted) in cooperation with the Troy Sports Center, the Rink Liaison and/or the Board of Directors;
- b. Registration applications will continue to be accepted through the summer on a first come first serve basis. The Troy Sports Center, in cooperation with the Rink Liaison and/or the Board of Directors and/or House director, will continue to build the player database. The House Director, Rink Liaison and division directors will meet in late July or at a time determined by the Board of Directors to be appropriate and/or necessary, to re-assess the needs of the program (ice schedules, additional coaches, number of extra players accepted) in cooperation with the Troy Sports Center.
 - c. In the event that there are more players registered than there are openings on House teams, the players shall be placed in the following order of priority:
 - 1. Returning TYHA players (all accepted and placed on teams);
 - 2. Siblings of TYHA players (all accepted and placed on a team) if they meet minimum skill requirement;
 - 3. Players of new coaches and managers who are 'protected' or 'preferred' players on teams;
 - 4. 'In district' Future Wings who passed all three levels or are recommended by the Future Wing program and who meet minimum skill requirement;
 - 5. 'Out of district' Future Wings who passed all three levels or are recommended by the Future Wing program if room for out of district players exist. (Out of District limitations apply only at the Squirt level and higher; said limitation is 3 players per team per MAHA rules);
 - 6. New 'in district' players who played for other organizations based on first come/first serve basis if they meet minimum skills requirements after draft skate; and
 - 7. New 'out of district' players who played for other organizations based on first come/first serve basis, if they meet minimum skills requirements after draft skate. (Out of District limitations apply only at the Squirt level and higher; said limitation is 3 players per team per MAHA rules).
 - d. After the maximum number of players is registered per division in the House program, a waiting list shall be developed in cooperation with the Troy Sports Center, Rink Liaison, House Director and/or the Board of Directors.
 - e. Any player desiring to play in a division above his/her appropriate age classification in the House program must file a written request with the Board of Directors, prior to May 15 or at a time thereafter deemed appropriate by the Board of Directors, stating the reason for the request. Such request shall be reviewed and acted upon by the Board of Directors with the particular assistance of the House Director. The House Director shall notify the requestor of the Board's decision prior to the start of draft proceedings for the appropriate age classification. Such requests made in the travel division shall be in the sole discretion of the franchise holder and/or coach of said team.

- f. Any parent that does not want his/her player drafted to a House team by a specific coach may submit said request to the House Director prior to the draft. Said request must be made in writing, on a timely basis prior to the draft, and should contain specific reasons for making the request. The House Director will present the request to the coach who shall, on a timely basis, grant or deny the request. Such response should be made in writing and should provide specific reasons that support the action of the coach. The coach's decision shall be final except that should either the parent or the coach wish to pursue the matter further, they may ask for a hearing with the Board of Directors who shall make a final determination. Travel teams are not affected by this subsection.
- g. Any player or parent who willfully or recklessly gives false information in connection with the registration process of the Association shall be subject to suspension for a period of not less than the balance of the current season.
- h. Any player, assigned to a team in the Association (House or Travel), who desires a release in order to play for a team outside of this Association, will be granted one provided that all team and Association fees are paid.

Article XIV
FRANCHISE HOLDER AND/OR HEAD COACH'S
RESPONSIBILITIES AND SELECTION

14.1 FRANCHISE HOLDER AND/OR HEAD COACH'S RESPONSIBILITIES

The franchise holder and/or head coach of record for any House or Travel team in the Association, to which the franchise was awarded, shall be solely responsible to the Association for all aspects of such team's compliance with the rules and specific requirements of the Association including, but not limited to, those listed below:

- a. Payment of sponsor fees, ice rental fees, referees fees, tournament fees and any other fees or monies due. To the extent that a House participant's family is in arrears on payments due to the Troy Sports Center, the Rink Liaison shall work with the Franchise Holder and/or Head Coach in cooperation with the Troy Sports Center to address the arrearage. However, to the extent a House participant has failed to make payments other than those due to the Troy Sports Center (i.e. tournament fees, extra scheduled ice, etc.), then the Franchise Holder and/or Head Coach must work with the family owing such funds and may seek the assistance of the House Director and/or Board of Directors. Travel franchise holders and/or head coaches are solely responsible for the items listed in this subsection though such franchise holders and/or head coaches may seek the assistance of the First Vice-President and/or Board of Directors in dealing with the family owing money to said travel franchise;
- b. Appointment of a team manager with the power to make payments, keep individual and team financial records, and file financial reports as required by the Association. It shall be mandatory for the team manager to report any financial problems regarding a team

member's delinquency directly to the Association Treasurer. It shall also be mandatory for the team manager to conduct all monetary transactions by check or money order. The handling of cash is expressly prohibited. To the extent that a House participant's family is in arrears on payments due to the Troy Sports Center, the Rink Liaison shall work with the Franchise Holder and/or Head Coach in cooperation with the Troy Sports Center to address the arrearage;

- c. The franchise holder and/or head coach has the discretion to suspend any player who is delinquent in the payment of any monies due the team and/or the Association until such time that all financial obligations are current. A player shall be considered delinquent in paying ice fees when the appropriate due-date, as set by the Treasurer and/or Board of Directors and/or as specified to the player and or parent in writing at the time of registration, has passed. To the extent that such payments are to be made directly to the Troy Sports Center by House participants, the Rink Liaison shall work directly with the franchise holder and/or head coach in cooperation with the Troy Sports Center to address the arrearage and/or make a decision regarding a possible suspension. The franchise holder and/or head coach shall ensure that a monthly ice schedule is distributed to parents and/or players along with a monthly invoice which will note the due date for the payment of any and all fees (excluding House participants' direct payments to the Troy Sports Center) due to be paid. Such fees may include, but are not limited to, ice fees (for House participants, ice fees would only be included if the franchise holder and/or head coach secures additional ice beyond that which is distributed by the Troy Sports Center), tournament fees, apparel fees, referee fees, holiday parties, etc. A player shall be considered delinquent in paying for said fees once the due date outlined in the notice provided by the franchise holder and/or head coach has passed. A franchise holder and/or head coach may delegate the responsibilities outlined in this subparagraph to the team manager though the ultimate responsibility stays with the franchise holder and/or head coach;
- d. Report any action taken against any player for disciplinary reasons to the appropriate Division Director who will, in turn, report to the Board of Directors;
- e. Assure fair and equitable team participation in non-mandatory fund-raisers;
- f. Travel franchise holders and/or head coaches shall maintain, with the assistance of the First Vice-President, a written inventory of all team equipment supplied by the Association to the team and any equipment supplied by a sponsor to the Association for use by that team. The franchise holder and/or head coach shall ensure the maintenance and repair of all such equipment and shall report any damage to said equipment to the First Vice President on a timely basis. The franchise holder and/or head coach shall also be responsible for the collection and storage of all inventoried team equipment as specified by the Board of Directors through the First Vice President;
- g. House franchise holders and/or head coaches of Mini-Mite and Mite teams shall be issued goalie equipment and may be issued other equipment as available by the association. Other House franchise holders and/or head coaches may be issued goalie

equipment and/or other equipment on an as needed and/or as available basis. All such equipment will be signed out by the franchise holder and/or head coach. The sign out list shall be maintained by the House Director and all equipment shall be returned at the end of the season. The franchise holder and/or head coach is responsible for the maintenance of said equipment and/or timely reporting any damage to said equipment to the House Director during the course of the season;

- h. Ensure the eligibility of all team members at all times in accordance with USA Hockey and MAHA rostering guidelines;
- i. Ensure that all players wear and/or use equipment as required by USA Hockey and MAHA when they are engaged in on ice activity;
- j. Ensure that no player, coach, or other individual associated with the team steps on the ice until the resurfacing machine has left the ice surface and that no pucks be allowed on the ice surface until all rink doors are closed;
- k. Report any change to the team roster, whether permanent or temporary, to the Registrar as well as the Division Director, Second Vice-President and House Director for House teams only; such changes on travel teams shall be reported to the Registrar and/or the First Vice President; all such reporting shall be conducted within seventy-two (72 hours) from the time of the change to the team roster;
- l. Ensure that the team is represented at all membership meetings;
- m. Ensure that, barring illness, injury, absence, or properly reported disciplinary action, all players on House teams, will play at least two and a half minutes of each period in any and all games in which the team participates. In the case of a House team with two goalkeepers, each goalkeeper shall play, on average, during any two game set, the equivalent of not less than one period per game. It is the intent of the Association that, to the extent possible, all players will receive an equal amount of playing time during all games played by their team and that the above requirements reflect minimum levels of participation. This provision does not apply to travel teams; and
- n. Ensure that officials from within the Association or officials engaged by the Association subject to approval by the Board of Directors, are used for all games played on a team's home ice. An exception is granted to those teams that play in an outside league that requires that outside officials be used.

Failure of the franchise holder and/or head coach of record to meet the above requirements and other requirements that may be established by the Association shall make him/her subject to disciplinary action, which may include suspension or removal.

14.2 SENIORITY

Franchise holders, coaches, managers and other team officials, as listed on the approved USA Hockey Team Player Roster Form as well as elected officers of the Association and elected members of the Executive Board shall receive seniority as a result of their service to the Association. Such seniority shall be implemented as follows:

- a. Eligible individuals will receive one year of eligibility for each year of service;
- b. No individual may receive seniority credit of more than one year, in any given year;
- c. Any member who shall miss three or more membership meetings in any year (September 1 - August 31) shall forfeit seniority for that year;
- d. Any individual, with seniority, who is inactive in the affairs of the Association for two or more consecutive years, shall forfeit all accumulated seniority, upon return to active status;
- e. It is the intent of these provisions that an individual's seniority shall always be considered, when evaluating that individual for any appointed position in the Association. The Association, however, reserves the right, through Executive Board action, to disregard an individual's seniority if his/her appointment were to be regarded as not being in the best interests of the Association and/or its membership.

Article XV **GAME RULES**

- 15.1 All teams (House and Travel), affiliated with the Association, are subject to additional rules, as specified below:
- a. All teams and their members are subject to playing rules established by USA Hockey, MAHA, and other outside leagues in which they compete;
 - b. In the case of an automatic suspension of a player or team official, such suspension shall be effective for the same or higher category game, in which the infraction leading to the suspension occurred; e.g., if the suspension results from actions in a league game, it must be served in the next previously scheduled league, or higher category game or games. Game categories shall be as follows (highest category listed first):
 1. State championship tournament game;
 2. District playoff tournament game;
 3. League play-off game;
 4. League game;
 5. Other tournament game; and
 6. Exhibition or scrimmage game.

- c. Any team member participating in a fight on the ice after a game has officially terminated shall be suspended automatically, pending a review by the Executive Board;
- d. Any member suspended for any reason shall be subject to further disciplinary action, after review, by the Executive Board;
- e. At the beginning of each season, the coaches in a House classification division may propose special additional rules for their division. Said proposal must be presented, in writing, by the Division Director to the Executive Board for its approval at least fifteen (15) days prior to the first league game. The rules, if approved, will be incorporated with provisions set forth in this Article and would apply only to that division for the current season;
- f. USA Hockey Rules Supersedes All Subsequent Rules, MAHA Hockey Rules Supersedes Troy Youth Hockey Association Rules;
- g. Should a House franchise holder and/or head coach desire to protest a game for alleged violations related to this Article, there will be a \$100 filing fee to initiate the protest. A Complaint must be submitted to the Division Director in writing within 24 hours from the start of the contested game. If the Complaint is upheld then the \$100 filing fee will be returned refunded to the franchise holder and/or head coach who initiated the protest;
- h. There must be a minimum of 8 players to play a game for all divisions in the House program. Travel teams are subject to the rules of the travel division they participate in. If a House team has seven or less players the team fielding 7 or fewer players will forfeit the game. The teams may play the game, however the score will not count toward league play; and
- i. If a player (House or Travel) suffers an extended injury, (cannot play for more than 4 weeks per doctor's orders), that player does not have to pay for ice during the absence. To the extent that said ice bill includes fees to be paid by a House participant to the Troy Sports Center directly, the Rink Liaison shall coordinate an accommodation with the franchise holder and/or head coach and in cooperation with the Troy Sports Center. A House team (franchise holders and/or head coaches of travel teams are solely responsible for their rosters) may elect to add an additional player to their roster. The addition of said player must be approved by the Board of Directors. The league approval and registration must happen before the 12/31-registration/rostering deadline imposed by MAHA rules. An injured player must have a doctor's note stating the player is able to return to play. Otherwise, the player may not return to play.

15.2 MINIMITE and MITE

- 1. Player Rotation
 - a. Players MUST rotate positions throughout the year.
 - b. The head coach will decide how to rotate player positions.
 - c. Each player will be given the opportunity and encouraged to play goalie at least once.

- d. (Mini Mite ONLY) a player can play goal in a maximum of six (6) league games prior to the playoffs.
 - e. Use X-man substitution, with each player on a line sitting at least one shift when necessary.
2. Game Details (NOTE: MAHA rules state you cannot play in more than 40 games during the year)
- a. Games consist of three (3) 10:00 minute stop time periods though periods can be set to 12 minutes in order to utilize the full hour.
 - b. Shifts are set to 1:30 minutes or 2 minutes as agreed upon between the head coaches; the clock will be set to automatically set off the horn.
 - c. (MiniMite ONLY) The three-minute warm-up can be waived if both teams agree.
 - d. On the horn, a face-off will occur where the play left off.
 - e. The head coach or manager must list and identify A level players on the top of the score sheet with B players and the goalie on bottom of the roster.
 - f. Each team will provide one (1) volunteer to run the clock or keep score.
 - g. The scoreboard should not reflect more than a 3-goal differential at anytime during a game.
 - h. Goalies can be pulled during the last shift or with 1:30 left on the curfew clock. An A line player shall not be put on the ice against the B line if the goalie is pulled. If a B line player is not available at the time the head coach wants to pull the goalie, then the head coach may not pull the goalie in favor of an extra player.
 - i. Penalties end at the end of a shift.
 - j. Eight (8) players are needed to start a game. If a team has less than eight players it will forfeit the game. The teams can scrimmage if the referees agree to stay. If the referees leave, each team must practice.
3. A/B Line Regulations
- a. The B-line starts the game with alternating shifts between the two lines thereafter.
 - b. The A line will consist of the best all-around players, regardless of position.
 - c. The coaches will submit a list of players on a monthly basis or at some other interval to be determined by the House Director and ACE Coordinator which rates the team's best player as a 1; the list shall continue until the weakest player is ranked.
 - d. Any changes to the A/B line player designations must be highlighted.
 - e. Each team representative will be asked to review and approve other teams' list. A majority of team representatives shall result in approval of such ratings.
 - f. The House Director can be petitioned to move a player at any time during the year though coaches are encouraged to communicate such concerns among themselves and upon request, coaches are encouraged to accommodate revisions to the A/B designations prior to a game.
 - g. Coaches shall inform other coaches of any changes in their A/B designations prior to game time.
 - h. (MiniMite ONLY) As a general rule, age and size should determine line assignment of equal ability players.
 - i. Goalies are not considered when defining A and B lines.
 - j. Line make-up for games will be based on the following:

13 skaters	6 A liners	7 B liners	
12 skaters	6 A liners	6 B liners	
11 skaters	5 A liners	6 B liners	
10 skaters	5 A liners	5 B liners	
9 skaters	4 A liners	5 B liners	(Rotate each B liner thru the A line)
8 skaters	3 A liners	5 B liners	(Rotate two (2) B liners thru the A line)

15.3 SQUIRT, PEEWEE, BANTAM, MIDGET

1. Games consist of three 10:00 minute stop time periods.
2. Each player should average 7.5 minutes per league game.
3. Goalies must have an equal amount of league games.
4. Line changes are on the fly.

15.4 STATE PLAYOFF REPRESENTATIVE

Any division that has more than one team will have a playoff in December to select the district representative. The division director will arrange the playoff schedule and the format shall be agreed upon by a majority of the team representatives. Round robin, double elimination and best two out of three are acceptable formats. NOTE: This format puts less emphasis on regular season games so coaches can experiment and make sure all players get a fair share of playing time.

15.5 DETERMINATION OF DIVISIONAL CHAMPIONS

The determination of the house team divisional champion shall take place as follows:

Any division that has more than one team will have a playoff in March to select the divisional champion. The division director will arrange the playoff schedule and the format shall be agreed upon by a majority of the team representatives. Round robin, double elimination and best two out of three are acceptable formats. NOTE: This format puts less emphasis on regular season games so coaches can ensure all players get a fair share of playing time.

TYHA

2008-09 Season House Draft Process

(Revised August 2008)

A. Player Evaluations (March)

1. Coaches shall produce an evaluation of each player on his current team to the House Director. Skills evaluated will include, but are not limited to, skating ability, stick handling, game play, and scoring statistics. The evaluation will include the approximate size and build of player. Coaches will identify forwards, defensemen, potential goalies and dual-ability players on the form.

2. Franchise holders and/or head coaches who do not turn in their player evaluations by March 15th or an alternative date to be determined by the House Director and/or Second Vice President, may be subject to discipline which may include could forfeiture of his/her franchise(s) the following year.
3. A mandatory division meeting will be held in late March or at an alternative time to be determined by the House Director and/or Second Vice President to review the player evaluations. Players will be categorized and ranked by ability and birth year.
4. After the early registration period is completed, the number of teams in each division will be determined and house franchises will be awarded. We desire 4-8 MiniMite teams (130 max); 8-10 Mite Teams (130 max); 8-10 Squirt Teams (140 max); 8-10 PeeWee Teams (150 max); 6-8 Bantam Teams (108 max); and 2-4 Midget Teams (80 max). The Rink Liaison shall work with the Board and the Troy Sports Center to ensure an optimum number of teams with an appropriate number of players are formed dependent upon registration numbers as the same are subject to fluctuation from year to year.

B. Draft Skate (August)

1. All returning (previous year only) TYHA players will be required to attend a commitment day meeting in August. At this time we will assess the number of openings we have in each division.
2. Players accepted from the Future Wing program will be rated by the Future Wing staff and added to the draft. The Rink Liaison, House Director and/or Second Vice President shall assist in this process as well.
3. All new and wait listed players must attend a draft skate before they can be placed on a team.
4. After the draft skate, the division coaches will enter player's ratings into a spreadsheet. Ratings can be adjusted at this time if the coaches can reach a consensus. If there is a disagreement with respect to a player rating, the House Director and/or Second Vice President shall consent with the division coaches in order to resolve the dispute.
5. The final ratings will be given to the House Director on the night of the draft skate.

C. Player Protection

- 1 Each team may protect one player from the draft list. This player will be listed as the first round player in the appropriate draft category.
- 2 Each team may select up to three "preferred players" prior to the start of the draft. Such "preferred players" will be tentatively listed as that team's highest available draft picks in the appropriate category. Other teams will be advised of these "preferred players" and will be asked to honor the other team's preference. Teams that have listed "preferred players" must actually draft those players in consecutive rounds prior to drafting any "non-preferred" players. The other teams are under no obligation to honor a team's "preferred player" list and may draft any available player, including one listed as a "preferred player". The list of "preferred players" may include the franchise holder's son/daughter, head coach's son/daughter, assistant coach's son/daughter and/or manager's son/daughter.

- 3 A team which chooses to protect a player or to list a player as a "preferred player" must submit written confirmation from the player's parents which indicates a willingness to play for the team.

D. Draft Setup

1. The order of draft rotation shall be determined by a blind draw. Once the order is determined, teams will select in reverse order every other round (example: 1-8, 8-1, 1-8, 8-1etc). Should MAHA Regulations preclude use of this procedure, the Association may seek an exception to the MAHA regulation. If the exception is not sought or if the exception is denied, then, the MAHA regulation shall apply.
2. Draft categories:
 - a. Four bins of players, per birth year, will be developed and agreed upon prior to the draft subject to the provisions outlined in subsection B(4) above;
 - b. Bin A will contain the highest rated players;
 - c. Bin B will contain the next group of rated players;
 - d. Bin C will contain the next group of rated players;
 - e. Bin D will contain the lowest rated players;
 - f. Bins A, B and C will contain two draftable players per team (example: if a division has 8 teams, each bin will have 16 players);
 - g. Bin D may include both first and second year players;
 - h. Siblings, Goalies, and Out of District players will be identified on the draft sheets;
 - i. Roster sizes shall be subject to fluctuations in registration. The Rink Liaison shall work with the Board of Directors and the Troy Sports Center in order to adhere to the following preferred roster limits:

MiniMite: 12-16 (this number is dependent upon implementation of cross-ice program)

Mite: 12-14 players

Squirt: 14 players

PeeWee: 14/15 players

Bantam: 17 players

Midget: 20 players

3. When a player with a sibling in the same draft division is preferred or protected, the sibling(s) shall be selected in the next available round.
4. When a player with a sibling in the same draft is drafted, the sibling(s) shall be selected in the next available round.

E. Draft Rules

1. Draft rules shall be depicted and otherwise made available during the draft and/or shall be set forth on the draft bin schedule.
2. The division director can change the format of each bin prior to the draft if the need arises based on distribution of talent. If there is a disagreement regarding such changes, the House Director and/or Second Vice President shall be available to resolve the dispute.

3. Coaches can select only two players out of each bin. The only exception is where a team has more than two “protected” and/or “preferred” players in a bin. Such a scenario is subject to Board approval; in addition, any team with more than two “protected” and/or “preferred” players in a bin shall be precluded from accumulating more than 4 players from any one bin and further, said team may be required by the Board, to withdraw its request for one or more of its “preferred” players and/or may be required to forfeit its right to draft a player or players from the next available bin. However, under no circumstances is a team permitted to accumulate more than 3 “protected” and/or “preferred” players from the A bin of second year players for that division. For example, no Mite team may accumulate more than 3 A rated players born in the year 2000.
4. After the first four rounds are completed, the draft is evaluated for the following situations:
 - a. If a team has 3 or 4 second year ‘A’ players they cannot select any players in the top half of the ‘2nd year’ pool.
 - b. If a team has 3 or 4 first year ‘A’ players they cannot select any players in the top half of the first year ‘B’ pool
 - c. Four players max can be taken in the combined A, B, C or D pools.
5. If the number of goalies available is less than the number of teams selecting, all teams without a “protected” or “preferred” goalie must have a blind draw to determine which team does not receive a designated goalie.
6. Squirt Division only: Due to the potential for an insufficient number of goalies, parents will be advised that coaches have the discretion to assign positions as needed and there is no guarantee that any particular player will be used as a “fulltime” goalie.
7. Franchise Holders and/or coaches may select players from any pool, maintaining the parameters listed along side each pool and the column totals for each age bracket.
8. Franchise Holders and/or coaches must be aware of Out-of-District and 2nd year player requirements as the draft is progressing.

# of players	20	19	18	17	16	15	14	13	12
Max second year	13	12	11	10	10	9	9	8	7

9. Drafted players may be traded from one team to another prior to certification of the draft and subject to the rules outlined above.

F. Draft Conduct and Certification

1. The House Director and/or Second Vice President shall be responsible for the conduct and supervision of draft proceedings.
2. At least one additional member of the Executive Board shall be present at all draft sessions.
3. Any interpretive ruling required during the draft proceedings shall be made by the House Director and/or Second Vice President who may consult with any members of the Board of Directors who may be in attendance.
4. Interpretive rulings made herein are subject to appeal by a franchise holder and/or coach of record, through the Registrar and/or House Director, to the Board of Directors. Such an appeal must be made prior to the certification of the draft to the Board of Directors who are present at the draft.

G. Draft Certification

1. Each team must possess an identified goalie before the draft is certified, providing there are enough goalies for each team in a given draft.
2. Each draft must be certified by the Registrar after consulting with those members of the Board of Directors who are present. Such certification will take place when the trading period has ended. The certification period may be shortened or lengthened at the discretion of the Registrar and/or House Director, Second Vice President and/or other members of the Board of Directors.
3. Coaches shall have no contact with drafted players until such time as the Registrar notifies them that the draft has been certified.

H. Players registered after the draft

1. Players registered after the draft but before January 1st shall be assigned to a team one at a time, according to the draft rotation, to the team with the fewest players. When practical, the Registrar or House Director shall hold a player until two or more players become available at which time the players shall be assigned by a blind draw conducted by the Registrar or the House Director with as many coaches present as is practical. The Registrar may, after consulting with the Board of Directors, assign an individual player.
2. The Registrar or House Director, subject to approval by the Board of Directors, shall take the action outlined in the paragraph above only when it is believed that no other players will become available in the near future and that it is in the best interest of the player and the Association. Further, it is the intent of these rules that players should be assigned to teams in a fair and equitable manner. The Registrar or House Director, shall therefore hold a player until the Board of Directors can conduct a hearing if it is believed that a player is attempting to use a late registration to circumvent the intent of these rules. The Board of Directors may take whatever action it deems appropriate including, but not limited to, a rejection of the player's registration.
3. After December 31st, players will be registered at the discretion of the Division Representative and the Registrar or House Director, based on the needs of the division in terms of roster strength and equality throughout the division. Players so registered will be assigned to teams in accordance with paragraph D(1) above.
4. Notwithstanding any other provisions of the THYA By Laws and the Draft Rules, any player released by a travel team who wishes to play for a house team will be placed on a team selected by the Board of Directors. In such cases, the Division Representative will contact each coach in the division for his advice and will then formulate a recommendation for the Board of Directors.
5. Any interpretation of the Draft Procedure Rules shall be left to the discretion of the Registrar and Board members present at the draft. Decisions of this group are final and cannot be appealed.

I. Late Registration and Wait List Process (spring and summer)

1. Registration applications will continue to be accepted thru the summer on a first come first serve basis or until a time to be determined by the Board of Directors via cooperation with the Troy Sports Center facilitated by the Rink Liaison. The Troy Sports Center, in cooperation with the Board of Directors to be facilitated by the Rink Liaison, will continue to build the player database. The House Director, Second Vice President, Rink Liaison and division directors will meet in late July to assess the needs of the program (ice schedules, additional coaches, number of extra players accepted, etc.).
2. Order of acceptance for late registrants and/or wait listed players to the house program is as follows:
 - a. Returning TYHA players (all accepted and placed on teams);
 - b. Siblings of TYHA players;
 - c. Future Wings who passed all three levels or are recommended by the Future Wing program subject to "out of district" limitations established by MAHA;
 - d. New players who played for other organizations based on a first come first serve basis. However, "out of district" players must be identified for purposes of meeting MAHA requirements.
3. After the maximum number of players is registered per division, all other late registrants and/or wait listed players will be advised as to their placement status.
4. A mandatory coaches meeting will be held in late July/early August or at some other appropriate time as determined by the Board of Directors in order to review the draft and commitment processes and to address any revisions to player evaluations.



CITY COUNCIL ACTION REPORT

October 13, 2009

TO: The Honorable Mayor and City Council Members

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

SUBJECT: Notice of Public Hearing on November 9, 2009 to Receive Public Input on the City of Royal Oak Hospital Finance Authority Utilizing Tax-Exempt Bonds for William Beaumont Hospital - Troy

As required by the Internal Revenue Code of 1986, as amended (the "Code") the City of Troy will hold a public hearing on November 9, 2009 to receive public input in advance of authorizing the City of Royal Oak Hospital Finance Authority to issue bonds that will be used to (1) finance the construction, acquisition, renovation, equipping, rehabilitation and/or improvement of hospital facilities, and to (2) refinance indebtedness used to finance the construction, renovation and equipping of certain hospital facilities at William Beaumont Hospital – Troy.

It should be noted that approval of the issuance of bonds by the City of Royal Oak Hospital Finance Authority for the benefit of the City of Troy will not have any effect on the ability of the City of Troy to issue bonds, nor will it involve any liability to the City of Troy for the bonds.

Founded in 1852
by Sidney Davy Miller

MILLER CANFIELD

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POLAND: Gdynia
Warsaw • Wroclaw

October 12, 2009

John Szerlag, City Manager
City of Troy
500 West Big Beaver
Troy, Michigan 48084

via e-mail to: j.szerlag@troymi.gov

RE: City of Royal Oak Hospital Finance Authority – William Beaumont Hospital

Lady and Gentlemen:

William Beaumont Hospital is anticipating a financing through the City of Royal Oak Hospital Finance Authority utilizing tax-exempt bonds. Miller Canfield is acting as bond counsel with respect to the bonds. Although all of the bonds will be issued by the City of Royal Oak Hospital Finance Authority, as permitted by State law, a portion of the proceeds of the bonds will be used to construct, acquire, renovate, equip, rehabilitate and/or improve hospital facilities in the City of Troy as well as to refund bonds the proceeds of which were used to construct, acquire, renovate, equip, rehabilitate and/or improve the hospital facility of William Beaumont Hospital in the City of Troy.

As required by the Internal Revenue Code of 1986, as amended (the "Code"), the City of Royal Oak must hold a public hearing and permit the issuance of the bonds. In addition, the Code requires, when proceeds of the bonds will be used outside of the jurisdiction issuing the bonds, that such other jurisdiction also hold a public hearing and authorize the issuance of the bonds.

To meet the requirements of the Code, we would like to request being placed on your City Council agenda for your November 9, 2009 meeting for the purpose of conducting a public hearing and approving the issuance of the bonds by the City of Royal Oak Hospital Finance Authority. I am attaching a draft of the notice that, when completed, will be released for publication later this week. I will send you a completed copy when it is available. I am also attaching a draft of the proposed resolution that would be considered. The format of the resolution is identical to ones that the City Council for the City of Troy passed in July of this year and in other years for financings of William Beaumont Hospital through the City of Royal Oak Hospital Finance Authority. I will send you a final resolution in the next week with the amount of the bonds filled in.

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

Mr. John Szerlag

-2-

October 12, 2009

The approval of the bonds by the City Council of the City of Troy is solely for the purpose of meeting the public approval requirements of the Code. Such approval will not have any effect on the ability of the City of Troy (or affiliates) to issue bonds and will not involve any liability to the City of Troy (or affiliates).

Please confirm that we can be placed on your agenda for your November 9, 2009 City Council meeting. Also, please confirm the time and location I have used in the attached notice for the Troy meeting.

Very truly yours,

Miller, Canfield, Paddock and Stone, P.L.C.

By: /s/ Kris Nied
Kristin E. Nied

Enclosure

DISCLOSURE UNDER TREASURY CIRCULAR 230: The United States Federal tax advice contained in this document and its attachments, if any, may not be used or referred to in the promoting, marketing or recommending of any entity, investment plan or arrangement, nor is such advice intended or written to be used, and may not be used, by a taxpayer for the purpose of avoiding Federal tax penalties. Advice that complies with Treasury Circular 230's "covered opinion" requirements (and thus, may be relied on to avoid tax penalties) may be obtained by contacting the author of this document.

