



AGENDA

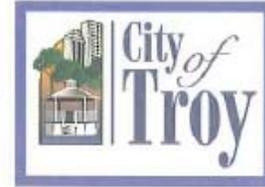
Regular Meeting of the

CITY COUNCIL OF THE CITY OF TROY

AUGUST 9, 2010
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**
July 26, 2010 – 7:30 PM
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317

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INVOCATION: Joe Maestro of Kensington Community Church**PLEDGE OF ALLEGIANCE****A. CALL TO ORDER:****B. ROLL CALL:**

- (a) Mayor Louise E. Schilling
Robin Beltramini
Mayor Pro Tem Wade Fleming
Martin Howrylak
Mary Kerwin
Maureen McGinnis
Dane Slater

- (b) Excuse Absent Council Members:

Suggested Resolution

Resolution #2010-08-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of _____ at the Regular City Council Meeting of Monday, _____ and the Closed Session of Monday, _____, 2010 due to _____.

Yes:

No:

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 No Certificates of Recognition and Special Presentations Scheduled**D. CARRYOVER ITEMS:**

D-1 No Carryover Items**E. PUBLIC HEARINGS:**

E-1 No Public Hearings**F. PUBLIC COMMENT:**

**In accordance with the Rules of Procedure of the City Council, Article 16 –
Members of the Public and Visitors**

Any person not a member of the City Council may address the Council with recognition of the Chair, after clearly stating the nature of his/her inquiry or comment. *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.

- Petitioners shall be given a fifteen (15) minute presentation time that may be extended with the majority consent of City Council.
- Any member of the public, not a petitioner of an item, shall be allowed to speak for up to five (5) minutes to address any Public Hearing item.
- Any member of the public, not a petitioner of an item, shall be allowed to speak for up to five minutes to address Postponed, Regular Business or Consent Agenda items or any other item as permitted under the Open Meetings Act during the Public Comment portion of the agenda.
- City Council may waive the requirements of this section by a majority of the City Council members.
- City Council may wish to schedule a Special Meeting for Agenda items that are related to topics where there is significant public input anticipated.
- Through a request of the Chair and a majority vote of City Council, public Comment may be limited when there are fifteen (15) or more people signed up to speak either on a Public Hearing item or for the Public Comment period of the agenda.

G. RESPONSE / REPLY TO PUBLIC COMMENT

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

I-1 Appointments to Boards and Committees:

a) Mayoral Appointments: None Scheduled

b) City Council Appointments/Confirmation:

Suggested Resolution

Resolution #2010-08-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **CONFIRMS** the appointment of the following person to serve on the Boards and Committees as indicated:

Building Code Board of Appeals

Appointed by Council (5-Regular) 5-Year Term for 3 Residents: Background, training or experience in construction or similar trades; at least one shall be a professional structural or civil engineer of architectural engineering experience.

2 by Ordinance: City Manager and Oakland County Health Department Representative

Teresa Brooks – Oakland County Health Department Rep.

ORDINANCE

Yes:

No:

I-2 Nominations for Appointments to Boards and Committees:

c) **Mayoral Nominations: None Scheduled**

d) **City Council Nominations: None Scheduled**

I-3 Request for Closed Session – None Requested

I-4 Ratification of Industrial Development District Approved on October 19, 2009 at 1400 Rochester

Suggested Resolution

Resolution #2010-08-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **ESTABLISHES** an Industrial Development District (IDD), and Plant Rehabilitation District (PRD) 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 has **DETERMINED** that this district shall also be used for Plant Rehabilitation, and that **PROPERTY COMPRISING NOT LESS THAN 50%** of the State Equalized Value (SEV) within the District is **OBSOLETE**; and

BE IT FINALLY 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:

J. CONSENT AGENDA:

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

Suggested Resolution

Resolution #2010-08-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented with the exception of Item(s) _____, which **SHALL BE CONSIDERED** after Consent Agenda (I) items, as printed.

Yes:

No:

J-1b Address of "I" Items Removed for Discussion by City Council

J-2 Approval of City Council MinutesSuggested Resolution

Resolution #2010-08-

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the 7:30 PM Regular City Council Meeting of July 26, 2010 as submitted.

J-3 Proposed City of Troy Proclamations: None Submitted

J-4 Standard Purchasing Resolutions:**a) Standard Purchasing Resolution 3: Exercise Renewal Option – Home Chore Snow Removal Services**Suggested Resolution

Resolution #2010-08-

WHEREAS, On August 17, 2009, Troy City Council awarded a contract for seasonal requirements of snow removal services for Troy residents using the Home Chore Program with an option to renew for one (1) additional year to the low total bidders, MVP Environmental, LLC of Troy, as primary contractor and Brantley Development LLC of Westland, as secondary contractor, at unit prices contained in the bid tabulation opened July 21, 2009, a copy of which shall be **ATTACHED** to the original Minutes of this meeting (Resolution #2009-08-251 F4a); and

WHEREAS, MVP Environmental, LLC has agreed to exercise the one-year option to renew their contract under the same pricing, terms and conditions;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES** the option to renew the contract with MVP Environmental, LLC of Troy to provide seasonal requirements of snow removal services for Troy residents using the Home Chore Program under the same prices, terms and conditions expiring May 1, 2011; and

BE IT FURTHER RESOLVED, That Troy City Council **SHALL NOT RENEW** the contract, which expired May 1, 2010, with Brantley Development LLC, as secondary contractor as their services were not needed last season.

b) Standard Purchasing Resolution 3: Exercise Renewal Option – Ice Melt CompoundsSuggested Resolution

Resolution #2010-08-

WHEREAS, On October 19, 2009, Troy City Council awarded a one-year contract to provide ice melt compounds with an option to renew for one (1) additional year to the low bidder, Washington Elevator Co, Inc. of Washington Twp, MI (Resolution #2009-10-312-F-4a); and

WHEREAS, Washington Elevator Co, Inc. has agreed to exercise the option to renew the contract for one (1) additional year under the same prices, terms, and conditions;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES** the option to renew the contract for ice melt compounds with Washington Elevator Co, Inc. of Washington Twp, MI, under the same terms and conditions at unit prices contained in the bid tabulation opened September 30, 2009, with a contract expiration of October 31, 2011.

c) Standard Purchasing Resolution 3: Exercise Renewal Option – Uniform Rental Services

Suggested Resolution
Resolution #2010-08-

WHEREAS, On November 24, 2008, Troy City Council awarded a two-year contract to provide uniform rental services for various City of Troy union employees with an option to renew for two additional years to the highest scoring respondent, Unifirst Corporation of Auburn Hills, MI, as a result of a best value process in cooperation with Oakland County, which the Troy City Council determines to be in the public interest (Resolution #2008-11-351-F-4c) and;

WHEREAS, Unifirst Corporation has agreed to exercise the option to renew the contract for two additional years under the same pricing, terms and conditions;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES** the two-year option to renew the contract to provide uniform rental services for various City of Troy union employees with Unifirst Corporation of Auburn Hills at unit prices contained in the tabulation opened September 3, 2008, with the contract expiring October 31, 2012.

J-5 City of Troy v William H. Price

Suggested Resolution
Resolution #2010-08-

RESOLVED, That Troy City Council hereby **APPROVES** the proposed Consent Judgment in the condemnation case of *City of Troy v William H. Price, et al.*, (Oakland County Circuit Court Case No. 09-097977-CC); and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** payment in the amounts stated therein; and

BE IT FINALLY 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 is to be **ATTACHED** to the original Minutes of this meeting.

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings: None Submitted

K-2 Memorandums (Items submitted to City Council that may require consideration at some future point in time): None Submitted

L. COUNCIL REFERRALS:

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

L-1 Proposed Charter Amendment – Operation of City Owned Library – Submitted by Council Member HowrylakSuggested Resolution

Resolution #2010-08-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **REFERS** to the Charter Revision Committee a proposal to amend the City Charter to mandate a city owned and operated library; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **DIRECTS** the Charter Revision Committee to discuss the proposal, draft proposed ballot language and make a recommendation to the City Council no later than October 9, 2010.

Yes:

No:

M. COUNCIL COMMENTS

M-1 No Council Comments Advanced

N. REPORTS

N-1 Minutes – Boards and Committees:

- a) Troy Historic District Commission/Final – May 18, 2010
 - b) Board of Zoning Appeals/Draft – June 15, 2010
 - c) Board of Zoning Appeals/Final – June 15, 2010
 - d) Troy Historic District Commission/Final – June 16, 2010
 - e) Employees' Retirement System Board of Trustees/Draft – July 14, 2010
 - f) Special Joint Meeting of the City of Birmingham Planning Board and City of Troy Planning Commission – July 14, 2010
-

N-2 Department Reports:

- a) 2010 Mid-Year Calls for Police Service Report
 - b) Economic Development Activity Report- July, 2010
-

N-3 Letters of Appreciation:

- a) Letter of Appreciation from Gordon Cameron to Tim Richnak Commending a DPW Employee for His Expedient Service
- b) Letter of Appreciation from Dan Smiley to Chief Gary Mayer Expressing his Appreciation for having the Opportunity to complete his Student Internship with the Police Department
- c) Congratulatory Letter to John Szerlag from State Senator John Pappageorge – District 13 for Receiving *AA Bond Rating* from Standard and Poor

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

N-5 Report from John Ragan to Troy City Council Regarding Discussions with City of Troy and the Troy Nature Society

N-6 Complete Streets Legislation

N-7 Organizational Structure: Museum and Nature Center

N-8 Precincts 4 and 10 Polling Location – St. Elizabeth Ann Seton Catholic Church

N-9 Act 164 Library – 11/02/10 General Election Ballot Question

O. STUDY ITEMS

O-1 Niles Barnard House Relocation

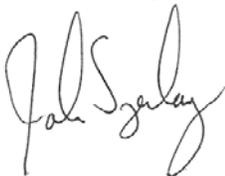
O-2 Tax Abatement Policy

P. CLOSED SESSION:

P-1 Closed Session – *None Requested*

Q. ADJOURNMENT

Respectfully submitted,



John Szerlag, City Manager

FUTURE CITY COUNCIL PUBLIC HEARINGS:

No Future City Council Public Hearings Scheduled

SCHEDULED CITY COUNCIL MEETINGS:

Monday, August 16, 2010	Regular City Council
Monday, August 23, 2010	Regular City Council
Monday, September 13, 2010	Regular City Council
Monday, September 20, 2010	Regular City Council
Monday, September 27, 2010	Regular City Council
Monday, October 4, 2010	Regular City Council
Monday, October 11, 2010	Regular City Council
Monday, October 18, 2010	Regular City Council
Monday, November 8, 2010	Regular City Council
Monday, November 15, 2010	Regular City Council
Monday, November 22, 2010	Regular City Council
Monday, December 6, 2010	Regular City Council
Monday, December 13, 2010	Regular City Council
Monday, December 20, 2010	Regular City Council



CITY COUNCIL ACTION ITEM

August 9, 2010

TO: John Szerlag, City Manager

FROM: John M. Lamerato, Assistant City Manager-Finance/Administration
Nino Licari, City Assessor

SUBJECT: Ratification of Industrial Development District Approved on October 19, 2009 at 1400 Rochester

Background:

- City Council established an Industrial Development District (IDD) at 1400 Rochester on October 19, 2009 to allow for an Industrial Facilities Exemption Certificate (IFEC), and a Plant Rehabilitation Exemption Certificate (PREC) to be granted for the AxleTech International, LLC renovation and move into the property.

In reviewing the application for the PREC, the State Tax Commission (STC) has requested that language from the Obsolete Property Affidavit filed by the Assessor, be added to the actual resolution.

Additionally, the resolution now specifically mentions the Plant Rehabilitation District (PRD), although this is not a requirement.

Financial Considerations:

- There are no additional financial considerations.

Legal Considerations:

- The STC is requesting the addition of this language to assist with the approval process.

Policy Considerations:

- Policy considerations have already been addressed.

Options:

- The Council should ratify the corrected language of the Resolution, as it has already approved the IFEC and PREC exemptions.

Padma Kuppa, Outreach Chairperson from Bharatiya Temple gave the Invocation. The Pledge of Allegiance to the Flag was given.

A. CALL TO ORDER:

The Regular Meeting of the Troy City Council was held Monday, July 26, 2010, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:30 PM.

B. ROLL CALL:

Mayor Louise E. Schilling
 Robin Beltramini
 Mayor Pro Tem Wade Fleming (Absent)
 Martin Howrylak
 Mary Kerwin
 Maureen McGinnis
 Dane Slater

Vote on Resolution to Excuse Mayor Pro Tem Wade Fleming

Resolution #2010-07-162
 Moved by Beltramini
 Seconded by McGinnis

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of Mayor Pro Tem Wade Fleming at the Regular City Council Meeting of Monday, July 26, 2010 and the Closed Session of Monday, July 26, 2010 due to being out of the county.

Yes: Beltramini, Howrylak, McGinnis, Slater
 No: Schilling, Kerwin
 Absent: Fleming

MOTION CARRIED

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Presentations:

- a) A legislative update was received from State Representative Marty Knollenberg – 41st District.
- b) A presentation from members of the Bharatiya Temple to promote their annual fun filled family event, the *Anand Bazaar*, on Sunday, August 1st from 11 AM - 7 PM.

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 No Public Hearings

F. PUBLIC COMMENT:

In accordance with the Rules of Procedure of the City Council, Article 16 –
Members of the Public and Visitors

James Savage Opposes SMART bus system as it currently exists
John Witt Opposes distracted driver ordinance

G. RESPONSE / REPLY TO PUBLIC COMMENT

Distracted Driver Ordinance – Presentation by Captain Mott and Lieutenant Livingston

H. POSTPONED ITEMS:

H-1 **No Postponed Items**

I. REGULAR BUSINESS:

I-1 **Appointments to Boards and Committees: None Scheduled**

a) **Mayoral Appointments: None Scheduled**

b) **City Council Appointments: None Scheduled**

I-2 **Nominations for Appointments to Boards and Committees:**

a) **Mayoral Nominations: None Scheduled**

b) **City Council Nominations: None Scheduled**

I-3 **Request for Closed Session – None Requested**

I-4 **Preliminary Site Plan Review – File Number SP 962 – InPro Insurance Group –
Section 24**

Resolution #2010-07-163

Moved by Kerwin

Seconded by Slater

RESOLVED, That Troy City Council hereby **GRANTS** Preliminary Site Plan Approval, as requested for the proposed InPro Insurance Group Office Building addition, located on the north side of Big Beaver, east of John R, in Section 24, within the O-1 Zoning District.

Yes: Howrylak, Kerwin, McGinnis, Slater, Schilling

No: Beltramini

Absent: Fleming

MOTION CARRIED

J. CONSENT AGENDA:

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

Resolution #2010-07-164-J-1a
Moved by Beltramini
Seconded by Kerwin

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Item J-4a, which **SHALL BE CONSIDERED** after Consent Agenda (I) items, as printed.

Yes: Howrylak, Kerwin, McGinnis, Slater, Schilling, Beltramini
No: None
Absent: Fleming

MOTION CARRIED

J-1b Address of “I” Items Removed for Discussion by City Council

J-2 Approval of City Council Minutes

Resolution #2010-07-164-J-2

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the 7:30 PM Regular City Council Meeting of July 12, 2010 as submitted.

J-3 Proposed City of Troy Proclamations: None Submitted

J-4 Standard Purchasing Resolutions:

- b) **Standard Purchasing Resolution 10: Travel Authorization and Approval to Expend Funds for Council Member Travel Expenses – Michigan Municipal League’s 112th Annual Convention – Dearborn, MI**

Resolution #2010-07-164-J-4b

RESOLVED, That Troy City Council members are hereby **AUTHORIZED** to attend the Michigan Municipal League’s 112th Annual Convention on September 21-24, 2010 in Dearborn, Michigan in accordance with accounting procedures of the City of Troy

- c) **Standard Purchasing Resolution 1: Award to Low Bidder Contract 10-1 Section 35 – Water Main Replacement**

Resolution #2010-07-164-J-4c

RESOLVED, That Troy City Council hereby **AWARDS** contract No. 10-1, Section 35 Water Main Replacement to Bricco Excavating Company, LLC, 21201 Meyers Road, Oak Park, MI 48237 at an estimated total cost of \$1,549,084.50; and

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon submission of proper contract and bid documents, including bonds, insurance certificates and all specified requirements, and if additional work is required such additional work is authorized in an amount not to exceed 10% of the total project cost; and

BE IT FURTHER RSOLVED, That the Mayor and City Clerk are hereby **AUTHORIZED** to execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-5 Private Agreement for Our Credit Union

Resolution #2010-07-164-J-5

RESOLVED, That Troy City Council hereby **APPROVES** the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and GJ Perelli Company, for the installation of Water Main, Sanitary Manhole, Concrete Approach and Sidewalk, and Storm Water Pre-Treatment Structure, and the Mayor and City Clerk are hereby **AUTHORIZED** to execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-6 Chapter 106 – Traffic; “Driving While Distracted” Ordinance – “Drag Races Prohibited; “Drag Racing” Defined’ Violation Punishable as Misdemeanor”

Resolution #2010-07-164-J-6

RESOLVED, That Chapter 106 of the Code of the City of Troy be **AMENDED** to renumber Section 5.14d as reflected on the revised attached document, which shall be **ATTACHED** to the original Minutes of this meeting.

J-7 Bid Waiver – Police Gun Range Maintenance

Resolution #2010-07-164-J-7

WHEREAS, Meggitt Training Systems, Inc. is the sole known certified contractor in the area to maintain the equipment in the Troy Police department’s gun range;

WHEREAS, It is desirable, as well as cost effective to have the Police department train, qualify and practice on-duty during an officer’s normal shift without incurring overtime; and

WHEREAS, The Police department has entered an agreement with Sterling Heights Police department for the use of the range at a per annum fee of \$8,000.00, which covers the cost of additional maintenance;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and hereby **AUTHORIZES** the City of Troy to enter into a three-year

contract with Meggitt Training Systems, Inc. of Suwanee, GA, to maintain the gun range for the Troy Police department at an estimated total cost of \$14,355.00, plus repair parts needed outside of normal maintenance at an amount not-to-exceed \$2,000.00 per year, in accordance with their Agreement dated July 1, 2010, a copy of which shall be **ATTACHED** to the original Minutes of this meeting with a contract expiration of June 30, 2013.

J-8 Private Agreement for Kilmer PUD 10

Resolution #2010-07-164-J-8

RESOLVED, That Troy City Council hereby **APPROVES** the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and T.H. Marsh Construction Co., for the installation of sanitary sewer, storm sewer, water main, paving, soil erosion and landscaping on the site and in the adjacent right of way, and the Mayor and City Clerk are authorized to execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-1b Address of “I” Items Removed for Discussion by City Council

J-4 Standard Purchasing Resolutions:**a) Standard Purchasing Resolution 1: Award to Low Bidder – Audio & Video Upgrades**

Resolution #2010-07-165
Moved by Beltramini
Seconded by McGinnis

RESOLVED, That Troy City Council hereby **AWARDS** a contract to furnish all equipment, material and labor to provide and install upgrades to the Audio and Video Systems in the Council Chambers and cable room in the Troy City Hall to the low bidder, Advanced Lighting and Sound of Troy, MI, for an estimated total cost of \$34,500.00 at prices contained in the bid tabulation opened July 8, 2010, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

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

Yes: Kerwin, McGinnis, Slater, Schilling, Beltramini
No: Howrylak
Absent: Fleming

MOTION PASSED

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings: None Submitted

K-2 Memorandums (Items submitted to City Council that may require consideration at some future point in time): None Submitted

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

L-1 No Council Referrals Advanced

M. COUNCIL COMMENTS

M-1 No Council Comments Advanced

Council Member Beltramini expressed concern about losing the community SMART credits applied to operating the Medi-Go services if the SMART millage fails.

Council Member McGinnis requested that future ordinance amendments be submitted first as a green agenda item prior to being submitted as a regular business item for City Council action.

Council Member Kerwin encouraged all voters to vote at the State Primary Election on Tuesday, August 3rd, 2010.

N. REPORTS

N-1 Minutes – Boards and Committees:

- a) Troy Historic Commission – Final – March 23, 2010
 - b) Planning Commission Special/Study Meeting/Draft – June 22, 2010
 - c) Planning Commission Special/Study Meeting/Final – June 22, 2010
Noted and Filed
-

N-2 Department Reports:

- a) Final Reporting – BidNet on-Line Auction Services – June 2010
Noted and Filed
-

N-3 Letters of Appreciation:

- a) Letter of Appreciation from Jerome Katz to John Szerlag Commending Pam Valentik for her Hard Work and Assistance at the MEGA Meeting
Noted and Filed
-

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

- a) Oakland County Board of Commissioners – Miscellaneous Resolution #10143 – Information Technology – Policy on Electronic Equipment Hard Drives to Protect Against Identity Theft
Noted and Filed
-

N-5 Proof of TIPS/TAMS Server Training

Noted and Filed

N-6 July 12, 2010 City Council Meeting – Public Comment – Maryann Bernardi
Noted and Filed

N-7 Motion Filed by Grand Sakwa Regarding Transit Center Property
Noted and Filed

N-8 July 12, 2010 City Council Meeting – Public Comment – James Savage
Noted and Filed

N-9 Act 164 Library – 11/02/10 General Election Ballot Question
Noted and Filed

O. STUDY ITEMS

O-1 Restructuring Committee Quarterly Report

P. CLOSED SESSION:

P-1 Closed Session – None Requested

Q. ADJOURNMENT

The meeting **RECESSED** at 9:07 PM.

The meeting **RECONVENED** at 9:20 PM.

The meeting **ADJOURNED** at 9:38 PM.

Louise E. Schilling, Mayor

Barbara A. Pallotta, CMC
Deputy City Clerk



CITY COUNCIL ACTION REPORT

July 26, 2010

TO: John Szerlag, City Manager

FROM: Mark F. Miller, Acting Assistant City Manager/Economic Development Services
Susan A. Leirstein, Purchasing Director
Timothy L. Richnak, Public Works Director

SUBJECT: Standard Purchasing Resolution 3: Exercise Renewal Option - Home Chore
Snow Removal Services

Background

- Seasonal requirements of snow removal services for Troy residents using the Home Chore Program with an option to renew for one (1) additional year was approved by Troy City Council on August 17, 2009. (Resolution #2009-08-251 F4a)
- MVP Environmental LLC, the primary contractor has agreed to exercise the option to renew under the same prices, terms and conditions as the original contract.
- The contract with Brantley Development LLC, the secondary contractor expired May 1, 2010, and will not be renewed, as their services were not needed last season.
- A market survey conducted by the Purchasing department determined no benefit would be derived from soliciting formal bids.
- Community Development Block Grant programs improve the quality of life and property to qualified residents in the City of Troy.
- We do not have a waiting list for this program.

Financial Considerations

- Funds for snow removal services for the Home Chore Program are available initially through the Public Works operating budget, then reimbursed by Oakland County through the Community Development Block Grant Program (CDBG).

Legal Considerations

- ITB-COT 09-28, Seasonal requirements of snow removal services for the Home Chore Program with an option to renew for one (1) additional year was competitively bid and opened July 21, 2009, as required by City Charter and Code.

Recommendation

- City management and the Public Works department recommend to exercise the option to renew for one (1) additional year to provide seasonal requirements of snow removal services for the Home Chore Program to the low total bidder, MVP Environmental LLC of Troy, at unit prices contained in the bid tabulation opened July 21, 2009, with a contract expiration of May 1, 2011.

DATE: July 20, 2010

TO: Susan Leirstein CPPO CPPB
Purchasing Director

FROM: Linda N. Bockstanz
Associate Buyer

RE: MARKET SURVEY – Snow Removal–Home Chore Program

METICULOUS MAINTENANCE, LLC – Jason Graves (248) 421-6493

No Response to calls from July 13, 2010 to July 20, 2010. (Messages were left.)

ULTRA PROFESSIONAL OUTDOOR SERVICE, LLC – Deb Himick (248) 373-3669

Ms. Himick has indicated that prices for Snow Removal/Home Chore Program will be about the same. She believes at this time there will be no increase that he can foresee to add unless gasoline or salt increases sufficiently.

ZIMMERMAN LAWN & SNOW – John Purdue (586) 484-1721

Mr. Purdue will be keeping his prices the same. He miss calculated on the salting last year, so his salt prices will be lower this year. Since the fuel has leveled off he believes that he will leave price the same for this coming year.

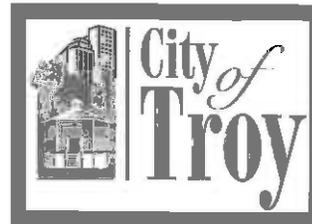
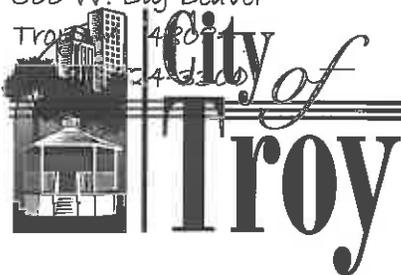
Upon the above comments, I respectfully recommend the City exercise the option to renew the contract to provide services under the Home Chore Snow Removal Program. Based on the fact costs of snow removal have stabilized and not expected to change – only if gasoline or salt market prices increase drastically.

CC: File

500 W. Big Beaver
Troy, MI 48067
(248) 333-0000

The City of Tomorrow...

...Today



June 7, 2010

ATTN: Joan Vitucci
MVP Environmental, LLC
5619 Whitehaven Drive
Troy, MI 48085

Dear Mrs. Vitucci:

The City of Troy entered into contract #2009-00001409 with MVP Environmental LLC to provide one-year requirements of Seasonal requirements of snow removal services for Troy residents using the home chore program with an option to renew for one additional year, which expired May 1, 2010. The City is interested to know whether MVP Environmental, LLC will renew its contract at established prices for the one additional year.

Please fax this letter back to Vicki Richardson at the DPW indicating if MVP Environmental, LLC wishes to renew this contract until May 1, 2011. The fax number is (248) 524-3520. It should be understood that this request to renew the contract is subject to a favorable market survey. A request by City staff to determine the successful bidder's interest in renewing the contract in no way obligates the City. The option cannot be exercised without Troy City Council approval and a blanket purchase order issued.

If you have any questions please call me at (248) 524-3399.

CHECK ONE:

MVP Environmental, LLC is interested in renewing the contract under the same prices, terms, and conditions:

X Joan Vitucci
Signed: Authorized Company Representative

MVP Environmental, LLC is not interested in renewing the contract:

X _____
Signed: Authorized Company Representative

Date: 6/24/10

Thank you,
Vicki Richardson
Solid Waste Coordinator, City of Troy

Reg # 2011-10000004

F-6 Revised Appointment of SOCRRA Representative and Alternate Member

Resolution #2009-08-250-F-6

WHEREAS, On June 15, 2009 Troy City Council appointed Brian P. Murphy as the SOCRRA representative and Timothy L. Richnak as the alternate representative for the term beginning July 1, 2009 and expiring on June 30, 2010; and

WHEREAS, Brian P. Murphy is leaving the City of Troy and it is therefore necessary to appoint a replacement SOCRRA representative and alternate representative;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **DESIGNATES** Timothy L. Richnak as the SOCRRA representative and Mark F. Miller as the alternate SOCRRA representative for the term expiring on June 30, 2010.