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NOTICE OF PUBLIC HEARINGS ON THE ISSUANCE
BY THE CITY OF ROYAL OAK HOSPITAL FINANCE AUTHORITY
OF HOSPITAL REVENUE AND HOSPITAL REVENUE REFUNDING BONDS
FOR THE BENEFIT OF WILLIAM BEAUMONT HOSPITAL

NOTICE IS GIVEN that the City Commission of the City of Royal Oak will hold a public hearing at 7:30 p.m., in the Commission Chambers of City Hall, 211 Williams Street, Royal Oak, Michigan on the 9th day of November, 2009, that the City Council of the City of Sterling Heights will hold a public hearing at 7:30 p.m. in the City Hall Council Chambers, 40555 Utica Road, Sterling Heights, Michigan on the [] day of November, 2009 and that the City Council of the City of Troy will hold a public hearing at 7:30 p.m. in the City Council Chambers, City Hall, 500 W. Big Beaver, Troy, Michigan on the 9th day of November, 2009, each on the proposed issuance of hospital revenue and hospital revenue refunding bonds (the "Bonds") in one or more series in the maximum aggregate principal amount of \$[] by the City of Royal Oak Hospital Finance Authority to provide funds to loan to William Beaumont Hospital (the "Hospital") to be used by the Hospital, together with other available funds, to (a) finance or refinance, at a presently estimated cost of \$[], a portion of the costs of the Project (described below), (b) to refund or otherwise reissue for federal tax purposes at an approximate cost of \$[] the bonds described below (the "Prior Bonds"), (c) to pay a portion of the interest to accrue on the Bonds, (d) to fund a debt service reserve fund for the Bonds, (e) to pay costs related to interest rate swaps, and (f) to pay the costs of issuing the Bonds.

The Project consists of the financing of the costs of construction, acquisition, renovation, equipping, rehabilitation and/or improvements to the hospitals and other health care facilities (i) located on the main campus of the Hospital located at 3601 West Thirteen Mile Road, Royal

Oak, Michigan (the "Main Hospital Campus") (at a presently estimated cost of \$[_____]), (ii) on the Troy campus of the Hospital located at 44201 Dequindre Road, Troy, Michigan (the "Troy Hospital Facility") (at a presently estimated cost of \$[_____]) and (iii) on the hospital campus of the Hospital located at 44300 Dequindre Road, Sterling Heights, Michigan (the "Sterling Heights Facility"), (at a presently estimated cost of \$[_____]).

The Prior Bonds consist of all or a portion of (a) the \$48,675,000 City of Royal Oak Hospital Finance Authority Hospital Revenue Refunding Bonds (William Beaumont Hospital Obligated Group) Series 2001N (the "Series N Bonds"); (b) the \$34,475,000 City of Royal Oak Hospital Finance Authority Hospital Revenue Refunding Bonds (William Beaumont Hospital Obligated Group) Series 2001O (the "Series O Bonds"); (c) the \$82,675,000 City of Royal Oak Hospital Finance Authority Hospital Revenue Bonds (William Beaumont Hospital Obligated Group) Series 2003P (the "Series P Bonds"); and (d) the \$60,600,000 City of Royal Oak Hospital Finance Authority Hospital Revenue Refunding Bonds (William Beaumont Hospital Obligated Group) Series 2003Q (the "Series Q Bonds").

The proceeds of the Series N Bonds were used by the Hospital to (a) currently refund (i) the City of Royal Oak Hospital Finance Authority Hospital Revenue Bonds (William Beaumont Hospital) Series 1996J (the "Series J Bonds"), and (ii) the City of Royal Oak Hospital Finance Authority Hospital Revenue Bonds (William Beaumont Hospital) Series 1997L (the "Series L Bonds") and (b) pay costs of issuing the Series N Bonds. The proceeds of the Series J Bonds were used by the Hospital to (a) finance the acquisition, construction, replacement, remodeling and equipping of capital improvements at the Main Hospital Campus, generally comprising improvements to the existing hospital facilities at the Main Hospital Campus to replace and upgrade heating, ventilation and air handling systems, refrigeration and utility distribution

systems, fire protection and elevators, to improve roofing, building facilities, external signage and landscaping, to remodel patient care areas in the neonatal intensive care unit, patient care rooms, the nuclear medicine department, the continuing care department, the security department and storage areas and to acquire and install various radiology, surgical, endovascular, bed replacement and other patient care equipment, and (b) to pay costs of issuing the Series J Bonds. The proceeds of the Series L Bonds were used by the Hospital to (a) construct an approximately 88,200 square foot, five story Heart Center at the Main Hospital Campus and to renovate approximately 41,825 square feet of existing space at the Main Hospital Campus to facilitate expansion, replacement and consolidation of cardiovascular services into a vertically arranged facility, including the addition of two new cardiac catheterization laboratories, replacement of two existing cardiac catheterization laboratories and the conversion of two existing cardiac catheterization laboratories to multi-purpose special radiological rooms, and (b) pay costs of issuing the Series L Bonds.

The proceeds of the Series O Bonds were used by the Hospital to (a) currently refund (i) the City of Royal Oak Hospital Finance Authority Revenue Bonds (Beaumont Properties, Inc.) Series 1992E (the "Series E Bonds") and (ii) the City of Royal Oak Hospital Finance Authority Hospital Revenue Bonds (William Beaumont Hospital) Series 1992F (the "Series F Bonds") and (c) pay costs of issuing the Series O Bonds. The proceeds of the Series E Bonds were used by the Hospital to refund the Beaumont Properties, Inc. Taxable Revenue Bonds, Series 1988B (the "Series B Bonds"), the proceeds of which were used to (a) pay the costs of constructing and equipping (i) a 120,000 square foot medical office building adjacent to an existing medical office building located at the Main Hospital Campus, (ii) a parking structure located north of the existing medical office building located at the Main Hospital Campus, and (iii) a 78,995 square

foot medical office building located at 6900 Orchard Lake Road, West Bloomfield, Michigan (the "West Bloomfield Campus") and (b) pay costs of issuing the Series E Bonds. The proceeds of the Series F Bonds were used by the Hospital to (a) pay costs of constructing approximately 65,516 square feet of new space at the Main Hospital Campus to contain eight new operating rooms, an expanded emergency center, a laboratory and mechanical space, and the renovation of approximately 4,770 square feet at the Main Hospital Campus, and (b) pay costs of issuing the Series F Bonds. The Hospital defeased \$3,200,000 of the Series O Bonds due to the sale of the West Bloomfield Campus to a private developer in 2006.

The proceeds of the Series P Bonds were used by the Hospital to (a) pay the construction, renovation and equipping of a nine-level addition to the Hospital located at the Main Hospital Campus which added operating rooms, replaced and relocated existing licensed acute care beds and increased the number of private rooms and (b) pay costs of issuing the Series P Bonds.

The proceeds of the Series Q Bonds were used by the Hospital to currently refund the City of Royal Oak Hospital Finance Authority Hospital Revenue Refunding Bonds (William Beaumont Hospital), Series 1993G (the "Series G Bonds") which Series G Bonds refinanced the indebtedness incurred by the Hospital in connection with the issuance of the City of Royal Oak Hospital Finance Authority Hospital Revenue Bonds (William Beaumont Hospital) Series 1989C (the "Series C Bonds"). The proceeds of the Series C Bonds were used by the Hospital to (a) pay the cost of acquiring, construction, remodeling and equipping (i) an administration building, powerhouse expansion, site and utilities improvement, the research facilities and a project control center, all located at the Main Hospital Campus, (ii) a diagnostic radiology expansion and the replacement of radiology equipment at the hospital of the Hospital located at the Troy Hospital Facility, (iii) a diagnostic nuclear medicine facility and the expansion of an area

providing acute therapeutic rehabilitation services located at the West Bloomfield Campus, (iv) a facility for data processing operations located at the 1350 Stephenson Highway, Troy, Michigan (the "BIS Center") and (b) pay costs of issuing the Series C Bonds. The Hospital defeased \$750,000 of the Series Q Bonds due to the sale of the West Bloomfield Campus to a private developer in 2006.

The Main Hospital Campus, the Troy Facility, the BIS Center and the Sterling Heights Facility are owned and operated by the Hospital, a nonprofit corporation.

The public hearing will provide an opportunity for interested persons to be heard and communications in writing will be received and considered. The hearing will provide the fullest opportunity for expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the proposed bond issue.

Dated: [____], 2009

/s/ Don Johnson
Chairperson, City of Royal Oak
Hospital Finance Authority
211 Williams Street
Royal Oak, Michigan 48068
(248) 246-3030

17279253.2\006839-00008
DRAFT 10/12/09 1:56 PM

John Szerlag

From: Louise Schilling [000schilling@ameritech.net]
Sent: Wednesday, October 14, 2009 10:36 PM
To: John Szerlag
Cc: John M Lamerato; Lori G Bluhm; Mark F Miller; Tonni L Bartholomew
Subject: Fw: 09.10.19 Call Special Election February 23 2010 - Mayor Schilling.doc
Attachments: 09.10.19 Call Special Election February 23 2010 - Mayor Schilling.doc

----- Original Message -----

From: Louise Schilling
To: John Szerlag
Cc: John M Lamerato ; Lori Grigg Bluhm ; Mark F Miller ; Tonni L Bartholomew
Sent: Wednesday, October 14, 2009 4:36 PM
Subject: Fw: 09.10.19 Call Special Election February 23 2010 - Mayor Schilling.doc

John,

For over the past month the Troy City Council has received correspondence and verbal requests to have the voters decide the issue of a millage question to restore public safety and quality of life venues for the Troy citizens. Therefore, I am requesting the attached item be placed on the October 19 City Council Meeting Agenda. The message is clear: "Let the people vote." After reviewing your latest memo dated October 7 and again reviewing the September 28 and October 5 City of Troy 6-year Organizational Restructuring Plan data I am confident that the Troy citizens deserve a vote on the matter. Thank you.

Louise

October 15, 2009

TO: John Szerlag, City Manager

FROM: Louise E. Schilling, Mayor

SUBJECT: Request for Agenda Item under Council Referrals: Scheduling of a Special Election for February 23, 2010 and Direct City Administration to Prepare Ballot Language

PROPOSED MOTIONS:

- Resolved, That the City Council hereby **SCHEDULES** a February 23, 2010 Special Election for voters to vote on a proposed millage question and **DIRECT** City Administration to draft ballot language with a proposed millage rate increase of 1.9 mills for the next five years, to be utilized to restore Public Safety and Quality of Life venues, with the language to be provided to the City Council on the next Regular City Council Meeting Agenda for Council Action.
- Resolved, That the Council Referral Item regarding the Scheduling of a Special Election for February 23, 2010, be **POSTPONED** until after Agenda Item K, Study Session.

TROY HISTORIC COMMISSION MINUTES – FINAL**MARCH 24, 2009**

The regular meeting of the Troy Historic Commission was held Tuesday, March 24, 2009 at the Troy Museum & Historic Village. Rosemary Kornacki called the meeting to order at 7:33 P.M.

ROLL CALL **PRESENT:** Rosemary Kornacki
 Terry Navratil
 Brian Wattles
 Roger Kaniarz
 Vera Milz
 Padma Kuppa
 Andrew Lei, Student Representative
 Loraine Campbell, Museum Manager

ABSENT Kevin Lindsey

GUEST Lori Bluhm, City Attorney

Resolution #HC-2009-03-001**Moved by Navratil****Seconded by Kuppa****RESOLVED, That the minutes of January 27, 2009 be approved**

Yes: 6 —Kornacki, Navratil, Kaniarz, Milz, Kuppa and Wattles

No: 0

MOTION CARRIED**Old Business****A. Capital Projects**

Wagon Shop

Six firms submitted bids to complete the strip and stain project in the Wagon Shop. Mando Construction Co. of Sterling Heights Michigan had the low bid of \$5,550. Upon successful submission of their insurance a PO will be issued. Because this bid was under \$10,000, it will not require City Council approval. The work will be completed by June 15.

B. Programs

Staff is completing plans for summer public programs. The calendar will feature six themed weeks, with each week repeated once. Monthly summer teas and three Sunday concerts are included.

Staff is finalizing plans for the Civil War Camp for 1,000 Troy Middle School eighth graders. The camp will be held May 17-21 at the Museum.

C. Attendance

See attached reports.

D. Collections

See Reports.

William Boardman requests authorization to deaccession the following items: Ironrite ironer; print furniture cabinet; Melodeon; Lukken maker; popcorn popper; tea bag holder; typewriter; Christmas lights; potato chip tin; commemorative tin; women’s gloves; glass Borden bottle; glass Kraft bottle; and Defiance scale.

Resolution #HC-2009-03-002

Moved by Navratil

Seconded by Kaniarz

RESOLVED, That the request to deaccession the Ironrite ironer; print furniture cabinet; Melodeon; Lukken maker; popcorn popper; tea bag holder; typewriter; Christmas lights; potato chip tin; commemorative tin; women’s gloves; glass Borden bottle; glass Kraft bottle; and Defiance scale as recommended by William Boardman be approved.

Yes: 6 —Kornacki, Navratil, Kaniarz, Milz, Kuppa and Wattles
No: 0

MOTION CARRIED

E. Grants

Kresge Foundation Project Detroit Grant

The second \$20,000 installment from this grant is anticipated in July. It will be applied to utility costs that have increased, education and training for staff (this line item was not funded in 2008), memberships in professional organizations, and part time staff salaries.

Michigan Council for the Humanities

Grant applications have been submitted to offset the costs of three summer concerts. It is unknown if the MCH Touring Program will be funded or eliminated due to state budget cuts.

F. Interpretive Master Plan (IMP)

Loraine has completed an RFQ/RFP to hire a consultant to work with a team to develop an IMP that identifies the mission-focused stories we wish to tell through the expanded museum and the themes and subthemes that we will focus on through exhibits, programs, signage and activities. The goal is to use the new spaces created through the expansion effectively and efficiently and to provide exceptional curb-to-curb visitor experiences.

The team for the IMP will include Museum staff, Sherrill Jackson from the THS, 1 or 2 teachers, Andrea Navratil and up to two additional students, a representative from the Advisory Committee for Persons with Disabilities, and representatives from the Historical Commission. Rosemary Kornacki, Roger Kaniarz, Padma Kuppa and the student representative Andrew Lei, volunteered to serve on the team.

G. Interns

Bradley Selesky and Josh Duffy will complete their internship on April 20, 2009.

Loraine has numerous applicants for summer internships. The museum will probably accept a minimum of three. A marketing and advertising major from Central Michigan University is also interested in an internship with the Troy Historical Society.

New Business

A. Presentation by City Attorney

Lori Bluhm presented updates and clarifications to the Michigan Open Meetings Act and Freedom of Information Act. She also provided all commission members with an informational booklet on these laws.

B. Expansion Update: Presentation on preliminary site plan concepts

Architects Gene Hopkins and Tamara Burns have submitted preliminary elevations and floor plans for consideration by the Museum Expansion Team. The Museum Staff has submitted their comments, concerns and suggestions. These plans will be revised and resubmitted.

The Heritage Campaign Committee met with the architects to discuss phasing of the projects for this summer, calendaring steps for the Barnard House relocation and a review of cost centers.

C. Troy Historical Society Liaison Report

The draft barn agreement with George Spenser is finished and will be reviewed by the City Attorney before submission to City Council for approval.

The THS is considering taking out ads in the Troy Times and or Somerset Gazette to advertise museum summer public programs.

D. Reports and Communications

Staff

Ray Lucas will return to work on March 30, 2009. Loraine requested that the June Commission meeting be moved to June 30, 2009. The change of date will be posted in the Clerk's office.

Visitor

None

Commission Members

None.

The Troy Historic Commission Meeting was adjourned at 10:05 p.m. The next regular meeting will be held Tuesday, June 30, 2009 at the Troy Museum & Historic Village at 7:00 pm. The business meeting will be preceded by a tour of the buildings.

Brian Wattles
Acting Chairperson

Loraine Campbell
Recording Secretary

TROY HISTORIC COMMISSION MINUTES – FINAL**June 30, 2009**

The regular meeting of the Troy Historic Commission was held Tuesday, June 30, 2009 at the Troy Museum & Historic Village. The meeting was preceded by the annual tour of the buildings. Brian Wattles called the meeting to order at 7:42 P.M.

ROLL CALL

PRESENT:	Terry Navratil Brian Wattles Roger Kaniarz Vera Milz Padma Kuppa Kevin Lindsey Loraine Campbell, Museum Manager
ABSENT	Rosemary Kornacki
GUESTS	John and Sue Lavender, Troy Historical Society

Resolution #HC-2009-06-001**Moved by Navratil****Seconded by Wattles****RESOLVED, That the minutes of March 24, 2009 be approved as amended**

Yes: 6 —, Navratil, Kaniarz, Milz, Kuppa, Lindsey and Wattles

No: 0

MOTION CARRIED**Old Business****A. Capital Projects**

(Reviewed during annual tour):

Log Cabin

No repairs to this structure in 2009. The plan is to relocate the building to the northwest corner of the expanded Village. This project will not occur before 2010 and is dependant on successful fundraising. The estimated relocation cost is \$52,000.

Wagon Shop

The Wagon Shop was stripped of lead paint and some wood on the north doors was replaced. The building was primed and stained by Mando Construction using Sherwin Williams' products.

Caswell House

The waterproofing mastic on the foundation walls must be repaired and re-anchored with aluminum flashing, and then sealed. Additional fill must be

installed around the foundation walls. The cost is approximately \$7,000. This work will be completed before fall.

Poppleton School

Masonry repairs to the wash (architectural feature above the stone foundation), chimney, and poorly anchored accessibility railing will be completed before fall at an estimated cost of \$5,000.

General Store

There is minor evidence of some peeling Stain. We will consult with Sherwin Williams regarding this and make minor repairs before fall.

Many of the collections materials have been moved from the basement to the Church. We can now clean the rod holes and install hydrophobic grout a cost not to exceed \$1,000. This work will be completed before fall.

Print Shop and Town Hall

The paint on these structures is peeling. Loraine will use the General Store strip and stain specifications to remove the exterior paint on these buildings and replace with stain. This project is slated for summer 2010.

Parsonage

The porch will be stripped and stained this summer. Staff plans to furnish the second level gathering area as a sewing room. This project will be completed over the winter.

Church

No significant repairs have been made or are scheduled.

B. Programs

The four Civil War Camp days for 1,000 Troy Middle School eighth graders and chaperones held May 17-21 was a great success. Comments by students, parents and teachers were very positive. The middle schools have scheduled dates for next year's camp.

Color ads in the Troy Times that promote daily activities at the Museum are yielding positive results. Daily attendance is up significantly.

Staff has completed the fall public program calendar.

C. Attendance

See attached reports.

D. Collections

See Reports.

William Boardman requests authorization to deaccession the following items:
Yarn winder c. 1930

Printer's chase rack c. 1940
Punch c. 1920
China cabinet/bureau c. 19th century
Paper Dispenser c. 1900
Forge c. 1900
Washing machine c. 1900
Sewing machine c. 1900
Misc.. A/V accessories 1980s-90

Resolution #HDC-2009-06-002

Moved by Navratil

Seconded by Milz

RESOLVED, That the request to deaccession the yarn winder (1930), printer's chase rack (1940), punch (1920), china cabinet/bureau (19th century), paper dispenser (1900), forge (1900), washing machine, sewing machine (1900) and miscellaneous audio visual accessories (1980s-90s) as recommended by William Boardman be approved.

Yes: 6 —Kornacki, Navratil, Kaniarz, Milz, Kuppa and Wattles
No: 0

MOTION CARRIED

E. Grants

Phoebe Crandall has been retained to help Loraine complete an application for a NEH Humanities Collections and Reference Resources Grant. The application outlines plans to digitize approximately 20,000 death records from Price Funeral Home, A.J. Desmond & Sons Funeral Home and the Museum obituary collection. These resources will be linked to other records held in the Museum Archive including census and land ownership records and images, letters and journals, when they are available. All or these resources will be part of the Museum Genealogy Center, which will be administered as a subset of the Archive. The application outlines a three-year project. The maximum award for a grant in this category is \$350,000 for a 2-3 year project. The grant funds equipment, salaries and training costs. Generally about half of the project costs are funded. The application is due July 15, 2009. Awards are announced in April 2010.

Resolution #HDC-2009-06-003

Moved by Kuppa

Seconded by Kaniarz

RESOLVED, That the proposed Genealogy Center Digitization Project as outlined in the the NEH Humanities Collections and Reference Resources Grant

application be supported and that Brian Wattles be appointed to serve on an Advisory Team for the project.

Yes: 6 —Kornacki, Navratil, Kaniarz, Milz, Kuppa and Wattles
No: 0

MOTION CARRIED

F. Interpretive Master Plan (IMP)

The interview team for the IMP, which included Loraine Campbell, Anne Nagrant, and Debra Newby (representing the museum staff), Sherrill Jackson from the THS, and Padma Kuppa from the Historical Commission reviewed three proposals and interviewed two applicants. 106 Group LTD was selected for a cost of \$20,000. This fee will be funded completely by the 2008 allocation of the Kresge Project Detroit Operations Grant. The contract for 106 Group is scheduled for approval at the July 6 City Council meeting. Julie Cutler, the firm's master planner will be at the museum July 29-31 and will meet with our expanded IMP Team on July 30.

G. Interns

The museum has 2 summer interns:

Clare Monsour is a graduate from Central Michigan University. She has developed the layout for a new volunteer orientation booklet and is also assisting Bill Boardman in the Collections area.

Stephanie Tingley is a graduate from Oakland University. She is assisting with summer public programs.

New Business

A. Expansion Update: Presentation on preliminary site plan concepts

The Board of Zoning Appeals has granted variances for siting the Niles-Barnard House and for our proposed parking areas and bus loop.

The Preliminary site Plan was favorably reviewed at a Study Session of the Planning Commission. The plan will be presented to the Planning Commission for their approval on July 14, 2009. A public hearing before city council will be scheduled in early August.

Resolution #HDC-2009-06-004

Moved by Kuppa

Seconded by Kaniarz

RESOLVED, That the proposed site plan for the expanded Troy Museum & Historic village be approved.

Yes: 6 —Kornacki, Navratil, Kaniarz, Milz, Kuppa and Wattles
No: 0

MOTION CARRIED

Approval of the Gift Agreement for the 1859 Spencer Dairy Barn is scheduled for the July 6, 2009 City Council Agenda. This is a 3-year agreement for the barn, clay-tiled silo, granite foundation materials, milk stanchions and roof ventilator.

The Troy Heritage Campaign committee has been authorized by the THS Board of Trustees to interview professional fundraisers and present their selection to the board for approval.

B. Reports and Communications

Staff

Loraine's book, Pocketful of Passage, has been selected to represent the State of Michigan at the National Book Festival in Washington DC on September 26, 2009..

Commission Members

None

The Troy Historic Commission Meeting was adjourned at 9:35 p.m. The next regular meeting will be held Tuesday, September 22, 2009 at the Troy Museum & Historic Village at 7:30 pm.

Brian Wattles
Acting Chairperson

Loraine Campbell
Recording Secretary

TROY HISTORIC DISTRICT STUDY COMMITTEE – FINAL**August 4, 2009**

This rescheduled meeting of the Troy Historic District Study Committee was held Tuesday, August 4, 2009 at the Troy Museum & Historic Village. The meeting was called to order at 7:40 P.M.

ROLL CALL **PRESENT:** Bob Miller
Charlene Harris-Freeman
Leslie Witt
Paul Lin

STAFF: Loraine Campbell

ABSENT: Linda Rivetto

Note: Kevin Lindsey has resigned from the Historic District Study Committee. Loraine Campbell will notify the City Clerk.

Resolution #HDSC-2009-08-001**Moved by Harris-Freeman****Seconded by Lin****RESOLVED, That the minutes of June 25, 2009 be approved as amended**

Yes: 4—, Miller, Harris-Freeman, Witt and Lin

No: 0

MOTION CARRIED**OLD BUSINESS****A. Request to Delist 4800 Beach**

Mr. Michaels submitted a 13-page letter detailing reasons he feels his property should be delisted. The committee members will read the lead and asked that a copy of the letter be forwarded to the City Attorney for comment. The committee will defer action on the preliminary report until the letter has been read and discussed.

NEW BUSINESS**A. Select new chairperson****Resolution #HDSC-2009-08-002****Moved by Harris-Freeman****Seconded by Witt****RESOLVED, That Paul Lin be approved as the new committee chairperson**

Yes: 4—, Miller, Harris-Freeman, Witt
No: 0
Abstain: 1— Lin

MOTION CARRIED

B. Other business

Paul Lin distributed a brochure the City of Royal Oak's brochure historic that defines local historic preservation districts and the benefits of local historic designations.

The committee asked Loraine Campbell to contact Lori Bluhm to schedule a presentation on the sunshine laws.

The Troy Historic Study Committee Meeting was adjourned at 8:46 PM. The next meeting will be held Tuesday September 1, 2009 at 7:30 PM at the Troy Museum & Historic Village.

Acting Chairman

Loraine Campbell
Recording Secretary

ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES – ROUGH –
AUGUST 5, 2009

A Regular Meeting of the Troy Advisory Committee for Persons with Disabilities was held Wednesday, August 5, 2009 in the lower level Conference Room at City Hall. Done called the meeting to order at 7:25 p.m.

Present: C. Buchanan A. Done
 B. Harrell E. Kempen
 P. Lin J. Stewart
 A. Vasudevan

Present: Mitch Grusnick, staff

Absent: Michael Chaffee
 Kelly Clark
 Kristin Mayer
 Larry Patton
 Michael Wilson

ITEM III – APPROVAL OF MINUTES OF MEETING OF MAY 6, 2009

Buchanan made a motion to approve the minutes, as amended, of May 6, 2009; supported by Kempen; all voted in favor.

ITEM IV – PUBLIC COMMENT

ITEM V - SCHEDULED PRESENTATIONS

ITEM VI – UNFINISHED BUSINESS

Buchanan will invite Loraine Campbell, Museum Manager, to attend one of our meetings in the fall to discuss accessibility at the museum.

Buchanan met with the Historical Society who hired the 106 Group to do interpretative planning for new buildings.

This Committee will be forwarding recommendations to Cindy Stewart for candidates for commendation letters.

ITEM VII – NEW BUSINESS

Harrell advised that Patton would like feedback and suggestions on questions for the new master plan interview scheduled with the Planning Department.

ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES – ROUGH –
AUGUST 5, 2009

Lin is concerned with the amount of space used for greenbelts around entrances that could be utilized as parking spaces.

October is Disability Awareness Month. Done will contact Cathy Russ, Library Director to inquire about usage of a display cabinet.

ITEM VIII – REPORTS

Buchanan reported that a water wheelchair is available at the Community Center swimming pool.

ITEM IX – MEMBER COMMENT

We regret to inform all that Susan Werpetinski, a previous member of this Committee, passed away suddenly. Susan was passionate about this Committee and worked very hard.

ITEM X – ADJOURNMENT

Done adjourned the meeting at 8:28 p.m.

Angela Done member

Kathy Jearls, Recording Secretary

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Kathy Jearls, Recording Secretary

CHARTER REVISION COMMITTEE MINUTES - Final**August 13, 2009**

A meeting of the Troy Charter Revision Committee was held August 13, 2009, at City Hall, 500 W. Big Beaver Road. Chairman Daniel Bliss called the Meeting to order at 10:48 AM.

ROLL CALL:

PRESENT: Maryann Bernardi, Daniel Bliss, Jerry E. Bloom, Shirley Kanoza, William Weisgerber, Cynthia A. Wilsher
ABSENT: Mark Solomon
ALSO PRESENT: Assistant City Attorney Christopher Forsyth, City Clerk Tonni Bartholomew

RESOLUTION TO EXCUSE MEMBER:

Resolution #CR-2009-08-020
 Moved by Wilsher
 Seconded by Bernardi

RESOLVED, That Member Solomon be **EXCUSED** from the meeting of August 13, 2009 Due to a health issue.

Yes: Barno, Bernardi, Bliss, Bloom, Kanoza, Weisgerber, Wilsher
 No: None
 Absent: Solomon

MOTION CARRIED**APPROVAL OF MINUTES: July 13, 2009**

Member Bernardi made a correction to the minutes regarding her statements listed on pages two and four. She also noted that she voted incorrectly on Resolution CR-09-07-018 and had emailed the City Council about this.

Resolution #CR-2009-07-021
 Moved by Bloom
 Seconded by Kanoza

RESOLVED, That the Charter Revision Committee Minutes of July 13, 2009 are hereby **APPROVED** as amended.

Yes: Bernardi, Bliss, Bloom, Kanoza, Weisgerber, Wilsher
 No: None
 Absent: Solomon

MOTION CARRIED

PROPOSED CHARTER AMENDMENTS

A. Section 6.2(g) – Vacancies in Elective Office

City Clerk Bartholomew gave a brief overview of the proposed amendment and noted that the proposed amendment is being proposed to reduce the complexity of the ballot questions and reducing the number of ballot questions. Originally, 6.2(g) was being considered for a major amendment to accommodate the request of Council, however looking at the potential impacts of the amendment and the difficulty writing ballot language for the proposed amendment to be contained within one section of the Charter, it was determined that a slight modification to Section 6.2(g) to only modify the date of the submittal and dissect the amendment into three actions would be desirable for both the final Charter should the amendments be adopted and for the ease of understanding as a ballot question. Ms. Bartholomew also noted that the current Charter provision for resignation is problematic. Should a member of Council resign under the current provision and Council did not exercise its right to appoint, a Special Election would be called as there is no time provision for the notification of the vacancy of office or for potential candidate to file petitions to run for a two-year created by the resignation.

Discussion continued on the impact of the amendment. Member Weisgerber suggested that the amendments be drafted as one item. Assistant City Attorney Forsyth noted that each Section and/or topic requires a ballot question.

Member Wilsher questioned the rational for the amendments. She inquired if the changes are from a personal agenda and if there are other communities with similar provisions. Assistant City Attorney Forsyth noted that there is similar resignation language provision in Township law.

Member Bernardi reviewed potential for resignations tied to several different life circumstances. She identified some resignation potentials as job relocation, illness, and other family circumstances.

MOTION TO RECOMMEND PROPOSED CHARTER AMENDMENT: Section 6.2(g) – Vacancies in Elective Office

Resolution #CR-2009-08-022
Moved by Bliss
Seconded by Bernardi

RESOLVED, That the Charter Revision Committee hereby **RECOMMENDS** the Staff Proposed Amendment to Section 6.2(g), Vacancies in Elective Office, as presented, be forwarded to City Council for placement on the November 3, 2009 General Election Ballot.

Yes: Bernardi, Bliss, Bloom, Kanoza, Weisgerber, Wilsher
No: None
Absent: Solomon

MOTION CARRIED

B. Section 6.2.1 – Irrevocable Letter of Resignation

Member Bloom suggested that the word “takes” be replaced with “shall take” in both the proposed Charter language and proposed ballot question.

Member Bernardi referenced comments made by the Council at the City Council meeting of August 3, 2009. She questioned the placement of a vacant Council seat on a Primary Election ballot as the election is a partisan election. The City Clerk indicated that the Primary Election ballot contains a non-partisan section as well as the partisan section and mechanically the office could be placed on the ballot.

Member Wilsher noted that the proposed amendments are very complex and it will be very difficult to convey the intent of the amendments to the voter. She asked if there will be sufficient time to provide the voter with information on the proposals. Member Wilsher stated that the City Attorney Bluhm indicated to Council that the time frame will be tight. Member Wilsher referenced the untimely distribution of election materials prior to the November General Election last year and asked if there is enough time to get the task accomplished this year. She referenced the problems associated with the distribution of materials after the Absent Voter (AV) ballot mailing. City Clerk Bartholomew noted that if City Council requested the distribution of materials that there is more flexibility with this election than there was in the situation referenced by Member Wilsher as this is not an even-year State-wide Primary. The time frame is very tight and every effort will be made to get the publication out before the AV Ballots.

Chair Bliss informed the Committee that he does not like the irrevocable letter of resignation provision and intends to vote “no”. He believes that a Council member should resign from their seat if they choose to run for another office.

MOTION TO RECOMMEND PROPOSED CHARTER AMENDMENT: Section 6.2.1 – Irrevocable Letter of Resignation

Resolution #CR-2009-08-023

Moved by Bloom

Seconded by Bernardi

RESOLVED, That the Charter Revision Committee hereby **RECOMMENDS** the Staff Proposed Amendment to Section 6.2.1, Irrevocable Letter of Resignation, as presented with substitution of the word “shall take” for the word “takes” in both the proposed Charter language and the proposed ballot question, be forwarded to City Council for placement on the November 3, 2009 General Election Ballot.

Yes: Bernardi, Bloom, Weisgerber

No: Bliss, Kanoza, Wilsher

Absent: Solomon

MOTION FAILED

C. Section 6.7 – Filing Vacancies in Elective Office

Member Bernardi voiced concern and noted that she believes that recommending the placement of the proposed question to City Council for placement on the ballot is very important. She referenced the importance of having the voter elect representation especially when a partial term could be as long as four years.

Member Kanoza stated that the electorate voted in the City Council members and she believes that they should be trusted to make decisions on the voter's behalf, including decisions on difficult decisions such as Council partial term appointments.

Member Bernardi indicated that she agrees on most of Member Kanoza's statement, except when the term is very lengthy. She stated it could be as long as four years.

CALL THE QUESTION:

Resolution #CR-2009-08-024

Moved by Bloom

Seconded by Weisgerber

RESOLVED, That the Chair **CALL** the question.

Yes: Bernardi, Bliss, Bloom, Kanoza, Weisgerber, Wilsher

No: None

Absent: Solomon

MOTION TO RECOMMEND PROPOSED CHARTER AMENDMENT: Section 6.7 – Filing Vacancies in Elective Office

Resolution #CR-2009-08-023

Moved by Bloom

Seconded by Bernardi

RESOLVED, That the Charter Revision Committee hereby **RECOMMENDS** the Staff Proposed Amendment to Section 6.7, Filing Vacancies in Elective Office, as presented, be forwarded to City Council for placement on the November 3, 2009 General Election Ballot.

Yes: Bernardi, Bliss, Bloom, Kanoza, Weisgerber

No: Wilsher

Absent: Solomon

MOTION CARRIED

Chair Bliss recessed the meeting at 11:43 AM and reconvened the meeting at 11:46 AM.

D. Section 6.7.1 – Filing Vacancies in Elective Office Created by an Irrevocable Letter of Resignation by Regular Election

City Clerk Bartholomew gave a brief overview of the proposed amendment. She noted that proposed amendments to Section 6.7.1 and 6.7.2 are new language. They are very similar, with 6.7.1 designating the time constraints for placement of a vacancy on a Regular Election ballot and 6.7.2 designating the time constraints for placement of the vacancy of a Primary Election ballot.

MOTION TO RECOMMEND PROPOSED CHARTER AMENDMENT: Section 6.7.1 – Filing Vacancies in Elective Office Created by an Irrevocable Letter of Resignation by General Election

Resolution #CR-2009-08-024
Moved by Bloom
Seconded by Kanoza

RESOLVED, That the Charter Revision Committee hereby **RECOMMENDS** the Staff Proposed Amendment to Section 6.7.1, Filing Vacancies in Elective Office Created by an Irrevocable Letter of Resignation by General Election, as presented, be forwarded to City Council for placement on the November 3, 2009 General Election Ballot.

Yes: Bernardi, Bloom, Kanoza, Weisgerber, Wilsher
No: Bliss
Absent: Solomon

MOTION CARRIED

E. Section 6.7.2 – Filing Vacancies in Elective Office Created by an Irrevocable Letter of Resignation by Primary Election

City Clerk Bartholomew indicated that the language and purpose is very similar to 6.7.1 but proposed the time constraints for placement of a vacancy on Primary Election ballot.

MOTION TO RECOMMEND PROPOSED CHARTER AMENDMENT: Section 6.7.2 – Filing Vacancies in Elective Office Created by an Irrevocable Letter of Resignation by Primary Election

Resolution #CR-2009-08-025
Moved by Bloom
Seconded by Bernardi

RESOLVED, That the Charter Revision Committee hereby **RECOMMENDS** the Staff Proposed Amendment to Section 6.7.2, Filing Vacancies in Elective Office Created by an Irrevocable Letter of Resignation by Primary Election, as presented, be forwarded to City Council for placement on the November 3, 2009 General Election Ballot.

Yes: Bernardi, Bloom, Kanoza, Weisgerber, Wilsher
No: Bliss
Absent: Solomon

MOTION CARRIED

F. Section 7.9 – Nominations

City Clerk Bartholomew indicated that the Charter (Section 7.3) designates that the Regular City election shall be held on the first Tuesday after the first Monday of every odd year November. The proposed language in Section 7.9 removes the references to the “City Election” to allow for placement of partial-term vacancies on Regular, Primary or Special Election Ballots.

Member Weisgerber discussed the importance of the area’s demographic changes since the original drafting of the City Charter and believes that the demographic changes should be given important consideration in Charter deliberations. He specifically referenced the change in the City’s Registered Voter population; noting that there were 3,805 Registered Voters when the Charter was established. The City now has 55,816 Registered Voters. He referenced the number of signatures required to file a nominating petition as being 60 or roughly 1.6% of the 3,805 City’s Registered Voters when the Charter was adopted in 1955. If the percentage suggestion was utilized today to determine the number of signatures required to file a nomination petition, a candidate would be required to file 893 City of Troy Registered Voter signatures. He believes that the Charter requirement regarding the nomination petition signatures should be reviewed to consider using a percentage calculation to maintain the original intent of the City Charter.

MOTION TO RECOMMEND PROPOSED CHARTER AMENDMENT: Section 7.9 – Nominations

Resolution #CR-2009-08-026
Moved by Bloom
Seconded by Bernardi

RESOLVED, That the Charter Revision Committee hereby **RECOMMENDS** the Staff Proposed Amendment to Section 7.9, Nominations, as presented, be forwarded to City Council for placement on the November 3, 2009 General Election Ballot.

Yes: Bernardi, Bliss, Bloom, Kanoza, Weisgerber, Wilsher
No: None
Absent: Solomon

MOTION CARRIED

SECTION 6.2(G) – VACANCIES IN ELECTIVE OFFICE, 6.7 FILLING VACANCIES IN ELECTIVE OFFICE, AND SECTION 7.9 NOMINATIONS

City Clerk Bartholomew reminded the Committee that Sections 6.2(g), 6.7 and 7.9 are three sections that are independent to the irrevocable letter of resignation proposals. The proposed modifications, specifically 6.2(g) could be moved forward and could be recommended as a solution should a vacancy of a Council member occur and require placement on a ballot. Section 6.2(g) as it is currently written would force a Special Election should the Council not be able to make an appointment and Section 7.9 directs the placement on a November odd-year ballot. Section 6.7 is the proposal that allows for the Council to make an appointment until a successor is elected.

MOTION TO RECOMMEND PROPOSED CHARTER AMENDMENT: Section 6.2(g) – Vacancies in Elective Office – PLACEMENT AS A STAND ALONE BALLOT PROPOSAL

Resolution #CR-2009-08-027

Moved by Bloom

Seconded by Kanoza

RESOLVED, That the Charter Revision Committee hereby **RECOMMENDS** the Staff Proposed Amendment to Section 6.2(g), Vacancies in Elective Office, as presented, be forwarded to City Council for placement on the November 3, 2009 General Election Ballot as a stand alone ballot proposal should the Council not approve the placement of the tie-barred proposal package on the ballot as the proposal has independent benefits in removing the potential for the calling of a Special Election to fill a vacancy by requiring a resignation date of July 1st.

Yes: Bernardi, Bliss, Bloom, Kanoza, Weisgerber, Wilsher

No: None

Absent: Solomon

MOTION CARRIED

MOTION TO RECOMMEND PROPOSED CHARTER AMENDMENT: Section 6.7 – Filling Vacancies in Elective Office – PLACEMENT AS A STAND ALONE BALLOT PROPOSAL

Resolution #CR-2009-08-028

Moved by Bloom

Seconded by Kanoza

RESOLVED, That the Charter Revision Committee hereby **RECOMMENDS** the Staff Proposed Amendment to Section 6.7, Filling Vacancies in Elective Office, as presented, be forwarded to City Council for placement on the November 3, 2009 General Election Ballot as a stand alone ballot proposal should the Council not approve the placement of the tie-barred proposal package on the ballot as the proposal may have independent benefits in by restructuring the appointment process of a vacancy in elected office.

Yes: Bernardi, Bliss, Bloom, Kanoza, Weisgerber, Wilsher
No: None
Absent: Solomon

MOTION CARRIED

MOTION TO RECOMMEND PROPOSED CHARTER AMENDMENT: Section 7.9 – Nominations – PLACEMENT AS A STAND ALONE BALLOT PROPOSAL

Resolution #CR-2009-08-029

Moved by Bloom

Seconded by Kanoza

RESOLVED, That the Charter Revision Committee hereby **RECOMMENDS** the Staff Proposed Amendment to Section 7.9, Nominations, as presented, be forwarded to City Council for placement on the November 3, 2009 General Election Ballot as a stand alone ballot proposal should the Council not approve the placement of the proposal package on the ballot as the proposal has independent benefits in removing references to the “City Election” to allow for placement of partial-term vacancies on Regular, Primary or Special Election Ballots.

Yes: Bernardi, Bliss, Bloom, Kanoza, Weisgerber, Wilsher
No: None
Absent: Solomon

MOTION CARRIED

RULES OF PROCEDURE:

City Clerk Bartholomew indicated that the proposed Rules of Procedure were drafted as requested by the Committee. The proposal is meant to be the starting point with suggestions. She suggested that the Committee review the document and that the proposal be placed on the next agenda for deliberation and possible adoption. Ms. Bartholomew also noted that the document would be adopted as the Rules for the current committee. Should there be a change in the membership or at anytime the committee desires the document should be updated to reflect the will of the body the document is intended to govern.

Member Bloom requested that the September meeting of the Committee be cancelled. It was the consensus of the members to cancel the September Committee meeting. The next meeting of the Charter Revision Committee will be October 8th in the evening with at least one item of business, Rules of Procedure.

PUBLIC COMMENT: None.

ADJOURNMENT:

Resolution #CR-2009-08-030

Moved by Kanoza

Seconded by Wilsher

RESOLVED, That the Charter Revision Committee Meeting of Monday, August 13, 2009 be **ADJOURNED**.

Yes: Bernardi, Bliss, Bloom, Kanoza, Weisgerber, Wilsher

No: None

Absent: Solomon

Meeting **ADJOURNED** at 12:10 PM.

Daniel Bliss, Chair

Tonni L. Bartholomew, City Clerk

A. CALL TO ORDER

A meeting of the Troy Daze Festival Advisory Committee was held Tuesday, August 25, 2009 at the Troy Community Center at 7:00 pm.

B. ROLL CALL

Members Present: Bob Berk
Mike Gonda
Jeff Stewart
Sandy Macknis
Jim Hattan
Bob Preston
Jeff Super
Dan O'Brien
Alison Miller
Sarah Wunderlich, student rep
Alice Liang, student rep

City Staff Present: Cindy Stewart
Jeff Biegler
Tonya Perry
Russ Harden

Others Present: Karen Hattan
Margaret Julian
Doris Schuchter
Poncho Massaini
Bob Matlick
Lynn Clark
Jeff Winiarski

D. ADDITIONS/DELETIONS TO AGENDA

There were no additions or deletions to the agenda.

E. APPROVAL OF MINUTES

A motion to approve the minutes from the July 28, 2009 meeting was made by Jeff Super and seconded by Jeff Stewart.

RESOLVED, that the minutes of July 28, 2009 are approved. MOTION CARRIED.

F. NEW BUSINESS

a. The new student representative was introduced. Alice Liang is a sophomore at Troy High School. She is a member of Student Government, a volunteer with Build on Books and works with the Youth Group at her church.

b. Emergency Evacuation Procedures – The procedures were reviewed by Sgt. Russ Harden of the Troy Police Department. He said the primary mission of the Troy Daze Emergency Operation Plan is to save lives, reduce casualties, and minimize property damage. There will be a Mobile Command Vehicle/Troy Daze Command Post located at the southwest entrance to Boulan Park at the end of McManus. Situations include: severe weather watch; severe weather warning (shut down event/park evacuation); Tornado Watch (notification/monitor situation); tornado warning (shut down event/park evacuation).

Harden said in the event of evacuation for weather, Boulan and Bemis School will be used if shelter is required. If no sheltering is required, police personnel will be used to conduct traffic control posts to facilitate the smooth flow of traffic out of the area.

Any incident shall be reported to the Mobile Command Vehicle for a proper response.

Fire & Police both have an Emergency Operations Plan. All responsible parties will have copies of the Troy Daze Emergency Operations Plan. All committee members and city representatives will receive copies.

G. Old Business

a. Event Chairpersons Reports:

Operations: Mike Gonda said they are meeting Sept. 11 at 8 am. Two large tents should be in place. Mobile trailers will be delivered that morning. Sept. 13th at 8 am will meet at Boulan to flag all tents and set up flags for parking. Snow fence will already be up. Sept. 14, banners and signs will be installed. The electrical contractor will be there on Monday, Sept. 14. Jeff can power up headquarters and the medical trailer on Friday. The Troy Democratic Club will do cleanup; need 2 people per shift on: Saturday, 12-10 pm; and Sunday, 12-9 pm. Boy Scouts will over Thursday and Friday for cleanup. They will determine their availability. If they need fill in, Cindy will call Kensington Church because they want to volunteer.

Sponsors: Cindy Stewart noted the following major sponsors: Henry Ford Hospital, Tringali, HealthPlus of Michigan, Arnold Amusement, MSGCU, Genisys Credit Union, Beaumont, Arvin Meritor, ITC Holdings, and Comcast.

Students: Sandy Macknis said there are 225 students signed up for all of the events.

Mr. Troy: Mr. Troy is in need of participants
Talent Show: All three are full.

Cutest Toddler: there are only 22 entries.

Fire Explorers: are working on the Safety/Security Plan

Vendor Meeting: Wednesday, September 9 at 7 pm in Room 304-05

Fire Extinguishers: we need to ask Eastman Fire Protection Co. on Souter. Mike will call on Wednesday.

Jeff Biegler reported that all purchase orders are complete. Need 200 straw bales.

Electrician – needs lighting and sound contacts. If anyone has different setup needs, let Jeff know.

Senior Sensation – Margaret Julian said audio is needed for Bingo. Buscemi's is doing the lunch (\$5 per person). Information on this will be in the September Senior News.

Booths – Bob Berk said there is 1 food booth available, and 6 openings under the tent and 3 openings outside the tent.

Naturalization Ceremony – This is all set. Federal Judge Lawson and the USCIS representative are ready. At least 25 citizens to be sworn in.

Shuttle Drivers – Need more volunteers.

Waffle Breakfast – Jonathan pulled out; they are pursuing new ways to raise money for their charity.

- b. Contracts – all set.
- c. Shirt colors; Thursday, Gold; Friday, Teal; Saturday, Blue; Sunday, Birch Grey

Adjourn

A motion to adjourn was made by Jeff Super and seconded by Jim Hattan. The motion passed unanimously. Meeting adjourned at 7:45

The next meeting is Tuesday, October 27, 2009.

Bob Berk, Co-Chairperson

Cindy Stewart, Community Affairs Director

TROY HISTORIC DISTRICT STUDY COMMITTEE MINUTES – FINAL SEPTEMBER 1, 2009

A Regular Meeting of the Troy Historic District Study Committee was not held Tuesday, September 1, 2009 at the Troy Museum.

The next regular meeting will be held, Tuesday, October 6, 2009 at 7:30 p.m. at the Troy Museum.

Acting Chairman

Loraine Campbell
Recording Secretary

The Chairman, Ted Dziurman, called the meeting of the Building Code Board of Appeals to order at 8:30 A.M. on Wednesday, September 2, 2009 in the Lower Level Conference Room of the Troy City Hall.

PRESENT: Ted Dziurman
Keith Lenderman
Tim Richnak
Mark Stimac
Frank Zuazo

ALSO PRESENT: Paul Evans, Housing & Zoning Inspector Supervisor
Pamela Pasternak, Recording Secretary

ITEM #1 -APPROVAL OF MINUTES -MEETING OF AUGUST 5, 2009

Motion by Richnak
Supported by Zuazo

MOVED, to approve the minutes of the meeting of August 5, 2009 as written.

Yeas: All-5

MOTION TO APPROVE MINUTES CARRIED

ITEM #2 -VARIANCE REQUESTED. PRLANTA JEWELERS, 888 W. BIG BEAVER, for relief of Chapter 85 to install a 43.5 square foot electronic changeable message tenant wall sign.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 85 to install a 43.5 square foot tenant wall sign. Section 85.02.05 (c) (3) of the Sign Ordinance limits the size of tenant wall signs in the Office Zoning districts to not more than 20 square feet in area. In January 2008, this Board approved a variance to allow the petitioner to erect a 40 square foot tenant wall sign. Without implementation, that variance has since expired.

Mr. Norman Gumusmas of Prlanta Jewelers was present and stated that they had received a variance for a 40 square foot sign and ordered the sign. The sign is slightly larger than what they had ordered because of the frame around it. They had met with both Mr. Evans and Mr. Stimac and were told that the sign needed to have a UL approval rating. Prlanta Jewelers worked with another sign company, Bright Star Sign, and were able to get this sign UL listed. The petitioner would like a variance for a slightly larger, changeable message sign, which would be 43.5 square feet rather than the 40 square foot sign originally requested.

Mr. Dziurman said that basically the petitioner thought the sign would be 40 square feet and when it came they found out that it was slightly larger and that it was not UL approved.

ITEM #2 – con't.

Mr. Gumusmas said that was correct and it took them quite some time to obtain the UL listing.

Mr. Dziurman asked if the original sign granted a variance in 2008 was a changeable message sign and Mr. Evans said that it was not.

Mr. Stimac stated that in the original request Mr. Kessler had suggested that the petitioner could change the wording on the sign in order to make it smaller. That condition was not included in the successful motion.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There is one written objection on file. There are no written approvals on file.

Mr. Stimac stated that the petitioner could install a 20 square foot changeable sign without a variance. The original application was not for a changeable message sign.

A discussion began regarding the application turned in by Metro Detroit Signs in January 2008. Mr. Gumusmas stated that the application was for a changeable message sign and Building Department Staff stated that the application indicated that it was for a LED illuminated channel letter fixed sign.

Mr. Gumusmas stated that after the 40 square foot sign was approved they had spoken to Paul Evans and he stated that there were no restrictions as to what was on the sign.

Mr. Stimac asked if the petitioner was aware of the limitations on a changeable message sign.

Mr. Gumusmas said that he was not aware of these limitations.

Mr. Stimac explained that the Ordinance states that each message must be on the sign for one minute before changing. Mr. Stimac asked if the petitioner felt that a changeable message sign would have more impact to people traveling in this area.

Mr. Gumusmas said that people are very visual and the visual aspect is very crucial to this type of business.

Mr. Stimac stated that if a watch is displayed there is no room on the sign for the name of the business.

Mr. Gumusmas stated that they would advertise a sale or item and include the Prlanta logo.

ITEM #2 – con't.

Mr. Stimac asked if the petitioner believes the changeable message sign would have a greater impact, why it needs to be double the allowable square footage of the sign.

Mr. Gumusmas stated that the original request was approved for a 40 square foot sign and the fact that they are limited to a 20 square foot sign because they are not in a retail location, should not count against them. The Melting Pot and Morton's Steak House have much larger signs than the one they are asking for.

Mr. Richnak stated that based on the information the Board received regarding the original request, the discussions indicated that it was not a changeable message sign. Other considerations would have been taken at that time. The information presented to the Board was not accurate. Mr. Richnak indicated that he would not have voted in favor of a changeable message sign and has issues with this type of a sign. The Board has to take into account how a variance would affect the community.

Mr. Lenderman stated that he was at that meeting and remembered there was quite a discussion about reducing the size of the sign. One of the main concerns brought forward at the time was the fact that they need to have their name presented there. The logo is less than 20 square feet and the reason the variance was granted was to be able to get their name on the space. Mr. Lenderman also stated that they could put up a 20 square foot sign without a variance.

Mr. Dziurman stated that he does not know who made a mistake at the time the original request was filed, but does not believe the sign was approved as a changeable message sign.

Mr. Stimac stated that the talk during the meeting was on whether or not to restrict the language on the sign. The final motion included a statement that there was no restriction on the message on the sign.

Mr. Gumusmas stated that sign has been made and is UL listed, and the only reason they did not install the sign within the one-year time frame was because it took them some time to get the sign properly listed. During that time they had met with Building Department staff who informed them that they wanted the power sources changed. The petitioner stated that he feels everyone knew what type of sign they were requesting.

Mr. Stimac asked the petitioner about the invoice submitted indicating that this will be a full color sign with a digital display.

Mr. Gumusmas stated that it is a full screen sign with a full spectrum of color and is also video capable.

Mr. Stimac stated that video capable is not allowed by Ordinance. Mr. Stimac also asked the petitioner if he was aware of any other changeable message signs located in Troy.

ITEM #2 – con't.

Mr. Gumusmas stated that the CVS Pharmacy and Taco Bell on 14 Mile Road both had changeable message signs. Mr. Stimac informed the petitioner that those signs are not in Troy.

Mr. Gumusmas stated that the sign has been bought and paid for.

Mr. Dziurman asked if restrictions could be placed that would limit the use of the sign. Mr. Stimac stated that the Board could not place restrictions that were less than what the Ordinance allows.

Mr. Dziurman asked if they could put up a 20 square foot changeable sign.

Mr. Stimac said that they could, but each message would have to be displayed for at least one minute.

Mr. Lenderman stated that a variance requires a hardship and the original hardship was that they needed people to be able to see the name of their company.

Mr. Dziurman said that they were granted a variance for a 40 square foot sign and there is a misunderstanding on what type of sign it would be. Mr. Dziurman also pointed out that the sign was ordered in October with delivery expected sometime in December.

Mr. Gumusmas stated that the delay was due to the fact that it was not UL approved and also there were health concerns among family members.

Mr. Zuazo asked how many different messages would be on this sign.

Mr. Gumusmas stated that it could be unlimited.

Mr. Zuazo asked if this Board could limit it to one display per day.

Mr. Richnak stated that because of a lack of knowledge on his part regarding changeable message signs, he is not comfortable with voting on this item. Mr. Richnak would like to go back out to the site and take a look at this location. Mr. Richnak also stated that at the time of the original request this was a fixed letter sign.

Motion by Richnak
Supported to Stimac

MOVED, to postpone the request of Prlanta Jewelers, 888 W. Big Beaver, for relief of Chapter 85 to install a 43.5 square foot electronic changeable message tenant wall sign until the meeting of October 7, 2009.

ITEM #2 – con't.

- In the next thirty (30) days petitioner is to give Building Department staff a copy of the manufacturer's instructions regarding the brightness of the sign.
- Petitioner to provide this Board with three or four typical screen shots of what they intend to put on the sign.
- The petitioner should demonstrate the implications between a 40 square foot sign and a 20 square foot sign.

Mr. Masis Kayayan, the owner of Prlanta Jewelers was present and stated that they would like to put information on the sign such as the logo, fine jewelry, special orders, repairs, etc.

Mr. Richnak stated that changeable message signs have a certain impact on an area.

Mr. Dziurman stated that the petitioner is located in the downtown area of Troy and this Board does not want to detract from the area.

Mr. Gumusmas stated that they are very happy to be in this area and are very involved in community events and he believes the sign will be accommodating to this area. The petitioner also stated that he had spoken to the owner of this building as well as to the surrounding businesses and they all approve of this request.

Vote on the motion to postpone.

Yeas: All-5

MOTION TO POSTPONE THIS REQUEST UNTIL THE MEETING OF OCTOBER 7, 2009 CARRIED

ITEM #3 -VARIANCE REQUESTED. PHILLIPS SIGN & LIGHTING, INC., 1850 W. MAPLE, for relief of Chapter 85 to erect two (2) additional wall signs with a total combined area of 87 square feet.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 85 to erect two (2) additional wall signs with a total combined area of 87 square feet. Chapter 85.01.05 (c) (5) allows three (3) wall signs for each dealership, one of which to not exceed 100 square feet; the other two (2) not exceeding 20 square feet each for an auto dealership in M-1 (Light Industrial Zoning). A variance was granted by this Board in February 2009 to allow the current six (6) wall signs with a combined area of 172 square feet.

Mr. Ed Phillips of Phillips Sign & Lighting, Inc. was present. Mr. Phillips stated that the hardship is the lack of signage and the configuration of the building. One of the signs is already on the building and they are asking for an additional 40 square feet to allow a Used Car sign. The building they are using for the used car sales is on Mapelawn and it is not obvious. People come to the area where new cars are sold and have to be redirected to the other location along the side of the building.

ITEM #3 – con't.

Mr. Dziurman asked if they have ever had a Used Car Sign.

Mr. Jack Fowler, one of the owners of Somerset Pontiac was present. Mr. Fowler stated that they are taking the existing Somerset GMC Truck sign and are moving it to the front. They removed GMC from the used car building and would like to put up a sign to match the Somerset sign.

Mr. Phillips stated that Pontiac will be going away.

Mr. Richnak asked if they wanted this variance because they are removing the other signs.

Mr. Lenderman asked if they would end up with more or less signage.

Mr. Fowler stated that it would be less than the original building.

Mr. Evans stated that the six (6) signs previously approved by this Board are based on the fact that those signs would be the only wall signs. Any additional wall signs were supposed to be removed. The two (2) signs for the Used Car location will result in an additional 87 square feet. The Pontiac signs are each 17.5 x 2 or 35 square feet and should have been removed.

Mr. Jack Bechtel of Somerset was present and stated that the Pontiac signs should come down by the beginning of next year. They should run out of Pontiacs by the end of November and those logos will come down. They have modernized the dealership and removed the GMC and GMC truck showroom signs. Somerset is operating a used car lot and will be certified through General Motors. When driving down Maplelawn people will be able to identify the site by the sign.

Mr. Stimac stated that he can see the need to identify the used car sales room. Mr. Stimac also asked about the existing Somerset sign and whether or not it would remain.

Mr. Bechtel stated that most people think this is two dealerships. They are trying to get with what is going on in the neighborhood. The two Pontiac logos will come down. Right now they are trying to do all they can to stay as a business in Troy.

Mr. Richnak asked about the ground sign at the corner of W. Maple and Maplelawn.

Mr. Fowler explained that it just says "Motor Mall" and was paid for by all the dealers in this area.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There is one (1) written approval on file. There are no written objections on file.

ITEM #3 – con't.

Mr. Stimac asked if other signs would be allowed if this was a free standing building.

Mr. Evans stated that they could have one wall sign for each building not to exceed 10% of the face of the building, not to exceed 100 square feet.

Mr. Bechtel stated that there is a sales area in the front and a service department connecting the two buildings.

Mr. Stimac stated that it is quite common for dealerships to divide new car sales and used car sales in a separate building. If these were free standing building the 87 square foot sign would not be greater than 10% of the size of the building.

Mr. Lenderman asked about the free standing sign on Maplawn.

Mr. Bechtel said that they are planning to change the face of the sign to say "Certified Used Cars".

Mr. Zuazo asked what would make this dealer a Certified Used Car dealer. Mr. Bechtel stated that they have to apply to General Motors, and once certified each used car would come with a warranty.

Mr. Zuazo asked if the square footage would be the same and Mr. Fowler stated that it would.

Motion by Stimac
Supported by Richnak

MOVED, to grant Phillips Sign & Lighting, Inc., 1850 W. Maple, for relief of Chapter 85 to erect two (2) additional wall signs with a total combined area of 87 square feet.

- No other signs can replace the Pontiac logo signs after they are removed.
- Any additional signage needs to be approved by this Board.

Yeas: All-5
MOTION TO GRANT VARIANCE CARRIED

ITEM #4 -VARIANCE REQUESTED. JERRY KLINE, IMAGINE STUDIOS, LLC, 100 W. BIG BEAVER, for relief of Chapter 85 to erect two (2) wall signs that will result in a total combined area of 367 square feet.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 85 to install a 200 square foot sign and a 167 square foot sign on an existing building. Chapter 85.02.05 (c) (3) allows one wall sign not to exceed 200 square feet in area for each building.

Mr. Jerry Kline of Imagine Studios, LLC was present. Mr. Kline explained that Molina has changed their name to Molina Health Care. A new tenant, Micro Focus, is coming

ITEM #4 – con't.

into this location and also would like their name added to the signage on the building. The signs would be 200' away from each other. Micro Focus will employ 150 people and will be a valuable asset to the City. There are no sign boxes around either proposed sign.

Mr. Dziurman asked if the square footage would remain the same once the existing sign was changed.

Mr. Kline said that was correct. Mr. Stimac pointed out that the existing sign is 117 square feet and the replacement sign will be 200 square feet.

Mr. Kline said that the difference will be the name change.

Mr. Tom Duke, one of the owners of this building was present. Mr. Duke stated that approximately two months ago he was approached by a broker stating that he had a client that was looking to lease 30,000 square feet. Micro Focus would take over the fifth floor of this building; however, one of the stipulations was that they be able to put up signage. Numerous variances have been granted to other locations in the City. Mr. Duke met with the City Manager and the City Manager supported this request. Micro Focus has signed a lease and is ready to move. At the time Molina signed their lease, they were granted exclusive rights to signage on this building.

Mr. Steve Butz of Micro Focus was present and stated that this is a completely new market for them. They want to grow here and are hoping to be able to lease additional space. The hardship is the fact that they do not have the signage needed.

Mr. Dziurman asked what type of business Micro Focus was and Mr. Butz stated that it is a software company.

Mr. Duke stated that they started in England and have fifty locations worldwide.

Mr. Dziurman stated that he could understand the reason the need to put up a sign, but feels that any other requests for additional signage could be a problem.

Mr. Stimac asked if Micro Focus was a tenant in the building at 100 W. Big Beaver. Mr. Duke stated that Micro Focus will actually be a tenant in 50 W. Big Beaver.