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

F-4 Standard Purchasing Resolutions**a) Standard Purchasing Resolution 1: Award to Low Bidders – Snow Removal Services – Home Chore Program**

Resolution #2009-08-251

Moved by Beltramini

Seconded by Kerwin

RESOLVED, That Troy City Council hereby **AWARDS** contracts to provide seasonal requirements of snow removal services for the Home Chore Program with an option to renew for one (1) additional year to the low total bidders MVP Environmental, LLC of Troy, as primary contractor and Brantley Development, LLC of Westland, as secondary contractor, at unit prices contained in the bid tabulation opened July 21, 2009, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with a contract expiration of May 1, 2010; and

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

Yes: All-7

No: None

MOTION CARRIED**MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:**

G-1 Announcement of Public Hearings: None Submitted

G-2 Memorandums: None Submitted



CITY COUNCIL ACTION REPORT

July 28, 2009

TO: John Szerlag, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Economic Development Services
Susan A. Leirstein, Purchasing Director
Timothy L. Richnak, Public Works Director

SUBJECT: Standard Purchasing Resolution 1: Award To Low Bidders-
Snow Removal Services – Home Chore Program

Background

- Bids were received and publicly read on July 21, 2009, for seasonal requirements of snow removal services for the Home Chore Program with an option to renew for one (1) additional year.
- 201 vendors were notified via the Michigan Intergovernmental Trade Network website (MITN system). Five (5) bid responses were received.
- Based on historical data, the City anticipates four (4) call-outs for snow removal and salting per season.
- The bid allowed for a primary and secondary contractor to be awarded in the event the primary was unable to provide services as needed.
- A tie bid resulted between MVP Environmental and Brantley Development. City management recommends awarding the primary contract to MVP Environmental, the local Troy vendor, all other things being equal.

Financial Considerations

- Funds for snow removal services for the Home Chore Program are available initially through the Public Works operating budget, then reimbursed by Oakland County through the Community Development Block Grant Program (CDBG).

Legal Considerations

- ITB-COT 09-28, Seasonal requirements of snow removal services for the Home Chore Program with an option to renew for one (1) additional year was competitively bid, in accordance with City Charter and Code.
- Awards are contingent upon contractors' submission of properly executed bid and contract documents, including insurance certificates and all other specified requirements.

Policy Considerations

- CDBG improves the quality of life and property to qualified residents in the City of Troy. (Outcome Statement II)
- All bidders were given the opportunity to respond with their level of interest in supplying services for the City of Troy. (Outcome Statement III)

Options

- City management and the Public Works department recommend Troy City Council award contracts for seasonal requirements of snow removal services for Troy residents using the Home Chore Program with an option to renew for one (1) additional year to the low total bidders, MVP Environmental LLC, of Troy, MI, as the primary contractor and Brantley Development LLC, of Westland, MI, as the secondary contractor at unit prices contained on the bid tabulation, which expires May 1, 2010.

Opening Date -- 7/21/09
 Date Prepared -- 7/28/09 sl

CITY OF TROY
 BID TABULATION
 SNOW REMOVAL SERVICES/HOME CHORE PROGRAM

VENDOR NAME:	PRIMARY MVP Environmental		SECONDARY Brantley Development		Meticulous Maintenance	
			LLC		LLC	
	\$ SNOW REMOVAL/ SERVICE CALL	\$ SALTING/ SERVICE CALL	\$ SNOW REMOVAL/ SERVICE CALL	\$ SALTING/ SERVICE CALL	\$ SNOW REMOVAL/ SERVICE CALL	\$ SALTING/ SERVICE CALL
PROPOSAL: Snow & Ice Removal						
EST #						
80 Snow Removal & Salting at residential City of Troy Homes	\$ 18.00	\$ 7.00	\$ 20.00	\$ 5.00	\$ 19.00	\$ 8.00
(Based on four call-outs per Year)	\$ 5,760.00	\$ 2,240.00	\$ 6,400.00	\$ 1,600.00	\$ 6,080.00	\$ 2,560.00
ESTIMATED GRAND TOTAL:		\$ 8,000.00		\$ 8,000.00		\$ 8,640.00
DAYTIME PHONE #	248-330-1602		810-610-0427		248-421-6493	
24- HR PHONE #	248-249-5711		810-610-0427		248-421-6490	
INFORMATION:						
Visited the Locations	Yes - 7/14, 7/18, & 7/20/09		No		Yes - 2/28/09	
Did not visit the locations						
Business Location	Troy		Westland		Hazel Park	
EQUIPMENT LIST: Y or N	Yes		Yes		Yes	
CDBG EXPERIENCE: Y or N	No		No		Yes	
EMPLOYEES: FULL-TIME	2		2		6	
PART-TIME	3		8		6	
PAYMENT TERMS:	Blank		30 Days		Net 30	
EXCEPTIONS:	None		Blank		Blank	
ACKNOWLEDGEMENT:	Signed	Yes		Yes		Yes
AGREEMENT:	Signed	Yes		Yes		Yes

PROPOSAL: Seasonal Requirements of Snow Removal Services for the Home Chore Program with an Option to Renew for One (1) Additional Year

ATTEST:
 Cheryl Stewart
 Vicki Richardson
 Linda Bockstanz

BOLDFACE TYPE DENOTES LOW TOTAL BIDDERS

 Susan Leirstein CPPB
 Purchasing Director

Opening Date -- 7/21/09
 Date Prepared -- 7/28/09

CITY OF TROY
 BID TABULATION
 SNOW REMOVAL SERVICES/HOME CHORE PROGRAM

VENDOR NAME:		ULTRA Professional Outdoor Services, LLC	Zimmerman Lawn & Snow		
		\$ SNOW REMOVAL/ SERVICE CALL	\$ SNOW REMOVAL/ SERVICE CALL	\$ SNOW REMOVAL/ SERVICE CALL	\$ SNOW REMOVAL/ SERVICE CALL
PROPOSAL: Snow & Ice Removal					
EST #					
80	Snow Removal & Salting at residential City of Troy Homes (Based on four call-outs per Year)	\$ 19.50	\$ 8.00	\$ 23.00	\$ 12.50
	ESTIMATED GRAND TOTAL:	\$ 6,240.00	\$ 2,560.00	\$ 7,360.00	\$ 4,000.00
		\$ 8,800.00		\$ 11,360.00	
DAYTIME PHONE #		248-373-3668		586-484-1721	
24- HR PHONE #		248-361-3039		586-484-1721	
INFORMATION:					
Visited the Locations		Yes - 7/10/09		Yes - June 2009	
Did not visit the locations					
Business Location		Auburn Hills		Roseville	
EQUIPMENT LIST:	Y or N	Yes		Yes	
CDBG EXPERIENCE:	Y or N	No		Yes	
EMPLOYEES:	FULL-TIME	20		4	
	PART-TIME	5		3	
PAYMENT TERMS:		Net 30		Blank	
EXCEPTIONS:		None		Blank	
ACKNOWLEDGEMENT:		Yes		Yes	
AGREEMENT:		Yes		Yes	



CITY COUNCIL ACTION REPORT

August 2, 2010

TO: John Szerlag, City Manager

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

SUBJECT: Standard Purchasing Resolution 3: Exercise Renewal Option – Ice Melt Compounds

Background

- On October 19, 2009, Troy City Council approved a one (1) year contract to provide ice melt compounds with an option to renew for one (1) additional year to the low bidder, Washington Elevator Co, Inc for the City of Troy and participating MITN (Michigan Intergovernmental Trade Network) Purchasing Cooperative Members. CC Res #2009-10-312-F4a
- Washington Elevator Co, Inc has agreed to exercise the option to renew for one additional year at original contract prices until October 31, 2011.
- A market survey was conducted by the Purchasing department and determined no benefit would be derived from soliciting formal bids, as material and transportation costs are expected to rise. Washington Elevator manufactures and distributes bagged material directly to the City and participating agencies at an estimated savings of \$1.00 per bag.
- A three-way blended material and screened road salt are used to remove ice from municipal sidewalks to reduce slip and fall hazards.

Financial Considerations

- Funds are available in the maintenance accounts for Parks and Recreation, and Public Works.

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 exercising the option to renew for one (1) additional year to provide Ice Melt Compounds to the low bidder, Washington Elevator Co, Inc at original bid prices of \$5.95/50#bag for Proposal A: the three-way blend, and \$3.75/50#bag for Proposal B: screened rock salt with a contract expiration of October 31, 2011.

DATE: July 20, 2010

TO: Susan Leirstein CPPO CPPB
Purchasing Director

FROM: Linda N. Bockstanz
Associate Buyer

RE: MARKET SURVEY – ICE MELT COMPOUND –

JOHN DEERE LANDSCAPES – Bill Marshall (248) 588-7747

Bill Marshall has indicated that prices for Ice Melt Compound would be increasing about 3% to 5%. He believes the product price increase is due to transportation costs. He has no other products that can replace this product.

COLMAN SUPPLY COMPANY - Brian Flynn (586) 779-7255

Mr. Flynn commented that with blended salt there will be more cal-mag added to the blend. So prices are going to increase for rock salt and ice melting compound. He is figuring about .30 to 50 cents per bag and with rock salt about a 5% increase.

STATE LINE SALT & EQUIPMENT – Geoff Hitchen (847) 658-7626

According to Mr. Hitchen, Ice Melt Compound is expected to increase about \$.30 to \$.50 cents per bag this year. Screened rock salt will be increasing \$3 to \$4 along with any bulk salt.

MAIN'S LANDSCAPE SUPPLY & SALT – Greg Main (248) 356-8660

Mr. Main believes that Ice Melt Compound will be going up in price about \$.25 to \$.50 cents per bag because of transportation costs to deliver the salt. He has not heard of any new products for Ice Melt Compound.

CAREFREE LAWN CENTER – David Hartwig (734) 675-4845

Mr. Hartwig told me that Ice Melt compound would stay the same but rock salt may increase a couple of bucks.

LOWER HURON COMPANY – Mark Paladine (734) 721-3601

Mr. Paladine commented that at this time he has not checked into his salt prices for this coming year, but believes that they may stay the same.

HP PRODUCTS – Joan Gorman (800) 333-7277

Per Joan Gorman, Ice Melt compound will be increasing about 5% to 7%, due to transportation costs from the mine to the end user and raw materials to produce the product will increase slightly.

CENTRAL IRRIGATION SUPPLY – Mark Natale (248) 669-6923

No Response to calls – Left messages - 7/16/10 to 7/22/10

Based upon the above comments, I respectfully recommend that the City accept the offer to renew the contract for Ice Melt Compound with the current vendor due to an expected increase in the cost per bag, mainly because of transportation costs for next year.

CC: File

From: PURCHASING

248 619 7608

07/13/2010 09:40 #027 P.001/001



July 13, 2010

ATTN: Robert Schramm
Washington Elevator Company, Inc.
7030 West Road
Washington, MI 48084
FAX: (586) 781-8004

Dear Mr. Schramm:

The City of Troy entered into contract #2010-0000405 with Washington Elevator Company, Inc. to provide one-year requirements of Ice Melt with an option to renew for one additional year period, which expired October 31, 2010. The City is interested to know whether Washington Elevator Company, Inc. will renew its contract at established pricing structure for the one additional year.

Please fax this letter back to the Purchasing Department indicating if Washington Elevator Company, Inc. wishes to renew this contract until October 31, 2011. The fax number is (248) 619-7608. It should be understood that this request to renew the contract agreement is subject to administrative approval and is subject to a favorable market survey. A request by City staff to determine the successful bidder's interest in renewing the contract in no way obligates the City. The option cannot be exercised without Troy City Council approval and a blanket purchase order issued.

If you have any questions please call me at (248) 524-3576.

CHECK ONE:

Washington Elevator Company is interested in renewing the contract under the same prices, terms, and conditions through October 31, 2011: (X)

X Robert Schramm
Signed: Authorized Company Representative

Washington Elevator Company is not interested in renewing the contract: ()

X _____
Signed: Authorized Company Representative

Date: July 13, 2010

Thank you,
Linda Bockstanz
Purchasing Department
City of Troy

F-2 Approval of City Council Minutes

Resolution #2009-10-312-F-2

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:

Resolution #2009-10-312-F-3

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**

Resolution #2009-10-312-F-4a

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 Services**

Resolution #2009-10-312-F-4b

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



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:

EST		PRICE/EA BAG	PRICE/EA BAG	PRICE/EA BAG	PRICE/EA BAG
QTY (BAGS)	DESCRIPTION				
PROPOSAL A:					
6,200 Bags	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:					
EST		PRICE/EA BAG	PRICE/EA BAG	PRICE/EA BAG	PRICE/EA BAG
QTY (BAGS)	DESCRIPTION				
7,950 Bags	SCREENED ROCK SALT (397,500 lbs) 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 of Oper			
Phone #		8 AM - 5 PM M-F	7 AM to 5 PM	7 AM to 5 PM	8 AM - 5 PM M-F
		586-255-3395	313-737-3874	847-658-7626	248-356-8660
THREE-WAY FORMULA:		Potassium Chloride 3%			
Calcium Chloride not < 10%		5	Company	10	10
Magnesium Chloride not < 2%		5	Trade	5	2
Sodium Chloride not > 88%		87	Secret	85	88
Pattern Indicator:		Blue	Spring Valley	No	Yes
Organic anti-caking agent:		granules coated w/mag chloride	will not divulge	Yes	Yes
EXTENSION OF AWARD TO MITN PURCHASING COOP:Y/N		Yes	Yes	Yes	w/exceptions Yes
Minimum Order (Initial)		Blank	49 Bags	500 Bags	Blank
(Add'l)		1 Pallet	1 Pallet		1 Pallett
PAYMENT TERMS		30 Days	Net 30	Net 30	Net 30 Days
WARRANTY		Blank	Blank	2-3 Yr. Shelf Life	When used as directed
DELIVERY		Within 3 Days	24-48 Hours	2 - 4 Days	1 -2 Days
EXCEPTIONS		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
ACKNOWLEDGEMENT Signed: Y or N		Yes	Yes	Add \$200 per Delivery Yes	Yes
ALL OR NONE AWARD		No	No	Yes	No

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	PRICE/EA BAG	PRICE/EA BAG	PRICE/EA BAG	PRICE/EA BAG
QTY (BAGS) DESCRIPTION				
6,200 Bags SIDEWALK ICE MELTING COMPOUND, (310,000 lbs) 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	PRICE/EA BAG	PRICE/EA BAG	PRICE/EA BAG	PRICE/EA BAG
QTY (BAGS) DESCRIPTION				
7,950 Bags SCREENED ROCK SALT (397,500 lbs) 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	Hrs of Oper.	After Hrs when required		After Hrs when required
	8 AM to 5 PM	7 AM to 5 PM	7:30AM to 5 PM	7 AM to 5 PM
Phone #	734-675-4745	734-968-2416	586-944-1033	734-968-2416
THREE-WAY FORMULA:	12	Potassium 20%	10	Potassium 10%
Calcium Chloride not < 10%	7	30	10	20
Magnesium Chloride not < 2%	81	50	80	30
Sodium Chloride not > 88%	Yes	Blue	Non	Blue
Pattern Indicator:	Yes	Yes	Yes	Yes
Organic anti-caking agent:				
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		
PRICE/EA BAG	PRICE/EA BAG		
\$ 9.20	\$ 11.57		
Remove Ice Melt	Safer than Salt		
Knox Fertilizer	Magco		
50 lb Bags	50 lb Bags		
42 Bags/Pallet	50 Bags/Pallet		
PRICE/EA BAG	PRICE/EA BAG		
\$ 4.82	\$ 5.07		
49 bags/Pallett 50 lb Bags	50 Bags/Pallet 50 lb Bags		
1 - 3 Days	3 Days		
8AM to 5PM M- F	7 AM to 5 PM		
313-303-3911	248-877-4239		
Potassium 40%			
0	10		
10	10		
50	80		
Yes	Blue		
Yes	Yes		
Yes	Yes		
Full Pallets	300 Bags		
1 Pallet	1 Pallet		
Net 30	Net 30		
Manufacturers	Blank		
1 - 3 Days	As Needed		
Specifications are limited and exclusive	Blank		
Yes	Yes		
No	No		

PROPOSAL A:

EST
 QTY (BAGS) DESCRIPTION
 6,200 Bags **SIDEWALK ICE MELTING COMPOUND,**
 (310,000 lbs) Three-Way Blend

Quoting On:
 Manufactured By:
 50# Bags/50 bags per Pallet

PROPOSAL B:

EST
 QTY (BAGS) DESCRIPTION
 7,950 Bags **SCREENED ROCK SALT**
 (397,500 lbs) 50# bags in accordance with specifications
 50# Bags/50 bags per Pallet

Delivery will be within

CONTACT INFORMATION Hrs of Oper.
 Phone #

THREE-WAY FORMULA: Calcium Chloride not < 10%
 Magnesium Chloride not < 2%
 Sodium Chloride not > 88%
 Pattern Indicator:
 Organic anti-caking agent:

EXTENSION OF AWARD TO MITN PURCHASING COOP:Y/N

Minimum Order (Initial)
 (Add'l)

PAYMENT TERMS

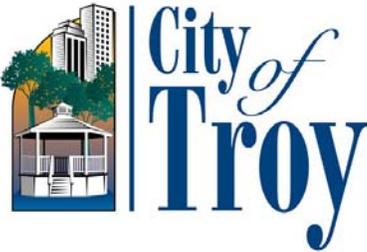
WARRANTY

DELIVERY

EXCEPTIONS

ACKNOWLEDGEMENT Signed: Y or N

ALL OR NONE AWARD



CITY COUNCIL ACTION REPORT

August 3, 2010

TO: John Szerlag, City Manager

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

SUBJECT: Standard Purchasing Resolution 3: Exercise Renewal Option – Uniform Rental Services

Background

- On November 24, 2008, Troy City Council awarded a two-year contract to provide uniform rental services for various City of Troy union employees with a two-year option to renew to Unifirst Corporation of Auburn Hills, MI, the highest rated respondent as a result of a best value process. CC Resolution #2008-11-351-F-4c
- The City of Troy joined Oakland County to contract for these services. As a result of this partnership, the City of Troy has been able to achieve volume driven cost reductions by awarding both contracts to one vendor.
- Oakland County continues to hold a contract with Unifirst Corporation for these services.
- Unifirst Corporation agreed to renew the City of Troy's current contract under the same prices, terms and conditions until October 31, 2012.
- The Purchasing department performed a market survey and based on the results concluded it is in the City's best interest to exercise the option to renew with Unifirst Corporation. (see Market Survey attached)

Financial Considerations

- Funds for this program are available in the various departmental operating budgets for Uniforms.

Legal Considerations

- Solicitation #000555 was competitively bid and all vendors were given the opportunity to respond with their level of interest in providing uniform rental services for various City of Troy facilities and Oakland County.

Recommendation

- City management recommends exercising the two (2) year option to renew for uniform rental services for various City of Troy union employees from Unifirst Corporation of Auburn Hills, Michigan, under the same prices, terms and conditions to expire October 31, 2012.

DATE: July 28, 2010

TO: Susan Leirstein CPPO CPPB
Purchasing Director

FROM: Julie Hamilton
Buyer

RE: MARKET SURVEY – UNIFORM RENTAL SERVICE

In September 2008 the City of Troy joined with Oakland County to solicit proposals for uniform rental services and a contract was awarded to Unifirst Corporation.

A review of similar uniform rental bids solicited since September 2008 was conducted and the results are listed below:

City of Sterling Heights

The City of Sterling Heights bid for uniform rental services in April 2009 that resulted in a contract award to Cintas Corporation. Their bid was similar to the City of Troy's based on the number and type of uniforms requested but their pricing per employee was higher for the polyester /cotton blend and 100% cotton uniforms by \$0.20 and \$0.40 respectively. Additionally, their charge to launder coveralls was \$0.20 higher per washing.

City of Dearborn

The City of Dearborn bid for uniform rental services in April 2010 that resulted in a contract award to Maurer Textile. Their bid included 10 more employees than the City of Troy's proposal and required only a standard quality cotton shirt opposed to the premium cotton as required in Troy's proposal. Based on these factors, their pricing per employee was \$0.20 lower for the cotton uniforms but, conversely, their pricing for the poly / cotton blend uniforms was \$0.20 higher than what the City of Troy is paying currently for their uniforms.

Based on the review of similar city contracts, I respectfully recommend that the City accept the offer to renew the contract with the current vendor as it appears that no additional value would be realized if the contract was rebid. Additionally, rebidding of these services at this time would require that the City bid on their own and could result in higher prices due to the recent reduction in the number of uniformed employees.

CC: File

248 619 7608

07/01/2010 07:21 #028 P.001/001



July 1, 2010

ATTN: Ed McNicholas, General Manager
Unifirst Corporation
1300 Auburn Road
Pontiac, MI 48342
FAX: (248) 334-4313

Dear Mr. McNicholas:

The City of Troy entered into contract #2009-90000011 with Unifirst Corporation to provide two-year requirements of Uniform Rental Services for various City of Troy union employees with an option to renew for two additional years, which expires October 31, 2010. The City is interested to know whether Unifirst will renew its contract at established prices for an additional two years.

Please fax this letter back to the Purchasing Department indicating if Unifirst Corporation wishes to renew this contract until October 31, 2012. The fax number is (248) 619-7608. It should be understood that this request to extend the contract agreement is subject to administrative approval and a favorable market survey. A request by City staff to determine the successful bidder's interest in renewing the contract in no way obligates the City. The option cannot be exercised without Troy City Council approval and a contract issued.

If you have any questions please call me at (248) 680-7291.

CHECK ONE:

Unifirst Corporation is interested in renewing the contract under the same prices, terms, and conditions through October 31, 2012:

Ed McNicholas
Signed: Authorized Company Representative

Unifirst Corporation is not interested in renewing the contract:

X
Signed: Authorized Company Representative

Date: 7/2/10

Thank you,
Julia Hamilton, CPPB
Purchasing Department
City of Troy

WHEREAS, On May 14, 2007, contracts to furnish two-year requirements of City Vehicle Wash Services with an option to renew for two (2) additional years was awarded to the following bidders: Tunnel O'Suds Car Wash, Your Car Wash, Pro Enterprise, Inc. and Jax Kar Wash as a result of a best value process at unit prices contained in the bid tabulation opened January 23, 2007, a copy of which shall be attached to the original Minutes of this meeting (Resolution #2007-05-142-E4a); and

WHEREAS, Tunnel O'Suds Car Wash, Jax Kar Wash and Pro Enterprise, Inc have agreed to exercise the two-year option to renew their exterior wash contracts under the same pricing, terms and conditions;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES** the option to renew the contracts with Tunnel O'Suds Car Wash, Jax Kar Wash and Pro Enterprise, Inc. to provide two-year requirements of City Vehicle Exterior Wash Services under the same prices, terms and conditions as the original contracts to expire December 31, 2010.

c) Standard Purchasing Resolution 8: Best Value Award – Uniform Rental Services

Resolution #2008-11-351-F-4c

RESOLVED, That Troy City Council hereby **AWARDS** a contract to furnish two (2) year requirements of Uniform Rental Services for various City of Troy union employees, with an option to renew for two (2) additional years to the alternate proposal from Unifirst Corporation of Auburn Hills, Michigan as a result of a best value process in cooperation with Oakland County, which the Troy City Council determines to be in the public interest, at unit prices at or below those contained in the tabulation opened September 3, 2008, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with the contract expiring October 31, 2010; and

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

d) Standard Purchasing Resolution 4: Award – State of Michigan MiDEAL Program – Lawn & Garden, Commercial and Agricultural Equipment

Resolution #2008-11-351-F-4d

RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase one (1) 2008 John Deere Backhoe from JDE Equipment Company, of New Hudson, MI, through the State of Michigan MiDEAL program for \$83,757.00 plus additional options not covered under MiDEAL of \$6,585.00, less trade-in of \$16,000.00, for an estimated net total cost of \$74,342.00; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Fleet Maintenance Division to accept or reject the trade-in offer of \$16,000.00 for the backhoe, pending the results to offer the equipment for sale on the open market at an amount greater than \$16,000.00.



CITY COUNCIL ACTION REPORT

November 18, 2008

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Standard Purchasing Resolution 8: Best Value Award – Uniform Rental Services

Background

- In August, a combined request for proposal document with Oakland County for two (2) year requirements of Uniform Rental Services, with an option to renew for two (2) additional years was issued by Oakland County. The document included individual specifications and pricing requirements for both the City of Troy and Oakland County.
- On September 3, 2008, the requests for proposals (RFP) were received by Oakland County. Five proposals were received from (4) companies. One company, Unifirst submitted the proposal as specified; as well as an alternate proposal based on a uniform change-out program to “Change As Needed”, instead of on a scheduled basis every 12 or 24 months..
- One-hundred and twenty-three (123) vendors were notified via the MITN e-procurement website.
- Three City of Troy committee members representing the various City facilities independently evaluated the proposals for the City considering factors such as experience, employee training and services.
- Based on the evaluations, the City conducted site visits to all four vendors’ processing plants. The committee members evaluated each site considering factors such as garment handling procedures, environmental issues, equipment and inventory levels.
- The City of Troy and Oakland County independently rated their own proposals and based on the ratings were able to agree upon a single vendor for both contracts.
- By partnering with Oakland County, the City of Troy has been able to achieve volume driven cost reductions by awarding both contracts to one vendor.
- Based on the selection criteria established by the City of Troy and Oakland County, City management recommends awarding the City’s portion of the contract to the highest rated bidder, Unifirst Corporation of Auburn Hills, Michigan under their alternate proposal.

Financial Considerations

- Funds for this program are available in the various departmental operating budgets for Uniforms.
- Projected savings under the new contract is estimated at \$2,500.00 per year.

Legal Considerations

- Solicitation #000555 was competitively bid and all vendors were given the opportunity to respond with their level of interest in providing uniform rental services for various City of Troy facilities and Oakland County.

November 18, 2008

To: Phillip L. Nelson, City Manager
Re: Best Value Award – Uniform Rental Services

Legal Considerations - continued

- The contract award is contingent on the recommended bidder's submission of proper contract and proposal documents including insurance certificates and all other specified requirements.

Policy Considerations

- By establishing a uniform rental service, the City can maintain the professional and suitable appearance that is the required standard for City of Troy employees.

Options

- City management recommends awarding a two (2) year contract for uniform rental services for various City of Troy union employees, with an additional two (2) year option to renew under the alternate proposal from Unifirst Corporation of Auburn Hills, Michigan, the highest rated vendor as a result of a best value process at unit prices at or below those contained in the tabulation opened September 3, 2008, to expire October 31, 2010.

G:/Purchasing/Bid Award 08-09 New Format/Best Value SR8 – RFP – Purchasing UniformRentalServices 11.08.doc



EXECUTIVE SUMMARY

UNIFORM RENTAL SERVICES

STATISTICS:

- ◆ **One-hundred Twenty-three (123) company's were notified via the MITN e-procurement website**
- ◆ **Five (5) proposals were received from four (4) companies**
- ◆ **All Four (4) companies met the pass/fail criteria**
- ◆ **The City's evaluation team visited all four (4) companies processing locations**
- ◆ **Unifirst Corporation (Alternate Proposal) received the highest score as a result of a best value process based on the evaluation of both the City of Troy and Oakland County**

The following Four (4) companies received the indicated final scores as a result of the proposal, pricing and site visit selection criteria. Site visits were conducted at all four company locations.