Mr. Stimac asked if it would be confusing to have a tenant sign on one building and the tenant in the other building.

Mr. Duke stated that the buildings are connected and clients can go inside and look up the business on a touch screen, which will give them the suite number. Mr. Duke also stated that Micro Focus is not concerned about the discrepancy at all.

ITEM #4 – con't.

Mr. Lenderman asked if there were other signs at 50 W. Big Beaver and Mr. Stimac stated that there was.

Mr. Richnak stated that the original Molina sign is 117 square feet and the proposed sign will be 200 square feet. Mr. Richnak asked if the letters would be the same size on the proposed sign.

Mr. Kline explained that the letters will be smaller but the people on the sign will be larger. Molina has a very stringent marketing policy and the message on the sign is dictated by Corporate. The overall size will keep it under the permitted 200 square feet. Mr. Kline also stated that the figures are in a blue-green color and would not be ostentatious.

Mr. Duke stated that they are getting a fair amount of traffic from larger clients and it is not uncommon for larger tenants to ask for signage. This is a great way to fill up the buildings along Big Beaver.

Mr. Kline said that there could be an expansion of employees in the City of Troy.

Mr. Dziurman clarified that Micro Focus would not be located in the building that would have their signage and asked what would happen if they were to ask to have the sign moved.

Mr. Duke said that it will be a mirror image of what they are doing right now. There is only one other sign at 50 W. Big Beaver, "Rexair" would have to allow another sign on that site.

Mr. Stimac asked why the sign couldn't be erected at 50 W. Big Beaver.

Mr. Duke stated that he had made a request to Rexair to allow another sign on the building, and Rexair was not cooperative.

Mr. Stimac asked if their lease stated they were the only tenant to have signage.

Mr. Duke said that at the time Rexair signed their lease they were given the exclusive right to signage. Molina was more reasonable when Mr. Duke approached them. The request from Rexair was much more expensive to comply with.

Mr. Stimac said that basically it is a financial decision to place the signage on this building and he was concerned about setting a precedent in allowing signage to be located on a building where the tenant was not located.

Mr. Duke stated that the two buildings are joined at the hip.

Mr. Stimac stated that based on the Ordinance these are two different buildings.

ITEM #4 – con't.

Mr. Duke said that although they are two separate buildings there is no confusion regarding the location of the tenants.

Mr. Richnak said that 50 W. Big Beaver has a major tenant and asked when the exclusive right for signage expires.

Mr. Duke stated that their lease expires in four years.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are no written approvals or objections on file.

Mr. Duke stated that variances have been granted in the past citing 2800 Livernois as an example.

Mr. Stimac said that at the time those variances were granted the tenant was not at another location.

Mr. Duke said that they wanted the sign on the building they were occupying, but when talking to Rexair he was thrown a curve ball.

Mr. Kline stated that Micro Focus is eager to get their presence on the building.

Mr. Lenderman said that they may be coming back in the future in order to move this sign.

Mr. Richnak stated that he is concerned about billboard issues and in order to vote for approval there would have to a caveat that when the Rexair lease expires exclusive sign rights would be removed from the lease and Micro Focus would have to move their sign to the correct location. Mr. Richnak also expressed concern about setting a precedent.

Mr. Kline said that they would also like the sign on the correct building.

Motion by Richnak
Supported by Lenderman

MOVED, to grant Jerry Kline, Imagine Studios, LLC, 100 W. Big Beaver, relief of Chapter 85 to erect two (2) wall signs that will result in a total combined area of 367 square feet where Chapter 85.02.05 (c) (3) allows one wall sign not to exceed 200 square feet in area for each building.

- When the Rexair lease expires exclusive sign rights would be removed from the lease and Micro Focus would have to move their sign to the correct location.

ITEM #4 – con't.

Mr. Butz stated that they would seek a variance if necessary, but would not add any additional signage. If the Rexair sign was removed, they would move their sign to the correct location.

Yeas: Dziurman, Lenderman, Richnak, Zuazo

Nays: Stimac

MOTION TO APPROVE REQUEST CARRIED.

The Building Code Board of Appeals meeting adjourned at 9:50 AM.

Ted Dziurman, Chairman

Pam Pasternak, Recording Secretary

Advisory Committee for Senior Citizens

A regular meeting of the Advisory Committee for Senior Citizens was held on Thursday, Sept. 3, 2009 at the Troy Community Center. Chair David Ogg called the meeting to order at 1:05 P.M.

Present: James Berar, Member
Betty Coven, Member
David Ogg, Member
Bud Black, Member
Frank Shier, Member
JoAnn Thompson, Member
Jo Rhoads, Member
Pauling Noce, Member
Carla Vaughan, Staff

Excused: None

Visitors: Lori Bluhm, Paula Fleming, Diana Dulock, Margaret Julian, Jo-Anne Stein, Alben Lyben

Approval of Minutes

Resolution # SC-2009-09-001
Moved by Noce
Seconded by Coven

RESOLVED, That the Minutes of June 4, 2009 be approved as submitted.

Yes: 8
No: 0

MOTION CARRIED

Visitor Comments

Paula Fleming discussed school district news and upcoming events.

OLD BUSINESS

Open House: David Ogg stated that he hoped to have a minimum of two people at the table at all times. Carla has updated the Advisory Committee brochure and made copies.

NEW BUSINESS

Future of the Committee: A discussion was held about how often the committee should meet. City Attorney Lori Bluhm reported on the meeting schedule of other city committees, some of which meet as needed, or twice a year or quarterly based on the amount of business

they have. A motion to meet quarterly was denied. Some committee members felt that they needed to meet every month so they would be available if a senior had a problem.

Resolution # SC-2009-09-002

Moved by Berar

Seconded by Thompson

RESOLVED, That the committee continue to meet monthly except July, August, and December.

Yes: 5

No: 3

MOTION CARRIED

Suggestion Box: The Advisory Committee received an email from a senior regarding accessibility of a soccer field. She cannot walk long distances. Carla responded that the park attendant will give her a ride out to the field if she makes a request in advance. A copy of the email was distributed to the committee. There was a suggestion for more local gambling trips which has Carla passed on to Elaine. There have not been any for the past few months because when the July/Aug/Sept trips were planned we were under the impression that the City would no longer have a bus. Gambling shuttles are offered cheaper in the newspaper than we could have done hiring a motorcoach. We will offer them if we can offer them at a competitive rate.

REPORTS

Park Board: No report.

Senior Program: Carla reported that 25 senior program groups and 22 volunteer agencies are signed up to participate in the open house on Sept. 10. A program participation fee has been initiated for drop-in groups that were formally free. New programs this fall include advanced bridge lessons, 50+ Women on Weights, and Zoom-Balates.

Medi-Go: Jo Rhoads reported that they have a new van and have had to deal with one difficult rider recently.

OLHSA: Jo Rhoads reported that they had a speaker about OLHSA's home repair program.

Oakland County Senior Advisory Board: No report.

Member Comments

The meeting was adjourned at 2:50 p.m.

Respectfully submitted,

David Ogg, Chair

Carla Vaughan, Secretary

Friends of the Troy Public Library—None

Gifts—None

Informational Items

Website address for Troy Public Library calendar: <http://sl.libcoop.net/troy/lib/eventcalendar.asp>

BOARD MEMBER COMMENTS—L. Gregory distributed an article “Learning to Love the Library.” He commented that library use is increasing across the country.

P. Lee entered the meeting at 7:35 p.m.

STUDENT REPRESENTATIVE’S COMMENTS—None.

POSTPONED ITEMS

There were no Postponed Items.

OLD BUSINESS

- A. Polaris Update—B. Hyland distributed and discussed the attached “System Conversion Update.”

NEW BUSINESS

- A. Approval of SLC Plan of Service.

Resolution #LB-2009-9-03

Moved by Wheeler

Seconded by Zembrzuski

RESOLVED, To approve the SLC Plan of Service.

Yes: 5—Duggan, Gauri, Gregory, Wheeler, Zembrzuski

No: 0

MOTION CARRIED

- B. Approval of Resolution in Supporting Michigan Libraries

Resolution #LB-2009-9-03

Moved by Gauri

Seconded by Duggan

RESOLVED, To approve the Resolution in Supporting Michigan Libraries.

Yes: 5—Duggan, Gauri, Gregory, Wheeler, Zembrzuski

No: 0

MOTION CARRIED

- C. Yearly Statistics—Received and filed.

K. Gauri was excused at 8:15 p.m.

VISITORS' COMMENTS

A. Zembrzuski said that several visitors want to see curb side drop boxes. She explained why this is not possible, and suggested that this information be transmitted to Troy residents via the messages on water bills.

B. Duggan extended her appreciation to the Library staff. She said that of all the visitors' comments she reads, over 80% of them are positive. She believes this speaks well of the staff.

A. Zembrzuski said that several visitors want to see debit/credit cards accepted at the Library. She wants this idea explored.

ADJOURNMENT

Resolution #LB-2009-9-04

Moved by Zembrzuski

Seconded by Wheeler

RESOLVED, To adjourn the meeting.

Yes: 4—Duggan, Gregory, Wheeler, Zembrzuski

No: 0

MOTION CARRIED

The Library Board meeting adjourned at 8:18 P.M.

The next meeting of the Library Advisory Board is Thursday, October 8, 2009, at 7 pm.

Lynne Gregory
Chairman

Phillip Kwik
Recording Secretary

The Regular Meeting of the Troy City Planning Commission was called to order by Chair Schultz at 7:30 p.m. on September 22, 2009 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:

Donald Edmunds
 Michael W. Hutson
 Mark Maxwell
 Philip Sanzica
 Robert M. Schultz
 Thomas Strat
 John J. Tagle
 Lon M. Ullmann
 Mark J. Vleck

Also Present:

R. Brent Savidant, Acting Planning Director
 Christopher Forsyth, Assistant City Attorney
 A. John Szerlag, City Manager
 Mark F. Miller, Acting Assistant City Manager/Economic Development Services
 Richard K. Carlisle, Carlisle/Wortman Associates, Inc. (CWA)
 Kathy L. Czarnecki, Recording Secretary

2. APPROVAL OF AGENDA

Resolution # PC-2009-09-077

Moved by: Vleck
 Seconded by: Maxwell

RESOLVED, To approve the Agenda as prepared.

Yes: All present (9)

MOTION CARRIED

3. MINUTES

Resolution # PC-2009-09-078

Moved by: Edmunds
 Seconded by: Tagle

RESOLVED, To approve the minutes of the August 25, 2009 and September 1, 2009 Special/Study meetings as published.

Yes: All present (9)

MOTION CARRIED

4. PUBLIC COMMENT – For Items Not on the Agenda

There was no one present who wished to speak.

STUDY ITEMS

5. 6-YEAR ORGANIZATIONAL RESTRUCTURING PLAN FOR THE CITY OF TROY; FISCAL YEAR 2009/10 THROUGH FISCAL YEAR 2014/15 – Presentation by John Szerlag, City Manager

City Manager John Szerlag addressed the City's 6-year organizational restructuring plan for fiscal year 2009/10 through fiscal year 2014/15. He outlined a September 9, 2009 memorandum to City Council that speaks to the decline in operating revenues through fiscal year 2014/15, the assumptions and methodology in a restructuring plan that would involve privatization, regionalization and consolidation, as well as employee reduction.

A question and answer period followed.

Chair Schultz requested a recess at 8:27 p.m.

The meeting reconvened at 8:35 p.m.

[Mr. Szerlag exited the meeting.]

6. TROY-BIRMINGHAM MULTI-MODAL TRANSIT CENTER – Discussion with Planning Commission

Mr. Savidant gave a brief history of the transit center project. He addressed the following:

- Recent submission of Federal grant.
- Replies to questions submitted by Planning Commissioners.
- Attachments to the Planning Commission memorandum.
 - Leonis light fixture information.
 - Revised Transit Center site plan.
 - Letter from Hubbell Roth Clark (HRC), dated August 11, 2009.
 - Transit Center Business Plan, dated December 9, 2008.
 - Schematic Design Report, prepared by Wendel Duchscherer Architects (WDA), dated June 26, 2009 (on CD).

Mr. Savidant also circulated a hard copy of the Schematic Design Report.

Discussion followed on the following:

- Procedure / process of site plan review.
- Purview / involvement / input of Planning Commission.
- Objectives and goals of project.
- Functionality of project; justification for design concepts.
- Federal grant funding (demonstration project).
- Site Plan approval process.
- Site constraints as relates to site plan concept.
- Transition of elevators to ramps.
- Cost estimate / cost per square foot / architectural fees.
- LEED aspects.
- Input from members of Advisory Committee of Persons with Disabilities.

OTHER BUSINESS

7. **PUBLIC COMMENT** – Items on Current Agenda

There was no one present who wished to speak.

8. **PLANNING COMMISSION COMMENTS**

Several members expressed appreciation in placing the transit center item on the agenda for discussion.

Mr. Tagle attended a seminar sponsored by the U. S. Green Building Council (USGBC) titled “LEED and the Benefits of Green Building for Municipalities”. He will prepare and share a report on the seminar in the very near future.

Mr. Miller reminded members of the Special Joint meeting with City Council on September 28. Further, Mr. Miller announced plans for the I-75 and Big Beaver Road Design would be available in the Planning Department for review. He indicated the project is quite impressive.

Chair Schultz announced that Vice Chair Hutson would chair the September 28th Special Joint meeting, in his absence.

ADJOURN

The Regular Meeting of the Planning Commission adjourned at 9:50 p.m.

Respectfully submitted,

Robert M. Schultz, Chair

Kathy L. Czarnecki, Recording Secretary

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1. ROLL CALL

Present:

- Donald Edmunds
- Michael W. Hutson
- Mark Maxwell
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- Thomas Strat
- John J. Tagle
- Lon M. Ullmann
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Also Present:

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Resolution # PC-2009-09-077

Moved by: Vleck
 Seconded by: Maxwell

RESOLVED, To approve the Agenda as prepared.

Yes: All present (9)

MOTION CARRIED

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Moved by: Edmunds
 Seconded by: Tagle

RESOLVED, To approve the minutes of the August 25, 2009 and September 1, 2009 Special/Study meetings as published.

Yes: All present (9)

MOTION CARRIED

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There was no one present who wished to speak.

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Chair Schultz requested a recess at 8:27 p.m.

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[Mr. Szerlag exited the meeting.]

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OTHER BUSINESS

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Chair Schultz announced that Vice Chair Hutson would chair the September 28th Special Joint meeting, in his absence.

ADJOURN

The Regular Meeting of the Planning Commission adjourned at 9:50 p.m.

Respectfully submitted,



Robert M. Schultz, Chair



Kathy L. Czarnecki, Recording Secretary

Advisory Committee for Senior Citizens

A regular meeting of the Advisory Committee for Senior Citizens was held on Thursday, Oct 1, 2009 at the Troy Community Center. Chair David Ogg called the meeting to order at 1 P.M.

Present: James Berar, Member
David Ogg, Member
Bud Black, Member
JoAnn Thompson, Member
Jo Rhoads, Member
Pauling Noce, Member
Carla Vaughan, Staff

Absent: Frank Shier, Member

Betty Coven has resigned from the committee, effective today.

Visitors: Paula Fleming, Wade Fleming, Nancy Philipport, Carol Anderson, John Szerlag

Approval of Minutes

Resolution # SC-2009-10-001
Moved by Black
Seconded by Rhoads

RESOLVED, That the Minutes of Sept. 3, 2009 be approved as submitted.

Yes: 6
No: 0

MOTION CARRIED

Visitor Comments

Paula Fleming discussed school district news and upcoming events, reminded committee members about the gold card, and introduced fellow school board member Nancy Philipport.

OLD BUSINESS

Open House: David Ogg reported that there was a good turnout at the open house. Twelve people stopped at the Advisory Committee table and 11 did not know that the committee existed. He was able to help three residents with problems.

NEW BUSINESS

Budget Update – 6-Year Organizational Restructuring Plan: City Manager John Szerlag discussed his proposed 6-Year Organizational Restructuring Plan and the options available. Committee members were given the opportunity to give their input and to ask questions.

Suggestion Box: There was one suggestion for 2010 trips to Stratford and Niagara-on-the-Lake. Our 2008 trip to Stratford was cancelled due to low enrollment, but we will try again in 2010. We offered a Niagara-on-the-Lake trip last year. Only three signed up, but they were able to go with another city.

REPORTS

Park Board: JoAnn Thompson reported that John Szerlag also attended the last park board meeting to discuss the 6-year organizational restructuring plan.

Senior Program: Carla reported that attendance at senior programs last year was almost 118,000, a 3% increase over the year before. We offer 85 programs and services. Volunteers contributed over 16,000 hours last year. In order to cut costs in the computer lab, the volunteers are taking over the technical support of the computers. Because SeniorNet – the organization that we get our instruction manuals and software from - recently increased their fees, our volunteers have taken over these areas too. This will save almost \$28,000 this year.

Medi-Go: No report.

OLHSA: Jo Rhoads reported that they had a speaker on home care.

Oakland County Senior Advisory Board: No report.

Member Comments

The meeting was adjourned at 2:25 p.m.

Respectfully submitted,

David Ogg, Chair

Carla Vaughan, Secretary

Vice-Chair, William Nelson, called the meeting of the Building Code Board of Appeals to order at 8:40 A.M. on Wednesday, October 7, 2009 in the Lower Level Conference Room of the Troy City Hall.

PRESENT: Bill Nelson
Tim Richnak
Mark Stimac
Frank Zuazo

ALSO PRESENT: Paul Evans, Housing & Zoning Inspector Supervisor
Pam Pasternak, Recording Secretary

ABSENT: Ted Dziurman

ITEM #1 – APPROVAL OF MINUTES – MEETING OF SEPTEMBER 2, 2009

Motion by Richnak
Supported by Zuazo

MOVED, to approve the minutes of the meeting of September 2, 2009 as written.

Yeas: 4 – Richnak, Stimac, Zuazo, Nelson
Absent: 1 – Dziurman

MOTION TO APPROVE MINUTES CARRIED

ITEM #2 – VARIANCE REQUESTED. PRLANTA JEWELERS, 888 W. BIG BEAVER, for relief of Chapter 85 to install a 43.5 square foot electronic changeable message tenant wall sign.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 85 to install a 43.5 square foot tenant wall sign. Section 85.02.05 (c) (3) of the Sign Ordinance limits the size of tenant wall signs in the Office Zoning districts to not more than 20 square feet in area. In January 2008, this Board approved a variance to allow the petitioner to erect a 40 square foot tenant wall sign.

This item last appeared before this Board at the meeting of September 2, 2009 and was postponed to allow the petitioner to provide a copy of the manufacturer's instructions regarding the brightness of the sign; also to allow the petitioner to provide this Board with three or four typical screen shots of what they are proposing to put on the sign; and finally for the petitioner to demonstrate the implications between a 40 square foot sign and a 20 square foot sign.

Mr. Stimac further stated that the specifications from the manufacturer of the sign regarding the brightness of the sign as well as copies of proposed messages have been presented to the Board for further consideration.

Mr. Norman Gumusmas of Prlanta Jewelers was present and stated that the configuration of the units require a larger sign.

Mr. Richnak stated that the original request was not for a changeable message sign. The original proposal was for a sign that would be back lit. Mr. Richnak stated that he traveled through the City as well as nearby communities to look at signs that have a changeable message. The color of the sign and back lighting makes a big difference on the impact on a building and the community. Red colored signs stick out and the change is not always harmonious in an area. Mr. Richnak asked if other communities had regulations regarding the brightness allowed for a changeable message sign.

Mr. Gumusmas stated that they would be willing to conform to whatever stipulations the Board would find proper.

Mr. Michael Zacks of Bright Star Signs was also present and stated that they would only advertise this business and not have other ads on the sign.

Mr. Richnak asked if Mr. Stimac was aware of any signs that were objectionable because they were too bright. Mr. Richnak further stated that this Board wants to be able to provide signage that is appropriate for this community.

Mr. Stimac said that each community has their own Sign Ordinance and was not aware of a universal regulation that would restrict the brightness of the signs. The brightness of the sign would be determined by each community. Mr. Stimac also said that he is not aware of a regulation that dictates that the brightness of the sign could not be operated over 50%.

Mr. Stimac said that the petitioner has provided Board members with pictures of changeable message ground signs in Troy and asked the petitioner if he was aware of any changeable message wall signs.

Mr. Gumusmas said that he did not go around and look for wall signs. Mr. Gumusmas also explained that the reason they need a 40 square foot sign is because for every inch of lettering you would need 10' of viewing distance. A 20 square foot sign would have dictated letters that are 24" tall and would give 200' of viewing distance. In order for this sign to be visible across Big Beaver the letters would have to be 30" tall.

Mr. Zacks stated that he did not drive the entire City looking for changeable message signs but does believe that if the brightness was set at 50% power it would be appropriate.

Mr. Stimac said that the manufacturer's specifications indicate that there is both an automatic and manual setting as well as an "ambient light sensor".

Mr. Zacks said that was correct but the maximum brightness would be 50%.

Mr. Stimac said that ambient light sensors will be at 50% capacity and would automatically adjust depending on how dark it is outside.

Mr. Richnak asked if the sign would be reduced during non-working hours.

Mr. Gumusmas said that the sign can be set on a timer and would shut off at midnight and go on at 6 AM.

Mr. Zacks stated that the timer can be regulated.

Mr. Evans stated that Norm's Field of Dreams has a changeable message wall sign.

Mr. Stimac asked how many changeable wall signs Bright Star has installed.

Mr. Zacks stated that the majority of these signs are either ground signs or pylon signs in order to get maximum exposure.

Mr. Stimac asked if the petitioner thought a changeable wall sign that would require a driver to look at it at a 90 degree angle could be considered a traffic hazard.

Mr. Zacks stated that in Livonia the messages cannot change for one minute and he does not believe it would be considered an obvious distraction. Mr. Zacks also stated that the message could remain on the screen for a longer period of time if that is what the Board required.

Mr. Richnak asked what would happen if another tenant moved into this space.

Mr. Gumusmas stated that he had received a letter from the property manager of Redico and that letter stipulates that if Prlanta Jewelers were to vacate the space, the sign would have to be removed and the area returned to its original condition.

Mr. Richnak stated that he thinks this sign would need to be monitored by the Director of Building and Zoning, or his designee to determine that the sign is not a detriment to the area.

Mr. Stimac said that he is aware of a City's sign ordinance that states that the City Manager has to approve what the brightness of the sign has to be. Mr. Stimac also said that he is not positive that 50% is the right number for the brightness of the sign.

Mr. Evans stated that he had received complaints on one of the changeable message signs and had contacted the property owner and the issue has been resolved.

Mr. Zuazo asked if the City would have the authority to go back to the property owner and explain that there have been complaints regarding the brightness of the sign.

Mr. Gumusmas stated that they are more than willing to work with the City regarding the illumination of the sign.

Mr. Richnak said that the petitioner is willing to set the brightness at any level and asked if it would be appropriate for the Board to designate a person or method that would set the brightness level on this type of sign.

Mr. Stimac said that it could be done. If the illumination was set the same on two different messages one of the messages could appear brighter than the other. The sign setting on the computer might say 50% but the sign could actually be brighter. Mr. Stimac said that it would also be possible to include a maximum of 50% brightness subject to the approval of the Director of Building and Zoning.

Mr. Evans stated that the applicants could provide City staff information of how the setting affects perceived brightness.

Mr. Gumusmas stated that red is too much at 50% or black is too much at 30%. Mr. Gumusmas said that they would be willing to work with the city and would be willing to make other changes down the line.

Mr. Evans said that there is also a different visual effect with snow covering the ground.

Mr. Nelson made a comment about the sign at Zion Church stating that when it was originally installed it was extremely bright. There were a number of complaints and the brightness has been adjusted.

Mr. Stimac said that originally it was his opinion that when the sign was first installed it was operating at 50% but without the ambient light sensor and now the sign has added that option.

Mr. Nelson said that red is too bright on this type of sign and asked what percentage the ambient light sensor would go down to.

Mr. Zacks said that it is automatically set at 50%.

Motion by Richnak
Supported by Zuazo

MOVED, to grant Prlanta Jewelers, 888 W. Big Beaver, relief of Chapter 85 to install a 43.5 square foot electronic changeable message tenant wall sign where Section 85.02.05 (c) (3) limits the size of tenant wall signs in the Office Zoning District to not more than 20 square feet in area.

- Initially setting should be at a maximum of 50% illumination.
- That the sign will also incorporate a light sensor that will further dim the sign based upon ambient illumination.

- Director of Building and Zoning or his designee will work with the petitioner to set an appropriate illumination level for the community.
- The sign shall meet all other City of Troy regulations.
- Each message will be displayed no less than sixty (60) seconds.
- Petitioner will cooperate with City Staff regarding any complaints that come in regarding the brightness of the sign.
- Sign will be removed at the time Prlanta Jewelers vacates this site per the landlord's requirements.

Yeas: 4 – Nelson, Richnak, Stimac, Zuazo
Absent: 1 – Dziurman

MOTION TO GRANT VARIANCE CARRIED

The Building Code Board of Appeals meeting adjourned at 9:17 A.M.

William Nelson, Vice-Chair

Pam Pasternak, Recording Secretary

A Regular Meeting of the Troy Library Advisory Board was held on Thursday, October 8, 2009, in the Small Conference Room of the Troy Public Library. Vice Chair Belinda Shelton Duggan called the meeting to order at 7:01 P.M.

ROLL CALL PRESENT: Belinda Shelton Duggan
Kul Gauri
Paul Lee, Student Representative
Nancy Wheeler
Cathleen Russ, Library Director

Guests: John Szerlag, City Manager, City of Troy; Barry Hyland, Library Systems Specialist, TPL

The Pledge of Allegiance to the Flag was given.

Resolution #LB-2009-10-01

Moved by Wheeler
Seconded by Gauri

RESOLVED, That the minutes of the Library Advisory Board meeting, held on Thursday, September 10, 2009, be approved.

Yes: 3—Duggan, Gauri, Wheeler
No: 0

MOTION CARRIED

Resolution #LB-2009-10-02

Moved by Gauri
Seconded by Wheeler

RESOLVED, That the agenda for the Thursday, October 8, 2009, meeting, be approved.

Yes: 3—Duggan, Gauri, Wheeler
No: 0

MOTION CARRIED

CITY MANAGER'S COMMENTS—the city manager discussed the 6-year Organizational Restructuring plan with the LAB members.

Audre Zembrzuski entered the meeting at 7:20 p.m. L. Gregory entered the meeting at 7:30 p.m.

PUBLIC COMMENT—None

BOARD MEMBER COMMENTS—The board members would like to discuss the impact of the restructuring plan on TPL, and how best to support the library. To that end, a special meeting for Thursday, October 16, at 6 pm, will be called.

STUDENT REPRESENTATIVE'S COMMENTS—P. Lee mentioned that there was a "Save Troy" rally at the Community Center on Tuesday, October 20, at 7 pm. He asked for information regarding the Troy Nature Center, and the Troy Museum.

POSTPONED ITEMS

There were no Postponed Items.

OLD BUSINESS

- A. Polaris Update—B. Hyland updated the board on how the change to Polaris was going, after one week of being on the new system.

Resolution #LB-2009-10-03

Moved by Gauri
Seconded by Wheeler

RESOLVED, to commend the staff of the Troy Public Library, especially Barry Hyland, for all of their hard work in the transition to the Polaris system.

Yes: 5—Duggan, Gauri, Gregory, Wheeler, Zembrzuski
No: 0

- B. Drive Up Materials Return Update

Resolution #LB-2009-10-04

Moved by Duggan
Seconded by Zembrzuski

RESOLVED, To table discussion of Items 11B (Drive up materials return); 12B (Quarterly Statistics report); and 12C (Fees Report).

Yes: 5—Duggan, Gauri, Gregory, Wheeler, Zembrzuski
No: 0

NEW BUSINESS

- A. Rescission of SLC Plan of Service.

Resolution #LB-2009-10-05

Moved by Gregory
Seconded by Wheeler

RESOLVED, To rescind approval of the SLC Plan of Service, previously approved at the September 10, 2009, Library Advisory Board meeting.

Yes: 5—Duggan, Gauri, Gregory, Wheeler, Zembrzuski
No: 0

MOTION CARRIED

- B. Quarterly Statistics report—tabled.
C. Fees Report—tabled.

REPORTS & COMMUNICATIONS

Director's Report—was received and filed. A copy will be attached to the minutes of this meeting. C. Russ mentioned that she would be presenting the Troy Public Library's Annual Report to the City Council at their meeting on Monday, October 19, meeting. A copy will be provided to the LAB members.

Friends of the Troy Public Library—C. Russ read the report submitted by the Friends Board.

Gifts—None

Informational Items

Website address for Troy Public Library calendar: <http://sl.libcoop.net/troy/lib/eventcalendar.asp>

VISITORS' COMMENTS

ADJOURNMENT

Resolution #LB-2009-10-06

Moved by Duggan

Seconded by Gauri

RESOLVED, To adjourn the meeting.

Yes: 5—Duggan, Gauri, Gregory, Wheeler, Zembrzuski

No: 0

MOTION CARRIED

The Library Board meeting adjourned at 9:01 P.M.

The next regular meeting of the Library Advisory Board is Thursday, November 12, 2009, at 7 pm.

Lynne Gregory
Chairman

Cathleen Russ
Recording Secretary

CITY OF TROY
TRAVEL EXPENSE REPORT

Name: Mary Kerwin Position: Council Member
 Other Employees Included in Request: None
 Trip Destination: Kalamazoo, MI Date From: 9/22/09 To: 9/25/09
 Purpose of Trip: MMZ 111th Annual Convention

Items	Dates:	Sun	Mon	Tues 9/22	Wed 9/23	Thurs 9/24	Fri 9/25	Sat	TOTAL
Miles (Personal Car)									
Enter Current Mileage				153			153		
Rate: \$ 0.55 /mile				84.15			84.15		168.30
City Car Expense (Details on Bottom)									
Air/Bus/Train									
Registration				349.00					349.00
Room (Attach all Receipts)				68.25	68.25	68.25			204.75 *
Meals (Include tips and taxes. Note meals included with registration)									
Breakfast:									
Lunch:									
Dinner:									
Other <u>Parking</u> Detail, Explain Below							18.00		18.00
Additional Other Detail, Explain Below									
TOTAL EXPENSE				501.40	68.25	68.25	102.15		740.05

Details of City Car Expense	
Total Mileage	
Gasoline/Oil Purchased (Attach Receipts)	
Maintenance Work (Attach Receipts)	
Parking/Storage	
Other ()	
Total	

Cash Advanced and Prepaid Expenses	
P-Card Purchases	349.00
Balance Due Employee	186.30
(or) Balance Due City	204.75 *

Mary Kerwin
 Requested By _____ Date 10/8/09
 Department Head _____ Date _____
 Approved - Human Resources Director _____ Date _____
 Approved - Financial Services Director _____ Date 10/8/09

Notes and Explanations:
 * Shared room w/ Susan Powe from City of Wayne. City of Wayne paid hotel bill and requests we send them a check for Mary Kerwin's portion

Charge to: Council's Education & Training

Account # 1007960110



CITY COUNCIL REPORT

October 1, 2009

TO: John Szerlag, City Manager

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

SUBJECT: Final Reporting – BidNet On-Line Auction Services –
August 2009

Background

- Resolution #2004-02-075 established the auction fee of 5% and provided approval to use BidCorp with the provision that other on-line auction service options would be considered. BidNet moved forward and implemented the on-line surplus auction service for the MITN System (Michigan Inter-governmental Trade Network), which can be accessed through the City of Troy home web page. MITN is the Purchasing department's official e-procurement website used for posting bids, tabulations, quotations, and award information. It was a Purchasing goal that one e-procurement website would be operational for all functions.

Financial Considerations

- In compliance with Resolution #2004-02-075, final reporting is being presented for fourteen (14) Dell computers with monitors, three (3) Dell monitors, three (3) car radios, one (1) printer's chase rack, one (1) Singer sewing machine, one (1) yarn winder, one (1) punch, one (1) paper dispenser, one (1) wooden washing machine, one (1) China cabinet/bureau, one (1) metal forge, one (1) men's Jacket/coat, one (1) portable jump box, one (1) eMachine desktop tower, three (3) Kenneth Cole watches, one (1) Playstation 3, one (1) ear thermometer, and five (5) DVD's, which were auctioned on-line through BidNet, the City's e-procurement website on July 22, 2009 and closed by August 13, 2009.
- Ten (10) vehicles and one (1) JCB backhoe were also auctioned on-line through BidNet, on August 14, 2009 and closed on August 25, 2009.

October 1, 2009

To: John Szerlag, City Manager

Re: Final Reporting – BidNet On-Line Auction Services – August 2009

Financial Considerations - continued

Final sale amounts and fees are listed below:

DESCRIPTION	PROCEEDS	SUB-TOTAL	NET INCOME
14 Dell Computers, 3 car radios, watches, etc	\$ 2,021.43		
10 Vehicles & 1 backhoe	\$56,018.54		
SUB-TOTAL:		\$58,039.97	
FEES:			
5% on Vehicles & backhoe (paid back thru buyer's premium)	(2,667.55)		
9 featured items @ \$5.00 each	(45.00)		
5% (Computers, radios, watches, etc.) Fee	(103.12)		
SUB-TOTAL:		(\$2,815.67)	
Sales Tax (None on Vehicles)	0.00		
Sales Tax + 6% (Computers, radios, watches, etc):	123.74		
SUB-TOTAL:		\$123.74	
			\$55,348.04

Legal Considerations

- Farmington Hills, Michigan was the lead agency for the bid process for an on-line auction website. Resolution #2004-02-075.

Policy Considerations

- Sale of surplus property is a statutory requirement of the Purchasing Department. (Chapter 7, Sec 8), no perceived Policy consideration is associated with this item.

Options

- To report final results of August 2009 auctions to the City management.
- No action required



[MITN Auctions](#) |
 [National Auctions](#) |
 [Auctions Main Menu](#) |
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 [Contact Support](#) |
 [MITN Admin Menu](#)

[Report for the City of Troy, MI](#)
Detailed Report for Seller: ALL
Reported on 8/31/2009

From: 8/1/2009 To: 8/31/2009

<u>Item ID</u>	<u>Date</u>	<u>Sale Amount</u>	<u>Tax Collected</u>	<u>Charge</u>	<u>Type of Fee</u>	<u>Auction Description</u>	<u>Seller</u>
5612	8/3/2009	5.00	0.30	0.25	Sale	Printer's Chase Rack	Bockstanz
5618	8/3/2009	66.01	3.96	3.30	Sale	Sewing Machine	Bockstanz
5610	8/3/2009	41.00	2.46	2.05	Sale	Yarn Winder	Bockstanz
5613	8/3/2009	6.00	0.36	0.30	Sale	Punch	Bockstanz
5615	8/3/2009	5.26	0.32	0.26	Sale	Paper Dispenser	Bockstanz
5617	8/3/2009	28.27	1.70	1.41	Sale	Washing Machine	Bockstanz
5614	8/3/2009	68.01	4.08	3.40	Sale	China Cabinet/Bureau	Bockstanz
5616	8/3/2009	47.00	2.82	2.35	Sale	Forge	Bockstanz
5423	8/10/2009	41.00	2.46	2.05	Sale	Lot 19 Men Coat	Bockstanz
5624	8/10/2009	56.00	3.36	2.80	Sale	Portable Jump Box	Bockstanz
5628	8/10/2009	20.50	1.23	1.03	Sale	eMachine Desktop Tower	Bockstanz
5632	8/10/2009	13.51	0.81	0.68	Sale	Ford Car Radio with Cassette Player	Bockstanz
5634	8/10/2009	15.75	0.95	0.79	Sale	Rampage Car Radio with CD Player	Bockstanz
5635	8/10/2009	20.25	1.22	1.01	Sale	Kenneth Cole Reaction Watch	Bockstanz
5637	8/10/2009	20.00	1.20	1.00	Sale	Kenneth Cole Silver Watch	Bockstanz
5636	8/10/2009	27.50	1.65	1.38	Sale	Kenneth Cole Gold Watch	Bockstanz
5620	8/10/2009	282.50	16.95	14.13	Sale	Playstation 3	Bockstanz
5626	8/10/2009	19.45	1.17	0.97	Sale	Ear Thermometer	Bockstanz
5622	8/10/2009	11.50	0.69	0.58	Sale	Five DVD's	Bockstanz
5633	8/10/2009	27.00	1.62	1.35	Sale	Pioneer Car Radio with CD Player	Bockstanz
5645	8/13/2009	58.00	3.48	2.90	Sale	Dell Computer B389	Bockstanz
5647	8/13/2009	72.00	4.32	3.60	Sale	Dell Computer B391	Bockstanz
5648	8/13/2009	62.00	3.72	3.10	Sale	Dell Computer B392	Bockstanz
5652	8/13/2009	48.00	2.88	2.40	Sale	Dell Computer B396	Bockstanz
5643	8/13/2009	78.00	4.68	3.90	Sale	Dell Computer B387	Bockstanz
5653	8/13/2009	78.00	4.68	3.90	Sale	Dell Computer B397	Bockstanz
5655	8/13/2009	76.00	4.56	3.80	Sale	Dell Computer B399	Bockstanz
5650	8/13/2009	62.00	3.72	3.10	Sale	Dell Computer B394	Bockstanz
5658	8/13/2009	51.00	3.06	2.55	Sale	Dell Monitor	Bockstanz
5659	8/13/2009	52.00	3.12	2.60	Sale	Dell Monitor	Bockstanz
5649	8/13/2009	162.51	9.75	8.13	Sale	Dell Computer B393	Bockstanz
5656	8/13/2009	62.00	3.72	3.10	Sale	Dell Computer B400	Bockstanz
5657	8/13/2009	51.00	3.06	2.55	Sale	Dell Monitor	Bockstanz
5644	8/13/2009	68.00	4.08	3.40	Sale	Dell Computer B388	Bockstanz
5642	8/13/2009	70.00	4.20	3.50	Sale	Dell Computer B386	Bockstanz
5651	8/13/2009	91.00	5.46	4.55	Sale	Dell Computer B395	Bockstanz
5654	8/13/2009	99.00	5.94	4.95	Sale	Dell Computer B398	Bockstanz

Total Sales Amount	Total Tax Collected	Total Amount Charged	Total Payments	Total Balance Due for the selected date range	Total Balance Due
\$2,021.43	\$123.74	\$103.12	\$0.00	\$103.12	\$103.12



MITN Auctions	National Auctions	Auctions Main Menu	HELP/FAQ	Contact Support	MITN Admin Menu
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Report for the City of Troy, MI

Detailed Report for Seller: ALL

Reported on 8/31/2009

From: 8/1/2009 To: 8/31/2009 REVISED

Item ID	Date	Sale Amount	Tax Collected	Charge	Type of Fee	Auction Description	Seller
5762	8/14/2009	0	0.00	5.00	Featured Item	2000 FORD EXPLORER 4WD - Veh #75	Lamerato
5770	8/17/2009	0	0.00	5.00	Featured Item	2001 Dodge Intrepid Veh. #824	Lamerato
5771	8/17/2009	0	0.00	5.00	Featured Item	2000 Chevrolet Lumina Veh. #810	Lamerato
5772	8/17/2009	0	0.00	5.00	Featured Item	1999 GMC Savana Cargo Van - Veh. #260	Lamerato
5773	8/17/2009	0	0.00	5.00	Featured Item	2004 Chevy Silverado LS 4WD Ext Cab Pickup Veh839	Lamerato
5774	8/17/2009	0	0.00	5.00	Featured Item	1995 Trailer Mounted Arrow Board - Equip. #463	Lamerato
5775	8/17/2009	0	0.00	5.00	Featured Item	1995 Trailer Mounted Arrow Board Equip. #465	Lamerato
5776	8/17/2009	0	0.00	5.00	Featured Item	1996 Trailer Mounted Arrow Board Equip. #464	Lamerato
5777	8/17/2009	0	0.00	5.00	Featured Item	1998 JCB Backhoe Diesel Equip. # 345	Lamerato
4936	8/25/2009	1,800.00	90.00	90.00	Sale	1992 Ford Van - Vehicle #41	Lamerato
4938	8/25/2009	2,400.00	120.00	120.00	Sale	1997 Ford E-250 Econoline Cargo Van - VEH #205	Lamerato
4976	8/25/2009	4,550.00	227.50	227.50	Sale	2002 DODGE RAM 1500 ST - Veh. 232	Lamerato
5773	8/25/2009	9,100.00	455.00	455.00	Sale	2004 Chevy Silverado LS 4WD Ext Cab Pickup Veh839	Lamerato
5777	8/25/2009	15,500.00	775.00	775.00	Sale	1998 JCB Backhoe Diesel Equip. # 345	Lamerato
5771	8/25/2009	3,250.00	162.50	162.50	Sale	2000 Chevrolet Lumina Veh. #810	Lamerato
4973	8/25/2009	4,151.99	207.60	207.60	Sale	2003 FORD – CROWN VICTORIA Veh. 979	Lamerato
5762	8/25/2009	5,500.00	275.00	275.00	Sale	2000 FORD EXPLORER 4WD - Veh #75	Lamerato
5770	8/25/2009	3,300.00	165.00	165.00	Sale	2001 Dodge Intrepid Veh. #824	Lamerato
4941	8/27/2009	2,000.00	100.00	100.00	Sale	2001 DODGE RAM 1500 ST PICKUP - VEH 222	Lamerato
4940	8/28/2009	1,799.00	89.95	89.95	Sale	1998 FORD CLUB WAGON - VEHICLE #220	Lamerato

Total Sales Amount	Total Tax Collected	Total Amount Charged	Total Payments	Total Balance Due for the selected date range	Total Balance Due
\$53,350.99	\$2,667.55	\$2,712.55	\$0.00	\$2,712.55	\$2,712.55

VEHICLE AUCTION REPORT

<i>NUMBER</i>	<i>MAKE</i>	<i>MODEL</i>	<i>YEAR</i>	<i>AUCTION FEE</i>	<i>AUCTION PRICE</i>
041	FORD	E-250 W/VAN	92	\$90.00	\$1,890.00
075	FORD	EXPLORER\4DR\4X	00	\$275.00	\$5,775.00
205	FORD	EXT\CARGO\BLUE	97	\$120.00	\$2,520.00
220	FORD	CLUB WAGON	98	\$89.95	\$1,888.95
222	DODGE	PICKUP 1500 2WD	01	\$100.00	\$2,100.00
232	DODGE	PICKUP RAM\1500	02	\$227.50	\$4,777.50
345	JCB	215/4WD/BACKHOE	98	\$775.00	\$16,275.00
810	CHEVROLET	LUMINA\4-DR.	00	\$162.50	\$3,412.50
824	DODGE	INTREPID ES	01	\$165.00	\$3,465.00
839	CHEVROLET	SILVERADO\EXT	04	\$455.00	\$9,555.00
979	FORD	CROWN VICTORIA	04	\$207.60	\$4,359.59
		Item Fee (\$5.00 X 9)		\$ 45.00	
			TOTALS	\$2,712.55	\$56,018.54

Prepared by: Samuel P. Lamerato, CFPF Superintendent of Fleet

Thursday, October 01, 2009

Page 1 of 1



CITY COUNCIL REPORT

October 13, 2009

TO: The Honorable Mayor and City Council Members

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

SUBJECT: Actuarial Valuation – Other Postemployment Benefits (OPEB)

The City of Troy has received the second actuarial valuation using the methods and requirements to determine our accrued liability for other postemployment benefits contained in Statements No. 43 and No. 45 of the Governmental Accounting Standards Board (GASB).

The City has pre-funded retiree healthcare for several years and has accumulated \$38.1 million in assets to apply towards the actuarial accrued liability (attributable to service accrued by plan members as of December 31, 2008) of \$92 million.

The annual required contribution (as a percentage of projected payrolls for all employee groups) is 13.97%. This rate compares to those contained in the December 31, 2006 valuation of 11.42%.

Our funded ratio went from 55.7% to 41.4% after applying the new rules and cost methods of GASB Statements No. 43 and 45 and investment performance.

We implemented the contribution rate contained in the actuarial study for the current fiscal year and will budget accordingly for next fiscal year. The new contribution rate will cause departments to review their budgets to account for increase in cost for retirement benefits. By making the required contribution, we will be in compliance with GASB Statements No. 43 and 45.

**CITY OF TROY OTHER POSTEMPLOYMENT BENEFITS
ACTUARIAL VALUATION REPORT
DECEMBER 31, 2008**

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September 28, 2009

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

Dear Mr. Lamerato:

Submitted in this report are the results of an Actuarial Valuation of the benefit values associated with the employer financed Other Postemployment Benefits provided by the City of Troy. The date of the valuation was December 31, 2008, effective for the fiscal year beginning July 1, 2009. This report was prepared at the request of the City of Troy.

The actuarial calculations were prepared for purposes of complying with the requirements of Statements No. 43 and No. 45 of the Governmental Accounting Standards Board (GASB). The calculations reported herein have been made on a basis consistent with our understanding of these accounting standards. Determinations of the liability associated with the benefits described in this report for purposes other than satisfying the System's financial reporting requirements may produce significantly different results. This report may be provided to parties other than the City of Troy only in its entirety and only with the permission of the City of Troy.

The valuation was based upon information, furnished by the City, concerning retiree health care benefits, individual members, and financial data. Data was checked for internal consistency, but was not otherwise audited.

To the best of our knowledge, this report is complete and accurate and was made in accordance with generally recognized actuarial methods.

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

Respectfully submitted,



Brad Lee Armstrong, ASA, MAAA



Randall J. Dziubek, ASA, MAAA

BLA/RJD:bd

C0449

EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

Annual Required Contribution

This report presents the annual expense required to be recognized by the plan sponsor for purposes of complying with the accounting requirements of the Governmental Accounting Standards Board (GASB) Statement No. 43.

The Annual Required Contribution (ARC) for the fiscal year beginning July 1, 2009 is estimated to be \$4,618,751 provided that the City intends to fully fund the OPEB. Under GASB Statement No. 45, the annual OPEB cost required to be disclosed on the employer's financial statements is equal to the ARC. Actual claims and premiums including the effect of the implicit rate subsidy paid on behalf of retirees may be treated as employer contributions in relation to the ARC and also act to reduce the Net OPEB Obligation (NOO) described below under Additional OPEB Reporting Requirements. The expected retiree health care claims and premium amounts paid during the fiscal year beginning July 1, 2009 are estimated to be \$3,030,464. These amounts reflect the employer portion of the retiree only premium rates and the implicit subsidy for retirees and covered spouses. Therefore, the expected employer pre-funding contribution net of employee contributions that would result in a zero NOO for June 30, 2010 is \$1,588,287 (\$4,618,751-\$3,030,464).

For additional details, please see Section B of the report.

Additional OPEB Reporting Requirements

In addition to the ARC described above, employers will have to disclose a NOO. The current NOO is the cumulative difference between annual OPEB cost (ARC plus amortization of the prior NOO) and annual employer contributions in relation to the ARC, accumulated with interest from the implementation of GASB Statement No. 43. The NOO is zero as of the beginning of the fiscal year that GASB Statement No. 43 is implemented, unless the employer chooses to recognize a beginning balance. Since we believe that the ARC has been met since implementation, the NOO remains zero as of the valuation date. The ARC and the NOO are strongly influenced by the employers' commitment to pre-funding future cash flows, i.e., the degree to which the City contributes amounts to the Retiree Health Care Program to meet the ARC.

EXECUTIVE SUMMARY (CONCLUDED)

The requirements for determining the employer's contributions in relation to the ARC are described in paragraph 13 g. of GASB Statement No. 45. Additional information required to be disclosed in the employer's financial statements is detailed in paragraphs 24 through 27 of GASB Statement No. 45.

Liabilities and Assets

Once again assuming full pre-funding, the present value of all benefits expected to be paid to current plan members as of December 31, 2008 is \$107,054,458. The actuarial accrued liability, which is the portion of the \$107,054,458 attributable to service accrued by plan members as of December 31, 2008, is \$91,965,894. The assets currently set aside for GASB OPEB purposes as of December 31, 2008 are \$38,093,710. The OPEB liabilities are currently 41% funded.

SECTION A
VALUATION RESULTS

**DEVELOPMENT OF THE ANNUAL REQUIRED CONTRIBUTION
FOR THE OTHER POSTEMPLOYMENT BENEFITS**

Contributions for	Annual Required Contribution
Normal Cost	
Normal Retirement	\$ 1,791,714
Early Retirement	0
Termination Benefits	46,844
Death-in-Service	44,767
Disability	<u>92,252</u>
Total Normal Cost	\$ 1,975,577
Amortization of Unfunded Actuarial Accrued Liabilities (Amortized over 30 years)	\$ 2,643,174
Annual Required Contribution (ARC) for the Fiscal Year beginning July 1, 2009	\$ 4,618,751
Projected Payroll for the Fiscal Year Beginning July 1, 2009	\$33,056,968
Annual Required Contribution (ARC) as a Percentage of Projected Payroll	13.97%
ARC Per Active Participant	\$ 10,379

Projected Payroll for the Fiscal Year Beginning July 1, 2010	\$34,213,962
Annual Required Contribution (ARC) for the Fiscal Year beginning July 1, 2010	\$ 4,780,407
ARC Per Active Participant	\$ 10,742

The results on this page are calculated under the assumption that a funding arrangement with contributions at least equal to the Annual Required Contribution (ARC) will be followed. The unfunded actuarial accrued liabilities were amortized as a percent of payroll. A 30-year amortization period for unfunded actuarial accrued liabilities was used. Thirty years is the maximum period that complies with GASB requirements.

**DETERMINATION OF UNFUNDED ACTUARIAL ACCRUED LIABILITY
AS OF DECEMBER 31, 2008**

A. Present Value of Future Benefits	
1. Retirees and Beneficiaries	\$ 51,203,225
2. Vested Terminated Members	0
3. Active Members	<u>55,851,233</u>
Total Present Value of Future Benefits	\$107,054,458
 B. Present Value of Future Employer Normal Costs	 15,088,564
C. Actuarial Accrued Liability (A.-B.)	91,965,894
D. Actuarial Value of Assets	38,093,710
E. Unfunded Actuarial Accrued Liability (C.-D.)	\$ 53,872,184
F. Funded Ratio (D./C.)	41.4%

The Unfunded Actuarial Accrued Liability (UAAL) is not booked as an expense all in one year and does not appear in the Employer's Statement of Net Assets. Nevertheless, it is reported in the Notes to the Financial Statements and in the Required Supplementary Information. These are information sections within the employer's financial statements.

COMMENTS

COMMENT A: One of the key assumptions used in any valuation of the cost of postemployment benefits is the long-term rate of investment return on plan assets. Higher assumed investment returns will result in a lower Annual Required Contribution (ARC). Lower returns will result in a higher ARC. We have calculated the liability and the resulting ARC using an assumed investment return of 6.5%. If the City chooses to pre-fund with contributions less than the ARC, the Governmental Accounting Standards Board (GASB) requires lowering the assumed investment return on assets to match expected return on the City's general assets. Lowering the assumed investment return would considerably increase the Net OPEB Obligation (NOO) that is disclosed on the employers' financial statement.

COMMENT B: Based on the number of plan members as of this valuation, the plan sponsor is required by GASB to perform actuarial valuations at least biennially. An annual actuarial valuation will re-compute the required contribution rate each year. This will permit fluctuations and trends in experience to be reflected in the contribution rate on a regular basis. If an annual actuarial valuation is only completed every two years, then the ARC as a percent of payroll would apply to each intermediate fiscal year. Payroll is assumed to grow at 3.5%.

COMMENT C: The contribution rates shown include amortization of the unfunded actuarial accrued liability over 30 years. A shorter amortization period would result in a higher ARC. The maximum time period permitted by the GASB Statement No. 45 is 30 years.

COMMENT D: Actual claims and/or premiums paid on behalf of retirees may be treated as employer contributions in relation to the ARC and act to reduce the NOO. For the fiscal year ending June 30, 2010, the amount of estimated claims and/or premiums paid by the employer on behalf of retirees including the effect of the implicit rate subsidy under GASB is \$3,030,464.

COMMENT E: The primary reason for the increase in the ARC as a percentage of payroll since the previous valuation is the investment shortfalls experienced in the two years since the last valuation as of December 30, 2006.

RECOMMENDATIONS

We recommend that consideration be given to the following:

- Continue the pre-funding program you have already begun for retiree health benefits. If the City wishes to maintain the level of benefits currently in place, the likelihood improves considerably if the ARC is contributed each year.
- Monitor funding progress by means of regular valuations. Considering the volatility of health care costs, **annual** updates are suggested. History suggests that there is a close correlation between regular reviews and financial stability in all kinds of post retirement benefit programs.

SECTION B

RETIREE PREMIUM RATE DEVELOPMENT

RETIREE PREMIUM RATE DEVELOPMENT

Premium rates for the City of Troy were developed separately for the self-insured and the fully-insured portions and then blended to create one premium rate.

The Initial self-insured premium rates were developed separately for each class (pre-65 and post-65). The rates were calculated by using actual paid claims and exposure data for the period of January 2006 to December 2008, adjusted for catastrophic claims, plus the load for administration, network access fees, and stop loss premiums. The self-insured medical and prescription drug data was provided by the City. The medical data was analyzed for the pre-65 and post-65 participants separately since Medicare is available for the post-65 participants and has a significant impact on the claim experience. Furthermore, since the prescription drug claims and the medical claims exhibit different trends and claim payment patterns, we analyzed these claims separately as well.

The initial fully-insured premium rates were developed for the two classes of retirees (pre-65 and post-65). The fully-insured rates provided by the City were utilized to determine the appropriate premium rates. The pre-65 fully-insured premiums are blended rates based on the combined experience of active and pre-65 retired members; therefore, there is an implicit employer subsidy for the non-Medicare eligible retirees since the average costs of providing health care benefits to retirees under age 65 is higher than the average cost of providing health care benefits to active employees. The true per capita cost for the pre-65 retirees is developed by adjusting the demographic differences between the active employees and retirees to reflect this implicit rate subsidy for the retirees. For the post-65 retirees, the fully-insured premium rate is used as the basis of the initial per capita cost without adjustments since the rate reflects the demographics of the post-65 retiree group.

Since different groups have benefits which differ significantly, group specific rates were developed for current retirees, future AFSCME employees hired before 1/1/1994 and all other future retirees.

RETIREE PREMIUM RATE DEVELOPMENT

Age graded and sex distinct premiums are utilized in this valuation. The premiums developed by the preceding process are appropriate for the unique age and sex distribution currently existing. Over the future years covered by this valuation, the age and sex distribution will most likely change. Therefore, our process “distributes” the average premium over all age/sex combinations and assigns a unique premium for each specific age/sex combination. The age/sex specific premiums more accurately reflect the health care utilization and cost at that age.

We have not “age graded” the dental or vision premium rates for this valuation, since dental and vision claims do not vary significantly by age. For the retirees that are eligible, the dental premium used for this valuation is \$43.96 for the first person and \$50.69 for the second person. The vision premium used in this valuation is \$5.05 per person.

The tables below show the combined self-insured and fully-insured medical and prescription drug one-person monthly premiums at select ages. The premium (or per capita costs) rates shown below reflect the use of age grading.

All Current Retirees			
For Those Not Eligible for Medicare			
Age	Male	Female	
45	\$ 338.68	\$ 443.40	
50	458.21	519.18	
55	598.87	615.58	
60	752.35	723.17	

For Those Eligible for Medicare			
Age	Male	Female	
65	\$ 601.59	\$ 553.98	
70	693.92	623.98	
75	770.37	683.69	

RETIREE PREMIUM RATE DEVELOPMENT

Current Active AFSCME hired before 1/1/2004

For Those Not Eligible for Medicare

Age	Male	Female
45	\$ 344.73	\$ 451.31
50	466.38	528.44
55	609.55	626.56
60	765.77	736.08

For Those Eligible for Medicare

Age	Male	Female
65	\$ 636.23	\$ 585.89
70	733.89	659.91
75	814.74	723.07

Current Active AFSCME hired after 1/1/2004, CI/Ex, MAP, and TCOA

For Those Not Eligible for Medicare

Age	Male	Female
45	\$ 321.81	\$ 421.31
50	435.38	493.31
55	569.03	584.91
60	714.87	687.15

For Those Eligible for Medicare

Age	Male	Female
65	\$ 574.97	\$ 529.47
70	663.22	596.37
75	736.29	653.44

Current Active TFSOA

For Those Not Eligible for Medicare

Age	Male	Female
45	\$ 323.91	\$ 424.05
50	438.22	496.53
55	572.74	588.73
60	719.53	691.63

For Those Eligible for Medicare

Age	Male	Female
65	\$ 574.97	\$ 529.47
70	663.22	596.37
75	736.29	653.44

RETIREE PREMIUM RATE DEVELOPMENT

All Current Active TPOA				
For Those Not Eligible for Medicare				
Age		Male		Female
45	\$	323.23	\$	423.17
50		437.31		495.49
55		571.55		587.50
60		718.03		690.19

For Those Eligible for Medicare				
Age		Male		Female
65	\$	574.97	\$	529.47
70		663.22		596.37
75		736.29		653.44

Based on the guidance provided by GASB on issues related to Medicare Part D payments to State and Local Governments effective as of June 30, 2006, an employer should apply the measurement requirements of GASB Statement No. 45 to determine the actuarial accrued liabilities, the annual required contribution of the employer, and the annual OPEB cost without reduction for Retiree Drug Subsidy (RDS) payments. Therefore the impact of the RDS that is part of the Medicare Prescription Drug Improvement and Modernization Act of 2003 is not reflected in this report.



Brian T. Morris

SECTION C

SUMMARY OF BENEFIT PROVISIONS AND VALUATION DATA

CITY OF TROY RETIREE HEALTH CARE PLAN

SUMMARY OF BENEFITS AS OF DECEMBER 31, 2008

PLAN PARTICIPANTS

Employees, retirees, and spouses of the City of Troy who satisfy the following requirements are eligible to receive retiree health care coverage.

HEALTH INSURANCE PREMIUM SUBSIDY

Post-retirement health insurance premiums are subsidized by the City as follows:

T.C.O.A. – 4% per completed year, retired after July 1, 1994.

T.P.O.A – 4% per complete year, retired after February 20, 1996.

T.F.S.O.A – 4% per complete year, retired after January 1, 1999.

AFSCME, Classified/Exempt, Clerical – \$400/month or 4% per complete year, whichever is greater.

Retirees from prior provisions – \$400/month or 3% per complete year, whichever is greater.

REGULAR RETIREMENT ELIGIBILITY

T.P.O.A., T.F.S.O.A., and T.C.O.A. members – 25 years of service; or age 60 with 10 years of service.

AFSCME, Classified/Exempt, Clerical – Age 50 with 27 years of service; or age 55 with 25 years of service; or age 60 with 10 years of service.

There is no mandatory retirement age.

The City does not provide health insurance for the following employees when they retire. Instead they are eligible to participate in a Retiree Health Savings Account.

Classified/Exempt members hired after January 2, 2006

TFSOA members hired after July 1, 2006

AFSCME members hired after July 1, 2006

TPOA and TCOA members hired after July 1, 2011

Clerical members hired after February 18, 2008

EARLY RETIREMENT ELIGIBILITY

Age 55 with 10 years of service. Benefit commences immediately.

DEFERRED RETIREMENT

Members retiring under deferred retirement conditions are not eligible for retiree health care through the City.

CITY OF TROY RETIREE HEALTH CARE PLAN

SUMMARY OF BENEFITS AS OF DECEMBER 31, 2008

DUTY DISABILITY RETIREMENT ELIGIBILITY

No age or service requirement. Benefit commences immediately. Worker's compensation must be payable.

NON-DUTY DISABILITY RETIREMENT ELIGIBILITY

5 years of service (10 years for Classified/Exempt employees hired after February 1996, and MAP employees hired after February 2005). Benefit commences immediately.

DUTY DEATH BEFORE RETIREMENT ELIGIBILITY

No age or service requirement. Benefit commences immediately.

NON-DUTY DEATH BEFORE RETIREMENT ELIGIBILITY

10-years service. Benefit commences immediately.

BENEFITS FOR SPOUSES OF RETIRED EMPLOYEES

Spouses of living retirees are eligible for retiree health care coverage through the City. Only the spouse named at time of retirement is eligible. For retirees receiving a percentage (i.e. 3% or 4%) of their premium paid, the spouse receives an equal percentage of their premium paid. For retirees receiving a \$400 benefit, the spouse may use any amount that is above and beyond the cost of the retiree's premium, but is not eligible for an additional \$400.

Surviving spouses of deceased retirees are eligible for retiree health care coverage through the City if the surviving spouse is receiving a survivor's DB pension or is the spouse of a DC member. The surviving spouse's benefit amount is equal to a retiree's one person coverage.

NON-MEDICARE AND MEDICARE-ELIGIBLE PROVISIONS

Member and spouse are required to enroll in Medicare Parts A & B. Premium for Medicare Part B is the responsibility of the retiree or spouse.

VISION COVERAGE

Retirees/spouses enrolled in a medical plan that provides vision coverage are eligible for retiree vision coverage.

For retirees/spouses receiving a percentage (i.e. 3% or 4%) of their premium paid, or \$400 dollars whichever is greater, the vision coverage is included as part of the medical premium.

CITY OF TROY RETIREE HEALTH CARE PLAN

SUMMARY OF BENEFITS AS OF DECEMBER 31, 2008

DENTAL COVERAGE

Certain T.C.O.A. members and their spouses are eligible for retiree dental coverage.

Retiree dental coverage is paid by the City for these certain T.C.O.A retirees and their spouses at the rate of 4% per completed year of service.

LIFE INSURANCE COVERAGE

City paid life insurance coverage is not offered to retirees of the City of Troy.