Company	SCORE
Unifirst Corporation (Alternate)	166.90
Cintas	164.74
Arrow	152.35
Aramark	141.85
Unifirst Corporation	136.54

Attachments:

- ✓ Weighted Final Scoring Including Proposal, Price, Site Visit Score and Oakland County's Score
- ✓ Evaluation Process
- ✓ Original Tabulation



WEIGHTED FINAL SCORING
UNIFORM RENTAL SERVICES

City of Troy Final Score Calculation:

40% x Price Score
30% x Site Visit Score
30% x Proposal Score
100% = Final Weighted Score

Oakland County Final Score Calculation:

25% x Compliance with Qualifications
25% x Completeness of Proposal
25% x Correlation of Proposals to needs of County
25% x Other factors deemed in Agencies best interest
100% = Final Weighted Score

In order to equate the price to the weighted evaluation process scoring, the prices had to be converted into a score with the base of 100. **NOTE:** Vendors are listed in the order of their summary score for both proposal and price, from highest to lowest. For the site visit score, vendors are listed in the order of their score, from highest to lowest. For the final score and cumulative score the vendors are listed in the order of rating from highest to lowest.

Weighted Average Score for Price: 40%

	Weighted Criteria - [1-(Proposal Price - Low Price) / low price] x available points	Final Weighted Score (x .40)
Vendors:		
Cintas Corporation	{1-(21,533.56-19,866.80)/19,866.80} x 100 = 91.61	91.61 x .40 = 36.64
Unifirst Corporation (Alternate)	{1-(19,866.80-19,866.80)/19,866.80} x 100 = 100.00	100.00 x .40 = 40.00
Arrow Uniform Rental	{1-(20,139.28-19,866.80)/19,866.80} x 100 = 98.62	98.62 x .40 = 39.45
Aramark	{1-(31,465.92-19,866.80)/19,866.80} x 100 = 41.62	41.62 x .40 = 16.65
Unifirst Corporation	{1-(36,038.80-19,866.80)/19,866.80} x 100 = 18.60	18.60 x .40 = 7.44

Weighted Average Score for Proposals: 30%

Raters:	1	2	3	Average	Final Weighted Score (x .30)
Vendors:					
Cintas Corporation	100.00	93.00	93.00	95.33	28.60
Unifirst Corporation (Alternate)	80.00	80.00	89.00	83.00	24.90
Arrow Uniform Rental	97.00	51.00	90.00	79.33	23.80
Aramark	96.00	63.00	92.00	83.67	25.10
Unifirst Corporation	100.00	78.00	93.00	90.33	27.10

Summary: Proposal and Price Scores

	Price Score	Proposal Score	Score
Vendors:			
Cintas Corporation	36.64	28.60	65.24
Unifirst Corporation (Alternate)	40.00	24.90	64.90
Arrow Uniform Rental	39.45	23.80	63.25
Aramark	16.65	25.10	41.75
Unifirst Corporation	7.44	27.10	34.54

Site visits were conducted at all four company locations. (Maximum # of points - 30)



Weighted Average Score for Site Visit: 30%

RATERS	1	2	3	Average	Final Weighted Score (x .30)
Vendors:					
Arrow Uniform Rental	100.00	96.00	97.00	97.67	29.30
Aramark	99.00	94.00	94.00	95.67	28.70
Cintas Corporation	94.00	92.00	93.00	93.00	27.90
Unifirst Corporation	89.00	92.00	89.00	90.00	27.00
Unifirst Corporation (Alternate)	89.00	92.00	89.00	90.00	27.00

CITY OF TROY FINAL SCORE:

VENDORS:	Cintas Corporation	Arrow Uniform Rental	Unifirst Corporation (Alternate)	Aramark	Unifirst Corporation
Proposal Score	28.60	23.80	24.90	25.10	27.10
Price Score	36.64	39.45	40.00	16.65	7.44
Site Visit Score	27.90	29.30	27.00	28.70	27.00
FINAL SCORE	93.14	92.55	91.90	70.45	61.54

OAKLAND COUNTY FINAL SCORE:

VENDORS:	Unifirst Corporation (Alternate)	Unifirst Corporation	Cintas Corporation	Aramark	Arrow Uniform Rental
Compliance with Qualification Criteria	16.60	16.60	16.60	16.60	15.00
Completeness of Proposal	18.40	18.40	16.60	16.60	16.60
Correlation of proposals to needs of the County/City	20.00	20.00	20.00	21.60	16.60
Other factors that may be deemed to be in Agencies best interest	20.00	20.00	18.40	16.60	11.60
FINAL SCORE	75.00	75.00	71.60	71.40	59.80

FINAL CUMULATIVE SCORE - CITY OF TROY AND OAKLAND COUNTY:

VENDORS:	Unifirst Corporation (Alternate)	Cintas Corporation	Arrow Uniform Rental	Aramark	Unifirst Corporation
City of Troy	91.90	93.14	92.55	70.45	61.54
Oakland County	75.00	71.60	59.80	71.40	75.00
FINAL SCORE	166.90	164.74	152.35	141.85	136.54

**HIGHEST RATED VENDOR - RECOMMENDED AWARD



Request for Qualifications and Proposal
Uniform Rental Services

SELECTION PROCESS

CRITERIA FOR SELECTION

A City/County Committee will review the proposals. The Agencies reserve the right to award this proposal to the company considered the most qualified based upon a combination of factors including but not limited to the following:

- A. Compliance with qualifications criteria
- B. Completeness of the proposal
- C. Financial strength of the Company
- D. Correlation of the proposals submitted to the needs of the City/County
- E. Any other factors which may be deemed to be in the Agencies best interest
- F. Evaluation Process

Phase 1: Minimum Qualifications Evaluation

Companies will be required to meet minimum established criteria in order to go to the second phase of the process.

Phase 2: Evaluation of Proposals

Each Committee member will independently use a weighted score sheet to evaluate the proposals; each Committee Member will calculate a weighted score. The scores of the Committee Members will be averaged into one score for each firm for this phase of the process.

Phase 3: Site Visit

The City/County will conduct site visits to the top three (3) rated companies. If less than three (3) companies remain in the process, all will be visited. Each Committee Member will independently use a weighted score sheet to evaluate the site visit; each Committee Member will calculate a weighted score. The scores of the Committee Members will be averaged into one score for each company for this phase of the process. Those companies being visited will be supplied with further instructions, date of visit and any additional requests prior to the visit.

Phase 4: Price

Points for price will be calculated as follows:

$$\text{FORMULA: } \{1 - (\text{Proposal Price} - \text{Low Price}) / \text{low price}\} \times \text{available points}$$

Phase 5: Final Scoring and Selection

The company with the highest final weighted score will be recommended for Award.

$$\begin{array}{l} 40\% \times \text{Price Score} \quad (100 \text{ pt. Base}) \\ 30\% \times \text{Site Visit Score} \quad (100 \text{ pt. Base}) \\ \underline{30\% \times \text{Proposal Score} \quad (100 \text{ pt. Base})} \\ 100\% \end{array}$$

Note: The City/County reserve the right to change the order of the evaluation process if deemed in the Agencies' best interest to do so.

UNIFORM RFP RESULTS - EVENT # 000555

	Compliance with Qualification Criteria	Completeness of the proposal	Correlation of the proposals submitted to the needs of the County/City	Other factors which mat be deemed to be in the Agencies best interest	Totals
Aramark	4	5	5	4	
	3	2	4	3	
	3	3	4	3	
	10	10	13	10	43
Arrow	3	3	3	2	
	3	4	4	4	
	3	3	3	1	
	9	10	10	7	36
Cintas	4	4	4	4	
	3	3	4	3	
	3	3	4	4	
	10	10	12	11	43
Unifirst	4	3	4	4	
	3	4	4	4	
	3	4	4	4	
	10	11	12	12	45

Event # 555			
EVALUATION SCORING CRITERIA	INTERESTED VENDOR NAME		
0 = proposal fails to meet minimum specification for this element and/or information is missing. 1 = Proposal meets specification with exception and/or information is unclear. 2 = proposal meets minimum specification and required information is complete and understandable. 3 = Proposal somewhat exceeds specification and/or provides a somewhat enhanced solution/features/functionality. 4 = Proposal greatly exceeds specifications and/or provides greatly enhanced solution/features/functionality. 5 = Proposal provides superior solution, technology, functionality, service or operational feature.	Cintas		
Compliance with Qualifications Criteria	Score 0-5	Section Weight	Weighted Total
	3.33		
TOTAL	3.33	0.25	0.83
Completeness of the proposal	Score 0-5	Section Weight	Weighted Total
	3.33		
TOTAL	3.33	0.25	0.83
Correlation of the proposals submitted to the needs of the County/City	Score 0-5	Section Weight	Weighted Total
	4		
TOTAL	4	0.25	1.00
Other factors with may be deemed to be in the Agencies best interest	Score 0-5	Section Weight	Weighted Total
	3.66	25%	
TOTAL	3.66	0.25	0.92
TOTALS	Section Totals		
	0.83		
	0.83		
	1.00		
	0.92		
SECTIONS TOTAL SCORE	3.58		

Conversation to 100% Scale. Point value X 20%	71.6
City of Troy Final Score	95
Final combined total	166.6

Event # 555			
EVALUATION SCORING CRITERIA	INTERESTED VENDOR NAME		
0 = proposal fails to meet minimum specification for this element and/or information is missing. 1 = Proposal meets specification with exception and/or information is unclear. 2 = proposal meets minimum specification and required information is complete and understandable. 3 = Proposal somewhat exceeds specification and/or provides a somewhat enhanced solution/features/functionality. 4 = Proposal greatly exceeds specifications and/or provides greatly enhanced solution/features/functionality. 5 = Proposal provides superior solution, technology, functionality, service or operational feature.	Arrow		
Compliance with Qualifications Criteria	Score 0-5	Section Weight	Weighted Total
	3	25%	
TOTAL	3	0.25	0.75
Completeness of the proposal	Score 0-5	Section Weight	Weighted Total
	3.33	25%	
TOTAL	3.33	0.25	0.83
Correlation of the proposals submitted to the needs of the County/City	Score 0-5	Section Weight	Weighted Total
	3.33	25%	
TOTAL	3.33	0.25	0.83
Other factors which may be deemed to be in the Agencies best interest	Score 0-5	Section Weight	Weighted Total
	2.33	25%	
TOTAL	2.33	0.25	0.58
TOTALS	Section Totals		
	0.75		
	0.83		
	0.83		
	0.58		
SECTIONS TOTAL SCORE	2.99		

Conversation to 100% Scale. Point value X 20%	59.8
City of Troy Final Score	92
Final combined total	151.8

Event # 555			
EVALUATION SCORING CRITERIA	INTERESTED VENDOR NAME		
0 = proposal fails to meet minimum specification for this element and/or information is missing. 1 = Proposal meets specification with exception and/or information is unclear. 2 = proposal meets minimum specification and required information is complete and understandable. 3 = Proposal somewhat exceeds specification and/or provides a somewhat enhanced solution/features/functionality. 4 = Proposal greatly exceeds specifications and/or provides greatly enhanced solution/features/functionality. 5 = Proposal provides superior solution, technology, functionality, service or operational feature.	Aaramark		
Compliance with Qualifications Criteria	Score 0-5	Section Weight	Weighted Total
	3.33		
TOTAL	3.33	0.25	0.83
Completeness of the proposal	Score 0-5	Section Weight	Weighted Total
	3.33		
TOTAL	3.33	0.25	0.83
Correlation of the proposals submitted to the needs of the County/City	Score 0-5	Section Weight	Weighted Total
	4.33		
TOTAL	4.33	0.25	1.08
Other factors which may be deemed to be in the Agencies best interest	Score 0-5	Section Weight	Weighted Total
	2.33	25%	
TOTAL	3.33	0.25	0.83
TOTALS	Section Totals		
	0.83		
	0.83		
	1.08		
	0.83		
SECTIONS TOTAL SCORE	3.57		

Conversation to 100% Scale. Point Value X 20%
City of Troy Final Score
Combined total

71.4
72
143.4

Event # 555			
EVALUATION SCORING CRITERIA	INTERESTED VENDOR NAME		
0 = proposal fails to meet minimum specification for this element and/or information is missing. 1 = Proposal meets specification with exception and/or information is unclear. 2 = proposal meets minimum specification and required information is complete and understandable. 3 = Proposal somewhat exceeds specification and/or provides a somewhat enhanced solution/features/functionality. 4 = Proposal greatly exceeds specifications and/or provides greatly enhanced solution/features/functionality. 5 = Proposal provides superior solution, technology, functionality, service or operational feature.	Unifirst		
Compliance with Qualifications Criteria	Score 0-5	Section Weight	Weighted Total
	3		
TOTAL	3	0.25	0.75
Completeness of the proposal	Score 0-5	Section Weight	Weighted Total
	3.66		
TOTAL	3.66	0.25	0.92
Correlation of the proposals submitted to the needs of the County/City	Score 0-5	Section Weight	Weighted Total
	4		
TOTAL	4	0.25	1.00
Other factors which may be deemed to be in the Agencies best interest	Score 0-5	Section Weight	Weighted Total
	4	25%	
TOTAL	4	0.25	1.00
TOTALS	Section Totals		
	0.83		
	0.92		
	1.00		
	1.00		
SECTIONS TOTAL SCORE	3.75		

Conversation to 100% Scale. Point value X 20%

75

City of Troy Final Score

92

Final combined total

167

VENDOR NAME:

UNIFIRST CORPORATION

ARROW UNIFORM RENTAL LLC

*Alternate Pricing - Change as Needed

ITEM	DESCRIPTION	EST # OF EMPLOYEES	WASHING COST/MAN/WEEK	REPLACEMENT COST	WASHING COST/MAN/WEEK	REPLACEMENT COST
1	Shirts- Long & Short Sleeve with Pants (Standard)	10	\$ 3.30	\$ 8.00	\$ 3.60	\$ 13.00
	65/35 Poly/Cotton Blend -Exchanged Every 24 Months-			\$ 10.00		\$ 14.00
			Not every 24 months - As Needed			
	Optional: 65/35 Poly/Cotton Blend - Exchangd Every 24 Months - (w/Cell-Phone Pocket)		\$ 3.45	\$ 12.00	N/A	N/A
	5 Changes/Week		Not every 24 months - As Needed			
	Mix and Match					
	Style #		0102, 0202, 1002,	10B6	SP 14/24 & PT20	
	Manufacturer:		Unifirst		RED KAP	
2	Shirts-Long Sleeve with Pants (Standard)	54	\$ 4.40	\$ 10.00	\$ 4.50	\$ 14.00
	100% Premium Quality Cotton -Exchanged Every 12 Months-			\$ 12.00		\$ 15.00
			Not every 12 months - As Needed			
	Optional: 100% Premium Quality Cotton - Exchanged Every 12 Months - (w/Tool Pocket)		\$ 5.25	\$ 15.00	N/A	N/A
	5 Changes/Week		Not every 12 months - As Needed			
	Style #		0101, 0201, 1001		SC 30/40 & PC 20	
	Manufacturer:		Unifirst		RED KAP	
3	50/50 Knit Short Sleeve Shirts and Pants (Standard)	6	\$ 4.40	Blank	\$ 4.84	\$ 14.00
	Long Sleeve Shirts and Pants (Standard)			Blank		N/A
	65/35 Poly/Cotton Blend -Exchanged Every 24 Months-		Not every 24 months - As Needed			
	5 Changes/Week					\$ 15.00
	Mix and Match					
	Style #		02CH, 02CZ, 0268, 1002		SE20 or SE02 or SE52	
	Manufacturer:		Unifirst		RED KAP	
4	Coveralls and Shop Coats	13	\$ 0.80	\$ 32.00	\$ 0.40	\$ 15.00
	100% Premium Quality Cotton			\$ 38.00		\$ 15.00
	Mix and Match					
	Laundered As Needed					
5	White Long Sleeve Shirts with Pants	2	\$ 4.40	\$ 10.00	\$ 3.60	\$ 13.00
	65/35 Poly/Cotton Blend - Exchanged Every 12 Months-			\$ 12.00		\$ 14.00
	5 Changes/Week		Not every 12 months - As Needed			
	Style #		011107, 1122		SP14/24, PT20	
	Manufacturer:		Unifirst		RED KAP	
6	Two (2) Shop Coats	6	No Charge	No Charge	No Charge	No Charge
	Laundered 4 Times/Year					
	ADDITIONAL PURCHASE:	EST # OF				
ITEM	DESCRIPTION	EMPLOYEES	UNIT PRICE		UNIT PRICE	
1	Coveralls 100% Premium Quality Cotton	19	\$ 32.00		\$ 27.00	
	Manufacturer: Style #:		BLANK		RED KAP	CC14
2	Shop Coats 100% Premium Quality Cotton	15	\$ 38.00		\$ 27.00	
	Manufacturer: Style #:		BLANK		UNIVERSAL	
3	Sew-On Additional City owned emblems - patches	COST FOR	\$ 1.50		\$ 2.00	
	SUB- TOTAL -		\$ 17,121.20		\$ 17,331.28	

PROPOSAL - Two Year Requirements of Uniform Rental Services with an Option to Renew for Two Additional Years

VENDOR NAME:

UNIFIRST CORPORATION

ARROW UNIFORM RENTAL LLC

*Alternate Pricing - Change as Needed

ITEM	OPTIONAL SERVICES: DESCRIPTION	EST # OF EMPLOYEES	WASHING COST/MAN/WEEK	REPLACEMENT COST	WASHING COST/MAN/WEEK	REPLACEMENT COST
A.	Shirts-Long Sleeve with Pants (Standard)	6	\$ 2.64	Blank	\$ 2.70	\$ 14.00
	100% Premium Quality Cotton			Blank		\$ 15.00
Option	100% Premium Quality Cotton - w/tool pocket		\$ 3.15	Blank	N/A	N/A
	3 Changes/Week					
	Style #		0101, 0201, 1001		BLANK	
	Manufacturer:		Unifirst		BLANK	
B.	Shirts-Short Sleeve with Pants (Standard)	6	\$ 1.76	Blank	\$ 1.80	\$ 14.00
	100% Premium Quality Cotton			Blank		\$ 15.00
Option	100% Premium Quality Cotton - w/tool pocket		\$ 2.10	Blank	N/A	N/A
	2 Changes/Week					
	Style #		0101, 0201, 1001		BLANK	
	Manufacturer:		Unifirst		BLANK	
C.	Shirts-Short Sleeve with Pants (Standard)	6	\$ 4.40	Blank	\$ 4.50	\$ 14.00
	100% Premium Quality Cotton			Blank		\$ 15.00
Option	100% Premium Quality Cotton - w/tool pocket		\$ 5.25	Blank	N/A	N/A
	5 Changes/Week					
	Style #		0101, 0201, 1001			
	Manufacturer:		Unifirst			
ESTIMATED ANNUAL GRAND TOTAL:			\$ 19,866.80		\$ 20,139.28	

MANDATORY SITE INSPECTION

Visited the sites:

Date:

8/14/2008

8/26/2008

FLOOR PLAN

Marked as:

Titled

Locker Floor Plan

SITE VISIT:

Contact Name:

Ed McNicholas

Scott Wakefield

Phone #

(248) 334-0030

(248) 786-9703

BIDDER QUESTIONNAIRE: Yes or No

YES

YES

CONTACT INFORMATION:

Hours of Operation

7am-5pm

8am - 5pm

Emergency Phone #

(248) 935-4971

(248) 786-9703

INSURANCE:

Can meet

XX

XX

Cannot meet

TERMS:

NET 30

BLANK

WARRANTY:

N/A

BLANK

DATE & TIME - DELIVERY:

BLANK

BLANK

EXCEPTIONS:

Unifirst brand vs Red Kap-Prices per terms w/alternate prices

BLANK

ACKNOWLEDGEMENT: Yes or No

YES

YES

NOTE: RFP opened in Oakland County

VENDOR NAME:

CINTAS CORPORATION

ARAMARK

		EST # OF	WASHING	REPLACEMENT	WASHING	REPLACEMENT
ITEM	DESCRIPTION	EMPLOYEES	COST/MAN/WEEK	COST	COST/MAN/WEEK	COST
1	Shirts- Long & Short Sleeve with Pants (Standard)	10	\$ 3.64	\$ 15.00	\$ 3.69	\$ 16.00
	65/35 Poly/Cotton Blend -Exchanged Every 24 Months-			\$ 16.00		\$ 16.00
	Optional: 65/35 Poly/Cotton Blend - Exchangd Every 24 Months - (w/Cell-Phone Pocket)		\$ 4.71	\$ 19.00	\$ 4.75	\$ 18.00
	5 Changes/Week					
	Mix and Match					
	Style #		935/945		BLANK	
	Manufacturer:		Cintas		BLANK	
2	Shirts-Long Sleeve with Pants (Standard)	54	\$ 5.21	\$ 18.00	\$ 7.75	\$ 18.00
	100% Premium Quality Cotton -Exchanged Every 12 Months-			\$ 20.00		\$ 18.00
	Optional: 100% Premium Quality Cotton - Exchanged Every 12 Months - (w/Tool Pocket)		\$ 6.89	\$ 23.00	N/A	N/A
	5 Changes/Week					
	Style #		330/340		BLANK	
	Manufacturer:		Cintas		BLANK	
3	50/50 Knit Short Sleeve Shirts and Pants (Standard)	6	\$ 4.28	\$ 18.00	\$ 4.75	\$ 18.00
	Long Sleeve Shirts and Pants (Standard)			\$ 16.00		Blank
	65/35 Poly/Cotton Blend -Exchanged Every 24 Months-					
	5 Changes/Week					
	Mix and Match					
	Style #		259/945		BLANK	
	Manufacturer:		Cintas		BLANK	
4	Coveralls and Shop Coats	13	\$ 0.50	\$ -	\$ 0.50	\$ 30.00
	100% Premium Quality Cotton			\$ -		\$ 23.00
	Mix and Match					
	Laundered As Needed					
5	White Long Sleeve Shirts with Pants	2	\$ 3.64	\$ 15.00	\$ 5.53	\$ 20.00
	65/35 Poly/Cotton Blend - Exchanged Every 12 Months-			\$ 16.00		\$ 18.00
	5 Changes/Week					
	Style #		935/945		BLANK	
	Manufacturer:		Cintas		BLANK	
6	Two (2) Shop Coats	6	No Charge	No Charge	No Charge	No Charge
	Laundered 4 Times/Year					
	ADDITIONAL PURCHASE:	EST # OF				
ITEM	DESCRIPTION	EMPLOYEES	UNIT PRICE		UNIT PRICE	
1	Coveralls 100% Premium Quality Cotton	19	\$ 0.50		\$ 29.00	Plus 20% non-std sizes
	Manufacturer: Style #:		Cintas 910		Blank	
2	Shop Coats 100% Premium Quality Cotton	15	\$ 0.50		\$ 21.00	Plus 20% non-std sizes
	Manufacturer: Style #:		Cintas 929		Blank	
3	Sew-On Additional City owned emblems - patches	COST FOR	\$ 1.99		\$ 0.75	
	SUB- TOTAL -		\$ 18,279.40		\$ 26,629.92	

PROPOSAL - Two Year Requirements of Uniform Rental Services with an Option to Renew for Two Additional Years

VENDOR NAME:

CINTAS CORPORATION

ARAMARK

ITEM	OPTIONAL SERVICES:	EST # OF EMPLOYEES	WASHING	REPLACEMENT	WASHING	REPLACEMENT
	DESCRIPTION		COST/MAN/WEEK	COST	COST/MAN/WEEK	COST
A.	Shirts-Long Sleeve with Pants (Standard)	6	\$ 3.13	\$ 18.00	\$ 4.65	\$ 18.00
	100% Premium Quality Cotton			\$ 20.00		\$ 18.00
Option	100% Premium Quality Cotton - w/tool pocket		\$ 4.13	\$ 23.00	N/A	N/A
	3 Changes/Week					
	Style #		330/340		BLANK	
	Manufacturer:		Cintas		BLANK	
B.	Shirts-Short Sleeve with Pants (Standard)	6	\$ 2.09	\$ 18.00	\$ 3.10	\$ 17.00
	100% Premium Quality Cotton			\$ 20.00		\$ 18.00
Option	100% Premium Quality Cotton - w/tool pocket		\$ 2.75	\$ 23.00	N/A	N/A
	2 Changes/Week					
	Style #		330/340		BLANK	
	Manufacturer:		Cintas		BLANK	
C.	Shirts-Short Sleeve with Pants (Standard)	6	\$ 5.21	\$ 18.00	\$ 7.75	\$ 17.00
	100% Premium Quality Cotton			\$ 20.00		\$ 18.00
Option	100% Premium Quality Cotton - w/tool pocket		\$ 6.89	\$ 23.00	N/A	N/A
	5 Changes/Week					
	Style #		330/340		BLANK	
	Manufacturer:		Cintas		BLANK	
ESTIMATED ANNUAL GRAND TOTAL:			\$ 21,533.56		\$ 31,465.92	

MANDATORY SITE INSPECTION

Visited the sites:

Date:

8/27/2008

8/26/2008

FLOOR PLAN

Marked as:

Locker Floor Plan

Floor Plan

SITE VISIT:

Contact Name:

Kent Butler

Michael Ragan

Phone #

(586) 855-1647

(248) 996-4184

BIDDER QUESTIONNAIRE: Yes or No

YES

YES

CONTACT INFORMATION:

Hours of Operation

8am-5pm

8am - 5pm

Emergency Phone #

(586) 677-9900

(866) 624-5136

INSURANCE:

Can meet

XX

XX

Cannot meet

TERMS:

STATED

NET 30

WARRANTY:

FLEXIBLE

30 days notice to terminate - see bid

DATE & TIME - DELIVERY:

FLEXIBLE

BLANK

EXCEPTIONS:

Would like to replc garments as needed but will honor timeframe City specified.

BLANK

ACKNOWLEDGEMENT: Yes or No

YES

YES

VENDOR NAME:

UNIFIRST CORPORATION

ITEM	DESCRIPTION	EST # OF EMPLOYEES	WASHING COST/MAN/WEEK	REPLACEMENT COST	WASHING COST/MAN/WEEK	REPLACEMENT COST
1	Shirts- Long & Short Sleeve with Pants (Standard)	10	\$ 4.75	\$ 12.00		
	65/35 Poly/Cotton Blend -Exchanged Every 24 Months-			\$ 15.00		
	Optional: 65/35 Poly/Cotton Blend - Exchangd Every 24 Months - (w/Cell-Phone Pocket)		\$ 4.90	\$ 15.00		
	5 Changes/Week					
	Mix and Match					
	Style #		0102, 0202, 1002,	10B6		
	Manufacturer:		Unifirst & Dickies			
2	Shirts-Long Sleeve with Pants (Standard)	54	\$ 8.65	\$ 12.00		
	100% Premium Quality Cotton -Exchanged Every 12 Months-			\$ 15.00		
	Optional: 100% Premium Quality Cotton - Exchanged Every 12 Months - (w/Tool Pocket)		\$ 9.50	\$ 18.00		
	5 Changes/Week		Add/Sew on pocket			
	Style #		0101, 0201, 1001			
	Manufacturer:		Unifirst			
3	50/50 Knit Short Sleeve Shirts and Pants (Standard)	6	\$ 5.60	\$ 12.00		
	Long Sleeve Shirts and Pants (Standard)			\$ 15.00		
	65/35 Poly/Cotton Blend -Exchanged Every 24 Months-					
	5 Changes/Week					
	Mix and Match					
	Style #		02CH, 02CZ, 0268	1002		
	Manufacturer:		Unifirst			
4	Coveralls and Shop Coats	13	\$ 0.80	\$ 32.00		
	100% Premium Quality Cotton			\$ 38.00		
	Mix and Match					
	Laundered As Needed					
5	White Long Sleeve Shirts with Pants	2	\$ 8.80	\$ 12.00		
	65/35 Poly/Cotton Blend - Exchanged Every 12 Months-			\$ 15.00		
	5 Changes/Week					
	Style #		011107, 1122			
	Manufacturer:		Unifirst			
6	Two (2) Shop Coats	6	No Charge	No Charge		
	Laundered 4 Times/Year					
	ADDITIONAL PURCHASE:	EST # OF				
ITEM	DESCRIPTION	EMPLOYEES	UNIT PRICE		UNIT PRICE	
1	Coveralls 100% Premium Quality Cotton	19	\$ 32.00			
	Manufacturer: Style #:		BLANK			
2	Shop Coats 100% Premium Quality Cotton	15	\$ 38.00			
	Manufacturer: Style #:		BLANK			
3	Sew-On Additional City owned emblems - patches	COST FOR	\$ 1.50			
	SUB- TOTAL -		\$ 30,641.20			

PROPOSAL - Two Year Requirements of Uniform Rental Services with an Option to Renew for Two Additional Years

VENDOR NAME:

UNIFIRST CORPORATION

ITEM	OPTIONAL SERVICES:		EST # OF EMPLOYEES	WASHING	REPLACEMENT	WASHING	REPLACEMENT
	DESCRIPTION			COST/MAN/WEEK	COST	COST/MAN/WEEK	COST
A.	Shirts-Long Sleeve with Pants (Standard)		6	\$ 5.19	\$ 12.00		
	100% Premium Quality Cotton				\$ 15.00		
Option	100% Premium Quality Cotton - w/tool pocket			\$ 5.70	\$ 18.00		
	3 Changes/Week						
	Style #			0101, 0201, 1001			
	Manufacturer:			Unifirst			
B.	Shirts-Short Sleeve with Pants (Standard)		6	\$ 3.46	\$ 12.00		
	100% Premium Quality Cotton				\$ 15.00		
Option	100% Premium Quality Cotton - w/tool pocket			\$ 3.80	\$ 18.00		
	2 Changes/Week						
	Style #			0101, 0201, 1001			
	Manufacturer:			Unifirst			
C.	Shirts-Short Sleeve with Pants (Standard)		6	\$ 8.65	\$ 12.00		
	100% Premium Quality Cotton				\$ 15.00		
Option	100% Premium Quality Cotton - w/tool pocket			\$ 9.50	\$ 18.00		
	5 Changes/Week						
	Style #			0101, 0201, 1001			
	Manufacturer:			Unifirst			
ESTIMATED ANNUAL GRAND TOTAL:				\$ 36,038.80			

MANDATORY SITE INSPECTION

Visited the sites:

Date:

8/14/2008

FLOOR PLAN

Marked as:

Titled

SITE VISIT:

Contact Name:

Ed McNicholas

Phone #

(248) 334-0030

BIDDER QUESTIONNAIRE: Yes or No

YES

CONTACT INFORMATION:

Hours of Operation

7am-5pm

Emergency Phone #

(248) 935-4971

INSURANCE:

Can meet

XX

Cannot meet

TERMS:

NET 30

WARRANTY:

N/A

DATE & TIME - DELIVERY:

BLANK

EXCEPTIONS:

Unifirst brand vs Red Kap-Prices per terms w/alternate prices

ACKNOWLEDGEMENT: Yes or No

YES



TO: Members of Troy City Council
FROM: Lori Grigg Bluhm , City Attorney
Christopher J. Forsyth, Assistant City Attorney
DATE: July 30, 2010
SUBJECT: City of Troy v. William H. Price

As part of the Rochester Road Improvement Project, the City needed to acquire right of way and a public utility easement from Price Funeral Home (3725 Rochester Road) and the adjoining vacant property, which was also owned by Price. A condemnation lawsuit was initiated, since we were unable to agree with the property owners for a voluntary sale. The only remaining issue is the amount of just compensation to be paid for the property. The case was recently submitted to case evaluation. Subsequently, we were able to negotiate a proposed consent judgment, which would finalize this case for the amount of the case evaluation, plus statutory costs and fees.

City Administration recommends approval of the attached consent judgment. Please let us know if you have any questions about this matter.

TROY HISTORIC DISTRICT COMMISSION MINUTES – FINAL**May 18, 2010**

A regular meeting of the Troy Historic District Commission was held Tuesday, May 18, 2010 at the Troy Museum. Barbara Chambers called the meeting to order at 7:04 p.m.

ROLL CALL	PRESENT	Barbara Chambers Anne Partlan Kent Voigt Doris Schuchter Muriel Rounds Loraine Campbell, Museum Manager
	ABSENT	Sabah Jihad
	GUESTS	Connie and Michael Kelemen 1767 Three Lakes Troy, MI 48085

Resolution #HDC-2010-05-001**Moved by Partlan****Seconded by Voigt****RESOLVED, That the minutes of the March 16, 2010 meeting be approved.**

Yes: 5— Chambers, Partlan, Voigt, Schuchter and Rounds

No: 0

MOTION CARRIED**OLD BUSINESS****A. Recommendation of the Final Report to delist 4800 Beach**

The commission reviewed the final revised report provided by the Historic District Study Committee.

Resolution #HDC-2010-05-002**Moved by Partlan****Seconded by Voigt**

RESOLVED, That the Historic District Commission supports the findings provided in the final report by the Historic District Study Committee regarding the resource identified as 4800 Beach Road (88-20-18-203-011) and further supports the recommendation to City Council to eliminate the local historic designation of this resource.

Yes: 5— Chambers, Partlan, Voigt, Schuchter and Rounds

No: 0

MOTION CARRIED

NEW BUSINESS

B. 54 E. Square Lake Road

Connie and Michael Kelemen propose to acquire the historic resource at 54 E. Square Lake Road (88-20-10-101-003) through a lease agreement for use as an old world style café. They will retain the exterior appearance of the building but seek to remove large coniferous trees that are extremely close to the building. They also plan to offer outdoor seating in the area behind the house and to develop parking in the area east of the building.

Resolution #HDC-2010-05-003

Moved by Schuchter

Seconded by Rounds

RESOLVED, That the Historic District Commission supports concepts presented by Connie and Michael Kelemen regarding the use of the historic resource at 54 E Square Lake Road (88-20-10-101-003) that will:

- **Preserve and retain the historic integrity of the structure and the site,**
- **Remove trees encroaching on the building foundation,**
- **Provide an outdoor café at the rear (south side) of the property, and**
- **Provide an appropriate parking area with a surface that retains the historic integrity of the site, is ADA compliant, and that provides appropriate stormwater management.**

The Historic District Commission would support use of an appropriate material such as:

- **Crushed limestone (slag)**
- **Parking pavers**
- **A porous surface including but not limited to Permeable Interlocking Concrete Pavers or Permeable Pavers**

As a “last resort” the commission would support the use of dyed, stamped concrete.

Yes: 5— Chambers, Partlan, Voigt, Schuchter and Rounds

No: 0

MOTION CARRIED

C. Historic District Study Committee

The commission discussed the charge of the Historic District Study Committee as an ad hoc committee appointed by City Council in accordance with Chapter 13, Sec. 14(A).

Resolution #HDC-2010-05-004

Moved by Partlan

Seconded by Schuchter

RESOLVED, as the Historic District Study Committee has completed their work in the modification and elimination of historic resources, that the Historic District Commission recommends that City Council dissolve the Historic District Study Committee in accordance with Chapter 13, Sec 14(A).

Yes: 5— Chambers, Partlan, Voigt, Schuchter and Rounds

No: 0

MOTION CARRIED

D. Commission Comments

Muriel Rounds suggested that the commission revisit the following items of unfinished business:

- The placement of an historic marker adjacent to the parking lot of John’s party Store on the northwest corner of Square lake Road at Livernois. This marker, identifying the site of the Krell Farm was to be placed following completion of the expanded parking facility following the recommendations of the ad hoc Heritage Committee, 2003.
- Fabrication and placement of markers at the local historic resources.

The regular Troy Historic District Commission meeting was adjourned at 8:20 p.m. The next regular meeting will be held Tues, June 15, 2010 at 7:00 p.m. at the Troy Museum.

Barbara Chambers
Chairperson

Loraine Campbell
Recording Secretary

The Board of Zoning Appeals meeting was called to order by Vice Chair Bartnik at 7:32 p.m. on June 15, 2010, in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Michael Bartnik
 Glenn Clark
 Kenneth Courtney
 Donald L. Edmunds (arrived 7:48 p.m.)
 Edward Kempen
 Matthew Kovacs

Absent:

David Lambert

Also Present:

Paul Evans, Inspector Supervisor
 Allan Motzny, Assistant City Attorney
 Kathy L. Czarnecki, Recording Secretary

Vice Chair Bartnik announced that because a full Board is not present this evening, the petitioners have the right to request postponement of an item prior to the presentation of the matter.

Resolution # BZA 2010-06-023

Motion by Clark
 Support by Courtney

MOVED, To excuse Members Edmunds and Lambert.

Yes: All present (5)
 No: Edmunds (arrived 7:48 p.m.), Lambert

MOTION CARRIED

2. APPROVAL OF MINUTES – May 18, 2010

Resolution # BZA 2010-06-024

Motion by Courtney
 Support by Kempen

MOVED, To approve the May 18, 2010 Regular meeting minutes as prepared.

Yes: All present (5)
 No: Edmunds (arrived 7:48 p.m.), Lambert

MOTION CARRIED

3. RENEWALS

- A. **RENEWAL REQUEST, BOYS & GIRLS CLUB OF TROY, 3670 JOHN R** – For relief of the 4'-6" high masonry screening wall required along the east and north property lines between the parking lot and the adjacent residentially zoned property.

Mr. Evans gave a brief history of the variance renewal. He indicated the applicant has requested the item to be postponed to the July 20, 2010 Board of Zoning Appeals meeting because the final survey work is not complete at this time. Mr. Evans said the neighbor to the north is in agreement with the requested postponement.

Resolution # BZA 2010-06-025

Motion by Courtney
Support by Kempen

MOVED, To postpone the item to the July 20, 2010 Board of Zoning Appeals meeting.

Discussion on the motion on the floor.

Members Kovacs and Clark asked for the basis of the applicant's request to postpone.

Mr. Evans said the reasons given to postpone the item are that the survey work is not complete and there also appears to be a scheduling conflict. It is Mr. Evans' understanding that the applicant will be ready for the Board's consideration at the July 20th meeting. Mr. Evans is keeping the neighbor to the north advised of the status of the matter.

Vote on the motion on the floor.

Yes: All present (5)
Absent: Edmunds (arrived 7:48 p.m.), Lambert

MOTION CARRIED

4. HEARING OF CASES

- A. **VARIANCE REQUEST, HAITHAM SITTO, VACANT PROPERTY ADJACENT TO AND WEST OF 835 E. LONG LAKE** – In order to construct a new single family home, a 2.3 foot height variance to the 25 foot height limit.

Mr. Evans gave a brief report on the proposed variance with respect to its location and zoning of adjacent properties. He noted the request was postponed from the May 18, 2010 meeting because the applicant was not present.

The applicant, Haitham Sitto of 3131 Paramount Lane, Auburn Hills, was present. Mr. Sitto indicated his desire to go forward with the item, even though a full Board is not present for deliberation. Mr. Sitto gave a history of the family-owned property. He said it is an ideal location to build a home for his family. Mr. Sitto said because the land is flat and a walk-out basement is not feasible, the floor plan is custom designed and unique with a 10-foot high ceiling on the first floor, resulting in a higher roof line.

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

There was discussion on potential concerns brought to the Board's attention at the May 18, 2010 meeting relating to drainage, flooding and wetlands.

Vice Chair Bartnik noted there is written correspondence on file from two residents voicing objections to the variance request.

Mr. Sitto stated site engineering would address potential drainage or flooding issues. He further stated that due diligence on the property confirmed there are no wetlands.

Mr. Kovacs addressed the differences in the Zoning Ordinance requirements relating to fire safety measures among the residential zoning classifications. He asked the applicant if he would agree to comply with the fire safety measures required for residential homes in the R-1 zoning district.

Mr. Evans cited the applicable Zoning Ordinance section: Section 31.00.00 (R) 1.

After a short deliberation, Mr. Sitto stated he would comply with the fire safety measures as a condition to granting the variance.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # BZA 2010-06-026

Motion by Kovacs

Support by Clark

MOVED, To grant the variance.

Preliminary Findings:

- That the variance is not contrary to public interest.
- That the variance does not permit the establishment of a prohibited use within a zoning district.
- That the variance does not cause an adverse effect to properties in the immediate vicinity or zoning district.

Special Findings:

- The Zoning Ordinance in this case is not fair.
- This home should have the same privilege as a house in the R-1A or R-1B zoning district to allow the height to be 27 feet.
- The extra 2.3 foot height is minimal.
- Request that the owner, with the granting of the variance, meet the requirements of the R-1A zoning district to provide the fire safety system required for a 27-foot height, which basically equals the attic baffling.

Mr. Kovacs said the objections to the request relate to not wanting a house constructed on the site, and the Board has no power to grant that wish. Mr. Kovacs said the best possible outcome is a home of this size and beautifully proposed structure.

Vice Chair Bartnik asked legal counsel if the Board has the authority to impose a harsher requirement on the applicant.

Mr. Motzny replied that the Zoning Ordinance and Zoning Enabling Act authorize the Board to impose conditions to the granting of a variance as long as the conditions relate to the property. He said another requirement is that the condition is reasonable. Mr. Motzny said the condition is appropriate if the Board is satisfied that the condition imposed on the applicant is reasonable.

Mr. Clark said he chose to second the motion based on previous discussions on similar requests. He said it is a very reasonable modification to both sides.

Mr. Kempen said 10-foot high ceilings for first floor designs are becoming more common in home construction and modern architecture. He suggested that this consideration in relation to roof heights be addressed in the Zoning Ordinance rewrite.

Mr. Evans said the matter would be addressed in the comprehensive Zoning Ordinance rewrite, which should be complete within one year or less.

Vote on the motion on the floor.

Yes: All present (6)
Absent: Lambert

MOTION CARRIED

- B. **VARIANCE REQUEST, CITY OF TROY, 3775 ROCHESTER ROAD** – Because of the Rochester Road widening, a two-tenths (2/10^{ths}) of a foot variance to the required forty (40) foot front yard setback. The building is not being enlarged; the front property line is being moved towards the building, reducing the size of the front yard.

Mr. Evans gave a brief report on the proposed variance with respect to its location and zoning of adjacent properties.

Mr. Motzny stated that the Condemnation Statute allows a governmental entity to request a variance on behalf of a property owner when the taking results in a non-conformity, as in this case. He also noted that, in this particular case, the matter is minor and has proceeded to trial on the assumption that the variance would be granted. Mr. Motzny informed the Board that should it grant the variance, the Resolution should incorporate wording that the variance is granted under the Condemnation Statute, MCL 213.54, and that “the property shall be considered by the governmental entity to be in conformity with the Zoning Ordinance for all future uses with respect to the nonconformity for which that variance was granted.” Mr. Motzny noted that variance requests by a governmental entity are sometimes referred to a “super variances”.

There was discussion on:

- Rationale in requesting conformity.
- Conformity status continuing with the land.
- “Super Variance” terminology, meaning.

The applicant, Patricia Petitto, Real Estate Consultant for City of Troy, was present. She confirmed that the variance request is for two-tenths (2/10^{ths}) of a foot.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # BZA 2010-06-027

Motion by Clark

Support by Courtney

MOVED, To grant approval of Item 4 B.

Preliminary Findings:

- That the variance is not contrary to public interest.
- That the variance does not permit the establishment of a prohibited use within a zoning district.
- That the variance does not cause an adverse effect to properties in the immediate vicinity or zoning district.

Special Findings:

- That under the Condemnation Statute, MCL 213.54, the property shall be considered by the governmental entity to be in conformity with the Zoning Ordinance for all future uses with respect to the nonconformity for which that variance was granted.

Yes: All present (6)

Absent: Lambert

MOTION CARRIED**C. VARIANCE REQUEST, ROGER WADE, 4138 WASHINGTON CRESCENT DRIVE**

– In order to construct additions to the house, a 4 foot variance to the required 30 foot front yard setback.

Mr. Evans gave a brief report on the proposed variance with respect to its location and zoning of adjacent properties.

The property owner, Michael Bauhof of 4138 Washington Crescent, Troy, was present. Mr. Bauhof said they have shared the proposed plans with neighbors, eight of whom have offered their written signatures of approval. He said he and his family are looking forward to spending time on their new porch.

Roger Wade, project architect of 4826 Elmhurst, Royal Oak, was present. Mr. Wade gave a history of the home built in the early 1970's on a triangular shaped and curved frontage lot. Mr. Wade addressed the requested variances. One relates to the front porch that would allow the applicant to enjoy a similar size porch as their neighbors and appropriate placement of furniture. The second variance relates to the garage that would achieve the design intent of the proposed addition and renovations. Mr. Wade confirmed that the column farthest to the right is not designed for structural purposes of a room.

Mr. Edmunds complimented the architect on the proposed plan.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED**Resolution # BZA 2010-06-028**

Motion by Kovacs

Support by Edmunds

MOVED, To grant the variance requested by the petitioner.

Preliminary Findings:

- That the variance would not be contrary to public interest.
- That the variance would not permit the establishment of a prohibited use within a zoning district.
- That the variance does not cause an adverse effect to properties in the immediate vicinity or zoning district.

Special Findings:

- The practical difficulties result from the following unusual characteristics of the property: 1) size, 2) location, and 3) configuration.
- The request is extremely minimal for the column support and beautiful front porch.

Discussion on the motion on the floor.

Mr. Evans noted the Planning Department has on file two communications for the requested variance. One communication contains the signatures of eight neighbors who are in favor of the variance. The second communication expresses opposition to the requested variance.

It was noted the written objection is from a resident at 4123 Cambridge Crescent, whose location is several lots away from the requested variance.

Yes: All present (6)

Absent: Lambert

MOTION CARRIED

- D. **VARIANCE REQUEST, KEVIN BIDDISON, NORTHWEST CORNER OF STEPHENSON HWY AND RANKIN** – In order to construct a new building and parking areas, a variance from the requirement that parking areas adjacent to Rankin Street and Allen Road be set back 50 feet from the right of way lines.

Mr. Evans gave a brief report on the proposed variance with respect to its location and zoning of adjacent properties. He addressed the three frontages of the site and parking areas within the required 50-foot setback along Rankin and Allen. Mr. Evans reported that the Preliminary Site Plan was before the Planning Commission at their last meeting, at which time no action was taken because a variance is required.

Kevin Biddison of Biddison Architecture, 850 Stephenson Highway, Troy, was present. Mr. Biddison addressed the variances requested along Allen and Rankin to allow for parking on the site. An approximate 3-foot concrete retaining wall, at a slope to the sidewalk, is proposed within the 25-foot greenbelt. Mr. Biddison said deciduous trees and plantings would be planted in that area to provide screening for

parked cars. Mr. Biddison said the newly constructed office building would bring 285 office positions and 180 prototype positions to the City of Troy.

Thomas Kemp of Kemp & Peyer Development, 275 W. Girard, Madison Heights, owner of the property, was present. Mr. Kemp indicated the proposed retaining wall is to accommodate the wishes of the Planning Commission.

Brian Corcoran, Director of Operations of Vehma International, said the development would bring a capacity of 285 engineering/design positions and 80 manufacturing positions. He indicated 45 to 50 of the engineering/design positions and 20 of the manufacturing positions would be new heads.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # BZA 2010-06-029

Motion by Kempen

Support by Courtney

MOVED, To grant the variance requested.

Preliminary Findings:

- That the variance would not be contrary to public interest.
- That the variance does not permit the establishment of a prohibited use within a zoning district.
- That the variance does not cause an adverse effect to properties in the immediate vicinity or zoning district.

Special Findings:

- Conforming would be unnecessarily burdensome in this case.
- The variance is a small variance in this case.
- The proposed improvements would improve the area.

Discussion on the motion on the floor.

Mr. Clark asked if there were any communications on file from neighboring property owners or the public.

Vice Chair Bartnik replied in the negative. He noted the communications included minutes from the June 8, 2010 Planning Commission meeting and the City's Planning Consultant reports.

Vote on the motion on the floor.

Yes: All present (6)

Absent: Lambert

MOTION CARRIED

5. COMMUNICATIONS

None.

6. MISCELLANEOUS BUSINESS

Mr. Kovacs announced his resignation from the Board. He expressed appreciation for the wonderful people he met and the great experience his term brought him.

Everyone applauded Mr. Kovacs for his excellent participation on the Board.

Mr. Motzny announced this is his final meeting with the Board. Effective July 1, the City Attorney's office will begin rotation of legal counsel representation for Boards and Committees.

7. ADJOURNMENT

The Board of Zoning Appeals meeting adjourned at 8:42 p.m.

Respectfully submitted,

Michael Bartnik, Vice Chair

Kathy L. Czarnecki, Recording Secretary

The Board of Zoning Appeals meeting was called to order by Vice Chair Bartnik at 7:32 p.m. on June 15, 2010, in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Michael Bartnik
 Glenn Clark
 Kenneth Courtney
 Donald L. Edmunds (arrived 7:48 p.m.)
 Edward Kempen
 Matthew Kovacs

Absent:

David Lambert

Also Present:

Paul Evans, Inspector Supervisor
 Allan Motzny, Assistant City Attorney
 Kathy L. Czarnecki, Recording Secretary

Vice Chair Bartnik announced that because a full Board is not present this evening, the petitioners have the right to request postponement of an item prior to the presentation of the matter.

Resolution # BZA 2010-06-023

Motion by Clark
 Support by Courtney

MOVED, To excuse Members Edmunds and Lambert.

Yes: All present (5)
 Absent: Edmunds (arrived 7:48 p.m.), Lambert

MOTION CARRIED

2. APPROVAL OF MINUTES – May 18, 2010

Resolution # BZA 2010-06-024

Motion by Courtney
 Support by Kempen

MOVED, To approve the May 18, 2010 Regular meeting minutes as prepared.

Yes: All present (5)
 Absent: Edmunds (arrived 7:48 p.m.), Lambert

MOTION CARRIED

3. RENEWALS

- A. **RENEWAL REQUEST, BOYS & GIRLS CLUB OF TROY, 3670 JOHN R** – For relief of the 4'-6" high masonry screening wall required along the east and north property lines between the parking lot and the adjacent residentially zoned property.

Mr. Evans gave a brief history of the variance renewal. He indicated the applicant has requested the item to be postponed to the July 20, 2010 Board of Zoning Appeals meeting because the final survey work is not complete at this time. Mr. Evans said the neighbor to the north is in agreement with the requested postponement.

Resolution # BZA 2010-06-025

Motion by Courtney

Support by Kempen

MOVED, To postpone the item to the July 20, 2010 Board of Zoning Appeals meeting.

Discussion on the motion on the floor.

Members Kovacs and Clark asked for the basis of the applicant's request to postpone.

Mr. Evans said the reasons given to postpone the item are that the survey work is not complete and there also appears to be a scheduling conflict. It is Mr. Evans' understanding that the applicant will be ready for the Board's consideration at the July 20th meeting. Mr. Evans is keeping the neighbor to the north advised of the status of the matter.

Vote on the motion on the floor.

Yes: All present (5)

Absent: Edmunds (arrived 7:48 p.m.), Lambert

MOTION CARRIED4. HEARING OF CASES

- A. **VARIANCE REQUEST, HAITHAM SITTO, VACANT PROPERTY ADJACENT TO AND WEST OF 835 E. LONG LAKE** – In order to construct a new single family home, a 2.3 foot height variance to the 25 foot height limit.

Mr. Evans gave a brief report on the proposed variance with respect to its location and zoning of adjacent properties. He noted the request was postponed from the May 18, 2010 meeting because the applicant was not present.

The applicant, Haitham Sitto of 3131 Paramount Lane, Auburn Hills, was present. Mr. Sitto indicated his desire to go forward with the item, even though a full Board is not present for deliberation. Mr. Sitto gave a history of the family-owned property. He said it is an ideal location to build a home for his family. Mr. Sitto said because the land is flat and a walk-out basement is not feasible, the floor plan is custom designed and unique with a 10-foot high ceiling on the first floor, resulting in a higher roof line.

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

There was discussion on potential concerns brought to the Board's attention at the May 18, 2010 meeting relating to drainage, flooding and wetlands.

Vice Chair Bartnik noted there is written correspondence on file from two residents voicing objections to the variance request.

Mr. Sitto stated site engineering would address potential drainage or flooding issues. He further stated that due diligence on the property confirmed there are no wetlands.

Mr. Kovacs addressed the differences in the Zoning Ordinance requirements relating to fire safety measures among the residential zoning classifications. He asked the applicant if he would agree to comply with the fire safety measures required for residential homes in the R-1 zoning district.

Mr. Evans cited the applicable Zoning Ordinance section: Section 31.00.00 (R) 1.

After a short deliberation, Mr. Sitto stated he would comply with the fire safety measures as a condition to granting the variance.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # BZA 2010-06-026

Motion by Kovacs

Support by Clark

MOVED, To grant the variance.

Preliminary Findings:

- That the variance is not contrary to public interest.
- That the variance does not permit the establishment of a prohibited use within a zoning district.
- That the variance does not cause an adverse effect to properties in the immediate vicinity or zoning district.

Special Findings:

- The Zoning Ordinance in this case is not fair.
- This home should have the same privilege as a house in the R-1A or R-1B zoning district to allow the height to be 27 feet.
- The extra 2.3 foot height is minimal.
- Request that the owner, with the granting of the variance, meet the requirements of the R-1A zoning district to provide the fire safety system required for a 27-foot height, which basically equals the attic baffling.

Mr. Kovacs said the objections to the request relate to not wanting a house constructed on the site, and the Board has no power to grant that wish. Mr. Kovacs said the best possible outcome is a home of this size and beautifully proposed structure.

Vice Chair Bartnik asked legal counsel if the Board has the authority to impose a harsher requirement on the applicant.

Mr. Motzny replied that the Zoning Ordinance and Zoning Enabling Act authorize the Board to impose conditions to the granting of a variance as long as the conditions relate to the property. He said another requirement is that the condition is reasonable. Mr. Motzny said the condition is appropriate if the Board is satisfied that the condition imposed on the applicant is reasonable.

Mr. Clark said he chose to second the motion based on previous discussions on similar requests. He said it is a very reasonable modification to both sides.

Mr. Kempen said 10-foot high ceilings for first floor designs are becoming more common in home construction and modern architecture. He suggested that this consideration in relation to roof heights be addressed in the Zoning Ordinance rewrite.

Mr. Evans said the matter would be addressed in the comprehensive Zoning Ordinance rewrite, which should be complete within one year or less.

Vote on the motion on the floor.

Yes: All present (6)

Absent: Lambert

MOTION CARRIED

- B. **VARIANCE REQUEST, CITY OF TROY, 3775 ROCHESTER ROAD** – Because of the Rochester Road widening, a two-tenths (2/10^{ths}) of a foot variance to the required forty (40) foot front yard setback. The building is not being enlarged; the front property line is being moved towards the building, reducing the size of the front yard.

Mr. Evans gave a brief report on the proposed variance with respect to its location and zoning of adjacent properties.

Mr. Motzny stated that the Condemnation Statute allows a governmental entity to request a variance on behalf of a property owner when the taking results in a non-conformity, as in this case. He also noted that, in this particular case, the matter is minor and has proceeded to trial on the assumption that the variance would be granted. Mr. Motzny informed the Board that should it grant the variance, the Resolution should incorporate wording that the variance is granted under the Condemnation Statute, MCL 213.54, and that “the property shall be considered by the governmental entity to be in conformity with the Zoning Ordinance for all future uses with respect to the nonconformity for which that variance was granted.” Mr. Motzny noted that variance requests by a governmental entity are sometimes referred to a “super variances”.