RETIREE OPT-OUT

Retirees who opt not to participate in the City's plan are not eligible for any payment in lieu of coverage. Retirees that opt out of coverage are eligible to elect coverage at a later time.

RETIREE HEALTH SAVINGS ACCOUNT

Participating employees in the Retiree Health Savings Account contribute 2% of salary while working to their RHS account, the City contributes 4% of the employee's salary to the account which is used for health insurance premiums, reimbursement, etc. when they retire. Participating retirees are eligible to purchase retiree health insurance coverage through the City of Troy.

This is a brief summary of the City of Troy Retiree Health Care Plan provisions. In the event that any description contained herein differs from the actual eligibility or benefit, the appropriate employee contract or governing document will prevail.

CITY OF TROY
GENERAL EMPLOYEES
ACTIVE MEMBER DEMOGRAPHIC DATA AS OF DECEMBER 31, 2008

Attained Age	Years of Service to Valuation Date							Total No.	Valuation Payroll
	0-4	5-9	10-14	15-19	20-24	25-29	30 Plus		
20-24	3							3	\$ 78,245
25-29	3	3						6	316,972
30-34	14	13	2					29	1,539,987
35-39	10	15	6	2				33	1,874,551
40-44	13	11	6	3	2			35	2,205,786
45-49	7	16	13	10	4	2	1	53	3,462,698
50-54	6	16	11	15	11	9	8	76	5,194,368
55-59	4	11	13	3	7	4	5	47	3,420,193
60-64	1	7	3	2	3	1	3	20	1,339,481
65 & Over		2	2		2		1	7	380,096
Totals	61	94	56	35	29	16	18	309	\$ 19,812,377

While not used in the financial computations, the following group averages are computed and shown because of their general interest.

Age: 47.7 years
Service: 12.6 years
Annual Pay: \$64,118

CITY OF TROY
PUBLIC SAFETY EMPLOYEES
ACTIVE MEMBER DEMOGRAPHIC DATA AS OF DECEMBER 31, 2008

Attained Age	Years of Service to Valuation Date							Total No.	Valuation Payroll
	0-4	5-9	10-14	15-19	20-24	25-29	30 Plus		
25-29	9	1						10	\$ 704,245
30-34	12	9	4					25	1,781,227
35-39	2	8	13					23	1,870,990
40-44	2	2	11	5	2			22	1,834,150
45-49				7	10	2		19	1,732,048
50-54		2	1	4	6	7	2	22	2,040,343
55-59	1		1	1	2	3	5	13	1,165,745
60-64				1			1	2	227,167
Totals	26	22	30	18	20	12	8	136	\$ 11,355,915

While not used in the financial computations, the following group averages are computed and shown because of their general interest.

Age: 42.3 years
Service: 15.0 years
Annual Pay: \$83,499

CITY OF TROY
RETIRED MEMBER DEMOGRAPHIC DATA AS OF DECEMBER 31, 2008

General Retirees

Attained Age	Number of Retirees		
	Male	Female	Total
Under 55	7	1	8
55-59	21	11	32
60-64	20	16	36
65 & Over	44	45	89
Totals	92	73	165

Public Safety Retirees

Attained Age	Number of Retirees		
	Male	Female	Total
Under 55	13	2	15
55-59	21	0	21
60-64	17	0	17
65 & Over	12	1	13
Totals	63	3	66

Only retirees indicated as receiving health care are valued in this report and shown in the exhibits above.

SECTION D

ACTUARIAL COST METHOD AND ACTUARIAL ASSUMPTIONS

VALUATION METHODS

Actuarial Cost Method. Normal cost and the allocation of benefit values between service rendered before and after the valuation date was determined using an **Individual Entry-Age Normal Actuarial Cost Method** having the following characteristics:

- (i) the annual normal cost for each individual active member, payable from the date of employment to the date of retirement, is sufficient to accumulate the value of the member's benefit at the time of retirement;
- (ii) each annual normal cost is a constant percentage of the member's year by year projected covered pay.

Actuarial gains (losses), as they occur, reduce (increase) the Unfunded Actuarial Accrued Liability.

Financing of Unfunded Actuarial Accrued Liabilities. Unfunded Actuarial Accrued Liabilities (UAAL) were amortized by a level percent of pay. The UAAL were determined using the funding value of assets and actuarial accrued liability calculated as of the valuation date. The UAAL amortization payment is the amount required to fully amortize the UAAL over a 30-year period beginning on the valuation date. This UAAL payment does not reflect any payments expected to be made between the valuation date and the fiscal year for which the contributions in this report have been calculated.

The salary increase assumption used in this actuarial valuation projects annual salary increases of 3.5% plus a percentage based on an age-related scale to reflect merit, longevity and promotional salary increases.

Rates of Investment Return under a fully funded arrangement. **6.5% per year**, compounded annually, net of expenses. This rate consists of a real rate of return of 3.0% a year plus a long-term rate of wage growth of 3.5% a year. This assumption is used to equate the value of payments due at different points in time.

The number of active members is assumed to remain constant in the future.

The growth rate for amortizing the Unfunded Actuarial Accrued Liabilities was assumed to be 3.5%.

ACTUARIAL ASSUMPTIONS

Rates of Salary Increase. Employee salaries are estimated to increase between the date of hire and date of retirement. Salary increases occur in recognition of (i) individual merit and seniority, (ii) inflation-related depreciation of the purchasing power of salaries, and (iii) competition from other employers for personnel. A schedule of long-term rates of increase in individual salaries used for the valuation follows for sample ages:

% Increase in Salary at Sample Ages			
Sample Ages	Merit & Seniority	Base (Economic)	Increase Next Year
20	4.0%	3.5%	7.5%
25	3.2%	3.5%	6.7%
30	2.8%	3.5%	6.3%
35	2.5%	3.5%	6.0%
40	2.2%	3.5%	5.7%
45	1.7%	3.5%	5.2%
50	1.2%	3.5%	4.7%
55	0.7%	3.5%	4.2%
60	0.2%	3.5%	3.7%
65	0.0%	3.5%	3.5%
Ref	30		

Pay Projections. Active member covered payroll was projected to increase 3.5% a year, for the purpose of determining the level percent of payroll contributions. The rate of increase is consistent with the base rate of increase in salaries used to calculate actuarial present values.

ACTUARIAL ASSUMPTIONS (CONTINUED)

The mortality table used to project the mortality experience is the RP-2000 Combined Healthy Mortality Table, for males and females. 80% of active member deaths are assumed to be non-duty deaths.

Sample Attained Ages	Probability of Dying Next Year		Future Life Expectancy (years)	
	Men	Women	Men	Women
50	0.21 %	0.17 %	30.80	33.59
55	0.36	0.27	26.18	28.91
60	0.67	0.51	21.74	24.38
65	1.27	0.97	17.61	20.12
70	2.22	1.67	13.88	16.23
75	3.78	2.81	10.57	12.74
80	6.44	4.59	7.75	9.68
Ref	#506xlsb0yrs0Unisex		#507xlsb0yrs0Unisex	

The table used to project disabled mortality experience is the RP-2000 Combined Disabled Mortality Table, for males and females.

ACTUARIAL ASSUMPTIONS (CONTINUED)

The rates of retirement used to measure the probability of eligible members retiring during the next year, were as follows:

Retirement Ages	Percent of Eligible Active Members Retiring within Next Year			
	Non-Exempt General	T.F.S.O.A. & Exempt	T.C.O.A.	T.P.O.A.
43			35 %	40 %
44			25	40
45			20	40
46			15	40
47			15	40
48			15	40
49			15	35
50	15 %	35 %	15	20
51	10	25	25	15
52	5	20	30	15
53	5	15	100	15
54	5	15		15
55	5	15		15
56	5	15		15
57	5	15		25
58	5	25		100
59	5	30		
60	5	100		
61	5			
62	30			
63	10			
64	10			
65	100			
Ref	39	23	23	46

ACTUARIAL ASSUMPTIONS (CONTINUED)

Rates of separation from active membership are used to estimate the number of employees at each age that are expected to terminate employment before qualifying for retirement benefits. The withdrawal rates do not apply to members eligible to retire, and do not include separation on account of death or disability.

Sample rates of separation from active employment are shown below:

Sample Ages	Years of Service	% of Active Members Separating Within Next Year	
		General	Public Safety
ALL	0	30.00 %	15.00 %
	1	20.00	10.00
	2	15.00	8.00
	3	10.00	7.00
	4	7.00	6.00
25	5 & Over	6.00	5.00
30		6.00	4.50
35		6.00	3.55
40		6.00	1.45
45		3.50	0.75
50		1.50	0.75
55		1.50	0.75
60		1.50	0.75
Ref	11	18	55

ACTUARIAL ASSUMPTIONS (CONCLUDED)

Rates of disability among active members are used to estimate the incidence of member disability in future years. 80% of disabilities were assumed to be non-duty related.

Sample Ages	Percent Becoming Disabled Within Next Year	
	Male	Female
	20	0.08 %
25	0.08	0.10
30	0.08	0.10
35	0.08	0.10
40	0.20	0.36
45	0.26	0.41
50	0.49	0.57
55	0.89	0.77
60	1.41	1.02
65	1.66	1.23
Ref	#9x1	#10x1

Health care trend rates used in the valuation were as shown below.

Year	Medical and Prescription Drugs	Dental and Vision
2009	9.00 %	4.00 %
2010	8.25	4.00
2011	7.50	4.00
2012	7.00	4.00
2013	6.50	4.00
2014	6.00	4.00
2015	5.50	4.00
2016	5.00	4.00
2017	4.50	4.00
2018	4.00	4.00
2019 & Later	4.00	4.00

GASB STATEMENTS NO. 43 AND NO. 45
REQUIRED SUPPLEMENTARY INFORMATION

Valuation Date	December 31, 2008
Actuarial Cost Method	Individual Entry Age Normal Cost
Amortization Method	Level Percent of Payroll Open
Remaining Amortization Periods	30 Years
Asset Valuation Method	Market Value
Actuarial Assumptions:	
Discount Rate	6.5% Per Year
Projected Salary Increases	3.5% - 7.5%
Valuation Health Care Cost Trend Rate	
Medical and Prescription Drug	9% in 2009, grading to 4.0% in 2018
Dental and Vision	4.0% for all years

This information is presented in draft form for review by the City’s auditor. Please let us know if there are any items that the auditor changes so that we may maintain consistency with the City’s financial statements.

SCHEDULE OF FUNDING PROGRESS

Rounded to the Nearest \$1,000

Actuarial Valuation Date December 31	Actuarial Value of Assets (a)	Actuarial Accrued Liability (AAL) (b)	Unfunded AAL (b)-(a)	Funded Ratio (a)/(b)	Active Member Covered Payroll (c)	Unfunded AAL as a Percentage of Active Member Covered Payroll ((b-a)/c)
2001	\$ 23,645	\$ 27,804	\$ 4,159	85.0 %	\$26,847	15.5 %
2002	31,003	31,263	260	99.2	28,480	0.9
2003	32,815	37,000	4,186	88.7	31,790	13.2
2004	36,484	40,419	3,935	90.3	30,046	13.1
2005	37,190	43,554	6,364	85.4	29,937	21.3
2006*	43,983	78,901	34,918	55.7	31,038	112.5
2008	38,094	91,966	53,872	41.4	31,168	172.8

* After adoption of OPEB compliant methods and assumptions.

This information is presented in draft form for review by the City's auditor. Please let us know if there are any items that the auditor changes so that we may maintain consistency with the City's financial statements.

MISCELLANEOUS AND TECHNICAL ASSUMPTIONS

Decrement Operation:	Disability and mortality decrements do not operate during the first five years of service. Disability also does not operate during retirement eligibility.
Decrement Timing:	Decrements of all types are assumed to occur mid-year.
Eligibility Testing:	Eligibility for benefits is determined based upon the age nearest birthday and service nearest whole year on the date the decrement is assumed to occur.
Marriage Assumption:	90% of males and 90% of females are assumed to be married for purposes of death-in-service benefits. Male spouses are assumed to be three years older than female spouses for active member valuation purposes.
Medicare Coverage:	Assumed to be available for all covered employees on attainment of age 65.
Children:	Children of active employees were assumed to not receive coverage upon retirement of the employee.
Election Percentage:	<p>(General) It was assumed that 72% of retirees would choose to receive retiree health care benefits through the City. Of those assumed to elect coverage, 58% of retirees assumed to elect two-person coverage, if eligible. For those that elect two-person coverage, it was assumed that coverage would continue to the spouse upon death of the retiree 50% of the time, if eligible.</p> <p>(Public Safety) It was assumed that 85% of retirees would choose to receive retiree health care benefits through the City. Of those assumed to elect coverage, 90% of retirees assumed to elect two-person coverage, if eligible. For those that elect two-person coverage, it was assumed that coverage would continue to the spouse upon death of the retiree 50% of the time, if eligible.</p>
Retiree Opt-Outs:	Retirees and spouses who have opted out of coverage are assumed to not re-enroll.

APPENDIX A
OVERVIEW

GASB BACKGROUND

The purpose of this valuation is to provide information on the cost associated with providing postemployment benefits other than pensions, or OPEB, to current and former employees. OPEB benefits are most often associated with postemployment health care, but cover almost any benefit not provided through a pension plan, including life insurance, dental and vision benefits. It is important to note that OPEB benefits, by definition, do not include benefits *currently* being provided to active employees – however, this report includes the liabilities for benefits expected to be paid to current active employees when they terminate employment at a future date.

The rising cost of health care has been a cause of concern to both individuals and employers who sponsor health care plans. The accounting community became concerned that many sponsors of public plans were accounting for the cost of their OPEB plans solely on the basis of benefits paid and that this method did not accurately reflect the ultimate cost of benefits promised to current and former employees. In 1988, the Governmental Accounting Standards Board (GASB) began working on a project to develop comprehensive standards for financial reporting of OPEB plans.

The GASB determined that an OPEB plan was similar to a pension plan in that benefits are earned during an active employee's working lifetime but paid out at a future date. In the GASB's view, accounting for OPEB should follow the same basic principle as accounting for public plan pension costs. These benefits are compensation for employees' services and should be accounted for during the period of time that services are performed.

GASB BACKGROUND (CONCLUDED)

The GASB worked on comprehensive standards for OPEB accounting for more than a decade, culminating with the release of GASB Statements No. 43 and No. 45 in the spring of 2004. GASB Statement No. 43 covers the accounting rules for OPEB *plans* while GASB Statement No. 45 describes the rules for *employers* sponsoring OPEB plans. The effective dates of the Statements are based on the implementation of GASB Statement No. 34, based on the sponsor's annual revenue for the first fiscal year ending on or after June 15, 1999, and follow the schedule below:

Total Annual Revenue in the First Fiscal Year Ending After June 15, 1999	GASB No. 43 OPEB Standards for the Plan's Financial Statements will be Effective for Periods Beginning After	GASB No. 45 OPEB Standards for the Employer's Financial Statements will be Effective for Periods Beginning After
Phase 1 Govts. - \$100 million or more	December 15, 2005	December 15, 2006
Phase 2 Govts. - \$10 million or more, but less than \$100 million	December 15, 2006	December 15, 2007
Phase 3 Govts. – Less than \$10 million	December 15, 2007	December 15, 2008

GASB STANDARDS

Unlike pension plans, OPEB plans often do not have a formal document detailing the specific terms of the plan. Under GASB Statements No. 43 and No. 45 the benefits to be accounted for are those provided by the *substantive plan* – loosely defined as the benefits covered by the plan as understood by the employer and plan members at the time of each actuarial valuation. The substantive plan provisions used in this valuation are summarized in Section D.

GASB also requires that the calculations assume the terms of the substantive plan continue indefinitely. It has been argued that there is a likelihood future OPEB plan provisions would be different than the current substantive plan (due to rising health care costs or social changes) and therefore, liabilities based on the current substantive plan may overstate what will actually occur. However, the GASB Statement is designed to measure liabilities for the plan as it currently exists. While it may be reasonable to assume future changes in the OPEB plan for other purposes, recognition of anticipated changes is not allowed for purposes of accounting for OPEB.

The specific items required to be disclosed on an OPEB sponsor's financial statements are described in detail in GASB Statements No. 43 and No. 45. In general terms, though, the plan sponsor is required to disclose an annual OPEB cost, the funded status of the plan and the funding progress on the valuation date.

Although GASB does not require OPEB contributions, it has chosen to call the base component of the annual OPEB cost the Annual Required Contribution, or ARC. The ARC consists of the cost of benefits accruing in a year plus an amount calculated to amortize any unfunded actuarial accrued liability over a period of not more than 30 years.

The funded status of the plan is a ratio of the plan's assets to the actuarial accrued liability on the valuation date. The plan is also required to disclose the cumulative difference between the ARC and the employer's actual contribution to the plan. This amount is known as the Net OPEB Obligation (NOO). Each year, the NOO accumulates with interest, plus the difference between the ARC and actual contributions for the year, plus some technical adjustments. **For most plans the NOO is set to zero as of the effective date of the GASB OPEB standard. It is the NOO, and not the actuarial accrued liability, that will be disclosed on the employers' Statement of Net Assets.**

OPEB SPECIFIC ASSUMPTIONS

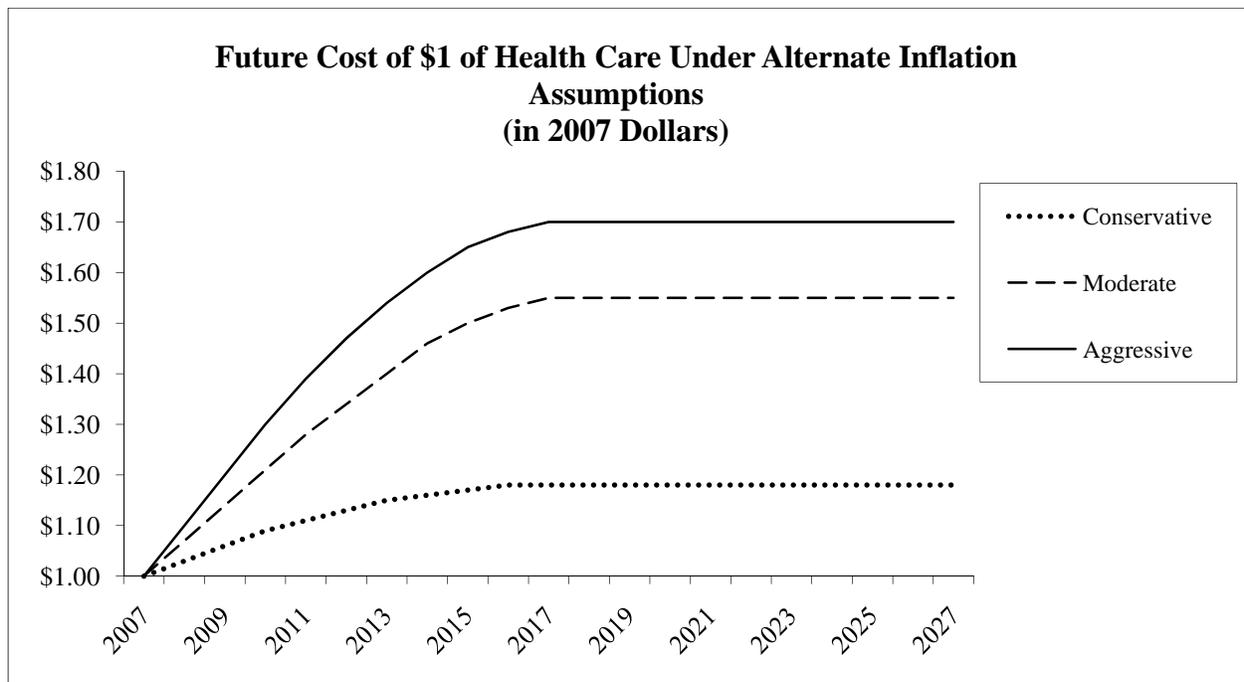
In any long-term actuarial valuation (such as for pensions and OPEB), certain demographic, economic and behavioral assumptions must be made concerning the population, investment discount rates, and the benefits provided. These actuarial assumptions form the basis for the actuarial model which is used to project the future population, benefits to be provided, and contributions to be collected. The investment return rate assumption is used to discount the future benefits to a present value on the valuation date. While assumptions such as future rates of retirement and mortality are similar for both OPEB and pension plans, there are some additional assumptions required when projecting benefits for a health care plan.

The cost of providing medical services has been increasing more rapidly than prices in general for many years. During the period from 1960 to 2007, general inflation averaged about 4.5%, while health expenditures per person increased by an average of close to 9% per year. If this trend is projected to continue for years to come, it implies that years from now virtually all our expenditures will be for health care. The seemingly more reasonable alternative is that in the not too distant future medical expense inflation will stabilize at a level at or near general inflation. It is on this basis that we project that retiree health care costs will continue to exceed general inflation in the near term, but by less each year until leveling off at an ultimate rate that is similar to general price increases.

Health care increase rates used in this valuation lie within a range of reasonable assumptions and are described on page D-6 of this report. The health care increase rate assumption has a major effect on the calculation of plan liabilities. To illustrate the effect of differing future medical inflation rates, the chart on the next page projects the growth of \$1 of health care benefits under three sets of assumptions.

In this illustration, each set of assumptions trends smoothly to an assumed long term rate of inflation over the next ten years: The assumption set labeled “Conservative” begins at a rate of 10% in excess of general inflation, the “Moderate” assumption begins at a rate of 7% in excess of general inflation, while the “Aggressive” assumption begins at a rate of 3% in excess of general inflation.

OPEB SPECIFIC ASSUMPTIONS (CONCLUDED)



The chart above shows that the cost of providing health care is expected to increase over 50% in inflation-adjusted dollars over the next 20 years, using the “Moderate” health care increase assumption set. To put this in perspective, assuming health care increases are brought under control almost immediately, as in the “Aggressive” assumption set, implies future per capita health care costs will be expected to increase less than 20% over current levels. In addition to the per capita health care inflation, costs are expected to rise as the retiree population increases.

The selection of an investment return rate also has a major impact on the calculation of the reported GASB OPEB expense.

It is important to note that GASB Statements No. 43 and No. 45 require the selection of an interest rate assumption to be based on the expected long-term rate of return on the assets expected to pay the OPEB when due. GASB states that the return should be based on expected returns of:

- Plan assets – if the sponsor has been contributing the ARC on a regular basis;
- The employer’s general assets – where no OPEB assets have been accumulated;
- A blend of plan and employer assets – in cases where OPEB assets exist but the plan is contributing amounts less than the ARC.

ACTUARIAL COST METHOD

GASB Statement No. 45 provides some flexibility to governmental employers (and their actuaries) in the use of various actuarial cost methods. It should be noted that an actuarial cost method determines a contribution or expense by assigning portions of the present value of projected benefits to various years with the general goal of accruing the cost of benefits over the working lifetime of the employees. The choice of a particular method does not change the ultimate cost of the promised benefits.

The Entry Age Normal actuarial cost method has been used to calculate the GASB ARC for this valuation. Using the plan benefits, the present health premiums and a set of actuarial assumptions, the anticipated future payments are projected. The entry age method then provides for a systematic funding for these anticipated payments. The yearly ARC is computed to cover the cost of benefits being earned by covered members as well as to amortize a portion of the unfunded accrued liability. The amortization of the unfunded accrued liability was calculated as a level percent of payroll. This is both an acceptable and reasonable cost method. The use of another actuarial cost method would produce different results.

OPEB PRE-FUNDING

Many employers fund retiree health care benefits using the pay-as-you-go (or cash disbursement) method. The employer's annual contribution for these benefits is equal to the actual disbursements during the year for health care benefits for retired employees. This method of funding will result in increasing contributions over time. Per capita cash disbursements will tend to increase from year to year as the cost of health care services, or the utilization of these services increase.

A retiree health care plan is similar to a defined benefit pension plan, in that promises are made to employees to provide them with a benefit payable at some future date. For defined benefit pension plan sponsors a common funding objective is to contribute annual amounts to a fund which will i) remain level as a percentage of active member payroll, and ii) when combined with present assets and future investment return will be sufficient to meet the financial obligations of the Plan to current and future retirees.

The ultimate determination as to the level of pre-funding will be the result of decisions made in an attempt to reconcile the often conflicting needs of benefit security for members and fiscal responsibility for the City. The GASB accounting standards noted in the previous section of the report can factor into decisions concerning the level of pre-funding.

APPENDIX B

GLOSSARY

GLOSSARY

Accrued Service - The service credited under the plan which was rendered before the date of the actuarial valuation.

Actuarial Accrued Liability - The difference between (i) the actuarial present value of future plan benefits, and (ii) the actuarial present value of future normal cost. Sometimes referred to as "accrued liability" or "past service liability."

Actuarial Assumptions - Estimates of future plan experience with respect to rates of mortality, disability, turnover, retirement, rate or rates of investment income and salary increases. Decrement assumptions (rates of mortality, disability, turnover and retirement) are generally based on past experience, often modified for projected changes in conditions. Economic assumptions (salary increases and investment income) consist of an underlying rate in an inflation-free environment plus a provision for a long-term average rate of inflation.

Actuarial Cost Method - A mathematical budgeting procedure for allocating the dollar amount of the "actuarial present value of future plan benefits" between the actuarial present value of future normal cost and the actuarial accrued liability. Sometimes referred to as the "actuarial funding method."

Actuarial Equivalent - A single amount or series of amounts of equal value to another single amount or series of amounts, computed on the basis of the rate(s) of interest and mortality tables used by the plan.

Actuarial Present Value - The amount of funds presently required to provide a payment or series of payments in the future. It is determined by discounting the future payments at a predetermined rate of interest, taking into account the probability of payment.

Amortization - Paying off an interest-bearing liability by means of periodic payments of interest and principal, as opposed to paying it off with a lump sum payment.

GLOSSARY (CONCLUDED)

Annual Required Contribution (ARC) - The ARC is the normal cost plus the portion of the unfunded actuarial accrued liability to be amortized in the current period. The ARC is an amount that is actuarially determined in accordance with the requirements so that, if paid on an ongoing basis, it would be expected to provide sufficient resources to fund both the normal cost for each year and the amortized unfunded liability.

Governmental Accounting Standards Board (GASB) - GASB is the private, nonpartisan, nonprofit organization that works to create and improve the rules U.S. state and local governments follow when accounting for their finances and reporting them to the public.

Medical Trend Rate (Health Care Inflation) - The increase in the cost of providing health care benefits over time. Trend includes such elements as pure price inflation, changes in utilization, advances in medical technology, and cost shifting.

Normal Cost - The annual cost assigned, under the actuarial funding method, to current and subsequent plan years. Sometimes referred to as "current service cost." Any payment toward the unfunded actuarial accrued liability is not part of the normal cost.

Other Postemployment Employee Benefits (OPEB) - OPEB are postemployment benefits other than pensions. OPEB generally takes the form of health insurance and dental, vision, prescription drugs or other health care benefits.

Reserve Account - An account used to indicate that funds have been set aside for a specific purpose and is not generally available for other uses.

Unfunded Actuarial Accrued Liability - The difference between the actuarial accrued liability and valuation assets. Sometimes referred to as "unfunded accrued liability."

Valuation Assets - The value of current plan assets recognized for valuation purposes.

September 28, 2009

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

Re: City of Troy Other Postemployment Benefits Valuation

Dear Mr. Lamerato:

Enclosed are 25 copies of our report of the actuarial valuation as of December 31, 2008 of the City of Troy Other Postemployment Benefits.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brad Lee Armstrong", with a stylized flourish at the end.

Brad Armstrong

BA:bd
Enclosures

Officer Malik,

The comment posted to our blog is below. We hope you and your co-workers will enjoy this sweet treat and thank you for all you do every day!

I would send the nibblers basket to the Troy Police Department in Troy, MI. They were absolutely wonderful when me and my 2 sons came home to someone breaking into our home. They checked out the house before we could go in. They stayed the whole time with us and kept us posted on the suspect. The crime scene detective came and fingerprinted and swabbed the blood and explained everything to the boys. The police came back later and told us that they caught her and she was in jail. My youngest son who is 10 years old is still having a difficult time with the whole thing and they explained to him that she will not get out of jail. They actually took the time out to talk to him. My family is very thankful that no one was hurt and our police department here in Troy care about all of us. They certainly all deserve the cookies for a job well done!

#35

Written By Vera Rettberg on September 15th, 2009 @ 10:36 am

Exceptionally

10-1-09

SGT. BILL AVERY + P.O. BILL MALIK
GOOD WORK ON THIS. MS. RETTBERG
CERTAINLY APPRECIATES IT AND MR. FIELDS
COOKIES SENT A COOKIE BASKET REWARD!

Thanks, Gary Meyer

DIVISION COMMANDERS
SGT. AVERY
OFFICER MALIK
BULLETIN BOARD
CITY MANAGER

OFFICER MALIK @ THE TROY POLICE DEPT. —

Recently, Mrs. Fields Gifts held a contest on our website, asking our customers to write in and tell us.. "Who would you share a basket of cookies with?"

We received hundreds of wonderful stories, but were exceptionally touched by an email from Vera Pettberg. Although we randomly selected our winner, we couldn't help but recognize you and your team for going above and beyond to help this family feel safe. We are in the business of selling smiles & your actions certainly made all of us smile.

I am enclosing Ms. Pettberg's comments as well. We hope you all enjoy the cookies and thank you for all you do everyday to keep your community safe.

— Cassin Almy
&
The Mrs. Fields Gifts Team.

At Mrs. Fields®, we understand the value of a smile.



FERRIS STATE UNIVERSITY
COLLEGE OF EDUCATION AND HUMAN SERVICES

J-03b

September 16, 2009

School of
Criminal Justice

Deputy Chief Gary Mayer
City of Troy Police Department
500 W. Big Beaver Rd.
Troy, MI 48084

Dear Deputy Chief Mayer,

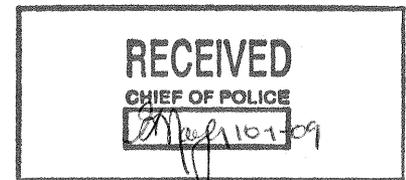
Please allow this letter to convey our sincere appreciation to you personally and to all the members of your agency who assisted in making the Ferris State University Criminal Justice Summer 2009 Internship Program a success. We feel that the internship program is an essential part of the student's education and without your cooperation the program would not be possible. We appreciate the considerable time and effort that you and your staff devoted to our intern(s).

We are constantly trying to improve the meaningfulness of the internship program with the ultimate goal of preparing the students for the real world. We would welcome any suggestions or comments from you or members of your agency relative to the operation of our internship program.

Once again, please accept our gratitude for your assistance with our internship program this year. We look forward to working with you again in the future.

Sincerely,

Terry M. Nerbonne, Ph. D.
Internship Coordinator
School of Criminal Justice



THIS WAS COORDINATED BY
WENDELL MOORE AND HANDLED
BY MANY PARTS OF THE DEPARTMENT

WENDELL MOORE FILE - THANKS WENDELL
CORRESPONDENCE
MOORE



CITY COUNCIL REPORT

October 14, 2009

TO: The Honorable Mayor and City Council Members

FROM: John Szerlag, City Manager
Mark F. Miller, Acting Assistant City Manager/Economic Development Services

SUBJECT: Update on Troy/Birmingham Transit Center

Council Member Mary Kerwin requested an update of the Troy/Birmingham Transit Center. Below is a summary of the most current activities on the project.

Wendel/Duchscherer Architects & Engineers submitted the 30% completion documents of the Transit Center in July of 2009.

Hubbel, Roth & Clark, Inc. (HRC) has taken over engineering and architecture design of the project. This process will bring the project from 30% design to site plan approval and eventually to bidding and construction. The Cities of Troy and Birmingham have entered into an interlocal government agreement to share in the costs of the HRC.

Carlisle/Wortman Associates, Inc. (CWA) are assisting HRC in the arena of landscape architecture and urban design.

HRC and CWA met with the Birmingham Planning Board and Troy Planning Commission at a joint meeting on September 26, 2009 to continue in the design of the project.

The City of Birmingham continues to work on negotiating purchase agreements from land owners. The land is located on the Birmingham side and is needed for access to the proposed access drives and the tunnel.

City of Troy staff spearheaded a TIGER Discretionary Grant Application submittal for \$7 million.

The City of Birmingham is spearheading a state based EECBG Grant Application for LED lighting and other energy related components of the project.

HRC is getting near completion of the preliminary site plan application package. City Council will have the approval authority after a Planning Commission recommendation.

A funding update from Clark Hill, PLC is attached for your information.

Attachment

MFM/mr\AGENDA\2009\10.19.09 – Update on the Troy/Birmingham Transit Center

TO: Birmingham City Commission and the Troy City Council

FROM: Dan Beattie, Alan Canady, Chris Wagner

DATE: October 14, 2009

SUBJECT: Funding for Troy/Birmingham Transit Center

This document serves to update the Cities on our efforts to secure federal funding for the Transit Center.

Based on our discussions with the Cities' Congressional Delegation and our ongoing analysis of the available federal funding opportunities for this project, we feel that the Transit Center is well-positioned to compete and obtain significant federal funding via 1) the federal FY 2010 appropriations process which is underway in both chambers of Congress; 2) the Energy Efficiency and Conservation Block Grant (EECBG); 3) the Michigan Department of Transportation's application to the Federal Railroad Administration's High-Speed Intercity Passenger Rail Program; 4) the Secretary of Transportation's \$1.5 billion discretionary grant program; and 5) the five-year federal transportation reauthorization bill (commonly referred to as SAFETEA-LU).

Federal Fiscal Year 2010 Appropriations

- Senators Levin and Stabenow requested \$5 million for the Transit Center and Rep. Peters requested \$2 million.
- Rep. Peters was successful in obtaining \$1.3 million in the House bill.
- Clark Hill has been in constant contact with all three offices, urging them to increase or at least maintain the \$1.3 million appropriation in the eventual FY 2010 Transportation Conference Report.
- Rep. Peters' office has reached out to each of the Senators' offices to express the importance of this project to him personally.
- *Timeline for decision:* **This bill could move as soon as the end of this week. On the other hand, there has been talk of Senate Majority Leader Harry Reid holding this bill back to use as a potential vehicle for an omnibus appropriations act that would fund the entire federal government in FY10. Congress has already extended FY09 funding through October 31 with the passage of a continuing resolution which prevented the federal government from shutting down. However, Congress will need to pass the remaining bills, omnibus funding measure, or another continuing resolution to fund the government beyond October 31.**

Energy Efficiency and Conservation Grant Program (EECBG)

- \$2.744 billion in formula grants to large cities, counties and state governments to increase energy efficiency and reduce greenhouse gas emissions – City of Troy awarded \$921,100; Oakland County awarded \$4,879,700; State of Michigan awarded \$19.6 million / Local governments have to prioritize projects / Oakland County is using all of its allocation on county projects
- Michigan is currently soliciting applications for \$17.44 million in competitive multi-purpose and LED EECBG grants; the Cities intend on applying for these grants prior to the October 22 deadline.
- *Timeline for decision: **October 22 deadline; Awards expected between Dec. 2009 – Dec. 2010***

MDOT's Application to FRA High-Speed Intercity Passenger Rail Program

- MDOT has applied for \$8,485,212 for the Transit Center, which would require a 10 percent local match based on the final award.
- The federal stimulus bill made available \$8 billion in funding for this program.
- *Timeline for decision: **Due to the overwhelming response to the solicitation, awards are not expected until the December – February timeframe.***

Secretary LaHood's TIGER Discretionary Grant Program

- \$1.5 billion to be awarded by Secretary of Transportation to states, local governments and transit agencies for capital investments in surface transportation infrastructure with a primary focus on long-term transportation solutions, as well as job creation and economic stimulus.
- Troy/Birmingham applied for \$7 million in TIGER funds
- The Cities' Congressional Delegation are supporting this request; Rep. Peters hand delivered a support note for our application to Secretary LaHood earlier this week.
- *Timeline for decision: **Awards must be announced on or before February 17, 2010.***

Federal Transportation Reauthorization

- Rep. Peters has requested \$7 million for the Transit Center; the Senate Committee responsible for writing its version of the bill has not yet asked Senators Levin or Stabenow for a list of projects to be considered.
- Projects included in the final bill are guaranteed funding through the Department of Transportation.
- This bill has fallen victim to a packed congressional calendar with major issues such as health care reform, the economy, and global warming taking precedence. House Transportation & Infrastructure Chairman Oberstar is pushing for action this year, while the Senate and White House continue to support an 18-month extension instead of a costly 6-year \$500 billion bill.
- *Timeline for decision: **To be determined***

We are continuing to work with state and federal government to steer funding to the Transit Center, both from any available stimulus dollars or annual appropriated funds. Outreach to elected leaders, as well as legislative and executive branch staff, have focused on educating them about the purpose and status of the project and identifying funding solutions that would include

timely state support to meet the Transit Center's tight construction time frame. Meetings held in Washington D.C. and back in the State earlier this year have solidified congressional support for the Transit Center. Clark Hill is also working with city officials and the chambers to come up with innovative solutions to gap financing, including a recently initiated effort to identify third party support and potential matching funds from foundations across the State. Clark Hill will continue to engage your Members of Congress and the Administration on this project as critical decisions are made with regard to the Cities' pending applications.



CITY COUNCIL REPORT

October 15, 2009

TO: John Szerlag, City Manager 

FROM: Mark Miller, Acting Assistant City Manager/Economic Development Services 

SUBJECT: Proposed Amendment to Planned Unit Development Agreement – The Pavilions of Troy Planned Unit Development (PUD 9) – Northwest Corner of Big Beaver and Coolidge, Section 19

As you are aware, Grand Sakwa Properties, Inc. entered into a purchase agreement for the K-Mart headquarters building. Grand Sakwa considered amending the approved Concept Development Plan, which would have required public hearings at the Planning Commission and City Council.

Grand Sakwa then submitted a proposed amendment to the approved PUD Agreement. Grand Sakwa requested that City Council consider the amendment of the PUD Agreement at the October 19, 2009 City Council meeting. On October 15, 2009 Grand Sakwa requested that the PUD Amendment be pulled from the agenda.

Attached for your information is Grand Sakwa's correspondence requesting the agenda item be removed, City Administration correspondences to the Planning Commission and the Planning Commission minutes from the October 13th meeting.

Mark F Miller

From: Nick Donofrio [ndonofrio@grandsakwa.com]
Sent: Thursday, October 15, 2009 11:14 AM
To: Mark F Miller
Subject: Troy City Council Meeting

Mark

Would you pull Grand Sakwa/Pavilions of Troy from the 10/19 council meeting agenda. We do not want to reschedule at this time but prefer to wait until after the election.

Thank You

Nick

Nicholas Donofrio | Grand/Sakwa Management LLC | 28470 Thirteen Mile Rd., Suite 220 | Farmington Hills, MI 48334
main: 248-855-5500 | direct: 248-538-6373 | cell: 248-250-2542 | fax: 248-855-0915 | ndonofrio@grandsakwa.com

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DATE: October 13, 2009

TO: Planning Commission

FROM: Lori Grigg Bluhm, City Attorney
Mark F. Miller, Acting Assistant City Manager, Economic Development Services
R. Brent Savidant, Acting Planning Director
Christopher J. Forsyth, Assistant City Attorney

SUBJECT: Proposed Amendment to Development Agreement - The Pavilions of Troy
Planned Unit Development (PUD 9) – Northwest Corner of Big Beaver and
Coolidge, Section 19

After the last Planning Commission meeting, City Administration met with representatives of Grand Sakwa Properties, Inc. Shortly after this meeting, the Applicant's attorney provided us with a proposed amendment to the development agreement, and a request to submit this amendment to City Council at the October 19th regular meeting. Applicant's proposed amendment is attached for your review. City Administration has not made any modifications to this proposal at this time.

The proposed amendment primarily seeks to change paragraph 30 of the development agreement, which reads as follows:

30. In order to insure a mixed use development (both vertically and horizontally), Owner agrees to construct a mix of residential, office, hotel and retail uses in accordance with the Residential Formula, and shall include the required proportion of residential units with each PDP that is submitted for approval. Notwithstanding the foregoing, the City acknowledges that Owner shall be entitled to submit a PDP to develop the retail component of Parcel I on a freestanding basis, independent of any residential component. In this event, this retail component of Parcel I shall be added to the next PDP submitted for purposes of calculating the required amount of residential units pursuant to the Residential Formula. For each PDP, subject to the foregoing sentence, Owner shall develop the number of residential units, on a cumulative basis, pursuant to the Residential Formula. Provided however, nothing herein shall be construed to prohibit Owner from submitting a PDP that consists solely of residential units. Therefore, by way of example only, if Owner constructs 500,000 Square Feet of Retail, plus 300,000 Square Feet of Office, plus a 250 room hotel, then the residential component required for the PUD property shall be 400 units (i.e. $500,000 \text{ retail Square Feet} / 3,600 \text{ Square Feet} = 138 \text{ units} + 300,000 \text{ office Square Feet} / 1,500 \text{ Square Feet} = 200 \text{ units} + 250 \text{ hotel rooms} / 4 \text{ hotel rooms} = 62 \text{ residential units}$; and $138 + 200 + 62 = 400 \text{ residential units}$). As used in this Paragraph, a residential unit shall be deemed "completed" at such time as a Certificate of Occupancy is issued by the City with respect to such residential unit. Except with respect to the retail component on Parcel I, which need not include a residential component, Owner shall be entitled to receive a certificate of occupancy for the retail uses in any PDP only after the proportion of residential units, hotel and/or office

space required for such PDP under this Paragraph is either enclosed and weather-proofed or a Certificate of Occupancy is issued by the City with respect to each such residential unit, hotel or office space.

In essence, the Applicant's proposed amendment calls for the deletion of the last sentence of the above cited paragraph (delineated in underline), and replaces it with language which would allow Grand Sakwa to defer construction of any residential housing units until the residential market improves, as determined by Grand Sakwa in its sole discretion. Furthermore, the proposed amendment provides that when constructed, the required residential units would be "along the northern boundary of the PUD property..."

City Administration is concerned that the Applicant's proposed amendment to the development agreement will preclude the Pavilions of Troy PUD from being a vertical and horizontal mixed use development. The proposed amendment does not guarantee that the residential component, or any other mixed use component, would be constructed after the retail component. As such, the proposed amendment is inconsistent with the Big Beaver Corridor Study and Master Plan, which both call for this area of Big Beaver to be mixed use with a residential component. However, in light of the current economy, the City may wish to allow a plan that calls only for retail uses for the property. If that is the case, then City Administration will work with the Applicant in applying for an amendment to the Concept Development Plan.

In conclusion, City Administration does not recommend approval of the Applicant's attached proposed amendment to the Development Agreement.

Prepared by CJF

cc: Richard Carlisle, Carlisle Wortman Associates
Chris Corden, Grand Sakwa General Counsel
File / PUD No. 9

G:\Templates\PC Agenda Item Template.doc

DATE: October 8, 2009

TO: Planning Commission

FROM: R. Brent Savidant, Acting Planning Director

SUBJECT: PUBLIC HEARING – CONCEPT DEVELOPMENT PLAN (CDP) AMENDMENT - The Pavilions of Troy Planned Unit Development (PUD 9) – Northwest corner of Big Beaver and Coolidge, Section 19

A Planning Commission Public Hearing is scheduled for this item on October 13, 2009. The Public Hearing was scheduled in an attempt to be responsive to an aggressive review and approval schedule suggested by the applicant, Grand Sakwa Properties, Inc.

The Planning Commission discussed the PUD project at the October 6, 2009 Special/Study meeting. The applicant proposed to increase the retail component by 150,000 square feet, which would require an amendment of the Concept Development Plan (CDP). At an internal meeting on October 7, 2009, the applicant verbally indicated to City Management that they do not desire additional retail square footage and thus, no longer need to amend the Concept Development Plan. The approved CDP permits a maximum build-out of 500,000 square feet of retail, 300,000 square feet of office and 750 residential units. Grand Sakwa indicated verbally that they intend to submit a Preliminary Development Plan (PDP) application that is consistent with the CDP, as per Section 35.50.02 of the City of Troy Zoning Ordinance. The Planning Commission will have an opportunity to review the Preliminary Development Plan, including consideration at a public hearing, when it is submitted.

Grand Sakwa seeks an amendment to the PUD Agreement from City Council. The approved PUD Agreement includes a formula that requires one residential unit for every 3,600 square feet of retail use, 1,500 square feet of office use and every 4 hotel rooms on the site. Grand Sakwa proposes amending the PUD Agreement to add a provision that allows the residential units to be built in the future when market conditions improve.

Public notice was provided for the scheduled Public Hearing. The Planning Commission must hold the Public Hearing; however, no action is necessary.

Prepared by RBS/MFM

cc: Applicant
Richard Carlisle, CWA
File /PUD 9

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PLANNED UNIT DEVELOPMENT

4. PUBLIC HEARING – PLANNED UNIT DEVELOPMENT (P.U.D. 9) – Proposed The Pavilions of Troy Planned Unit Development, Northwest Corner of Big Beaver and Coolidge, Section 19, Currently Zoned PUD 9

Mr. Savidant stated the Public Hearing for this item was scheduled in an attempt to be responsive to the petitioner's request to an aggressive review and approval process for a potential Amendment to the Concept Development Plan (CDP). The PUD project was discussed at the October 6, 2009 Special/Study meeting. At that meeting, the petitioner proposed to increase the retail component by 150,000 square feet. At an internal meeting on October 7, 2009, the petitioner verbally indicated to City Management that they do not desire additional retail square footage and their intent is to submit a Preliminary Development Plan (PDP) that would be consistent with the CDP. Therefore, a Public Hearing is not necessary but there was not sufficient time to publish a notice of cancellation. Mr. Savidant stated no action is necessary on the item.

The petitioner was not present.

PUBLIC HEARING OPENED

Ted Wilson of 5038 Kellen, Bloomfield Hills, was present. Mr. Wilson is on the Troy Chamber of Commerce Board of Directors. He asked members to address the proposed residential development and Cunningham Road.

Chair Schultz replied the petitioner has submitted no plans.

Mr. Savidant said it is understood the intent of the petitioner is to submit a Preliminary Development Plan that is consistent with the Concept Development Plan, which controls the site.

PUBLIC HEARING CLOSED

Chair Schultz duly noted and acknowledged receipt of written correspondence from representatives of the Somerset Collection and a Troy resident.

5. THE PAVILIONS OF TROY PLANNED UNIT DEVELOPMENT (P.U.D. 9) – Proposed Amendment to Development Agreement – Northwest Corner of Big Beaver and Coolidge, Section 19, Currently Zoned PUD 9

Mr. Savidant introduced a memorandum prepared by the City Attorney's office with respect to a proposed Amendment to the PUD Development Agreement.

Mr. Forsyth gave a brief history of discussions with the petitioner and representatives. He addressed the proposed Amendment of the PUD Development Agreement as submitted by the petitioner's attorney as well as a request to submit the proposed Amendment to City Council at their October 19, 2009 Regular meeting.

Mr. Forsyth detailed the proposed Amendment which primarily seeks to change Paragraph 30 of the PUD Development Agreement. He indicated the City Administration is concerned that the proposed Amendment would preclude The Pavilions of Troy PUD from being a vertical and horizontal mixed use development. He indicated the proposed Amendment does not guarantee that the residential component, or any other mixed use component, would be constructed after the retail component, and therefore, is inconsistent with the Big Beaver Corridor Study and Master Plan. Mr. Forsyth indicated the City may wish to allow a plan that calls only for retail uses for the property in light of the current economy. He said should that be the case, the City Administration would work with the petitioner in applying for an Amendment to the Concept Development Plan.

Mr. Forsyth said he wanted to inform the Commission of the proposed Amendment and concerns of the City Administration prior to consideration and action on the item at the October 19th City Council meeting. Mr. Forsyth noted there is no action necessary on the part of the Planning Commission.

Discussion followed on the PUD approval process. The following concerns were expressed with respect to the proposed Amendment to the PUD Development Agreement:

- Planning Commission would be forced to make a positive recommendation on a Preliminary Development Plan, should the proposed Amendment be approved by City Council.
- Fundamental and character changes to PUD as originally submitted by previous petitioner.
- Intent of petitioner and position of petitioner that original PUD is a "cartoon" that cannot feasibly be developed.
- Timing of project and mixed use development, as relates to proposed residential units along the northern boundary of the property.
- Disguise for what might be considered a rezoning request to retail.
- Lack of support in the elimination of the last sentence of Paragraph 30.
- Suspect misrepresentation on the part of the petitioner that there was discussion with Somerset Collection, in light of correspondence received from Somerset Collection representatives.

There was discussion on drafting a Resolution to City Council.

Mr. Branigan explained that an Amendment to the PUD Agreement does not require a formal recommendation from Planning Commission.

It was the general consensus to table the item so that the Planning Commission could draft a Resolution during a recess.

Resolution # PC-2009-10-084

Moved by: Vleck
Seconded by: Maxwell

RESOLVED, To table the item until after Agenda item #6.

Yes: All present (9)

MOTION CARRIED

Chair Schultz requested a recess at 8:10 p.m.

The meeting reconvened at 8:20 p.m.

Continued after item was tabled.

- 5. **THE PAVILIONS OF TROY PLANNED UNIT DEVELOPMENT (P.U.D. 9) – Proposed Amendment to Development Agreement – Northwest Corner of Big Beaver and Coolidge, Section 19, Currently Zoned PUD 9**

Resolution # PC-2009-10-086

Moved by: Hutson
Seconded by: Strat

WHEREAS, The Planning Commission has reviewed and considered the proposed Amendment to the PUD 9 Development Agreement; and

WHEREAS, The Planning Commission believes the proposed Amendment completely eviscerates and destroys the Concept Development Plan of a mixed use; and

WHEREAS, the proposed Amendment is contrary to the Master Plan and the Big Beaver Corridor Study; and

WHEREAS, We believe that if the PUD is to be amended, it should begin with a new Concept Development Plan, and any action at this point is premature.

THEREFORE BE IT RESOLVED, The Planning Commission vigorously recommends to the Troy City Council that it decline to amend the Development Agreement as proposed by Grand Sakwa.

Yes: All present (9)

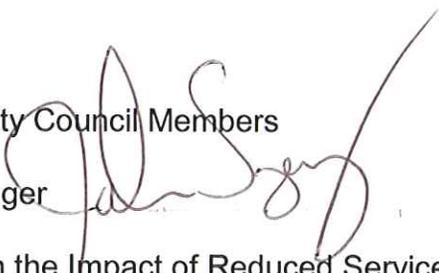
MOTION CARRIED



FROM THE OFFICE OF
THE CITY MANAGER

October 7, 2009

TO: Honorable Mayor and City Council Members

FROM: John Szerlag, City Manager 

SUBJECT: Policy Options to Lessen the Impact of Reduced Services and Mitigate Workforce Reduction

On September 9, 2009 I issued a memorandum to you entitled, "6-Year Organizational Restructuring Plan for the City of Troy; Fiscal Year 2009/10 – 2014/15". It's worth iterating the options identified in that memorandum to lessen the impact of reduced services and mitigate workforce reduction. They follow:

1) Seek employee concessions.

City management is currently working on this in conjunction with beginning specification development for privatizing departments mentioned in the September 9 memorandum as well as two subsequent presentations to Council.

2) City Council can ask the voters if they wish to approve a General Fund millage increase.

3) City Council can ask the voters if they wish to approve a millage increase for a specific use, like a library.

4) City Council can establish an independent library board separate from the City of Troy's General Fund and levy up to one mill for the operation thereof.

This could be accomplished without voter approval.

5) City Council can authorize the use of the Budget Stabilization Fund, Fund Balance, and increase some administrative fees.

6) City Council can transfer some funds from General Capital to General Operating.

Looking at this from a policy or big picture perspective, here's where we are:

- 1) Given factors beyond our control, we have an economically unsustainable organization. Without any changes in how we operate, our projected deficit is \$1.6 million this fiscal year, \$6.2 million in fiscal year 2010/11, and \$6 million in fiscal year 2011/12. This comes to about \$14 million in lost revenue and we're confident that our degree of accuracy is about 98%. We won't be as accurate in the last 3 fiscal years of our projected loss of approximately \$9 million, but we think we're close. Oakland County government as well as private sector experts agree.
- 2) I'm seeking employee concessions, but I can't guarantee what they'll be. Same goes with lay-offs through privatization and regionalization. We're estimating about a 40% savings in this area which comes with a reduced level of service, but again, we will not know actual savings until about a year after implementation and audits are performed. As you know, lay-offs will occur through privatization and regionalization regardless of what happens to the millage rate.
- 3) The Downtown Development Authority (DDA) cannot help the General Fund; nor can the sale or privatization of the golf courses assist us in any appreciable degree.
- 4) You can ask the voters if they wish to approve a General Fund millage increase. If you don't put this issue to the voters, then Assistant City Manager John Lamerato and I will present to you two budgets, one for fiscal year 2010/11, and one for fiscal year 2011/12. The first budget will include a reduction of \$6.2 million of expenditures. After that, the second budget will include an additional \$6 million of cuts. We will also extrapolate level of service and workforce changes based on revenue lines for the following three fiscal years that will be periodically updated.
- 5) The reduced level of service options identified in my September 9, 2009 memorandum make use of the Budget Stabilization Fund, but not Fund Balance.

That's pretty much where we are. And turning again to the options listed in the September 9, 2009 memo, I was asked to delve into the issue of Fund Balance utilization, and the possibility of transferring some funds from General Capital to General Operating.

First, let's address the use of Fund Balance. Going to 15% Fund Balance would yield the following one-time additional revenues:

Fiscal Year 2010/11	\$1.8 million
Fiscal Year 2011/12	\$0.6 million
Fiscal Year 2012/13	\$0.1 million
Fiscal Year 2013/14	\$0.2 million
Fiscal Year 2014/15	\$0.1 million

Utilizing the attached matrix entitled, "Option 1" which was also part of my PowerPoint presentation, we could reduce the projected \$21 million shortfall between revenues and expenditures by \$2.8 million over the next five years by reducing the fund balance to 15% each year.

This brings us to the policy decision of eliminating capital projects in favor of delaying lay-offs on the operational side of the ledger. In other words, you could transfer funds from General Capital to General Operating. Essentially, there are three types of capital programming:

1) Infrastructure maintenance.

You could also call this "pay me now, or pay me later". The most important General Capital Fund element in this category is local and major road maintenance and reconstruction. Other items include the water distribution system, sewer collection system, sidewalks, bridges, and public facilities.

2) Economic development enhancement projects.

An example is the Transit Center. Other examples are projects that provide a competitive edge over other cities in terms of attracting and retaining jobs and business.

3) Quality of life improvements.

Examples are the trail system and Civic Center site improvements. I believe that quality of life improvements which also incorporate our existing Library, Community Center, Museum and Nature Center also provide a competitive edge in terms of having people aspire to live in a particular community.

In my letter of September 9, 2009 I indicated that capital funding allocated for road improvements should not be transferred to the General Operating Fund. This is because a good road system is essential for public safety, blight prevention, and even quality of life elements. I'll discuss this more later on, but let's first talk about the Transit Center, Civic Center site improvements and the trail system.

We can pull the plug on the Transit Center and save the City \$1.3 million. Additionally, reserves for the trail system of \$2.0 million could also be deployed to other areas. So too, the Civic Center reserve fund of \$1.1 million for quality of life amenities could be expunged with those funds being channeled elsewhere.

These three projects yield \$4.4 million. The policy question becomes:

- 1) Do you wish to cancel these projects?
- 2) If yes, do you wish to allocate the funding to General Operating or unfunded infrastructure needs in General Capital?

Before you fashion an answer, consider road improvements. We should be allocating \$5 million a year for local road improvements, and we have not done this for the past several years. Funds for major road improvements also rely heavily on the General Capital Fund.

So, does this mean that you should scratch the economic development, and quality of life projects in favor of shoring up road improvements? Or does it mean you should take funding from those programs to delay lay-offs? Of course, another option is to leave everything in place and find another revenue stream.

One more point. The Refuse Fund was in trouble this fiscal year to the tune of \$360,000, and a transfer from General Capital was used to balance that account. It's going to be worse next fiscal year.

Staff and I stand ready to assist you in the decision-making process. Please advise how you wish to proceed.

c: City Management
Lori Grigg Bluhm, City Attorney
Council Candidates

Option #1
Oct. 05, 2009:

Department	2010/11	Savings	2011/12	Savings	2012/13	Savings	2013/14	Savings	2014/15	Savings
City Manager										
City Attorney	1	\$130,000								
City Clerk			4	\$147,000						
Community Affairs	6	\$240,000								
Human Resources			3	\$95,000						
Building Inspection	17	\$959,400								
Engineering	15	\$375,200								
Accting/ Risk Man	2.5	\$176,000								
Assessing	5	\$365,000								
Purchasing			2	\$168,000						
Treasury	0.5	\$30,000								
Library	39	\$1,000,000	69	\$2,663,000						
Museum	10	\$315,000	1	\$110,000						
RE&D	2	\$184,000								
P&R	17	\$1,654,719	12	\$1,550,000						
Nature Center	7	\$270,000	1	\$92,000						
Police		\$160,000	4	\$290,000	29	\$3,173,000	14	\$1,687,000		
DPW	2.5	\$155,000	10	\$320,000			31	\$939,000		
City Donations		\$200,000								
Longevity				\$540,000						
Fire				\$34,000	1	\$72,000	3	\$274,000		
4 Day Work Week									0	\$2,700,000
TOTALS	124.5	\$6,214,319	106	\$6,009,000	30	\$3,245,000	48	\$2,900,000	0	\$2,700,000
Full Time	60.5		39		29		31	Total Layoffs:		159.5
Part Time	64		67		1		17			149
Revenue		\$ 58.1		\$ 54.3		\$ 53.1		\$ 52.2		\$ 51.5
Expenditures		\$ 64.3		\$ 60.3		\$ 56.3		\$ 55.1		\$ 54.2
Proposed Cuts		\$ (6.2)		\$ (6.0)		\$ (3.2)		\$ (2.9)		\$ (2.7)
Total		\$ 58.1		\$ 54.3		\$ 53.1		\$ 52.2		\$ 51.5
Fund Balance		\$ 10.5		\$ 10.5		\$ 10.5		\$ 10.5		\$ 10.5
F/B % of Budget		18.1%		19.3%		19.8%		20.1%		20.4%



CITY COUNCIL REPORT

October 14, 2009

TO: The Honorable Mayor and City Council Members

FROM: John Szerlag, City Manager
John M. Lamerato, Assistant City Manager/Finance & Administration
Mark F. Miller, Acting Assistant City Manager/Economic Development Services
Nino Licari, City Assessor

SUBJECT: Responses to Requests for Additional Information on the 6-Year Organizational Restructuring Plan

Attached are responses to additional information requested by Council members:

1) What is due to the Sanctuary Lake operating fund as a result of its loss?

The accumulated cash shortfall through June 30, 2009 in the General Fund is \$1.7 million and in the Sylvan Glen Golf Course Fund it is \$1.1 million.

2) Show what we would be able to restore with 1.9 mills.

By levying 1.9 mills versus 2.0 mills over the next 5 years we would lose approximately \$1.9 million in tax revenue through 2015.

3) What would Options A, B and C mean in actual tax bill dollars to property owners?

See [Exhibit A](#).

4) How does our tax rate compare to other cities?

See [Exhibit B](#).

5) What are the projected Defined Benefit pension contributions?

See [Exhibit C](#).

6) What are the effects of privatizing Parks and Recreation?

See Exhibits D and E.

With elimination, the department would:

- Conduct sports camps
- Offer senior programs which meet expenses
- Operate the Community Center fitness and banquet areas
- Summer tennis – may be able to contract
- Some adult sports
- Continue indoor tennis contract
- Offer some day camps
- Perform field prep for athletic fields
- Offer some preschool classes

Unknown areas:

- Trails operations
- New park operations

What would be eliminated:

- Special events
- Licensed preschool
- All park staff supervision – contract all mowing/grounds maintenance – field prep still done by staff
- Enrichment activities (dance, arts and crafts, martial arts, etc.)
- Youth sports would be run by parent organizations – department would be liaison only
- Tree crew – contract any tree work
- Snow removal by parks staff
- Community Center functions
- School break events and camps
- Fitness classes
- Nature Center activities/programs
- Ski program
- Indoor learn-to-swim classes
- Summer programs – roving rec., survival camp, parent/tot classes, some summer camps
- Teen room
- Some adult sports leagues
- Many senior programs
- Landscape review, tree/corner clearance ordinance enforcement and landscaping resource for citizens

7) If Troy did not have a Library what could residents do in terms of buying a library card from another community? Could that resident still participate in WOLF?

Troy residents have the following options:

- Purchase a non-resident card for \$200 from Sterling Heights Public Library, which entitles the cardholder to full reciprocal borrowing privileges throughout the Suburban Library Cooperative.
- Purchase a non-resident card for \$200 from Warren Public Library, which entitles the cardholder to full reciprocal borrowing privileges throughout the Suburban Library Cooperative.
- Purchase a non-resident card for \$50 from the Madison Heights Public Library, which entitles the cardholder to borrowing privileges at MHPL only.
- Purchase a non-resident card for \$75 from the Royal Oak Public Library, which entitles the cardholder to borrowing privileges throughout The Library Network cooperative (formerly WOLF), in addition to MelCat borrowing privileges.
- Purchase a non-resident card for \$100 from the Clawson Public Library, which entitles the cardholder to borrowing privileges throughout The Library Network cooperative (formerly WOLF), in addition to MelCat borrowing privileges.
- Troy residents could not purchase a non-resident card from Baldwin Public Library (Birmingham); Bloomfield Twp Public Library; or Rochester Hills Public Library, as those libraries do not sell non-resident cards.

8) What is the impact on grants/donations to the Museum and Nature Center if they are closed? Would repayment/reimbursement be necessary?