There was discussion on:

- Rationale in requesting conformity.
- Conformity status continuing with the land.
- “Super Variance” terminology, meaning.

The applicant, Patricia Petitto, Real Estate Consultant for City of Troy, was present. She confirmed that the variance request is for two-tenths (2/10^{ths}) of a foot.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # BZA 2010-06-027

Motion by Clark

Support by Courtney

MOVED, To grant approval of Item 4 B.

Preliminary Findings:

- That the variance is not contrary to public interest.
- That the variance does not permit the establishment of a prohibited use within a zoning district.
- That the variance does not cause an adverse effect to properties in the immediate vicinity or zoning district.

Special Findings:

- That under the Condemnation Statute, MCL 213.54, the property shall be considered by the governmental entity to be in conformity with the Zoning Ordinance for all future uses with respect to the nonconformity for which that variance was granted.

Yes: All present (6)

Absent: Lambert

MOTION CARRIED

- C. **VARIANCE REQUEST, ROGER WADE, 4138 WASHINGTON CRESCENT DRIVE**
 – In order to construct additions to the house, a 4 foot variance to the required 30 foot front yard setback.

Mr. Evans gave a brief report on the proposed variance with respect to its location and zoning of adjacent properties.

The property owner, Michael Bauhof of 4138 Washington Crescent, Troy, was present. Mr. Bauhof said they have shared the proposed plans with neighbors, eight of whom have offered their written signatures of approval. He said he and his family are looking forward to spending time on their new porch.

Roger Wade, project architect of 4826 Elmhurst, Royal Oak, was present. Mr. Wade gave a history of the home built in the early 1970's on a triangular shaped and curved frontage lot. Mr. Wade addressed the requested variances. One relates to the front porch that would allow the applicant to enjoy a similar size porch as their neighbors and appropriate placement of furniture. The second variance relates to the garage that would achieve the design intent of the proposed addition and renovations. Mr. Wade confirmed that the column farthest to the right is not designed for structural purposes of a room.

Mr. Edmunds complimented the architect on the proposed plan.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # BZA 2010-06-028

Motion by Kovacs

Support by Edmunds

MOVED, To grant the variance requested by the petitioner.

Preliminary Findings:

- That the variance would not be contrary to public interest.
- That the variance would not permit the establishment of a prohibited use within a zoning district.
- That the variance does not cause an adverse effect to properties in the immediate vicinity or zoning district.

Special Findings:

- The practical difficulties result from the following unusual characteristics of the property: 1) size, 2) location, and 3) configuration.
- The request is extremely minimal for the column support and beautiful front porch.

Discussion on the motion on the floor.

Mr. Evans noted the Planning Department has on file two communications for the requested variance. One communication contains the signatures of eight neighbors who are in favor of the variance. The second communication expresses opposition to the requested variance.

It was noted the written objection is from a resident at 4123 Cambridge Crescent, whose location is several lots away from the requested variance.

Yes: All present (6)

Absent: Lambert

MOTION CARRIED

- D. **VARIANCE REQUEST, KEVIN BIDDISON, NORTHWEST CORNER OF STEPHENSON HWY AND RANKIN** – In order to construct a new building and parking areas, a variance from the requirement that parking areas adjacent to Rankin Street and Allen Road be set back 50 feet from the right of way lines.

Mr. Evans gave a brief report on the proposed variance with respect to its location and zoning of adjacent properties. He addressed the three frontages of the site and parking areas within the required 50-foot setback along Rankin and Allen. Mr. Evans reported that the Preliminary Site Plan was before the Planning Commission at their last meeting, at which time no action was taken because a variance is required.

Kevin Biddison of Biddison Architecture, 850 Stephenson Highway, Troy, was present. Mr. Biddison addressed the variances requested along Allen and Rankin to allow for parking on the site. An approximate 3-foot concrete retaining wall, at a slope to the sidewalk, is proposed within the 25-foot greenbelt. Mr. Biddison said deciduous trees and plantings would be planted in that area to provide screening for

parked cars. Mr. Biddison said the newly constructed office building would bring 285 office positions and 180 prototype positions to the City of Troy.

Thomas Kemp of Kemp & Peyer Development, 275 W. Girard, Madison Heights, owner of the property, was present. Mr. Kemp indicated the proposed retaining wall is to accommodate the wishes of the Planning Commission.

Brian Corcoran, Director of Operations of Vehma International, said the development would bring a capacity of 285 engineering/design positions and 80 manufacturing positions. He indicated 45 to 50 of the engineering/design positions and 20 of the manufacturing positions would be new heads.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # BZA 2010-06-029

Motion by Kempen

Support by Courtney

MOVED, To grant the variance requested.

Preliminary Findings:

- That the variance would not be contrary to public interest.
- That the variance does not permit the establishment of a prohibited use within a zoning district.
- That the variance does not cause an adverse effect to properties in the immediate vicinity or zoning district.

Special Findings:

- Conforming would be unnecessarily burdensome in this case.
- The variance is a small variance in this case.
- The proposed improvements would improve the area.

Discussion on the motion on the floor.

Mr. Clark asked if there were any communications on file from neighboring property owners or the public.

Vice Chair Bartnik replied in the negative. He noted the communications included minutes from the June 8, 2010 Planning Commission meeting and the City's Planning Consultant reports.

Vote on the motion on the floor.

Yes: All present (6)
Absent: Lambert

MOTION CARRIED

5. COMMUNICATIONS

None.

6. MISCELLANEOUS BUSINESS

Mr. Kovacs announced his resignation from the Board. He expressed appreciation for the wonderful people he met and the great experience his term brought him.

Everyone applauded Mr. Kovacs for his excellent participation on the Board.

Mr. Motzny announced this is his final meeting with the Board. Effective July 1, the City Attorney's office will begin rotation of legal counsel representation for Boards and Committees.

7. ADJOURNMENT

The Board of Zoning Appeals meeting adjourned at 8:42 p.m.

Respectfully submitted,



Michael Bartnik, Vice Chair



Kathy L. Czarnecki, Recording Secretary

TROY HISTORIC DISTRICT COMMISSION MINUTES – FINAL

June 16, 2010

A Regular Meeting of the Troy Historic District Commission was not held Tuesday, June 16, 2010 at the Troy Museum because there was no business.

The next regular meeting will be held Tuesday, July 20, 2010 at 7:00 p.m. at the Troy Museum.

Barbara Chambers
Chairman

Loraine Campbell
Recording Secretary

A meeting of the Employees' Retirement System Board of Trustees was held on Wednesday, July 14, 2010, at Troy City Hall, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting was called to order at 12:10 p.m.

Trustees Present: Mark Calice
Mary Kerwin
John M. Lamerato
William R. Need (Ex-Officio)
Steve Pallotta
Thomas Rosewarne
A. John Szerlag

Trustees Absent: Thomas J. Gordon, II

Also Present: Lori Bluhm, City Attorney
Tim McLean, CMO Intern

Minutes

Resolution # ER – 2010-7-27

Moved by Kerwin
Seconded by Szerlag

RESOLVED, That the Minutes of the June 9, 2010 meeting be approved as amended.

Yeas: All – 6
Absent: Gordon

Other Business – 350 W. Big Beaver (Ford & Earl) Right of First Refusal

Resolution # ER – 2010-7-28

Moved by Szerlag
Seconded by Lamerato

RESOLVED, That the board confirms that it waives the Right of First Refusal on 350 W. Big Beaver.

Yeas: All – 6
Absent: Gordon

Other Business – Prior Government Service Credit

Theresa Harrison: 4 years, 4 months
Wayne Lepola: 1 year, 4 months

Other Business – Retirement Requests

Resolution # ER – 2010-7-29

Moved by Lamerato
Seconded by Pallotta

RESOLVED, That the Retirement Request of:

Name	Edward N. Carpus	Richard J. Pawlowski	Dennis W. Galbraith	Helen J. Pytiak
Pension Program	DC	DC	DC	DB
Retirement Date	7/1/10	7/1/10	7/1/10	7/1/10
Department	Parks & Recreation	Building Inspection	Building Inspection	Library
Service Time	22 years, 8 months	22 years, 6 months	9 years, 11 months	15 years, 5 months
Name	Sandhya Subhedar	Mark Stimac	Linda D. Horn	Danny T. McDonald
Pension Program	DB	DC	DC	DB
Retirement Date	7/1/10	7/1/10	7/1/10	6/23/10
Department	Library	Building Inspection	Library	Parks & Recreation
Service Time	17 years, 3 months	27 years, 1 month	11 years, 8 months	24 years, 3 months
Name	Mark Riley	Pamela R. Pasternak	Donald M. Phillips	Michael P. Lyczkowski
Pension Program	DC	DC	DB-Non Duty Disability	DB
Retirement Date	7/1/10	7/1/10	7/1/10	8/11/10
Department	Building Inspection	Building Inspection	Building Inspection	Police
Service Time	26 years	21 years, 7 months	16 years, 2 months	25 years, 2 months

Yeas: All – 6
Absent: Gordon

Other Business – Investments

Resolution # ER – 2010-7-30

Moved by Rosewarne
Seconded by Pallotta

RESOLVED, That the board buy and sell the following investments:

Buy:

2,000 shares Baidu
5,000 shares Intel

Sell:

5,000 shares Brady
Somanetics
Stanley
8,000 shares Textron

(Puts) Options:

			<u>Strike</u>
30	Intel	Aug	22
20	Baidu	Sep	75

Yeas: All – 6
Absent: Gordon

Public Comment

Martin Howrylak and Cameron Wright were in attendance.

The next meeting is August 11, 2010 at 12 p.m. at Troy City Hall, Conference Room C, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting adjourned at 1:04 p.m.

**SPECIAL JOINT MEETING OF THE CITY OF BIRMINGHAM
PLANNING BOARD AND CITY OF TROY PLANNING COMMISSION
ACTION ITEMS OF WEDNESDAY, JULY 14, 2010**

Item	Page
<p>PRELIMINARY SITE PLAN REVIEW</p> <p>1. Construction of Amtrak platform, public plaza, parking, pedestrian tunnel and sidewalks to access the rail platform in Birmingham and to link to the Transit Center building in Troy</p> <p>Property within Birmingham: (a) All of Parcel ID Number: 2031203024: Legal Description: T2N, R11E, SEC 31 PART OF NE 1/4 BEG AT PT DIST S 31-18-02 E 1442.06 FT FROM N 1/4 COR, TH S 30-34-07 E 416.60 FT, TH S 28-10-17 E 385.25 FT, TH S 62-42-03 W 134.00 FT, TH N 18-59-17 W 272.01 FT, TH ALG CURVE TO LEFT, RAD 1907.31 FT, CHORD BEARS N 25-02-57 W 402.78 FT, DIST OF 403.53 FT, TH N 31-06-37 W 126.48 FT, TH N 59-25-23 E 57.75 FT TO BEG 1.49 A.</p> <p>(b) Portion of Parcel ID Number: 2031203034: Legal Description: T2N, R11E, SEC 31 BIRMINGHAM GARDENS PART OF LOT 164 & PART OF LOT 224, ALSO PART OF NE 1/4 ALL DESC AS BEG AT PT DIST S 01-59-10 W 702.05 FT & S 88-11-20 E 36.09 FT & S 01-59-10 W 1278.14 FT & S 88-14-42 E 604.04 FT & N 01- 51-11 E 621.01 FT FROM N 1/4 COR, TH ALG CURVE TO LEFT, RAD 22661.83 FT, CHORD BEARS N 30-57-17 W 44.05 FT, DIST OF 44.05 FT, TH N 58-29-24 E 98.60 FT, TH N 31-30-36 W 80.48 FT, TH N 57-33-35 E 53.46 FT, TH N 11-58-26 W 114.50 FT, TH N 18-54.</p>	2
<p>2. 1251 Doyle Drive, Troy, MI: Construction of multi-modal transit center, parking facility, pedestrian tunnel and sidewalks to access the rail platform in Birmingham and to link to the Transit Center building in Troy</p> <p>Motion by Mr. Ullmann Seconded by Mr. Tagle to postpone the hearing on the Preliminary Site Plan for the Transit Center and hold a joint meeting of the Troy Planning Commission and the Birmingham Planning Board on July 27 in Troy at 7 p.m. to continue discussion on the Preliminary Site Plan.</p> <p>Motion carried, 8-0.</p>	8
<p>Motion by Mr. Williams Seconded by Mr. Koseck that the Birmingham Planning Board postpone the Special Joint Meeting to consider the Preliminary Site Plan for the Transit Center to July 27 at 7 p.m. in the City of Troy.</p> <p>Motion carried, 6-0.</p>	8

**SPECIAL JOINT MEETING OF THE CITY OF BIRMINGHAM
PLANNING BOARD AND CITY OF TROY PLANNING COMMISSION
WEDNESDAY, JULY 14, 2010**

Conference Room, Department of Public Services Building
851 S. Eton, Birmingham, Michigan

Minutes of the special joint meeting of the Birmingham Planning Board and Troy Planning Commission held July 14, 2010. Birmingham Vice-Chairperson Gillian Lazar convened the meeting at 7:07 p.m.

Birmingham Planning Board

Present: Vice-Chairperson Gillian Lazar; Board Members Scott Clein, Carroll DeWeese, Bert Koseck, Janelle Whipple-Boyce, Bryan Williams; Student Representative Aaron Walden

Absent: Chairman Robin Boyle

Birmingham Administration: Matthew Baka, Planning Intern
Jana Ecker, Planning Director
Carole Salutes, Recording Secretary

Troy Planning Commission

Present: Chairman Michael Hutson; Commission Members Donald Edmunds, Mark Maxwell, Philip Sanzica, Robert Schultz, Thomas Strat, John Tagle, Lon Ullmann

Absent: Commission Member Mark Vleck

Troy Administration: Mark Miller, Acting City Manager
Allan Motzny, Asst. City Attorney
Steve Vandette, City Engineer

07-124-10

CHAIRPERSON'S COMMENTS AND INTRODUCTION OF GUESTS

Birmingham Vice-Chairperson Lazar welcomed everyone to the joint meeting.

07-125-10

**REVIEW AND APPROVAL OF THE MINUTES OF THE JOINT MEETING OF
JANUARY 27, 2010**

Motion by Mr. DeWeese

Seconded by Mr. Schultz to approve the Minutes of January 27, 2010.

Motion carried, all were in favor.

07-126-10

REVIEW AND APPROVAL OF THE AGENDA (no changes)

07-127-10

MEETING OPEN TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA (no one spoke)

07-128-10

PRELIMINARY SITE PLAN REVIEW

1. Construction of Amtrak platform, public plaza, parking, pedestrian tunnel and sidewalks to access the rail platform in Birmingham and to link to the Transit Center building in Troy

Property within Birmingham:

(a) All of Parcel ID Number: 2031203024:

Legal Description: T2N, R11E, SEC 31 PART OF NE 1/4 BEG AT PT DIST S 31-18-02 E 1442.06 FT FROM N 1/4 COR, TH S 30-34-07 E 416.60 FT, TH S 28-10-17 E 385.25 FT, TH S 62-42-03 W 134.00 FT, TH N 18-59-17 W 272.01 FT, TH ALG CURVE TO LEFT, RAD 1907.31 FT, CHORD BEARS N 25-02-57 W 402.78 FT, DIST OF 403.53 FT, TH N 31-06-37 W 126.48 FT, TH N 59-25-23 E 57.75 FT TO BEG 1.49 A.

(b) Portion of Parcel ID Number: 2031203034:

Legal Description: T2N, R11E, SEC 31 BIRMINGHAM GARDENS PART OF LOT 164 & PART OF LOT 224, ALSO PART OF NE 1/4 ALL DESC AS BEG AT PT DIST S 01-59-10 W 702.05 FT & S 88-11-20 E 36.09 FT & S 01-59-10 W 1278.14 FT & S 88-14-42 E 604.04 FT & N 01- 51-11 E 621.01 FT FROM N 1/4 COR, TH ALG CURVE TO LEFT, RAD 22661.83 FT, CHORD BEARS N 30-57-17 W 44.05 FT, DIST OF 44.05 FT, TH N 58-29-24 E 98.60 FT, TH N 31-30-36 W 80.48 FT, TH N 57-33-35 E 53.46 FT, TH N 11-58-26 W 114.50 FT, TH N 18-54.

2. 1251 Doyle Drive, Troy, MI: Construction of multi-modal transit center, parking facility, pedestrian tunnel and sidewalks to access the rail platform in Birmingham and to link to the Transit Center building in Troy

Ms. Ecker offered a brief introduction. The two groups are meeting because the project stands under the jurisdictions of both the Cities of Troy and Birmingham. When it comes time for a motion to be made, the Birmingham Planning Board will make a separate motion on property within the City of Birmingham and a vote will be taken from the Birmingham Planning Board only. Then the Troy Planning Commission will have

the opportunity to make a motion regarding property on the Troy side and the vote will be called for Troy.

Mr. Miller announced that the property in the City of Troy is controlled by a Consent Agreement. Therefore, the Troy Planning Commission does not have the authority to grant site plan approval; the Troy City Council does. Therefore, this evening the City of Troy Planning Commission is a recommending body to City Council.

Mr. Ecker clarified that the Birmingham Planning Board makes the final decision on Preliminary and Final Site Plan Reviews.

Hubbell, Roth & Clark Project (“HRC”) Engineer Jim Surhigh went through a PowerPoint which explained the site plan for both Birmingham and Troy parcels including:

- Approaches;
- Circulation;
- Elevators; and
- Retaining wall elevation on the Troy and Birmingham sides.

Ms. Sally Elmiger, Landscape Architect from Carlisle/Wortman, showed a slide presentation depicting site amenities and landscape for both sides and both entrances which included:

- Site finishes and furnishings;
- Bus Shelter;
- Retaining walls and walkways;
- Entry signs; and
- Plant material and rain garden.

Mr. Larry Ancypa, Sr. Associate with HRC, continued with slides showing:

- LED site lighting and fixtures partially financed through a grant from the Michigan Dept. of Labor and Economic Growth;
- Photometrics of the site;
- Floor plan for the building including accommodation for traffic leading to the elevator at the south end, room for kiosks, seating and restrooms;
- Cross section of the building which is looking toward Silver LEED Certification through the use of: green roof rainwater harvesting, geothermal heating and cooling, LED lighting, bike racks, storm water quality control, construction waste management, use of recycled materials, low-emitting adhesives and paints, community connectivity through the tunnel and eco friendly elevator;
- Outside building elevations; and
- Platform and canopy elevation including heated sidewalks for Winter.

Ms. Ecker explained the two communities have now decided to put the elevators into the bidding process so they can get prices with and without them. The elevators are an alternate now and if the money is there when the final bidding and budget come in they can be added. Further, she recalled this group had talked about standards and her idea

was that the consensus was to have a futuristic, modern, contemporary look for the Transit Center.

Ms. Ecker went on to respond to questions. The bulk of the lighting is on the Troy side. It would not need to meet the Birmingham lighting standards and Troy does not have lighting standards. A lighting analysis will be provided at Final Site Plan Review. She noted that light from the shopping mall bleeds over into the site.

Mr. Koseck said he is in full support of the project and applauds all the work that has been done to obtain the Federal money for it. He has not heard what the vision is for what this building should be. This should be a beautiful building that is planned to stand for the next 100 years. In his opinion, it is nowhere close to being that. He has no idea how the building relates to anything around it. He asked what they are doing relative to sustainable design relative to the site. The elevators seem like an afterthought in terms of their placement. If the door opens, leaves and snow blow in.

Ms. Ecker responded there was a vision and a steering committee comprised of representatives from both cities. The group wanted this to be a joint project that would work for both sides and communities. They had originally talked about a larger building but they got the message at least from the Birmingham City Commission that the Commission wanted a small scale, utilitarian type center that would provide the basic needs of travelers. They did not want a large scale building.

Mr. Koseck stated that the size of a building should be driven by the program – how many busses come, how many people come, etc. and not a desire for big or small or medium. He asked about the vision. Ms. Ecker replied that in terms of vision there was a lot of discussion over the last couple of years. The vision of the steering committee when she joined the process was utilitarian. This group wanted a green building with sustainable elements. At the charrette in June of last year the focus was on the transit oriented district that would surround the transit center. The community talked about wanting connectivity between the communities, pedestrian scale elements, buildings that allow a mix of uses, development that promotes more activity, and futuristic interactive digital display elements that look toward to the future.

Mr. Miller reminded the City of Troy Planning Commission they are attending this meeting only to make a recommendation on the Preliminary Site Plan. They will certify whether it meets the Zoning Ordinance requirements and the Consent Agreement. Their recommendation will then go to the Troy City Council.

Mr. Schultz recalled that early on it was the consensus of this group to go with an arched roof, a clock tower, and an echoing arched roof on the platform so that this is a cohesive development on both sides of the tracks.

Mr. Williams noted ways in which the building has changed since the previous meeting and he had several comments:

- The building has been moved;

- The building laid out E/W and now it lays out N/S. The glass is now more exposed to the sun in the morning and afternoon. As a result, heating and cooling costs may increase.
- What is the status of control of the road from Cole on the south end to the entrance or exit point at the north end;
- Troy has jurisdiction and their Planning Commission has no authority;
- Birmingham has no jurisdiction over the building but has authority on its side.

He still believes in the entire process; however, the building itself is unremarkable.

Ms. Ecker explained why the building has moved. The Deed Restrictions and the Consent Judgment say that Grand Sacqua does not need to grant any easements for encroachment onto their property. In the previous plan there was an access road coming off of Doyle Dr. to the back of the Kroger site. Grand Sacqua was concerned that Kroger would have objections to this. Therefore, the site plan has been changed so there are no encroachments onto the Grand Sacqua property. The building was re-oriented because without the access road it would look at the back of the shopping center. Everyone on the steering committee agreed on the re-orientation. They like the fact that it now creates more of a public plaza space out front and opens up the view out onto the train tracks. She added that they do have control of the property and/or consent of all property owners on which this project is located on the Birmingham side to proceed with Preliminary and Final Site Plan Approval.

Mr. Ullmann received confirmation that the platforms are enclosed on four sides but they don't have closable doors. He thought the platform should be enclosed and that heat should be incorporated into the design. His problem about sustainability is that nothing is colder than aluminum and glass. He wanted to know if there is some sort of an estimate of what the operational costs for this will be. The grass roof seems to be the driving cost for this \$2 million building. A simple building would probably operate at 20 percent of the cost of this building and only cost 20 percent as much. If they want LEED certification for the building, build it out of reclaimed materials and materials that are grown in Michigan. Elevators have been added at the last minute and they are not blended into the design.

Mr. Motzny reiterated that any recommendation from the Troy Planning Commission has to be in accordance with the City of Troy Zoning Ordinance. Denial can only be based upon a provision of that law. If the site plan meets the Zoning Ordinance, it should be approved.

Mr. Strat said he is disappointed to hear that the Troy Planning Commission is forced to approve the drawings because they meet the Ordinance requirements. Secondly he thinks the City Council will be basing their judgment on the recommendations of the Planning Commission and not necessarily on what they see. Also, he noted that the City of Troy is going through difficult economic times and wondered how they could afford to maintain all of the energy efficient products and electronics and what the return is on the investment.

Mr. Williams asked if there is an agreement in place between Troy and Birmingham on sharing the maintenance and operating costs. Ms. Ecker said the two communities have discussed how they would proceed but there is no formal agreement. Mr. Williams said if it is conceivable that Birmingham will share a significant portion of the increased operating costs. If that is so, he objects. Ms. Ecker said that estimates for the operations and maintenance costs are not higher for this building compared to average construction. In fact, consumption of utilities is significantly lower for this project than for an average building of this size.

It was discussed by Mr. Motzny that the Troy Planning Commission can make recommendations to the plan but they would be design recommendations.

Mr. Tagle said tonight was the first time he heard that the building would be totally utilitarian. The Troy Planning Commission would be derelict in its duty not to make recommendations as part of discussion. It would be prudent for this group to have in hand a construction budget for this project.

Ms. Ecker explained that the ramps are needed should the elevator fail to operate. Mr. Tagle observed that the elevators could go down because they are unprotected.

Mr. Sonia spoke about the urgency of making decisions on the Preliminary Site Plan. He would hate to lose the grant money. Ms. Ecker agreed that time is of the essence on every single grant agreement. The economic stimulus packages that have been approved by Congress all have detailed time limitations.

Ms. Terse Cody from the Michigan Dept. of Transportation, their direct contact with the State of Michigan, spoke. She is acting as liaison with the Federal Railroad Administration ("FRA") with regard to the \$8.4 million grant that has been received. She gave background on how much work has been done just to get ready to apply to the FRA. The FRA does not care what the building looks like; however they look very closely at how any changes to the original application are presented. Specifics have to be documented as to why and what the cost difference is. If changes are to be made she suggested they should be completed within a short time.

Mr. Koseck thought all of the issues could be addressed by the architects within a month. Mr. Surhigh said the project could take a year to build.

Mr. Williams said that right now he is not comfortable with the design elements of the project because some of his fellow members from Troy are not comfortable. That causes him concern because this is a joint project. It was noted that two changes to the original application are the repositioning of the building and the addition of elevators.

Mr. Edmunds asked if the changes that are seen tonight saved any money. Mr. Ancypa responded they have been trade-offs. Mr. Edmunds thought it is essential to have the cost estimates. This is a public project using tax dollars and in the end the cities will

have to answer to the public. Discussion contemplated whether the project may be exceeding its funding.

Ms. Ecker agreed to check with the Birmingham City Attorney if the Planning Board could grant Preliminary and Final Site Plan Approval on the same night. She believes it would have to be noticed to that effect.

Mr. Miller explained that Troy has an Administrative Final Site Plan Approval that considers all of the check points and it happens just prior to construction.

It was determined that the two planning entities should conduct all of their meetings jointly because this a mutual project and it is important for everyone to stick together and to come to consensus as a group even though they will vote individually.

Vice-Chairperson Lazar invited public comments at 9:10 p.m.

Mr. Alan Green, Counsel for Grand Sacqua Properties, asked if there have been any impact assessments such as an updated traffic report, and the basis of the design. As an adjacent property owner, Grand Sacqua is concerned about how the Transit Center will affect their property. He suggested that the joint planning bodies table this matter. so those issues can be addressed.

Mr. Green pointed out an issue that Grand Sacqua has with the City of Troy. The City's title to the property results from a Consent Judgment that was entered into about ten years ago. There were conditions that had to be satisfied in that Consent Judgment that need to happen by June 2. It is Grand Sequa's contention that those conditions were not satisfied and therefore they are entitled to legal title to the property. That matter is pending now before the Oakland County Circuit Court. Therefore, they think it is premature for this body to go forth with a project.

Ms. Dorothy Conrad from Birmingham expressed her concern that the "sheds" that are being proposed on the Birmingham side don't do anything to keep out the elements for people waiting for the train. Further, she was concerned about the design of the building.

Mr. Michael Poris from Birmingham said he would hate to see them lose the Transportation Center because of a lot of issues concerning the process that could be resolved with some design revisions.

Mr. Ullmann offered a resolution that the Troy Planning Commission postpone this item. He thinks the Planning Commission should meet as soon as it legally can and then have a joint meeting with the Birmingham Planning Board August 4.

Mr. Tagle maintained that the boards need to keep this as a joint effort.

Mr. Edmunds pointed out that the Troy Planning Commission members have great reservations about the project; particularly because the current plan with the elevators is only an alternate, and because of the cost of the project.

Mr. Ullmann rephrased his motion as follows:

Motion by Mr. Ullmann

Seconded by Mr. Tagle to postpone the hearing on the Preliminary Site Plan for the Transit Center and hold a joint meeting of the Troy Planning Commission and the Birmingham Planning Board on July 27 in Troy at 7 p.m. to continue discussion on the Preliminary Site Plan.

Motion carried, 8-0.

ROLLCALL VOTE:

Yeas: Ullmann, Tagle, Edmunds, Hutson, Maxwell, Sanzica, Schultz, Strat

Nays: None

Absent: Vleck

Motion by Mr. Williams

Seconded by Mr. Koseck that the Birmingham Planning Board postpone the Special Joint Meeting to consider the Preliminary Site Plan for the Transit Center to July 27 at 7 p.m. in the City of Troy.

Motion carried, 6-0.

There were no comments from the public at 9:35 p.m.

ROLLCALL VOTE:

Yeas: Williams, Koseck, Clein, DeWeese, Lazar, Whipple-Boyce

Nays: None

Absent: Boyle

07-129-10

MEETING OPEN TO THE PUBLIC FOR ITEMS ON THE AGENDA (no one spoke)

07-130-10

ADJOURNMENT

No further business being evident, meeting adjourned at 9:40 p.m.

Respectfully submitted,

Jana Ecker
Planning Director
City of Birmingham

Mark Miller
Acting City Manager
City of Troy



CITY COUNCIL REPORT

July 20, 2010

TO: John Szerlag, City Manager

FROM: Gary Mayer, Chief of Police *GM*
Wendell Moore, Research & Technology Administrator *WM*

SUBJECT: 2010 Mid-Year Calls for Police Service Report

Each quarter the police department publishes a year-to-date report comparing the current year's data to the previous year. This data includes calls for police service, criminal offenses, arrests, clearance rates, traffic crashes, and citations issued. The police department data reporting complies with the National Incident Based Reporting System (NIBRS).

The second quarter statistics continue to reflect an overall decrease in Group A crimes in 2010. Group A crimes are typically the most serious offenses and closely correspond to the categories the FBI uses to determine serious crime rates for a community. Of additional interest are areas that may be depicting trends, specifically increases in Breaking and Entering and Destruction / Damage / Vandalism, and the decrease in Larceny/Theft Offenses. Statistics for the first and second quarters of 2010 show incidents of Breaking and Entering increased by 37.2% when compared to the same period last year (129 in the first half of 2010, which is an increase of 35 incidents), incidents of Destruction / Damage / Vandalism increased 49.3% (200 in the first half of 2010, which is an increase of 66 incidents), and incidents of Larceny/Theft Offenses decreased 18.9% (605 in the first half of 2010, which is a decrease of 141 incidents).

Breaking and Entering includes business break-ins, as well as home invasions. The Police Department has been very successful in identifying, arresting, and prosecuting persons responsible for a large number of crimes involving both. In the last few months, officers have arrested twelve (12) individuals for either B/E or Home Invasion in nine (9) separate incidents. Several of these arrests were the result of Troy PD surveillance operations and occurred in other jurisdictions. Follow-up investigation revealed the individuals arrested were responsible for numerous B & E / Home Invasions throughout Oakland and Macomb counties. Investigators believe that the arrested individuals may be responsible for up to 51% of the incidents that occurred in Troy. Many of these arrests and/or clearances are not yet reflected in the mid-year statistics.

Crimes involving destruction/damage/vandalism often involve juveniles. The increase in this area is being investigated by officers of the Juvenile Unit. Juvenile Investigators have been diligently pursuing leads and attempting to educate children and parents through their school contacts. In addition, officers assigned to the uniformed and plain clothes operations have increased patrols in subdivisions and other areas where these incidents typically occur. The category also includes vandalism, which reflects incidents involving such actions as egging homes, where typically there is no actual property damage. Of note, is a recent trend where

buildings and residences have been damaged by spray painting. Often trends such as these are connected and are being perpetrated by the same individuals. Generally, once they are caught, the crime trend comes to an end.

Larceny/Theft offenses include larcenies from autos/larceny of auto parts, all other non-auto related larcenies, and retail frauds. Auto related larcenies decreased 9% when compared to the same period last year (169 incidents in the first half of 2010, which is a decrease of 16 incidents). This decrease may be related to several recent Larceny from Auto (LFA) arrests. Oftentimes as with B& E / Home Invasions, LFA suspects are responsible for more than just single, isolated incidents. When arrests are made, they can have a notable impact on the number of crimes that occur and the number of crimes that are cleared. Non-auto related larcenies decreased 19% when compared to the same period last year (202 incidents in the first half of 2010, which is a decrease of 47 incidents). Retail Fraud decreased 25% (230 incidents in the first half of 2010, which is a decrease of 78 incidents). Retail Frauds are incidents generally reported to the police by Loss Prevention entities in the retail community.

- Group A Crime decreased 4.3% (68 less incidents) from the 2009 level. Within the group, the following categories show notable variations:
 - Breaking and Entering: Up 37.2% (35 more incidents)
 - Counterfeiting/Forgery: Down 60.0% (9 less incidents)
 - Destruction/Damage/Vandalism: Up 49.3% (66 more incidents)
 - Drug/Narcotic Offenses: Down 12.6% (14 less incidents)
 - Embezzlement: Down 26.1% (6 less incidents)
 - Larceny/Theft Offenses: Down 18.9% (141 less incidents)
- Group B Crime decreased 14.7% (89 less incidents). Significant variations from the 2009 levels occurred in the following:
 - Bad Checks: Down 21.9% (7 less incidents)
 - Driving Under the Influence: Down 18.0% (38 less incidents)
 - Liquor Law Violations: Down 16.7% (4 less incidents)
- Total incidents of crime (Group A & B combined) decreased by 7.2% (157 less incidents).
- Clearance rates, the percentage of offenses for which a perpetrator has been prosecuted, or positively identified but not prosecuted, continue to be high:
 - 32.8% of reported Group A Crime
 - 80.5% of reported Group B Crime
 - 46.0% of all reported crime has been cleared
- Total Arrests decreased 17.7% (214 less arrests)
 - Group A Crime Arrests: Decreased 16.5% (107 less arrests)
 - Group B Crime Arrests: Decreased 19.0% (107 less arrests)
- Group C (non-criminal) calls for police service decreased by 3.6% (559 less incidents).
- Year-to-date reported traffic crashes and citations issued are:
 - Property Damage crashes decreased 2.3% (25 less property damage crashes)
 - Injury crashes decreased 39.5% (103 less injury crashes)
 - Fatal crashes increased from 1 to 3

- Total traffic citations issued decreased 17.7% (1272 less citations)
 - Hazardous traffic citations issued decreased 7.0% (321 less citations)
 - Non-Hazardous traffic citations issued decreased 53.7% (432 less citations)
 - License/title/registration citations issued decreased 7.7% (95 less citations)
 - Parking citations issued decreased 77.4% (424 less citations)

Factors that may have impacted fewer traffic citations include the use of Traffic Safety Unit personnel on straight time to staff special events, rather than staffing these events with overtime assignments. This has resulted in a significant reduction in overtime costs for these events, however has had a proportionate impact on traffic enforcement assignments that this unit is traditionally responsible for. Officers continue to focus on crash causing violations, which are reflected in the hazardous traffic citation category. In addition, due to staffing reductions, there are two less Road Patrol Police Service Aides; a significant portion of their responsibilities involved parking enforcement.

- Overall incidents or calls for service, criminal and non-criminal, are down 4.2% (740 less overall incidents/calls for service).

Troy Police Department

Midyear 2010/2009 Comparison

Group A Crime Categories	INCIDENTS			OFFENSES			ARRESTS			CLEARANCES	
	Y-T-D		Percent	Y-T-D		Percent	Y-T-D		Percent	Y-T-D	
	2010	2009	Change	2010	2009	Change	2010	2009	Change	2010	Percent
Arson	1	2	-50.0%	1	2	-50.0%	0	0	NC	0	0.0%
Assault Offenses	303	297	2.0%	382	343	11.4%	77	78	-1.3%	119	31.2%
Bribery	0	0	NC	0	0	NC	0	0	NC	0	0.0%
Breaking and Entering	129	94	37.2%	130	97	34.0%	11	20	-45.0%	10	7.7%
Counterfeiting/Forgery	6	15	-60.0%	8	15	-46.7%	1	4	-19.4%	1	12.5%
Destruction/Damage/Vandalism	200	134	49.3%	210	143	46.9%	5	2	150.0%	7	3.3%
Drug/Narcotic Offenses	97	111	-12.6%	149	181	-17.7%	99	140	-29.3%	136	91.3%
Embezzlement	17	23	-26.1%	17	24	-29.2%	14	17	-17.6%	7	41.2%
Extortion/Blackmail	1	0	+	1	0	+	0	0	NC	0	0.0%
Fraud Offenses	86	81	6.2%	89	87	2.3%	33	14	135.7%	30	33.7%
Gambling Offenses	0	0	NC	0	0	NC	0	0	NC	0	0.0%
Homicide Offenses	0	0	NC	0	0	NC	0	0	NC	0	0.0%
Kidnapping/Abduction	0	2	-	0	4	-	0	0	NC	0	0.0%
Larceny/Theft Offenses	605	746	-18.9%	620	765	-19.0%	287	356	-19.4%	223	36.0%
Motor Vehicle Theft	36	35	2.9%	37	39	-5.1%	0	1	-	2	5.4%
Pornography/Obscene Material	1	0	+	1	0	+	0	0	NC	0	0.0%
Prostitution Offenses	0	0	NC	0	1	-	0	1	-	0	0.0%
Robbery	2	7	-71.4%	2	7	-71.4%	2	3	-33.3%	1	50.0%
Sex Offenses, Forcible	6	13	-53.8%	6	14	-57.1%	1	1	NC	2	33.3%
Sex Offenses, Nonforcible	0	0	NC	0	0	NC	0	0	NC	0	0.0%
Stolen Property Offenses	5	4	25.0%	7	11	-36.4%	2	5	-60.0%	2	28.6%
Weapon Law Violations	7	6	16.7%	10	7	42.9%	8	5	60.0%	8	80.0%
Group A Total	1,502	1,570	-4.3%	1,670	1,740	-4.0%	540	647	-16.5%	548	32.8%
Group B Crime Categories											
Bad Checks	25	32	-21.9%	25	33	-24.2%	6	8	-25.0%	3	12.0%
Curfew/Loitering/Vagrancy	1	2	-50.0%	1	2	-50.0%	1	0	+	1	0.0%
Disorderly Conduct	33	52	-36.5%	38	65	-41.5%	5	9	-44.4%	10	26.3%
Driving Under the Influence	173	211	-18.0%	200	247	-19.0%	177	226	-21.7%	196	98.0%
Drunkenness	0	0	NC	0	0	NC	0	0	NC	0	0.0%
Family Offenses, Nonviolent	4	5	-20.0%	4	5	-20.0%	0	1	-	0	0.0%
Liquor Law Violations	20	24	-16.7%	41	56	-26.8%	46	65	-29.2%	36	87.8%
Peeping Tom	1	0	+	1	0	+	0	0	NC	0	0.0%
Runaway (Under 18)	15	4	275.0%	15	4	275.0%	0	0	NC	0	0.0%
Trespass of Real Property	10	10	NC	14	10	40.0%	5	3	66.7%	5	35.7%
All Other	236	267	-11.6%	298	323	-7.7%	215	250	-14.0%	262	87.9%
Group B Total	518	607	-14.7%	637	745	-14.5%	455	562	-19.0%	513	80.5%
Group A and B Total	2,020	2,177	-7.2%	2,307	2,485	-7.2%	995	1,209	-17.7%	1,061	46.0%
Above data includes both completed and attempted offenses.											



CITY COUNCIL AGENDA ITEM

August 4, 2010

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
 Pamela Valentik, Economic Development Specialist

SUBJECT: Economic Development Activity Report – July, 2010

Below is an update on the City's economic development activities. In some situations, the projects are in preliminary stages and the company is not prepared to share this information publicly, thus we have left out the name of the company. Please contact the City Manager's Office if you have any questions.

BUSINESS ATTRACTION:

Genesis10

A business consulting and technology staffing company, Genesis10 chose Michigan over competing states of Missouri and Florida to open a new development center in Troy. The company will be located at 2800 Livernois and plans to invest \$2.2 million and hire 296 people over the next five years.

Jewelry Love

Positive news for Rochester Road! A brand new jewelry store is opening at 3330 Rochester Road, located on the corner of Torpey Drive – right in the middle of the construction project. Owned by Fred Webster, Jewelry Love offers customers a reasonably priced selection of fine gold, sterling silver, precious gemstones and estate jewelry. The store also has great plans to get involved in the community and work with local charitable opportunities.

Projects currently being worked on:

- Prepared a proposal for an automotive company to relocate their existing Technical Center to Troy. Project would include the purchase of a building
- In discussions with a German company considering Troy for their expanded Michigan operations. Project would include some job creation and long term lease with the option to purchase.

- In discussions with a German company considering Troy for their expanded IT/Technical offices. Project would involve some job creation.

BUSINESS EXPANSION AND RETENTION

Inteva Products, Inc.

The former Delphi interiors division, located at 1401 Crooks Road, was purchased by Inteva a few years ago and has seen some steady growth. With plants in two other cities in Michigan, their Troy facility acts as the company's World Headquarters and Technical Center. Increased sales have led the company to need to hire additional engineers. On July 20th, Inteva received approval from the MEGA Board for a MEGA tax credit. Troy anticipates receiving an application for a personal property tax abatement. The company has a long term lease signed for the Crooks facility and anticipates creating 44 highly-skilled jobs within the next five years.

ArvinMeritor

For years, Troy has been fortunate to host ArvinMeritor's World Headquarters and Technical Center. A complete upgrade to their Technical Center will involve a \$10 million investment in the plant facility and \$9 million in new machinery and equipment. The company will also create 101 new jobs. On July 20th, the company received approval from the MEGA board for a MEGA tax credit and Troy City Management anticipates receiving an application for a P.A. 198 plant rehabilitation and personal property tax abatement.

Creative Breakthroughs, Inc.

Currently based in Troy, this IT Security & Consulting business has been rapidly growing its national customer base. The company needs to hire 100 highly-paid IT consultants within the next five years and has been trying to determine the best location to expand these operations. On July 20th, the MEGA board approved a MEGA tax credit for Creative Breakthroughs, Inc to expand their operations in Troy, Michigan.

Projects currently being worked on:

- Currently working with a Troy-based IT firm to consider their expansion plans for Troy, Michigan versus North Carolina and California. The project will involve a long-term lease in a larger facility and some jobs created.
- Currently working with an automotive supplier in Troy to locate their consolidation plans in Troy.
- Met with a German-owned software development company that is considering expanding their North American operations in their Troy office.

OUTREACH INITIATIVES

Business Solutions Professional Program

Offered through a partnership between DELEG, MSU and the MEDC, the Business Solutions Professional Program is an initiative to coordinate business attraction and retention efforts between local economic developers, workforce development agencies and education. Staff attended an 8-session program that identified the goals of communities and organizations to service the businesses and employers within their community and identify resources available to help companies avoid closure and attract strong companies to locate within the area. Participation in the BSP Program will provide staff with a direct link to programs, incentives and resources to maintain a solid business community and create jobs in the area.

Take Off With Troy

The City of Troy has partnered with Walsh College and the Troy Chamber of Commerce to offer this program to small businesses within Troy looking to grow to the next level. Take Off With Troy will offer the expertise of professional teams (including attorneys, accountants, bankers, marketing consultants and IT consultants) who will conduct assessments and provide recommendations for Troy-based small businesses. The program has already secured its professional teams (known as "Flight Crews") and is currently in the process of selecting two Troy businesses (known as "Pilot Companies") who will receive access to this advisory group free of charge.

City Manager's Roundtable Meetings

The City Manager will begin to hold monthly breakfast meetings with Troy business owners to gather insights on how Troy can enhance its business attraction and retention environment. The meetings will be conducted at the community center and a limited number of business owners, with similar business profiles, will be asked to attend to keep the conversation productive for all participants.

July 24, 2020

Gordon Cameron
2539 Taylor Drive
Troy, MI 48083-6900

Tim Richnak
Public Works Director
4693 Rochester Road
Troy, MI 48085-4928

There was some water/sewer work done on the city's property between the sidewalk and the street. One of my mist sprinkler heads was broken by being run over by a heavy vehicle. I was not home at the time and saw nothing. But the sprinkler head was right next to the sidewalk on the other side where the city work was done.

I called your department and received the most expedient service that put me in awe. A very nice young good looking man came in a city truck and tried to reconstruct how the incident could have occurred.

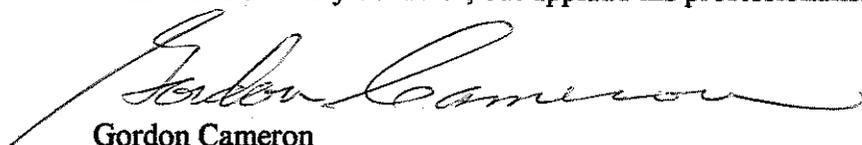
I, unfortunately, thought that this man was going to challenge me because no equipment should have been on the side of the sidewalk where the sprinkler head was damaged. I was going to call my sprinkler company to fix it if the city did not. I did not want any problems with the city.

All I want to say is that this gentleman was so nice and fixed the breakage with the professionalism and expertise that I have learned to expect from the City of Troy.

Please find out who this man was and share this letter with him.

I am so sorry for jumping to conclusions and being so irascible. I want to say "Thank you" for your patience, understanding, and for fixing the sprinkler head with absolutely no damage to the sod at all.

I am ashamed at my behavior, but applaud his professionalism and kindness.



Gordon Cameron
gordondcameron@wowway.com
248-740-9542

July 23, 2010

City of Troy Police Department
Attn: Chief Mayer
500 W. Big Beaver
Troy, MI 48084

Re: Student Internship

Dear Chief Mayer:

My name is Daniel Smiley and I recently completed an internship at the City of Troy Police Department through Macomb Community College. I wanted to express my thanks for allowing me the opportunity to ride along with your officers. I was assigned to work with several different officers during my internship. Each officer was professional and very willing to share their knowledge and experience with me.

During my internship, one of the things I noticed was the focus on Community Policing. In several of my classes at Macomb, the topic of Community Policing has been talked about and the importance of it. It was a great experience for me to be able to see this in action. I feel as though I will be able to use this experience when I complete my education and begin working as a police officer.

Thank you again for the time and opportunity to learn about the Troy Police Department.

Sincerely,

Dan Smiley

- CITY MANAGER'S OFFICE ✓
- CORRESPONDENCE

N-3b



13TH DISTRICT
 1020 FARNUM BUILDING
 P.O. BOX 30036
 LANSING, MI 48909-7536
 PHONE: (517) 373-2523
 TOLL-FREE: (877) SEN-13TH
 FAX: (517) 373-5669
 WEBSITE: www.senatorjohnpappageorge.com

JOHN PAPPAGEORGE
 MICHIGAN SENATE

VICE CHAIR - APPROPRIATIONS
 SUBCOMMITTEES:--
 CHAIR - GENERAL GOVERNMENT
 VICE CHAIR - DEPARTMENT OF
 COMMUNITY HEALTH
 MEMBER - CAPITAL OUTLAY

COMMITTEES:
 CHAIR - ADMINISTRATIVE RULES
 VICE CHAIR - SENIOR CITIZENS
 AND VETERANS AFFAIRS
 MEMBER - FINANCE
 MEMBER - HOMELAND SECURITY
 AND EMERGING TECHNOLOGIES
 MEMBER - SENATE FISCAL AGENCY
 BOARD OF GOVERNORS

July 21, 2010

RECEIVED

JUL 23 2010

CITY OF TROY
 CITY MANAGER'S OFFICE

Mr. John Szerlag
 City Manager
 City of Troy
 500 W Big Beaver Rd
 Troy, MI 48084-5285

Dear John:

Congratulations on the City of Troy receiving another "AAA" bond rating from the Wall Street rating agency, Standard and Poor.

While reading the *Daily Tribune*, I noticed the article about the City of Troy earning this prestigious distinction and I wanted to take this opportunity to congratulate you and the city. As a resident of the Troy community, I can testify to the outstanding quality of life that the City of Troy is known for. The City of Troy is a true asset to the state of Michigan. I wish you and the City of Troy the best of luck in all future endeavors.

Once more, congratulations.

Sincerely,


 John Pappageorge
 State Senator
 District 13

JP: kl

OKP

**Report to Troy City Council regarding discussions with City of Troy
and the Troy Nature Society**

The City of Troy is experiencing economic difficulties resulting in the elimination of some services and closing of facilities. Among the facilities to be closed is the Lloyd A. Stage Nature Center.

While most citizens understand these economic realities, maintaining the operation of these facilities is also important to many citizens. However, if this is to be the case, the resources to operate will not come from the City.

As a result of this reality, a group of citizens have begun the formation of a 501(c) (3), non profit organization to operate the Lloyd A. Stage Nature Center after July1, 2011.

On July 23, 2010, John Ragan, Troy Nature Society President, Board of Directors, and Christal Lewandowski, Vice President, Board of Directors, met with John Lamerato, Assistant City Manager, and Carol Anderson, Director Parks and Recreation to discuss elements of the future agreement for Troy Nature Society to operate the Lloyd A. Stage Nature Center.

This discussion covered facility operational costs and educational program responsibilities.

There was a brief discussion on the status of the Society submittal of the 501(c) (3) application and how the city could support expediting the approval process.

Although this process is a huge undertaking with fundraising, many tasks and much planning to complete before an agreement is reached, there appears to be interest in pursuing this agreement. Both parties are interested in having the nature center operate in some form after June, 2011. It is imperative that the Troy Nature Society is able to offer assurances to the City regarding the operations before the agreement is executed.

This meeting was informative for both parties and will help in the creation of the agreement between the city and the Troy Nature Society for the operation of the Lloyd A. Stage Nature Center.

John Ragan



CITY COUNCIL REPORT

DATE: August 3, 2010
TO: John Szerlag, City Manager
FROM: Mark F. Miller, Acting Assistant City Manager/Economic Development Services
Steven J. Vandette, City Engineer
R. Brent Savidant, Acting Planning Director
SUBJECT: Complete Streets Legislation

On August 1, 2010, Governor Granholm signed the Complete Streets bills into state law. House Bills 6151 and 6152 are now Public Acts 134 and 135 of 2010, respectively.

Public Act 135 of 2010 updates the Michigan Transportation Fund Act. The Act requires MDOT to adopt its own Complete Streets policy as well as a model Complete Streets policy to be made available to Michigan municipalities, within 2 years. The Act requires that a community has to be consulted and agree on any projects that MDOT or the local road agency does in a municipality with a Complete Streets policy. Additionally, the Act creates a Complete Streets Advisory Council at the state level to assist local road agencies and municipalities with implementation of Complete Streets Policies.

Public Act 135 of 2010 updates the Michigan Planning Enabling Act by including all components of a transportation system, including bicycles, pedestrians and public transit, as required elements of a municipal master plan.

Together, these laws provide Michigan communities with tools to begin rethinking their approach to road projects, including making streets that safely accommodate all users. This will assist in creating more walkable communities and building a sense of place that will attract and retain residents and businesses.

Prepared by RBS

G:\Michigan Planning Act\Complete Streets Legislation CC Memo 08 09 10.doc



CITY COUNCIL REPORT

TO: John Szerlag, City Manager
John Lamerato, Asst. City Manager, Finance and Administration
Cathleen Russ, Library Director
Carol Anderson, Parks and Recreation Director
Stu Alderman, Recreation Superintendent

FROM: Loraine Campbell, Manager, Troy Museum & Historic Village
Stacey Yankee, Manager, Nature Center

SUBJECT: Organizational Structure: Museum and Nature Center

Background:

Facilities Updates:

Troy Museum & Historic Village

- 15 volunteers have been trained and scheduled to greet patrons, accept admissions, answer questions, and orient visitors. These “Ambassadors” also transact sales in the gift shop.
- Volunteers are working with Loraine Campbell and Anne Nagrant (20 hr part time employee) to develop docent training sessions.
- Troy Garden Club Walk Boutique (prior contract) was held in the Village 7-14-2010 from 9:00am-7:00 pm. 810 shoppers attended the boutique.
- Fall Troy Today copy will include program announcements for 3 afternoon teas, three preschool story hours, three Historical Society lectures, and a War of 1812 commemoration.
- The Troy Historical Society will offer school programs at the museum during public hours of operation (Tuesday-Thursday 10 am-3pm) during the 2010/11 school year. The Society will provide contracted instructor/interpreters and collect program fees following the same procedures established for public programs in 2005.

Troy Nature Center

- Two student interns from the Michigan Works program, paid for by the state, are assisting with summer camp programs and front desk operations from mid-July through mid-August.
- Nature Center staffing, along with Stacey Yankee, consists of two part time city employees that are working 38 hours each week in order to facilitate summer camp programming. One additional part time city employee will also work approximately 15 hours/ week to facilitate Junior Naturalist Club July Weeks.
- Summer camp programs are running as they were scheduled previous to the reduction of public hours of operation; as a result, camps are operating at times that the nature center is closed to the public:
- Outdoor Living Skills Camp and Preschool Earth Explorers Camp have already run at full capacity with waiting lists. (Total attendance for both camps combined is 37 children.)
- Junior Naturalist Club July Weeks running for two weeks in July. (Total attendance of 90 children with 150 parents and children for end of week activities.)
- River Camp is also at full capacity with a waiting list. It is scheduled during the last week of July. (Total attendance of 18 children.)
- Stirring-Up Science Camp will be in the first week of August and has a few remaining spots left. (Total attendance of 33 children.)
- Nine additional summer field trips, ten public programs (Birthday Parties, Yoga, Little Acorns, a Bat Program, etc.) and an Eagle Scout Project have been scheduled for this summer. (Attendance through July 30th is currently at 167 patrons for public programs/field trips and walk-in attendance for July was 468 patrons.) Other summer program offerings consist of walk-in scavenger hunts and naturalist backpack rentals.
- Programs that have been cancelled include the Flea Market at the Farm for this August and the Junior Naturalist Club Program for next school year.
- Fall Nature Center programming will consist of four public programs taught by city employees, a yoga program taught by contracted staff and numerous scout badge days also taught by contracted staff. School field trips and birthday parties will also be offered during open hours of operation. Three Field Trips have already been scheduled for Spring 2011.
- Troy Nature Society has sent their Articles of Incorporation to the state and they have been approved. Their By-Laws will be completed and submitted to the state by the end of the month/early August.

Progress Report - New Operational Structure:

- The Cultural Alliance of Southeastern Michigan (CASEM) has provided one consultant and the Michigan Non-profit Assn. (MN) has provided two contract consultants to work

with our transition team to further explore the Oakland Heritage Alliance discussed at our last meeting. These technical assistants are funded by MN through 7-30-10.

- Our Strategic Alliance grant application is due on July 30, 2010. We will be working hard with our consultants and potential partners to develop a structure, work plan and budget for the Alliance.
- We envision the Oakland Heritage Alliance as a county-wide, public-private strategic alliance including the following partners:
 - Municipal and nonprofit organizations that are owners of heritage sites, land, and facilities and that serve as stewards of these community resources
 - Oakland County
 - An emerging, social entrepreneurial initiative that we have tentatively titled the Great Lakes Legacy Network. With the assistance of our technical consultants, we are currently beginning to explore how this transitional entity might be structured and how it might work with municipalities and nonprofits throughout Oakland County to make our heritage resources sustainable by reducing costs and increasing revenue.
- A meeting with Oakland County staff:
 - Indicated that there is support for the Oakland Heritage Coalition concept
 - Established a core team to further explore the county's potential participation in the grant
 - Indicated that support would most likely take the form of in-kind and support services.