The Museum received a 2-year \$40,000 grant from the Kresge Foundation. The first installment (\$20,000 in 2008/09) was used to pay for the development of an Interpretive Master Plan which was consistent with the goals outlined in the application. That plan is in draft form now and will be completed by December. The second \$20,000 was for general operating funds for FY 2009/10. If the museum closed before the end of the fiscal year, those funds would have to be returned.

On August 18 the Community Foundation of Southeast Michigan matched 1:2, donations made to the City of Troy to support the museum. A check for \$5,125 was issued. This total represents direct donations and matching funds. I am uncertain if reimbursements for the match would be required by the Community Foundation if the city closes the museum before the end of the fiscal year. However the donations that were matched came from Troy residents who were assured their funds would directly support to the museum.

The City of Troy/museum has applied for a 3-year, \$180,532 grant from National Endowment for the Humanities.

If awarded, the grant will partially fund two full time positions and four part time positions to develop a genealogy center. Notification of awards will be made in August 2010. If the city closes the museum, the grant would have to be returned.

The museum is submitting a grant application to the Institute of Museum and Library Services before November 1 for approximately \$150,000 over 2 years. The grant, if awarded would fund partial salaries for 2 full time and 5 part-time museum employees two develop new middle and high school educations in partnership with Troy Public Schools. Grant awards are made in July 2010. If the city closes the museum, the grant would have to be returned.

9) What happens to the programs from our historical farm property under Option 1?

All programs would be eliminated.

10) Please identify all bonded indebtedness for property and facilities as well as the source of payment, i.e., General Fund, DDA. Which structures are slated for closure under Option 1?

See [Exhibits F and G](#).

11) What is the estimated General Fund contribution to the Refuse Fund for fiscal year 2010/11 and 2011/12? How is that amount expressed on a per household basis?

Refuse Fund	2009/10	.75	\$90/year
Tax Rate	2010/11	.92E	\$95/year
	2011/12	1.05E	\$97/year

12) The City of Troy is not obligated to pay bonds on behalf of the DDA. But what is most likely to happen if we don't, in terms of future capital funding for infrastructure projects? (Perhaps Mr. Bendzinski would care to respond to this).

[Exhibits H and I](#) to follow as a late submittal.

13) What was the DDA funding for the Pavilions of Troy project? Is it still needed?

The DDA obligations to The Pavilions of Troy are directly tied to new tax increments generated by the project. Reimbursements for eligible expenditures cannot exceed \$ 5,098,406. Eligible expenditures are primarily for demolition related costs.

14) What was our lowest percentage of Fund Balance in relation to the General Fund budget?

The lowest Fund Balanced was 3.5% in 1993.

- 15) Can a millage question can be placed on an August primary or November general ballot, with inclusion of any approved millage increase on a December tax bill?

See [Exhibit J](#).

- 16) We continue to get messages about the large number of employees with access to City vehicles 24/7. First, I don't remember there being a "large" number. In fact, I don't think that anyone other than a few fires staff officers have City vehicles to take home. I know we provide an auto allowance for some people. Can you give me the specifics of this City vehicle/ allowance issue, please?

See [Exhibits K, L, M and N](#).

Exhibit A

Change in Tax bill @ 1.00, 1.50, & 2.00 Mills

2010 Average Res T/V	Taxes @ 1.00 Mill	Taxes @ 1.50 Mills	Taxes @ 2.00 Mills
103,000	103.00	154.50	206.00

Difference in City Tax Bill no Millage Increase				
2009 Average Res T/V	Average Res Taxes @ 9.28 Mill	2010 Average Res T/V	Average Res Taxes @ 9.28 Mill	Difference 2009 - 2010 City Taxes
120,014	1,113.73	103,000	955.84	(157.89)

Difference in City Tax Bill @ 1.00 Mill Increase				
2009 Average Res T/V	Average Res Taxes @ 9.28 Mill	2010 Average Res T/V	Average Res Taxes @ 10.28 Mill	Difference 2009 - 2010 City Taxes
120,014	1,113.73	103,000	1,058.84	(54.89)

Difference in City Tax Bill @ 1.50 Mill Increase				
2009 Average Res T/V	Average Res Taxes @ 9.28 Mill	2010 Average Res T/V	Average Res Taxes @ 10.78 Mill	Difference 2009 - 2010 City Taxes
120,014	1,113.73	103,000	1,110.34	(3.39)

Difference in City Tax Bill @ 2.00 Mill Increase				
2009 Average Res T/V	Average Res Taxes @ 9.28 Mill	2010 Average Res T/V	Average Res Taxes @ 11.28 Mill	Difference 2009 - 2010 City Taxes
120,014	1,113.73	103,000	1,161.84	48.11

Exhibit B

Comparison of Local Millage Rates

2009 Certified Millage Rates for Cities, Villages, & Townships (by Millage Rate, without Transportation mills)			
City Village or Township	Total Mills	Transportation Mills	Net Yearly Mills
Southfield Twp	0.5000		0.5000
Rose Twp	2.3733		2.3733
Holly Twp	2.4360		2.4360
Novi Twp	2.9777		2.9777
Groveland Twp	4.5000		4.5000
Commerce Twp	4.5306		4.5306
Lyon Twp	4.6500		4.6500
Orion Twp	5.4519		5.4519
Springfield Twp	5.1568		5.6286
Oakland Twp	6.4841		6.4841
White Lake Twp	6.2652		6.5876
Franklin, Village of	7.2249	0.5900	6.6349
Highland Twp	6.6444		6.6444
Brandon Twp	6.6739		6.6739
Independence Twp	6.8870		6.8870
Milford Twp	7.0664		7.0664
Bingham Farms, Village of	7.8900	0.5900	7.3000
Addison Twp.	7.6591		7.5991
Bloomfield Hills	8.3000		8.3000
Orchard Lake	8.4950		8.4950
Royal Oak Twp	9.3002	0.5900	8.7102
West Bloomfield Twp	9.5894	0.5900	8.9994
Troy	9.8700	0.5900	9.2800
Rochester Hills	9.7060		9.7060
Oxford Twp	9.8972		9.8972
Lake Angelus	9.9571		9.9571
Waterford Twp	10.2910		10.2910
Novi	10.5416		10.5416
Auburn Hills	11.1502	0.5900	10.5602
Fenton	10.6226		10.6226
Bloomfield Twp	11.7112	0.5900	11.1212
Royal Oak	12.0233	0.5900	11.4333
Farmington Hills	12.1972	0.5900	11.6072
Wixom	11.7364		11.6314
Beverly Hills, Village of	12.8229	0.5900	12.2329
Rochester	12.4304		12.4304
Milford, Village of	12.5624		12.5624
Berkley	13.5857	0.5900	12.9957
Keego Harbor	13.1817		13.1817
Leonard, Village of	13.6591		13.6591
Birmingham	14.6836	0.5900	14.0936
Wolverine Lake, Village of	14.1036		14.1036
Ortonville, Village of	14.6739		14.6739
South Lyon	14.8179		14.8179
Sylvan Lake	14.8179		14.8179
Farmington	15.9919	0.5900	15.4019

Exhibit B

Comparison of Local Millage Rates

2009 Certified Millage Rates for Cities, Villages, & Townships (by Millage Rate, without Transportation mills)			
City Village or Township	Total Mills	Transportation Mills	Net Yearly Mills
Pontiac	16.2242	0.5900	15.6342
Northville	16.3409		16.3409
Southfield	16.9328	0.5900	16.3428
Lake Orion, Village of	17.5588		17.5588
Clarkston	17.7079		17.7079
Holly, Village of	17.8437		17.8437
Walled Lake	18.4891	0.5900	17.8991
Holly, Village of	17.9064		17.9064
Oxford, Village of	18.1020		18.1020
Madison Heights	18.7516	0.5900	18.1616
Pleasant Ridge	18.7828	0.5900	18.1928
Clawson	19.3975	0.5900	18.8075
Lathrup Village	19.2935		19.2935
Huntington Woods	22.3938	0.5900	21.8038
Hazel Park	24.0784	0.5900	23.4884
Ferndale	24.6564	0.5900	24.0664
Oak Park	25.2604	0.5900	24.6704

Exhibit C

Actual and Projected *Defined Benefit* Pension Contributions Provided by Gabriel, Roeder & Smith Company

Year	Contribution		Year	Contribution
1987	\$2,023,389		2026	\$1,224,359
1988	\$2,152,368		2027	\$ 915,030
1989	\$2,304,452		2028	\$ 692,811
1990	\$2,748,167		2029	\$ 499,884
1991	\$2,685,048		2030	\$ 361,277
1992	\$2,321,046		2031	\$ 293,802
1993	\$2,532,270		2032	\$ 209,232
1994	\$2,147,274		2033	\$ 134,105
1995	\$2,074,016		2034	\$ 78,000
1996	\$1,559,341		2035	\$ 35,938
1997	\$ 908,767		2036	\$ 32,599
1998	\$ 352,689		2037	\$ 31,064
1999	\$ 32,150		2038	\$ 26,400
2000	\$ -		2039	\$ 21,223
2001	\$ -		2040	\$ 19,591
2002	\$ 116,951		2041	\$ 9,401
2003	\$ 123,443		2042	\$ -
2004	\$ 225,364			
2005	\$ 117,000			
2006	\$ 213,000			
2007	\$ 273,000			
2008	\$ 273,000			
2009	\$ 428,000			
2010	\$1,361,354			
2011	\$2,440,292			
2012	\$3,487,737			
2013	\$4,639,507			
2014	\$5,721,477			
2015	\$5,580,510			
2016	\$5,193,663			
2017	\$4,861,724			
2018	\$4,641,928			
2019	\$4,454,142			
2020	\$4,081,485			
2021	\$3,636,808			
2022	\$3,093,708			
2023	\$2,454,138			
2024	\$1,989,516			
2025	\$1,604,332			

Exhibit D

Option 1 - Parks and Recreation

2010/11 17	Savings \$1,925,000	2011/12 12	Savings \$1,642,000
Landscape analyst	\$97,000	(2) Superintendents	\$268,000
Secretary	\$78,000	Laborer	\$94,000
Field supervisor	\$132,000	Office Assistant	\$66,000
(3) Laborer	\$282,000	Tree Specialist	\$100,000
(4) Recreation Super	\$440,000	Com. Center Manager	\$232,000
Fitness coordinator	\$76,000	Close Community Center	
Aquatic coordinator	\$90,000	Director now Superintendent	\$40,000
Office Ast	\$66,000	(6) Seasonal Laborers	\$72,000
Leader	\$110,000	Privatize	
(2) Tree specialist	\$200,000	Nature Center Manager	\$92,000
Irrigation Specialist	\$100,000	PT Senior Act. Coord.	\$28,000
Naturalist (NC)	\$83,000	Senior Activities	\$200,000
(6) PT attendents (NC)	\$72,000	Supplies, vehicle, Season.&Print	\$505,000
Nature Center Other	\$50,000		
Computers	\$50,000		
	\$1,926,000		\$1,697,000

Who is Left:

P&R		\$1,485,000
	Superintendent	
	Account Clerk II	
	(1) Field Supervisor	
	(2) Laborers	
	(1) Leader	
	(1) Recreation Super	
	(6) PT Instructors	
	(50) PT Lifeguards	
	Pre School Coord. PT	
	(30) Seasonal laborer	

**The \$1,485,000 assumes that all part time employees make \$12,000 annually.

2009/10 Budget
\$8,844,530

Cuts
\$3,567,000

2012-2015 Budget
\$5,277,530

Exhibit E

Option 2 - Parks and Recreation

2010/11 17	Savings \$1,925,000	2011/12 12	Savings \$1,300,000
Landscape analyst	\$97,000	(2) Superintendents	\$268,000
Secretary	\$78,000	Laborer	\$94,000
Field supervisor	\$132,000	Office Assistant	\$66,000
(3) Laborer	\$282,000	Tree Specialist	\$100,000
(4) Recreation Super	\$440,000	Director now Superintendent	\$40,000
Fitness coordinator	\$76,000	(6) Seasonal Laborers	\$72,000
Aquatic coordinator	\$90,000	Privatize	
Office Ast	\$66,000	PT Senior Act. Coord.	\$28,000
Leader	\$110,000	Senior Activities	\$200,000
(2) Tree specialist	\$200,000	Supplies, vehicle, Season.&Print	\$505,000
Irrigation Specialist	\$100,000		
Naturalist (NC)	\$83,000		
(6) PT attendents (NC)	\$72,000		
Nature Center Other	\$50,000		
Computers	\$50,000		
	\$1,926,000		\$1,373,000

Who is Left:

<p>P&R</p> <ul style="list-style-type: none"> Superintendent Account Clerk II (1) Field Supervisor (2) Laborers (1) Leader (1) Recreation Super Community Center Manager (Total \$334,000) Nature Center Manager (6) PT Instructors (50) PT Lifeguards Pre School Coord. PT (30) Seasonal laborer 	<p>\$1,911,000</p>	<p>Others Expenses: \$910,000 This is Contact Work</p>
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**The \$1,485,000 assumes that all part time employees make \$12,000 annually.

<u>2009/10 Budget</u>	<u>Cuts</u>	<u>2012-2015 Budget</u>
\$8,844,530	\$3,225,000	\$5,619,530



Exhibit F

**2009/10
Budget**

**SCHEDULE OF
PRINCIPAL AND INTEREST**

GENERAL FUND DEBT

Fiscal Year	MTF Roads	Proposal A Streets	Proposal B		Interest	Total
			Public Safety	Recreation Facilities		
2010	\$175,000	\$465,000	\$950,000	\$475,000	\$1,221,356	\$3,286,356
2011	175,000	540,000	1,055,000	500,000	1,134,823	3,404,823
2012	200,000	560,000	1,060,000	525,000	1,044,450	3,389,450
2013	225,000	635,000	1,065,000	550,000	951,874	3,426,874
2014	250,000	655,000	1,075,000	575,000	852,753	3,407,753
2015	-	750,000	1,075,000	600,000	744,840	3,169,840
2016	-	745,000	1,185,000	600,000	643,856	3,173,856
2017	-	760,000	1,195,000	620,000	536,726	3,111,726
2018	-	785,000	1,100,000	625,000	426,588	2,936,588
2019	-	855,000	1,200,000	650,000	312,023	3,017,023
2020	-	870,000	1,200,000	675,000	191,093	2,936,093
2021	-	965,000	1,210,000	700,000	64,950	2,939,950
Total	\$1,025,000	\$8,585,000	\$13,370,000	\$7,095,000	\$8,125,332	\$38,200,332

CAPITAL PROJECTS FUNDS

Fiscal Year	George W. Kuhn Drain	North Arm Relief Drain	Interest	Total
2010	\$138,642	\$44,086	\$79,720	\$262,448
2011	142,353	45,088	74,910	\$262,351
2012	146,063	46,090	69,970	\$262,123
2013	150,282	47,092	64,900	\$262,274
2014	154,120	48,094	59,714	\$261,928
2015	157,956	49,430	54,396	\$261,782
2016	162,562	50,098	48,942	\$261,602
2017	167,166	51,434	43,348	\$261,948
2018	171,643	52,436	37,580	\$261,659
2019	175,607	53,772	31,662	\$261,041
2020	180,212	55,108	25,604	\$260,924
2021	184,943	54,934	19,374	\$259,251
2022	189,931	-	13,624	\$203,555
2023	152,329	-	8,352	\$160,681
2024	155,014	-	4,523	\$159,537
2025	7,418	-	561	\$7,979
2026	1,797	-	92	\$1,889
Total	\$2,438,038	\$597,662	\$637,272	\$3,672,972

ENTERPRISE FUNDS

Fiscal Year	MBA Golf Course	Interest	Total
2010	\$ 300,000	\$ 516,195	\$ 816,195
2011	400,000	501,945	\$ 901,945
2012	400,000	485,446	\$ 885,446
2013	400,000	468,597	\$ 868,597
2014	400,000	451,247	\$ 851,247
2015	450,000	431,248	\$ 881,248
2016	500,000	408,998	\$ 908,998
2017	500,000	386,748	\$ 886,748
2018	500,000	364,248	\$ 864,248
2019	600,000	339,123	\$ 939,123
2020	600,000	310,999	\$ 910,999
2021	600,000	282,124	\$ 882,124
2022	600,000	252,500	\$ 852,500
2023	700,000	220,000	\$ 920,000
2024	700,000	185,000	\$ 885,000
2025	800,000	147,500	\$ 947,500
2026	800,000	107,500	\$ 907,500
2027	850,000	66,250	\$ 916,250
2028	900,000	22,500	\$ 922,500
Total	\$ 11,000,000	\$ 5,948,168	\$ 16,948,168

Exhibit G

DOWNTOWN DEVELOPMENT AUTHORITY

County of Oakland, State of Michigan



Annual Debt Requirements

Year Ending June 30,	Refunding Bonds 2001	Big Beaver Phase 2 & 3	MTF Bonds Roch. Rd.	Comm. Center 2002	Comm. Center Jr. Lien 2003	Amount of Annual Interest	Total
2010	470,000	730,000	175,000	575,000	200,000	1,221,754	3,371,754
2011	495,000	770,000	175,000	600,000	200,000	1,125,274	3,365,274
2012	560,000	805,000	200,000	600,000	250,000	1,026,192	3,441,192
2013	590,000	850,000	225,000	625,000	300,000	914,614	3,504,614
2014	620,000	895,000	250,000	650,000	325,000	786,621	3,526,621
2015	655,000	945,000	-	700,000	350,000	648,953	3,298,953
2016	690,000	1,000,000	-	725,000	400,000	515,814	3,330,814
2017	725,000	1,055,000	-	775,000	450,000	376,638	3,381,638
2018	765,000	1,110,000	-	800,000	500,000	231,600	3,406,600
2019	800,000	1,165,000	-	850,000	500,000	78,450	3,393,450
	\$ 6,370,000	\$ 9,325,000	\$ 1,025,000	\$ 6,900,000	\$ 3,475,000	\$ 6,925,910	\$34,020,910



Memorandum

To: Mayor Schilling and City Council

From: John Szerlag, City Manager
Lori Grigg Bluhm, City Attorney
John M. Lamerato, Assistant City Manager- Finance and Administration
Tonni L. Bartholomew, City Clerk

Date: October 15, 2009

Re: Mayor ProTem Howrylak's Millage Question and Tax Bill Levy Schedule

The following is in response to Mayor ProTem Howrylak's request questioning if a millage question can be placed on an August Primary or November General Ballot, with inclusion of any approved millage increase on a December Tax bill. A millage question could be placed on either the August or November election dates. However, any increase in a millage could only be placed on the July 1st tax bills.

Pursuant to Chapter 8 of the City Charter, General Finance, any millage increase would only be prospective and applied to future fiscal years, due to timing of the election, the collection of the taxes, and the required presentation of a balanced budget, as follows:

- August or November election
- Certification of Assessment Roll- 1st Monday in March
- Presentation of Budget- 3rd Monday in April
- Adoption of Budget- 3rd Monday in May
- Tax Statements Mailed by June 30

- Fiscal Year Starts July 1- taxes due on this date

As highlighted above, it is clear that an August or November millage election could satisfy budgetary concerns for future fiscal years. However, it cannot be applied to a shortfall in a current fiscal year.

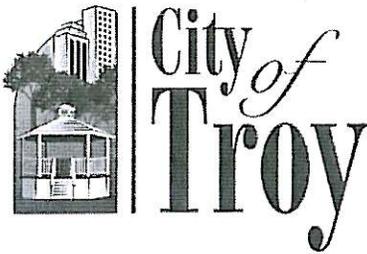
There are timing restrictions that would impact the scheduling of a special election or the placement of a local ballot question. Deadlines for the 2010 elections are as follows:

- December 15, 2009 (February 23 Election)- ballot wording certified to County Clerk
- February 23, 2010 (May 4 Election)- ballot wording certified to County Clerk
- May 25, 2010 (August 3 Primary Election)- ballot wording certified to County Clerk
- August 24, 2010 (November 2 Election)- ballot wording certified to County Clerk

As noted at the October 5, 2009 City Council meeting, a levy increase over 1.9 mills will require an additional Charter Amendment question to exceed the 10 mill limit found in Section 9.16. An increase exceeding the 10 mills would be allowed under the Home Rule Cities Act, which allows for local millages up to 20 mills. (MCL 117.3 (g)).

Therefore, all four election dates permitted under Michigan election law are viable options for future fiscal year millage elections.

As always, we are available for questions.



CITY COUNCIL REPORT

Date: October 14, 2009

TO: John Szerlag, City Manager

FROM: Mark Miller, Acting Assistant City Manager Economic Development and Services
Gary Mayer, Police Chief
William Nelson, Fire Chief
Timothy Richnak, Public Works Director

SUBJECT: Vehicle Allowance and City Vehicles Use between Home and Duty Station

Background:

- In 1996, the City of Troy reviewed its vehicle policy. The City determined that it was more cost effective to provide car allowances rather than provide pool vehicles for certain staff members. Attached is Administrative Memorandum 1-P-80 which provides details of the vehicle allowance.
- Use of City-owned vehicles are governed in the attached Administrative Memorandum 1-P-65

Financial Considerations:

- Current financial considerations in comparison are as follows for the Vehicle Allowance.
 - Nineteen of the qualifying positions receive the vehicle allowance, with an annual budget of \$83,700. The average allowance paid annually per eligible position is \$4,405.
 - The corresponding fully burdened costs to provide a vehicle are as follows: The annual cost for a green vehicle is \$10,192 (with an hourly rate of \$4.90/hr), and a traditional vehicle costs \$8,216, annually, (with an hourly rate of \$3.95/hr).
- Current City Vehicle Use between Home and Duty Station are attached (Take Home Vehicle Inventory)
 - The vehicles are used by Police and Fire staff, which require having a vehicle available for after hours duty on a frequent or emergency call-out basis or reasons that otherwise justify such use by the Police Chief and Fire Chief.



INTEGRITY * RESPECT * LAWS AND THE CONSTITUTION * ACCOUNTABILITY * PROBLEM SOLVING * PROFESSIONALISM

MEMORANDUM

DATE: October 13, 2009
TO: Chief Gary Mayer
FROM: Captain Keith Frye, Investigative Services Division
RE: Department Use of City-Owned Vehicles

Pursuant to your request, the following Police Department personnel have been authorized to drive City-owned vehicles with the noted provisions:

ADMINISTRATION

Police Chief and 3 Police Captains- whose responsibilities for emergency services require their having vehicles equipped with radios and other specialized equipment for monitoring activities in the Department, being in communication with the Department, and in a position to take appropriate directive measures at any time, may use their City-owned vehicles for personal use within the metropolitan area.

PROFESSIONAL STANDARDS and COMMUNITY RELATIONS DIVISION

On-Call Personnel

Public Information Lieutenant- use to and from residence, and in the course of employment

Emergency Response Sergeant- " "

INVESTIGATIVE SERVICES DIVISION

On-Call Personnel

Investigative Services Division Lieutenant- use to and from residence, and in the course of employment

Arson Investigator Sergeant- " "

Investigations Section Sergeant- " "

Juvenile Unit Sergeant- " "

Personnel Who May Be Required to Report Directly to a Work Station other Than a City-owned or Operated Facility

3 School Resource Officers- use to and from residence, and in the course of employment

Drug Enforcement Administration Investigator- " "

Criminal Investigation Unit Sergeant- " "

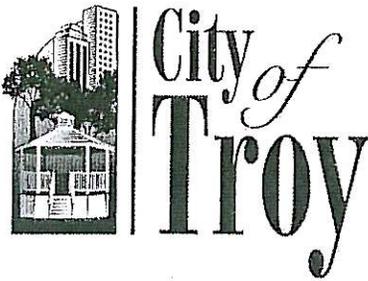
Criminal Intelligence Unit Investigator- " "

Special Investigations Unit Sergeant- " "

4 Special Investigations Unit Investigators- " "

OPERATIONS DIVISION

4 Canine Unit Officers- use to and from residence, and in the course of employment



ADMINISTRATIVE MEMORANDUM

SUBJECT: Vehicle Allowance for the use of Personal Vehicles on City Business		
DATE OF ORIGINAL ISSUE: October 4, 1996	EFFECTIVE DATE: March 3, 2003	NUMBER: 1-P-80
RE-EVALUATION DATE: October 1, 2000	RESCINDS:	LAST REVISION DATE: October 1, 1999
DISTRIBUTION: Department Directors and Employees who have Assigned Vehicles		

An evaluation of staff vehicle costs resulted in a unique opportunity for savings by the City and employees who now are allowed to take City cars home. Both the City and employees will benefit from a choice in how City-related automotive transportation is conducted.

Employees who are assigned vehicles are eligible to choose between the present method of providing them as outlined in Administrative Memorandum 1-P-65 or a vehicle allowance for the use of their personal vehicle on City Business.

Positions eligible for this program:

- Assistant City Manager
- City Assessor
- City Attorney
- City Engineer
- City Manager
- Community Affairs Director
- Deputy City Engineer
- Director of Building & Zoning
- Human Resources Director
- Parks and Recreation Director
- Planning Director
- Public Works Director
- Real Estate & Development Director
- Director of Building Operations
- Superintendent of Fleet Maintenance
- Superintendent of Parks & Recreation
- Superintendent of Public Grounds
- Superintendent of Streets & Drains
- Superintendent of Water & Sewer

Those employees who choose this alternative will be required to use their personal vehicles for all normal daily City business. More clearly, driving your personal vehicle to work while receiving a stipend and then utilizing a City-owned vehicle during the day is not permitted.

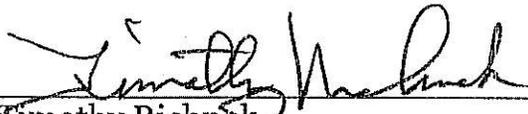
Radios, cell phones, additional communication devices or tools may be required by the City to be carried in a personal vehicle. Items requiring installation will be at City expense but are the responsibility of the employee.

Annual mileage reports will be made to meet IRS requirements. The employee is responsible for any tax liability, and all other IRS requirements for reporting and record keeping.

The employee will be required to utilize a personal vehicle that is in reliable working order and presentable condition. The City Manager has final discretion in approving the condition of personal vehicles used for City business.

A monthly direct stipend payment to an eligible employee will be made the first day of each month. Those eligible, living in the City as well as the Assistant City Managers, will receive \$425; those eligible, living outside the City, will receive \$325. Annually, the Fleet Maintenance Superintendent will review the stipend based from nationally published and recognized automotive operating costs. The City Manager will review the Fleet Maintenance Superintendents evaluation and establish new rates at his discretion.

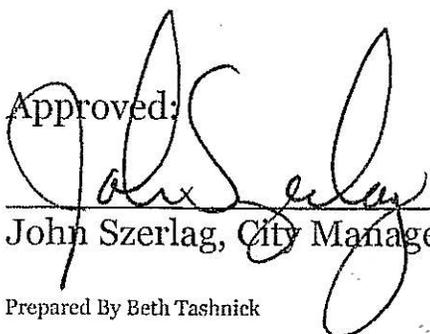
It is the policy of the City of Troy to minimize the number of administrative vehicles in its fleet without adversely affecting service capabilities.



Timothy Richnak,
Public Works Director

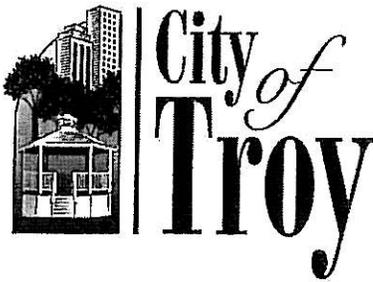


Gary Shripka,
Assistant City Manager/Services

Approved: 

John Szerlag, City Manager

Prepared By Beth Tashnick



ADMINISTRATIVE MEMORANDUM

SUBJECT: Use of City-owned Vehicles		
DATE OF ORIGINAL ISSUE: November 25, 1986	EFFECTIVE DATE: March 22, 2006	NUMBER: 1-P-65
RE-EVALUATION DATE:	RESCINDS:	LAST REVISION DATE: January 26, 2006
DISTRIBUTION: All Employees		

City-owned vehicles are provided for use in City business and may not be used otherwise except as follows:

- 1) When authorized by City Council resolution.
- 2) To commute between home and duty station by occupants of the following positions, which require having a vehicle available for after hours duty use on a frequent or emergency call-out basis, or reasons which otherwise justify such use:

Employees authorized to use City-owned vehicles over night

SENIOR MANAGEMENT:

- City Assessor
- City Manager
- Director of Building/Zoning
- Director of Public Works Operations
- Fire Chief
- Human Resources Director
- Parks and Recreation Director
- Planning Director
- Police Chief
- Director of Building Operations
- Transportation Engineer

POLICE DEPARTMENT:

- K-9 Unit Officers
- On-Call Investigators
- Personnel Required to Report Directly to a Work Station Other Than a City-owned or Operated Facility

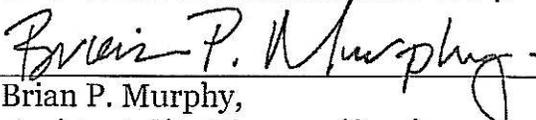
OTHER:

- Parks and Recreation Department Foreman
 - Streets Department Foremen
 - Superintendent of Golf Course Greens
 - Superintendent of Streets and Drains
 - Superintendent of Water and Sewer
 - Water and Sewer Department Foreman
- 3) For infrequent personal stops of minimal duration not involving significant deviation from the most direct travel route between work stations and also, in the case of those with commuting privileges, between work station and home, prior to or at the end of duty shift.
- 4) The Chief of the Police, Police Captains, and Fire Chief, whose responsibilities for these emergency services require their having vehicles equipped with radios and other specialized equipment for monitoring activities in their respective departments, being in communication with them and in a position to take appropriate directive measures at any time, may use their City-owned vehicles for personal use within the metropolitan area.
- 5) Fire Department Division Assistant Chiefs and Staff Lieutenants, whose responsibilities for emergency response require having specialized equipment available at all times, may use their vehicles for personal use under the following conditions:
- They reside in Troy or within three miles of Troy
 - Use is within three miles of Troy city borders
 - Staff member is available to respond to incidents

The Fire Department Duty Officer may use his vehicle to commute between home and duty station during his assigned duty week provided his residence is within twenty miles of the closest Troy city border.

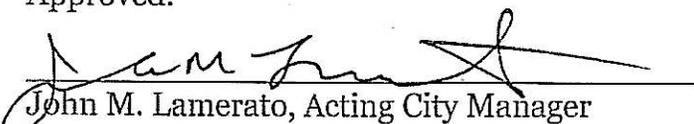
Except as otherwise authorized, City-owned vehicles may not be driven outside of the city limits of Troy without approval of the employee's supervisor for valid reasons.

When a City-owned vehicle is used for authorized personal use as per above, to the extent practicable, a record shall be kept of the mileage of such personal use and same will be entered by the employee on his or her bi-weekly time report as provided for by Administrative Memorandum P-1-64.



Brian P. Murphy,
Assistant City Manager/Services

Approved:



John M. Lamerato, Acting City Manager

BPM/mr