[LC/MUS_NC_ALLIANCE_REPOR_7-15-10]



CITY COUNCIL REPORT

TO: Members of the Troy City Council

FROM: John Szerlag, City Manager
Tonni L. Bartholomew, City Clerk

SUBJECT: Precincts 4 and 10 Polling Location – St. Elizabeth Ann Seton Church

Background:

- City of Troy has utilized St. Elizabeth Ann Seton Church as a polling location for the past several years. The facility was an outstanding polling location for the Troy community for the entire time it was utilized as a polling location.
- Unfortunately, on Thursday, August 05, 2010, the City Clerk's office was advised that due to issues tied to candidate campaign workers disregard for the church, aggressive behavior and lack of compliancy with the election policies, the church is no longer willing volunteer their facility as a polling location.
- Effective immediately after the November General Election St. Elizabeth Ann Seton will no longer be a polling location within the City of Troy.
- Over the past several elections the City Clerk's office has witnessed this trend of disrespectful candidates and campaign workers at our polling locations. We have notified candidates at the time of filing and placed facility policies on the City web page to alert candidates of the facility policies. However on many occasions we have been made aware of non-compliancy. The City staff has tried to correct the violations of policy however the impact is significant at virtually all polling locations.
- The City Clerk's office has been contacted by additional facilities regarding similar concerns and believes that the problems have been rectified however there are a few locations that have similar concerns and are at risk similarly to St. Elizabeth Ann Seton.
- The City Clerk's office will continue to monitor and take corrective action as these situations are discovered.
- A copy of the communication from St. Elizabeth Ann Seton Church is attached for your convenience.

St. Elizabeth Ann Seton Church

280 East Square Lake Road

Troy, MI 48085

248.879.1310

fax: 248.879.2886

August 3, 2010

Ms. Tonni L. Bartholomew
City Clerk
City of Troy
500 W. Big Beaver
Troy, MI 48084

Dear Ms. Bartholomew;

I'm writing to give you notice that we are no longer able to host elections at our church. We lack the staff to host uncooperative guests, and it has been our experience, that more and more frequently the campaign workers for candidates and issues have become more aggressive and less compliant with election policies. There are potential consequences to us that we risk when these people ignore the guidelines, and therefore we are no longer willing to assume the risk of having them on our property.

The elections staff and voters have generally been agreeable to work with, but sadly the conduct of the few has made this arrangement no longer possible for us.

We would be willing to hold the November 2, 2010 election at our facility, as planned, if an inspector can monitor and correct improper behavior of the campaign volunteers that camp in our lot, particularly with regard to placement of political signs. After that election, we are no longer willing to host elections at our church.

Regards,



Deborah Peltier
Business Manager

August 5, 2010

Ms. Deborah Peltier
Business Manager
St. Elizabeth Ann Seton Church
280 East Square Lake Road
Troy, MI 48085

Dear Ms. Peltier:

I am in receipt of your letter dated November 3, 2010. First, let me say that I am truly sorry that you and the church family at St. Elizabeth Ann Seton have been wrongfully treated by our election community. St. Elizabeth Ann Seton has been a great friend to the City of Troy, the Troy City Clerk's office and the Troy voters. It is unfortunate that the situations that you addressed in your letter have tarnished our relationship. I understand your concerns and appreciate your forthrightness and decision to withdraw from serving as a polling location.

Thank you for allowing us to utilize your facility over the years and the partnership that we have shared in the conduct of elections. I appreciate that you are allowing us to utilize the facility for the November General Election and have given us adequate time to re-locate and notify the voters of the change in their polling location. I greatly appreciate your courtesy and timeliness. The Troy City Clerk's office will attempt to intervene with candidates and campaign workers to prevent additional policy violations at the November election.

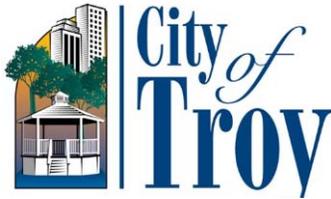
Your generosity over the past years is and will forever be appreciated. Thank you.

Should you have any additional concerns or if I can be of any assistance, please contact me.

Sincerely,

Tonni L. Bartholomew, MMC
Troy City Clerk

cc: Troy City Manager
Troy City Council



CITY COUNCIL REPORT

TO: Members of the Troy City Council

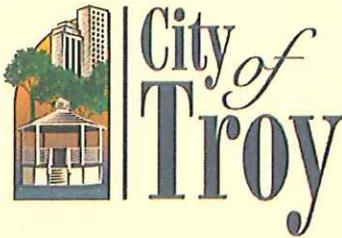
FROM: John Szerlag, City Manager
Lori Grigg Bluhm, City Attorney
Tonni L. Bartholomew, City Clerk

SUBJECT: Act 164 Library – 11/02/10 General Election Ballot Question

Background:

- State law provides for voter submitted petitions for an Act 164 free library.
 - 397.210a Free public library in city; establishment; petition for tax; notice; form of ballot; library fund; preparing and reporting estimate of money necessary for support and maintenance; tax additional to tax limitation.
 - Sec. 10a.

Fifty voters of a city may present to the clerk of the city a petition asking that a tax be levied for the establishment of a free public library in that city and specifying a rate of taxation not to exceed 2 mills on the dollar. The tax may be of unlimited duration or the petition may specify the number of years for which the tax shall be levied. The clerk, in the next legal notice of the regular election in that city, shall give notice that at the election every voter may vote upon the proposition. The notice shall specify the rate and any duration of taxation mentioned in the petition.
- The City Clerk received a second petition on Monday, August 2, 2010 and two additional petitions on Wednesday, August 4, 2010. All three petitions appear to meet the above referenced statutory provision.
- The deadline for voter initiated petitions for November 2, 2010 General Election ballot question submittals is August 10, 2010.
- As required by State Statute, the Clerk shall file ballot language with the County Clerk on or before August 24, 2010. Once available, ballot language will be forwarded to the City Council as an Agenda Report and Communication.
- Ballot language will mirror the petition language as closely as possible and will meet all statutory requirements. The language as indicated on the petitions are attached.



AFFIDAVIT OF RECEIPT PETITION FILING

TYPE OF PETITION: Millage Proposal
FILER'S NAME: William Redfield
(Print or Type)

E-Mail: _____ Estimated Actual Number of Signatures: 70

By signing this affidavit, I hereby swear that the statements made above are true and complete.

SIGNATURE OF PERSON FILING PETITIONS: By William M. Redfield, Millage Proposal Deserved w/o Prej
JCC1-308

Subscribed and sworn to before me this _____ day of _____, 2010
2 day of August, 2010
Name of Notary: MAileen Bittner
County: Oakland
MAileen Bittner Comm. Expires: January 22, 2014
(Signature of Notary)

FOR OFFICE USE ONLY

DATE OF FILING: August 2 2010 ✓ 20081

RECEIVED BY: MAileen Bittner

***Note:** Use actual count of number of signatures included in filing if possible. If an actual count is not used; use estimate provided by the filer.

50
Minimum # of Valid Signatures Required

6
Number of Petition Sheets Included in the Filing

70
*Number of Signatures Included in the Filing

ALL candidate filings are public information as soon as they are submitted.

8/2/2010 9:24am
J. Barton
DATE STAMP

- Instructions for distribution of copies:**
- Return original affidavit to filer
 - Retain copy of affidavit for Clerk's file.

CITY OF TROY

LIBRARY MILLAGE PROPOSAL

Shall the tax limitation imposed on all taxable real and tangible personal property within the City of Troy, Oakland County, Michigan, be increased for said City in an amount not to exceed .9585 mill (\$.9585 on each \$ 1,000 of taxable value) for a period of ten (10) years, 2011 to 2020 inclusive, to provide funds for establishing, operating, and equipping a public library in the City of Troy pursuant to section 10a of 1877 PA 164 and for all other library purposes authorized by law; and shall the City levy such new additional millage for said purpose; the estimate of the revenue the City will collect if the millage is approved and levied in the 2011 calendar year is approximately \$ 4,150,000. As required by law, revenue from this millage will be disbursed into a dedicated library fund that is under the exclusive control of an independent public library board.

Yes

No

COUNTY/LOCAL PROPOSAL PETITION

216

City
 Township
 Village of
 Troy

We, the undersigned qualified and registered electors, residents in the _____ in the County of, Oakland, State of Michigan, respectively petition for:

a vote on the question of whether a tax of .9585 mill for a period of ten (10) years (beginning in the year 2011) should be levied in the City of Troy for the establishment of a public library in the City of Troy pursuant to Section 10a of the City, Village and Township Libraries Act, 1877 PA 164.

WARNING - A PERSON WHO KNOWINGLY SIGNS THIS PETITION MORE THAN ONCE, SIGNS A NAME OTHER THAN HIS OR HER OWN, SIGNS WHEN NOT A QUALIFIED AND REGISTERED ELECTOR, OR SETS OPPOSITE HIS OR HER SIGNATURE ON A PETITION, A DATE OTHER THAN THE ACTUAL DATE THE SIGNATURE WAS AFFIXED, IS VIOLATING THE PROVISIONS OF THE MICHIGAN ELECTION LAW.

Signature	Printed Name	Street Address or Rural Route	Zip Code	DATE OF SIGNING		
				Month	Day	Year
	Kathleen A. Kalman	250 Habrand	48098	8	1	10
	DANIEL MURPHY	1185 HARTWIG DR	48085	8	1	10
	Deborah Taylor	817 Randale Dr.	48085	8	1	10
	Brian Taylor	817 Randale	48085	8	1	10
	Priscilla Bowen	5315 Church Hill	48085	8	1	10
	Calvin Bowen	5315 Church Hill	48085	8	1	10
	Karen Woodgate	309 Paragon	48098	8	1	10
	ROBERTA WISHART	6437 MALVERN	48098	8	1	10
	Timothy M. Draylin	2224 Atlas Dr.	48083	8	1	10
	Patti Cooper-Koerner	2780 Shirley Dr Troy MI	48085	8	1	10
	L. PAGNUCCO	2232 RUSHMORE DR	48083	8	1	10

CERTIFICATE OF CIRCULATOR

The undersigned circulator of the above petition asserts that he or she is qualified to circulate this petition and that each signature on the petition was signed in his or her presence; and that, to his or her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the petition, the person signing the petition was at the time of signing a qualified registered elector of the City, Township or Village listed in the heading of the petition, and the elector was qualified to sign the petition.

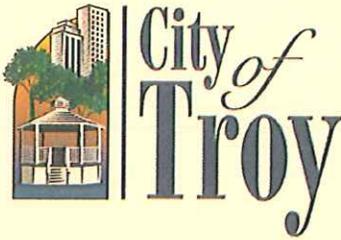
WARNING - A CIRCULATOR KNOWINGLY MAKING A FALSE STATEMENT IN THE ABOVE CERTIFICATE, A PERSON NOT A CIRCULATOR WHO SIGNS AS A CIRCULATOR, OR A PERSON WHO SIGNS A NAME OTHER THAN HIS OR HER OWN AS CIRCULATOR IS GUILTY OF A MISDEMEANOR.

CIRCULATOR - DO NOT SIGN OR DATE

CERTIFICATE UNTIL AFTER CIRCULATING PETITION.

By: William M. Redfield, All Rights Reserved w/o Prejudice 8 / 1 / 10
 (Signature of Circulator)
WILLIAM M REDFIELD
 (Printed Name of Circulator)
TROY
 (City, Township or Village Where Registered)
4451 Cypress Drive
 Complete Residence Address (Street and Number or Rural Route) 48085
 (Zip Code)





AFFIDAVIT OF RECEIPT PETITION FILING

TYPE OF PETITION: millage Proposal

FILER'S NAME: Kathleen O'Laughlin
(Print or Type)

E-Mail: _____ Estimated Actual Number of Signatures: 69

By signing this affidavit, I hereby swear that the statements made above are true and complete.

SIGNATURE OF PERSON FILING PETITIONS: Kathleen O'Laughlin

Subscribed and sworn to before me this _____ Name of Notary: Cheryl A. Stewart
4th day of August, 2010 County: Oakland
Cheryl Stewart Comm. Expires: May 3, 2010
(Signature of Notary)

FOR OFFICE USE ONLY

DATE OF FILING: August 4, 2010 ~~2008~~

RECEIVED BY: Cheryl Stewart

Minimum # of Valid Signatures Required: 50

Number of Petition Sheets Included in the Filing: 7

*Number of Signatures Included in the Filing: 69

***Note:** Use actual count of number of signatures included in filing if possible. If an actual count is not used; use estimate provided by the filer.

ALL candidate filings are public information as soon as they are submitted.

2010 AUG 4 AM 9:09

DATE STAMP

- Instructions for distribution of copies:**
- Return original affidavit to filer
 - Retain copy of affidavit for Clerk's file.

2010 AUG 4 AM 9:09

COUNTY/LOCAL PROPOSAL PETITION

INSTRUCTIONS ON REVERSE SIDE

We, the undersigned qualified and registered electors, residents in the (check one) City Township Village of Troy, in the County of Oakland

State of Michigan, respectively petition for: _____

a vote on the question of whether a tax of 0.9855 mill for a period of three (3) years (beginning in year 2011) should be levied in the City

of Troy for the establishment of a public library in the City of Troy pursuant to section 10a of the City, Village and Township Libraries Act, 1877 PA 164.

WARNING - A PERSON WHO KNOWINGLY SIGNS THIS PETITION MORE THAN ONCE, SIGNS A NAME OTHER THAN HIS OR HER OWN, SIGNS WHEN NOT A QUALIFIED AND REGISTERED ELECTOR, OR SETS OPPOSITE HIS OR HER SIGNATURE ON A PETITION, A DATE OTHER THAN THE ACTUAL DATE THE SIGNATURE WAS AFFIXED, IS VIOLATING THE PROVISIONS OF THE MICHIGAN ELECTION LAW.

	SIGNATURE	PRINTED NAME	STREET ADDRESS OR RURAL ROUTE	POST OFFICE	DATE OF SIGNING		
					MONTH	DAY	YEAR
1.	[Signature]	[Name]	[Address]	[Post Office]	[Month]	[Day]	[Year]
✓ 2.	[Signature]	Beth Winters	4075 Washington Cres.	Troy MI 48085	8	2	2010
✓ 3.	[Signature]	BRIAN WATTLES	3864 LIVERNOIS	TROY MI 48083	8	2	2010
✓ 4.	[Signature]	Roxane DAYA	2541 MARCUS	TROY MI 48083	8	2	2010
✓ 5.	[Signature]	TIM EMMITT	4430 GREENSBORO	TROY MI 48085	8	2	2010
✓ 6.	[Signature]	Stephen Jaffe	1417 Madison Dr	Troy MI 48083	8	2	10
✓ 7.	[Signature]	Chris Hill	4970 Foxcroft	Troy MI 48085	8	2	10
NR 8.	[Signature]	MAREK ZYGADLO	1174 BOYD ST	Troy MI 48083	8	2	10
✓ 9.	[Signature]	Tom Horne	1878 CRIMSON	Troy MI 48083	8	2	10
NR 10.	[Signature]	BHUPAL REDDPALETY	2772 Charterdrive TROY MI	TROY MI 48083	08	02	10
✓ 11.	[Signature]	Mital Mloy.	4071 Keats Dr	TROY MI 48085	8	2	10
✓ 12.	[Signature]	Chris Kaley	9462 Holly Dr	Troy MI 48085	8	2	10

CERTIFICATE OF CIRCULATOR

The undersigned circulator of the above petition asserts that he or she is qualified to circulate this petition and that each signature on the petition was signed in his or her presence; and that, to his or her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the petition, the person signing the petition was at the time of signing a qualified registered elector of the City, Township or Village listed in the heading of the petition, and the elector was qualified to sign the petition.

WARNING - A CIRCULATOR KNOWINGLY MAKING A FALSE STATEMENT IN THE ABOVE CERTIFICATE, A PERSON NOT A CIRCULATOR WHO SIGNS AS A CIRCULATOR, OR A PERSON WHO SIGNS A NAME OTHER THAN HIS OR HER OWN AS CIRCULATOR IS GUILTY OF A MISDEMEANOR.

CIRCULATOR - DO NOT SIGN OR DATE CERTIFICATE UNTIL AFTER CIRCULATING PETITION

Kathleen O'Loughlin _____ 8 / 3 / 10
(Signature of Circulator) (Date)

Kathleen O'Loughlin _____
(Printed Name of Circulator)

Troy _____
(City, Township or Village Where Registered)

2193 Isobell _____ 48083
Complete Address (Street and Number or Rural Route) (Post Office)

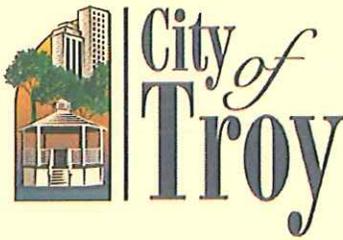
CITY OF TROY

LIBRARY MILLAGE PROPOSAL

Shall the tax limitation imposed on all taxable real and tangible personal property within the City of Troy, Oakland County, Michigan, be increased for said City in an amount not to exceed .9855 mill (\$.9855 on each \$ 1,000 of taxable value) for a period of three (3) years, 2011 to 2020 inclusive, to provide funds for establishing, operating, and equipping a public library in the City of Troy pursuant to section 10a of 1877 PA 164 and for all other library purposes authorized by law; and shall the City levy such new additional millage for said purpose; the estimate of the revenue the City will collect if the millage is approved and levied in the 2011 calendar year is approximately \$ 4,267,000? As required by law, revenue from this millage will be disbursed into a dedicated library fund that is under the exclusive control of an independent public library board.

Yes

No



AFFIDAVIT OF RECEIPT PETITION FILING

TYPE OF PETITION: Millage Proposal

FILER'S NAME: Robert D. Outland
(Print or Type)

E-Mail: _____

Estimated
 Actual

Number of Signatures: 71

By signing this affidavit, I hereby swear that the statements made above are true and complete.

SIGNATURE OF PERSON FILING PETITIONS: Robert D. Outland

Subscribed and sworn to before me this
4th day of August, 2010

Name of Notary: Cheryl A. Stewart

County: Oakland

Cheryl Stewart
(Signature of Notary)

Comm. Expires: May 3, 2012

FOR OFFICE USE ONLY

DATE OF FILING: August 4, ~~2008~~ 2010

RECEIVED BY: Cheryl Stewart

Minimum # of Valid Signatures Required: 50

Number of Petition Sheets Included in the Filing: 6

*Number of Signatures Included in the Filing: 71

***Note: Use actual count of number of signatures included in filing if possible. If an actual count is not used; use estimate provided by the filer.**

ALL candidate filings are public information as soon as they are submitted.

2010 AUG 4 AM 9:20

DATE STAMP

Instructions for distribution of copies:

- Return original affidavit to filer
- Retain copy of affidavit for Clerk's file.

CITY OF TROY

LIBRARY MILLAGE PROPOSAL

Shall the tax limitation imposed on all taxable real and tangible personal property within the City of Troy, Oakland County, Michigan, be increased for said City in an amount not to exceed .9995 mill (\$.9995 on each \$ 1,000 of taxable value) for a period of ten (10) years, 2011 to 2020 inclusive, to provide funds for establishing, operating, and equipping a public library in the City of Troy pursuant to section 10a of 1877 PA 164 and for all other library purposes authorized by law; and shall the City levy such new additional millage for said purpose; the estimate of the revenue the City will collect if the millage is approved and levied in the 2011 calendar year is approximately \$ 4,330,000? As required by law, revenue from this millage will be disbursed into a dedicated library fund that is under the exclusive control of an independent public library board.

Yes

No

COUNTY/LOCAL PROPOSAL PETITION

INSTRUCTIONS ON REVERSE SIDE

We, the undersigned qualified and registered electors, residents in the (check one) City } Troy, in the County of Oakland
 Township }
 Village of }

State of Michigan, respectively petition for: _____

a vote on the question of whether a tax of .9995 mill for a period of ten (10) years (beginning in the year 2011) should be levied in the City of Troy

for the establishment of a public library in the City of Troy pursuant to Section 10a of the City, Village and Township Libraries Act, 1877 PA 164.

WARNING - A PERSON WHO KNOWINGLY SIGNS THIS PETITION MORE THAN ONCE, SIGNS A NAME OTHER THAN HIS OR HER OWN, SIGNS WHEN NOT A QUALIFIED AND REGISTERED ELECTOR, OR SETS OPPOSITE HIS OR HER SIGNATURE ON A PETITION, A DATE OTHER THAN THE ACTUAL DATE THE SIGNATURE WAS AFFIXED, IS VIOLATING THE PROVISIONS OF THE MICHIGAN ELECTION LAW.

	SIGNATURE	PRINTED NAME	STREET ADDRESS OR RURAL ROUTE	POST OFFICE	DATE OF SIGNING		
					MONTH	DAY	YEAR
1.	<i>[Signature]</i>	THOMAS E. NICKERSON	399 SCOTTSDALE TROY MI 48084	48084	08	03	2010
2.	<i>[Signature]</i>	misty nickerson	399 Scottsdale Troy	48084	08	03	2010
3.	<i>[Signature]</i>	Jess Fogot	146 Minnie Troy	48084	08	03	10
4.	<i>[Signature]</i>	Karen Crusse	55 Timberview Dr	Troy 48084	08	03	2010
5.	<i>[Signature]</i>	Kathleen Davis	3940 Lawson	Troy 48084	08	03	2010
6.	<i>[Signature]</i>	Kathleen Davis	3940 Lawson	Troy 48084	08	03	2010
7.	<i>[Signature]</i>	Ydia Willis	125 HART	Troy 48098	8	3	2010
8.	<i>[Signature]</i>	Ross J PARPART	358 Ivy Ln Troy	48098	8	3	2010
9.	<i>[Signature]</i>	Jane Parpart	358 Ivy Lane Troy	48098	8	3	2010
10.	<i>[Signature]</i>	RANDY GREENWOOD	112 Kirk Ln Troy	48084	8	3	2010
11.	<i>[Signature]</i>	Sue Greenwood	112 Kirk Ln Troy	48084	08	03	2010
12.	<i>[Signature]</i>	ROBERT D. OUTLAND	38 TIMBERVIEW DR	Troy 48084	8	3	2010

CERTIFICATE OF CIRCULATOR

The undersigned circulator of the above petition asserts that he or she is qualified to circulate this petition and that each signature on the petition was signed in his or her presence; and that, to his or her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the petition, the person signing the petition was at the time of signing a qualified registered elector of the City, Township or Village listed in the heading of the petition, and the elector was qualified to sign the petition.

WARNING - A CIRCULATOR KNOWINGLY MAKING A FALSE STATEMENT IN THE ABOVE CERTIFICATE, A PERSON NOT A CIRCULATOR WHO SIGNS AS A CIRCULATOR, OR A PERSON WHO SIGNS A NAME OTHER THAN HIS OR HER OWN AS CIRCULATOR IS GUILTY OF A MISDEMEANOR.

CIRCULATOR - DO NOT SIGN OR DATE CERTIFICATE UNTIL AFTER CIRCULATING PETITION

Robert D. Outland _____ 8.3.10 _____
(Signature of Circulator) (Date)

ROBERT D. OUTLAND _____
(Printed Name of Circulator)

Troy _____
(City, Township or Village Where Registered)

38 TIMBERVIEW DR _____ 48084 _____
Complete Address (Street and Number or Rural Route) (Post Office)



CITY COUNCIL REPORT

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager
John M. Lamerato, Asst. City Manager, Finance and Administration
Cathleen Russ, Library Director
Loraine Campbell, Manager, Troy Museum & Historic Village
Ward Randol, Co-Chairman, Troy Heritage Campaign
John Lavender, Co-Chairman, Troy Heritage Campaign

SUBJECT: Niles Barnard House Relocation

DATE: August 1, 2010

Background:

- On December 7, 2009, City Council approved an amended gift agreement between the City of Troy and the trustees of the Harriet F. Barnard Revocable Trust, extending the deadline to relocate the Niles-Barnard House to the Troy Museum & Historic Village to December 31, 2010.
- The City of Troy and the Troy Historical Society entered into a Letter of Agreement in January 2006, which established the roles and responsibilities of the City and the Troy Historical Society for the proposed museum expansion including the relocation and restoration of the Niles Barnard House.
- The Troy Historical Society purchased property that provides a relocation site and conveyed that property to the City for museum purposes. The property was rezoned CF (Community Facility) and was included in the locally designated historic district that includes the Troy Museum.
- The Planning Commission and City Council have reviewed and approved the Preliminary Site Plan for the relocation of the house. The Final Site Plan was submitted in July 2010.
- The Troy Historical Society has raised sufficient funds to relocate the house without the use of City funds. These restricted donations cannot be used for another purpose.
- The Niles-Barnard House on Livernois Road presents a liability. Relocation of the house from the Livernois Road site increases marketability of the property.

- The Troy Historical Society and City management plan for implementation of the project is as follows:
 - Relocate the house this year during good weather and complete the new foundation
 - Establish basic utility service to provide temporary heat and security for the building
 - Complete basic exterior repairs and site restoration at the museum site
 - Complete restoration of the Livernois Road site
- Work will commence with the demolition of garages that are adjacent or attached to the house and that are not scheduled to be relocated. This will allow archeology students from Oakland University time to conduct test digs under these structures.
- Hopkins Burns Design Studio has completed construction drawings for this project and is ready to work with the Troy Historical Society this summer to select a General Contractor and approved subcontractors to complete the project as outlined.
- All contractors will meet insurance requirements set by the City of Troy.
- Museum Manager Loraine Campbell with the Troy Historical Society's Heritage Campaign Committee co-chairmen and Hopkins Burns Design Studio will provide regular written project reports to City management.
- The Troy Historical Society will continue to raise funds to complete the restoration of the interior of the Niles-Barnard House.
- Completion of the project will fulfill the Gift Agreement between the City of Troy and the trustees of the Harriet F. Barnard Revocable Trust.

If there is a consensus of Council at the study session to proceed with the project as described, then an amended Letter of Agreement between the City of Troy and the Troy Historical Society will be provided to Council as an action item on the August 16, 2010 City Council Agenda.

Financial Considerations:

- As provided for in the 2006 agreement between the Troy Historical Society and the City, the Troy Historical Society is responsible for the costs related to the relocation of the house. The City will provide suitable in-kind staff support but no City funds will be used for this project.



CITY COUNCIL AGENDA ITEM

August 4, 2010

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager *JS*
 John M. Lamerato, Assistant City Manager/Finance & Administration *JML*
 Mark F. Miller, Acting Assistant City Manager/Economic Development Services *MF*
 Nino Licari, City Assessor *NL*
 Pamela Valentik, Economic Development Specialist *PV*

SUBJECT: Tax Abatement Policy

Background

The City of Troy has historically granted tax abatements authorized by the Industrial Facilities Tax Abatement (P.A. 1974 No.198). In February of 2009 City Council amended the Personal Property Tax Abatement Policy to serve as the City's local participation in the State of Michigan's MEGA incentive. Tax abatements are a principally accepted local match to qualify a company for MEGA incentives from the State. This policy continued to disqualify real property from the abatement. The following matrix was included to provide guidance for City Council in granting the abatements:

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				

This matrix illustrates the requirement for applicants to create more than 10 jobs and/or have a personal property investment of at least \$750,000, 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. In order to be eligible for consideration, the application must score in 2 of 3 categories.

The policy does not apply to real property, except for those unique situations where there are building improvements that are required to support the personal property that otherwise qualifies for abatement. An application fee, equal to 2% of the estimated taxes abated under the terms of the exemption, will be assessed on each application. The application fee is consistent with P.A. 1974 No.198.



CITY COUNCIL AGENDA ITEM

Recently a major corporation contacted the Michigan Economic Development Corporation, Oakland County and City Management about structuring an incentive package to locate in the City of Troy. The Corporation is requesting that City Council consider a tax abatement on personal and real property under P.A. 1974 No.198. However, the City of Troy only has a policy on personal property tax abatement, which does not allow real property to qualify (unless it is leasehold improvements, directly connected to the personal property).

City Management ultimately would only recommend any tax abatement if it is tax revenue neutral. In other words would the continuing empty building generate more tax revenue than a new business with tax abatements.

Recommendation

We would like City Council to provide direction on real property tax abatements so we can bring a revised property tax abatement policy to a meeting in the near future.

We are providing additional information regarding other tax abatements, to see if City Council would like additional analysis for applicability to Troy:

- Personal Property Tax Relief In Distressed Communities (P.A. 328 of 1998)
- Tool & Die Recovery Zones, Michigan Renaissance Zone Program (P.A. 376 of 1996)
- Commercial Redevelopment Act (P.A. 255 of 1978)

CITY OF TROY

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:

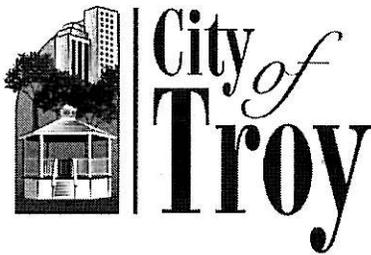
Tax Abatement Matrix					
Job Creation		Building Terms		PP Investment	
10 - 24	1 year	Own	4 years	\$ 750,000	1 year
25 - 49	2 years	Lease		\$ 2,000,000	2 years
50 - 99	3 years	1 - 5 year	None	\$ 5,000,000	3 years
100 - 149	4 years	6 - 9 year	2 years	\$ 10,000,000	4 years
150 - 199	5 years	10 + year	4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



CITY COUNCIL ACTION REPORT

February 5, 2009

TO: Phillip L. Nelson, City Manager

FROM: Brian Murphy, Assistant City Manager/Economic Development Services

SUBJECT: Amending the Personal Property Tax Abatement Policy

Background:

- In 2006, the City Council amended the property tax abatement policy. The property tax abatement policy was amended to serve as the City's local participation in the State of Michigan's MEGA incentive. Tax abatements are a principally accepted local match to qualify a company for MEGA incentives from the State.
- The amendment also cleaned up previous abatement policies, to better reflect PA 198 (Industrial Facilities Tax Abatement).
- Attached is the background information provided to the City Council in 2006.
- Since 2006, the City Council has reviewed and considered five personal property tax abatements, with the personal property values ranging between \$2.8 million and \$600,000.
- In 2008, the State of Michigan replaced the Single Business Tax (SBT) with the Michigan Business Tax (MBT). The MBT changes the value and the burden of the personal property tax, creating a comparatively larger local obligation. As a result, City staff reviewed past abatements and recommends amendments to the policy.
- City staff considered the Council preferred Outcome Statements when developing a model for the proposed tax abatement matrix. The three goals used in the matrix are intended to encourage capital investment, promote the creation of jobs, and show a commitment to the City.
- The proposed matrix requires that the applicant create more than 10 jobs and/or has a personal property investment of at least \$750,000, 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.

Amending the Personal Property Tax Abatement Policy
February 5, 2009
Page Two

Financial Considerations:

- The proposed Tax Abatement Matrix is as follows:

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				

- In order to be eligible for consideration, the application must score in 2 of 3 categories.
- The policy does not apply to real property, except for those unique situations where there are building improvements that are required to support the personal property that otherwise qualifies for abatement.
- An application fee, equal to 2% of the estimated taxes abated under the terms of the exemption, will be assessed on each application. The application fee is consistent with PA 198.
- Of the seven personal property tax abatements that are currently active (2 granted before 2006 amendment), three would qualify for full term abatements under this proposed policy. One company would not have met the eligibility requirements.

Legal Considerations:

- The City Attorney's office has reviewed the proposed matrix, and has determined that it is consistent with PA 198 of 1974.

Policy Considerations:

- The proposed Tax Abatement Matrix continues to encourage investment in our community, and best reflects the values of a unique community in a changing and interconnected world.

Options:

- City Council may accept or reject the proposed amendment to the Personal Property Tax Abatement policy, or may provide city staff with further direction.

INDUSTRIAL PROPERTY TAX ABATEMENT (P.A. 198 OF 1974, AS AMENDED)

Industrial property tax abatements provide incentives for eligible businesses to make new investment in Michigan. These abatements encourage Michigan manufacturers to build new plants, expand existing plants, renovate aging plants, or add new machinery and equipment. High-technology operations are also eligible for the abatement. 'High-technology activity' is defined in the Michigan Economic Growth Authority (MEGA) Act as: advanced computing, advanced materials, biotechnology, electronic device technology, engineering or laboratory testing related to product development, medical device technology, product research and development and advanced vehicles technology or technology that assists in the assessment or prevention of threats or damage to human health or the environment. Abatements Under P.A. 198 can significantly reduce property taxes on new investment for eligible firms.

ESTABLISHING THE DISTRICT

Tax benefits are granted by the legislative body of the city, township or village in which the investment will be located. A public hearing is held and a resolution is adopted to approve the establishment of an Industrial Development District (for a new project) or a Plant Rehabilitation District (for a rehabilitation project). A written request to establish the district must be filed with the clerk of the local unit of government prior to commencement of construction, alteration or installation of equipment.

Once the district is established, the company may apply for an abatement on property taxes (real and personal) for up to 12 years.

APPLICATION PROCESS

Industrial property tax abatements must be approved at both the local and state levels. The eligible business files an application (Michigan Department of Treasury Form 1012) with the local clerk after the district has been established and no later than six months after commencement of the project. The local unit adopts a resolution approving the application and determines the length of years for the

abatement. After a local public hearing, the application is filed and reviewed by the State Tax Commission (STC) and the Michigan Economic Development CorporationSM (MEDC). The STC then grants final approval and issues the exemption certificate. Locally approved applications (with attachments) must be received by the STC no later than October 31, in order to receive consideration and action by December 31.

Applications to the STC must include an agreement signed by the local unit and the operator of the facility outlining the conditions of the abatement. This shall include an affidavit that no payment of any kind in excess of the fee allowed under the Act has been made or promised in exchange for favorable consideration of the exemption application.

Once approved, the firm pays an Industrial Facilities Exemption (IFE), instead of the property tax, that reflects the abatement savings.

ELIGIBLE FACILITIES

Industrial plants eligible for tax abatement are those that primarily manufacture or process goods or materials by physical or chemical change. Related facilities of Michigan manufacturers such as offices, engineering, research and development, warehousing or parts distribution are also eligible for exemption.

Research and development laboratories, high-tech facilities and large communications centers can qualify throughout Michigan.

Facilities used for warehousing, distribution or logistics purposes can be eligible if they locate in specific border counties. At least 90% of the property, excluding the surrounding green space, must be used for warehousing, distribution, logistics or communications center and occupy a building or structure that is more than 100,000 square feet. Eligible border counties include Berrien, Branch, Cass, Chippewa, Dickinson, Gogebic, Hillsdale, Iron, Lenawee, Menominee, Monroe, St. Clair, St. Joseph and Wayne.

The exemption applies to buildings, building improvements, machinery, equipment, furniture and fixtures. Real and personal property are eligible whether owned or leased (provided the lessee is liable for payment of taxes on the property).

The exemption covers only the specific project that is the subject of the application. Any buildings and equipment that existed prior to construction of a new facility are not exempt. If the project is for rehabilitation, the value of any pre-existing obsolete property is exempt from ad valorem property taxes, but will be used as the base for the IFE. Similarly, any structures or equipment added after completion of the project are fully taxable.

Land is specifically excluded from the benefits of the act and is fully taxable.

TAX IMPACT

The New Industrial Personal Property Exemption and IFE Treatment

Under the reforms related to the Michigan Business Tax (MBT), industrial personal property situated on industrial parcels will automatically be exempt from the 6-mill State Education Tax (SET) and 18 mills for local schools. The automatic exemption of 24 mills will continue after the IFE expires. The remaining local mills will be abated 50% under P.A. 198.

Real and Non-Industrial Personal Property IFE Treatment

The IFE on a new plant and non-industrial personal property (like high-tech personal property) is computed at half the local property tax millage rate. This amounts to a reduction in property taxes of approximately 50%. In addition, the 6-mill SET may be abated 100%, 50% or not at all. Any SET abatement must be negotiated with the MEDC.

Rehabilitation of Real or Personal Property IFE Treatment

For an obsolete plant or machinery that is being replaced or restored, the IFE is frozen at the assessed value of the plant prior to improvement. This results in a 100% exemption from property tax on the value of the improvements.

Speculative Building IFE Treatment

In order for a speculative building to qualify for abatement, the local unit must approve a resolution declaring it as a speculative building prior to identifying occupants. Initial construction and finishing costs would be eligible for a reduction in property taxes of approximately 50%.

ADDENDUM

Personal Property Tax Relief

In addition to the automatic reduction of 24 mills on industrial personal property, manufacturers are allowed to claim a 35% tax credit on the MBT form for property taxes paid on the same industrial personal property. The estimated overall impact is a 65% reduction in property taxes on industrial personal property.

Commercial personal property will receive an automatic reduction of 12 mills for local schools on their property tax bill.

For more information, contact the MEDC Customer Assistance Center at 517.373.9808.

HIGH TECH

(PA 198 – Industrial Property Tax Abatement)
(PA 247 of 2000, as amended)

Expands the definition of “Industrial Property” to include high-tech activity.

High Tech activity will be defined as that in the Michigan Economic Growth Authority (MEGA) Act, PA 24 of 1995 (MCL 207.803(I)):

- Advanced Computing: any technology used in the design and development of any of the following: computer hardware and software, data communications, information technologies.
- Advanced Materials: materials with engineered properties created through the development of specialized process and synthesis technology.
- Biotechnology: any technology that uses living organisms, cells, macromolecules, microorganisms, or substances from living organisms to make or modify a product. Improve plants or animals, or develop microorganisms for useful purposes. Biotechnology does not include human cloning or stem cell research with embryonic tissue.
- Electronic Device Technology: any technology that involves microelectronics, semiconductors, electronic equipment, and instrumentation, radio frequency, microwave, and millimeter electronics, and optical and optic-electrical devices, or data and digital communications and imaging devices.
- Engineering or Laboratory Testing: related to the development of a product.
- Technology: that assists in the assessment and prevention of threats or damage to human health or the environment, including, but not limited to, environmental cleanup technology, pollution prevention technology or development or alternative energy sources.
- Medical Device Technology: any technology that involves medical equipment or products other than a pharmaceutical product that has therapeutic or diagnostic value and is regulated.
- Product Research and Development
- Advanced Vehicles Technology: any technology that involves electric vehicles, hybrid vehicles, or alternative fuel vehicles, or components used in the construction of electric vehicles, hybrid vehicles, or alternative fuel vehicles.

PERSONAL PROPERTY TAX RELIEF IN DISTRESSED COMMUNITIES (P.A. 328)

Public Act 328 of 1998 (P.A. 328) allows distressed communities, county seats and certain border county communities to abate personal property taxes on new investments made by eligible businesses.

ELIGIBILITY AND PROCESS

Cities, villages, and townships that contain distressed areas (as defined under the Michigan State Housing Development Authority Act), and all county seats (as defined under the Neighborhood Enterprise Zone Act) are eligible to participate. Eligible cities, villages, townships, and county seats are listed on page two of this fact sheet.

Eligible businesses that locate in a border county and receive approval from the Michigan State Treasurer and President of the Michigan Strategic Fund may receive this incentive. Berrien, Branch, Cass, Chippewa, Dickinson, Gogebic, Hillsdale, Iron, Lenawee, Menominee, Monroe, St. Clair, St. Joseph and Wayne counties are eligible counties. The business must locate in a local governmental unit that is served by at least four of the following services: water, sewer, police, fire, trash or recycling.

In addition, businesses authorized under the Michigan Economic Growth Authority (MEGA) are eligible to receive this incentive.

Eligible projects include manufacturing, mining, research and development, wholesale trade and office operations. Retail businesses and casinos are not eligible.

Businesses may apply for the abatement through their local taxing unit if located in an eligible community. Locally approved applications are filed with the State Tax Commission (STC), which must approve or deny the local resolution within 60 days. The State Treasurer, with the written consent of the Michigan Economic Development CorporationSM (MEDC), is required to provide advice to the STC as to whether the exemption is necessary to "reduce unemployment, promote economic growth, and increase capital investment."

New personal property is property not previously subject to property taxes in any other jurisdiction in this state. This includes personal property already in Michigan, but exempt for another reason (i.e. if owned by a local unit of government). To determine if certain property is considered new, please contact the Department of Treasury at 517.373.3272.

TERMS OF ABATEMENT

Abatements under P.A. 328 reduce property taxes by the full millage rate (including state and local levies). The eligible local units may, by resolution, exempt new personal property in any of the following areas: an industrial development district (P.A. 198 of 1974), a Renaissance Zone[®], an enterprise zone, a brownfield redevelopment zone, an empowerment zone, a tax increment financing district, a local development financing district, or a downtown development district.

The local community and the business negotiate the length of abatement for the new personal property tax. The law does not contain a maximum or minimum number of years.

For more information, contact the MEDC Customer Assistance Center at 517.373.9808.

(List of Eligible Distressed Areas and County Seats on next page.)

ELIGIBLE DISTRESSED COMMUNITIES AND COUNTY SEATS

This list of Eligible Distressed Areas and County Seats reflects a group of communities that qualify based on Neighborhood Enterprise Zone designation, pursuant to changes to P.A. 147 of 1992.

170 EDAs | 129 cities | 26 townships | 15 villages

CITIES

Adrian	Crystal Falls	Hastings	Mason	Saginaw
Albion	Dearborn	Hazel Park	Melvindale	Sandusky
Allegan	Dearborn Heights	Highland Park	Menominee	Sault Ste. Marie
Alma	Detroit	Hillsdale	Midland	Southfield
Alpena	Dowagiac	Holland	Monroe	St. Ignace
Ann Arbor	East Lansing	Houghton	Mt. Clemens	St. Johns
Bad Axe	Eastpointe	Howell	Mt. Morris	St. Joseph
Bangor	Ecorse	Inkster	Mt. Pleasant	St. Louis
Battle Creek	Escanaba	Ionia	Munising	Standish
Bay City	Ferndale	Ironwood	Muskegon	Stanton
Benton Harbor	Flint	Iron Mountain	Muskegon Heights	Sturgis
Bessemer	Gaastra	Iron River	Niles	Tawas City
Big Rapids	Gaylord	Ishpeming	Norton Shores	Taylor
Bronson	Gibraltar	Ithaca	Norway	Three Rivers
Burton	Gladstone	Jackson	Oak Park	Traverse City
Cadillac	Gladwin	Kalamazoo	Omer	Trenton
Caro	Grand Haven	Lake City	Onaway	Vassar
Carson City	Grand Rapids	Lansing	Owosso	Wakefield
Caspian	Grayling	Lapeer	Petoskey	Warren
Center Line	Hamtramck	Lincoln Park	Pinconning	Wayne
Charlevoix	Harbor Beach	Livonia	Pontiac	West Branch
Charlotte	Harper Woods	Ludington	Portage	White Cloud
Cheboygan	Harrison	Manistee	Port Huron	Wyandotte
Coldwater	Harrisville	Manistique	Reed City	Wyoming
Coleman	Hart	Marquette	River Rouge	Ypsilanti
Corunna	Hartford	Marshall	Rogers City	

TOWNSHIPS

Benton (Berrien)	Carrollton (Saginaw)	Elmwood (Tuscola)	Mt. Morris (Genesee)	Royal Oak (Oakland)
Buena Vista (Saginaw)	Champion (Marquette)	Emerson (Gratiot)	Oscoda (Iosco)	Sebewaing (Huron)
Calumet (Houghton)	Columbia (Tuscola)	Genesee (Genesee)	Oliver (Huron)	Sheridan (Calhoun)
Carp Lake (Ontonagon)	Duncan (Houghton)	Marlette (Sanilac)	Pulawski (Presque Isle)	Spaulding (Saginaw)
	Elba (Gratiot)	Minden (Sanilac)	Redford (Wayne)	Turner (Arenac)
		Montrose (Genesee)		Wisner (Tuscola)

VILLAGES

Atlanta	Beulah	Eagle River	Leland	Ontonagon
Baldwin	Cassopolis	Kalkaska	Mio	Paw Paw
Bellaire	Centreville	L'Anse	Newberry	Roscommon

TOOL & DIE RECOVERY ZONES MICHIGAN RENAISSANCE ZONE PROGRAM

The Michigan Renaissance Zone Act, P.A. 376 of 1996 (MCL 125.2681 et seq) was amended to allow the Michigan Strategic Fund (MSF) Board to designate up to 35 tool and die renaissance recovery zones (“Recovery Zone”). A Recovery Zone shall have a duration of a renaissance zone status for a period of not less than five years and not more than 15 years as determined by the board of the Michigan Strategic Fund.

To receive consideration for a Recovery Zone designation, businesses must meet the following requirements:

- Obtain an authorizing resolution of support from the local governmental unit where the respective company’s parcel of property is located that consents to the creation of a Recovery Zone within their boundaries. The resolution must include the number of years that the city, township or village is willing to forego taxes;
- Lease or own the parcel of property that is to be included in the proposed Recovery Zone;
- Use the property primarily for tool and die business operations: 75% or more of the gross revenue generated from tool and die operations that take place on the business property at the time of designation;
- Have fewer than 75 full-time employees; **or**
- Companies with 75 or more full-time employees are required to enter into a written agreement with the MSF and local unit of government where parcel is located;
- Be classified as one of the following North American Industry Classification System (NAICS) codes:
 - ▷ 333511 Industrial Mold Manufacturing
 - ▷ 333512 Machine Tool (Metal Cutting Types) Manufacturing
 - ▷ 333513 Machine Tool (Metal Forming Types) Manufacturing
 - ▷ 333514 Special Die and Tool, Die Set, Jig, and Fixture Manufacturing
 - ▷ 333515 Cutting Tool and Machine Tool Accessory Manufacturing
 - ▷ 332997 Industrial Pattern Manufacturing
- Participate in a written collaborative agreement with other tool and die businesses;
- Have a collaborative agreement that demonstrates synergistic opportunities among the companies and must include, but is not limited to, all of the following elements:
 1. Sales and marketing efforts
 2. Development of standardized processes
 3. Development of tooling standards
 4. Standardized project management methods
 5. Improved ability for specialized or small niche shops to develop expertise and compete successfully on larger programs.
- 6. Strategic focus to any of the following target industries:
 - Medical Devices**
 - Collaborators will be focused on making and improving parts and machining required for medical devices.
 - Collaborators will provide a clear plan of particular focus within medical devices.
 - Qualifying plans should already be established or the collaborators should demonstrate how working together can improve their qualifying systems and part making as a whole to land business together and individually.
 - Alternative Energy Technologies**
 - Collaborators should show their focus on offering new parts to primes and Tier 1 and Tier 2 suppliers, as well as potentially offering machinery design and build.
 - Collaborators should demonstrate how working together will show improved ways of designing machinery and parts for growing alternative energy markets and offer this improved design as a value proposition in competing for contracts.
 - Defense/Homeland Security**
 - Collaborators must have CAGE codes and exhibit a level of knowledge and success in previous government bids.

- Collaborators should be able to demonstrate that by working on bids together, there is a higher likelihood of landing contracts of higher total value than companies bidding on their own.

Electrified Vehicles

- Collaborators will be focused on developing and manufacturing materials and components to be used in electrified vehicles and/or energy storage systems for the power grid.
- Collaborators should demonstrate that there will be efficiency and increased success by collaborating in order to land new business and develop a supply chain centered in Michigan.
- Collaborators should be able to exhibit some level of knowledge in competing for business within the electrified vehicle or grid storage spaces.

Commercial Aerospace

- Collaborators should be focused on offering new and replacement parts to primes and Tier 1 and Tier 2 suppliers.
- Collaborators must have or be currently working towards AS9100 certification.
- Collaborators should demonstrate that there will be efficiency and increased success in common marketing and sales outreach to primes and Tier 1 and Tier 2 suppliers through this collaboration.

The agreement must demonstrate that it will provide its participants enhanced economic effectiveness with respect to each of the elements included in the collaborative agreement.

To apply for consideration for a new Tool and Die Recovery Zone designation, there is an annual competitive process. The deadline date to submit applications is in September each year. There must be a minimum of four companies participating in a collaborative agreement. The maximum number of companies participating in a collaborative is 20.

For companies being allowed to join an existing Recovery Zone, a separate application for this situation must be submitted by the Recovery Zone on behalf of the company joining. A company being allowed to join

still must meet all the requirements in the law and all collaborative members must consent to a new company becoming a member. Applications for this circumstance will be accepted on an ongoing basis until October each year. Recovery Zone designation would become effective the year after designation. The company would have a limited duration time that could not exceed the Recovery Zone's original maximum allowable 15 year duration. A list of Recovery Zone contact individuals is on the Michigan Economic Development CorporationSM (MEDC) web site.

Companies must be current with all state and local taxes in order to be eligible for benefits under the program.

Companies located in a Recovery Zone are eligible for an exemption, deduction or credit on the following taxes: Michigan Business Tax (MBT), state education tax, personal and real property taxes, and local income tax where applicable. Taxes still due are those mandated by the federal government, local bond obligations, school sinking fund or special assessments. Companies are not exempt from paying Michigan sales tax.

The state of Michigan reimburses intermediate school districts, local school districts, community college districts and public libraries where taxes are abated. The state of Michigan does not replace the tax revenue lost to the local unit of government or other taxing jurisdictions except those listed in the preceding sentence.

Companies must still file annual Michigan Business Tax (MBT) returns and city income tax returns if applicable. Companies must still file an annual Personal Property Statement. Failure to submit these tax forms will result in delinquency and a business can be denied benefits of the program for failing to file the proper annual tax forms.

Taxes can be abated up to 15 years. In all cases, the tax relief will be phased out in 25% increments over the last three years of the zone designation.

For answers to questions regarding NAICS codes, visit the U.S. Census web site: www.census.gov/eos/www/naics/faqs/faqs.html.

For more information, contact the MEDC Customer Assistance Center at 517.373.9808.

COMMERCIAL REDEVELOPMENT ACT

Public Act 255 of 1978 encourages the replacement, restoration and new construction of commercial property by abating the property taxes generated from new investment for a period up to 12 years. As defined, commercial property means land improvements whether completed or in the process of construction, the primary purpose and use of which is the operation of a commercial business enterprise, including office, engineering, research and development, warehousing parts distribution, retail sales, hotel or motel development, and other commercial facilities. Land and personal property are not eligible for abatement under this act.

WHO IS ELIGIBLE?

“Local governmental unit” means a city or village.

WHAT IS A REPLACEMENT, NEW AND RESTORED FACILITY?

Replacement Facility means commercial property to be acquired, constructed, altered, or installed for the purpose of being substituted for obsolete commercial property. Property impaired due to changes in design, construction, technology, or improved production processes, or damage due to fire, natural disaster, or general neglect shall be considered obsolete. All other *new* commercial property is considered a New Facility. For purposes of granting the tax abatement, the Replacement or New Facility must meet all following conditions:

1. Is located on property that is zoned to allow for mixed use, including high-density residential.
2. Is located in a qualified downtown revitalization district as defined in section 2 of the **Neighborhood Enterprise Zone act (PA 147 of 1992)**. This requires either being located in a **Downtown Development Authority (PA 197 of 1975)**, **Principal Shopping District** or a **Business Improvement District (PA 1961 of 120)** or an area that is zoned and primarily used for business as determined by the local government unit.

3. The city or village establishes and implements an expedited local permitting and inspection process in the Commercial Redevelopment District. In addition, by resolution provides for the walkable nonmotorized interconnections, including sidewalks and streetscapes throughout the Commercial Redevelopment District.

A “Restored Facility” means changes to obsolete commercial property as may be required to restore the property to an economically efficient condition. Restoration must result in improvements aggregating to *more than* 10% of the true cash value of the property at commencement of the restoration. Restoration includes major renovation including, but not limited to, the improvement of floor loads, correction of deficient or excessive height, new or improved fixed building equipment, including heating, ventilation, and lighting, reducing multistory facilities to one or two stories, improved structural support including foundations, improved roof structure and cover, floor replacement, improved wall placement, improved exterior and interior appearance of buildings, and other physical changes.

WHAT IS THE PROCESS?

Before the Commercial Redevelopment Exemption Certificate (i.e. property tax abatement) can be granted for the Facility, the city or village, by resolution of its legislative body, must establish a Commercial Redevelopment District. The establishment of the District may be initiated by the local government unit or by owners of property comprising 75% of state equalized value of the property in the proposed district. At the time of the resolution’s adoption, property within District must meet one of the following:

1. Obsolete commercial property or cleared or vacant land which part of an existing developed commercial or industrial zone. The property must have been zoned commercial or industrial before June 21, 1975, and characterized by obsolete commercial property and a decline in commercial activity.
2. Land cleared as a result of fire damage, or cleared as blighted area under **Blighted Area Rehabilitation Act (PA 344 of 1945)**.

3. Cleared or vacant land included in a redevelopment plan adopted by the Downtown Development Authority (PA 197 of 1975) or Principal Shopping District or a Business Improvement District (PA 1961 of 120).

To establish the Commercial Redevelopment District, the city or village must first hold a hearing to establish a Commercial Rehabilitation District and determine in the resolution the district meets the requirements of the Act.

Once the district is established, the property owners may file an application with the local clerk for a Commercial Facilities Exemption Certificate. Applications are available from the Michigan Department of Treasury. The local clerk shall provide written notification to the assessor of the local unit of government and each taxing jurisdiction that levies ad valorem property taxes of the application hearing. Before acting on the application, the city or village shall hold a public hearing on the application and not more 60 days after receipt of the application either approve or disapprove the application by resolution. If approved, the application and resolution must be sent to the State Tax Commission for filing purposes.

COMMERCIAL FACILITIES EXEMPTION CERTIFICATE

The property owner must pay a Commercial Facilities Tax rather than the normal property tax. The certificate must be issued for a period of at least one year, but cannot exceed 12 years. Certificates initially issued for less than 12 years may be extended based upon factors placed in writing at the time the certificate is approved, but shall not exceed 12 years.

DETERMINING COMMERCIAL FACILITIES TAX RATE

For a Restored Facility: The Commercial Facilities Tax freezes the taxable value of the building at its value prior to restoration, therefore exempting the new investment from local taxes for a period not to exceed 12 years. The school operating tax and the State Education Tax (SET) are also frozen. Land and personal property cannot be abated under this act.

For a New or Replacement Facility: The Commercial Facilities Tax provides a 50% reduction in the number mills levied as ad valorem taxes, excluding only the State Education Tax (SET). Land and personal property cannot be abated under this act.

Within 60 days after the granting of a new Commercial Facilities Exemption Certificate, the State Treasurer may exempt 50% of the SET mills for a period not to exceed six years. The State Treasurer will not grant more than 25 of these SET exclusions each year.

SUPPORTING STATUTES

PA 255 of 1978-Commercial Redevelopment Act

CONTACT INFORMATION

For more information contact the MEDC Customer Assistance Center at 517.373.9808.