



AGENDA

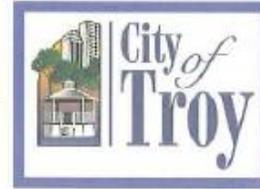
Regular Meeting of the

CITY COUNCIL OF THE CITY OF TROY

FEBRUARY 21, 2011
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.

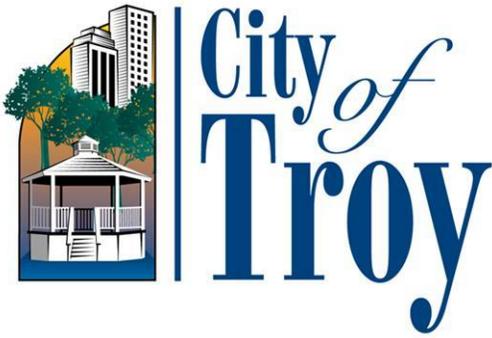
Supporting materials transmitted with this Agenda have been prepared by department directors and staff members. I am indebted to them for their efforts to provide insight and professional advice for your consideration.

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Szerlag". The signature is written in a cursive, flowing style.

John Szerlag, City Manager



**CITY COUNCIL
AGENDA**
February 21, 2011 – 7:30 PM
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317

INVOCATION: Mayor Pro Tem Kerwin **1**

PLEDGE OF ALLEGIANCE: **1**

A. CALL TO ORDER: **1**

B. ROLL CALL: **1**

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS: **1**

C-1 Certificates of Recognition and Special Presentations: 1

- a) On behalf of the City of Troy Employees' Casual for a Cause Program for the months of November & December 2010, Community Affairs Director Cindy Stewart will present a check in the amount of \$1,079.00 to Leonette Ciepielowski, Troy Youth Assistance Board Chairperson..... 1
- b) MACP Award presented to Police Department; Jim Santilli from TIA scheduled to speak. 1

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INVOCATION: Mayor Pro Tem Kerwin

PLEDGE OF ALLEGIANCE:

A. CALL TO ORDER:

B. ROLL CALL:

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

- b) Excuse Absent Council Members:

Suggested Resolution

Resolution #2011-02-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of _____ at the Regular City Council Meeting of Monday, February 21, 2011 due to _____.

Yes:

No:

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Certificates of Recognition and Special Presentations:

- a) On behalf of the City of Troy Employees' Casual for a Cause Program for the months of November & December 2010, Community Affairs Director Cindy Stewart will present a check in the amount of \$1,079.00 to Leonette Ciepielowski, Troy Youth Assistance Board Chairperson.
- b) MACP Award presented to Police Department; Jim Santilli from TIA scheduled to speak.

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 None Scheduled

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 Resolution Submitted by Council Member Howrylak at the February 7, 2011 Regular City Council MeetingPending Resolution

Resolution #2011-02-

Moved by Howrylak

Seconded by Fleming

WHEREAS, The City of Troy has an additional \$1.7 million in unallocated fund reserves resulting from the 2009-2010 fiscal year's financial performance;

WHEREAS, The City of Troy's Employees Retirement System realized an investment gain of \$14.7 million for the year ending December 31, 2009 that is being amortized and will save the City of Troy significant contributions going forward;

WHEREAS, The City of Troy's Employees Retirement System realized significant investment gains for the year ending December 31, 2010 that will be amortized and will save the City of Troy significant contribution requirements going forward;

WHEREAS, The City of Troy is aiming for and achieving 10-15% labor and benefit cost savings across all employee groups; and

WHEREAS, The City of Troy has operated a free public library for the benefit of all for over forty years and there is a great need in the community for continuation of these services;

THEREFORE, BE IT RESOLVED, That the City Manager is hereby **DIRECTED** to draft an amended and revised multi-year budget that incorporates these cost savings and uses these funding sources to provide for and fund the Troy Public Library; and

BE IT FURTHER RESOLVED, That this amended multi-year budget be brought back to the City Council no later than February 21, 2011.

Yes:
No:

H-2 Directive from City Council for City Administration to Provide Business and Organization Recommendations to Conduct a Community Survey

Pending Resolution
Resolution #2011-02-
Moved by Slater
Seconded McGinnis

RESOLVED, That Troy City Council hereby **DIRECTS** City Administration to provide City Council with three business or organization recommendations for conducting a statistically significant community survey.

Yes:
No:

I. REGULAR BUSINESS:

I-1 Board and Committee Appointments: Employee Retirement System Board of Trustees

- a) **Mayoral Appointments – None Scheduled**
- b) **City Council Appointments**

Suggested Resolution
Resolution #2011-02-
Moved by
Seconded by

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

Employee Retirement System Board of Trustees/Retiree Health Care Benefits Plan &

Trust: City Manager and Assistant City Manager/Finance & Administration; (1) City Council Rep; (1) Troy Citizen -City Council Appt.; (3) Trustees-Elected by Retirement System Members; (1) Retiree Member in Defined Benefit Plan – City Council Appt.
3-Year Terms: Appointed Citizen, 3 Member Trustees, Council Trustee

William Need **Ex-Officio-DB Retiree Rep.** Term Expires 12/31/2013

Yes:

No:

I-2 Board and Committee Nominations: Board of Review**a) Mayoral Nominations**Suggested Resolution

Resolution #2011-02-

Moved by

Seconded by

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

Board of Review

Appointed by Mayor (3-Regular) 3-Year Term

Unexpired Term 01/31/2012

Yes:

No:

b) City Council Nominations – None Scheduled**I-3 Request for Closed Session – No Closed Session Requested****I-4 2011 Poverty Exemption Guidelines (Changes from Previous Year)**Suggested Resolution

Resolution #2011-02-

Moved by

Seconded by

RESOLVED, That, pursuant to MCL 211.7u, the Troy City Council hereby **APPROVES** the proposed “Poverty Exemption Guidelines” for 2011, as presented by the City Assessor in a memorandum dated February 9, 2011, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes:

No:

I-5 Scheduling of Special Meeting of the Troy City Council, at 6:00 PM on Monday, February 26 March 28, 2011, Located at Automation Alley

Suggested Resolution

Resolution #2011-02-

Moved by

Seconded by

RESOLVED, That Troy City County hereby **SCHEDULES** a Special Meeting at 6:00 PM on Monday, **February March** 28, 2011 at 2675 Bellingham, Troy, MI 48083, with Ken Rogers, Executive Director of Automation Alley to discuss the Development Plan of the Local Development Finance Authority (LDFA), Automation Alleys funding needs, economic development benefits of Automation Alley and provide Troy City Council with the opportunity to tour Automation Alley's facility.

Yes:

No:

I-6 Deficit Elimination Plans – Aquatic Center and Sanctuary Lake Golf Course

Suggested Resolution

Resolution #2011-02-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **APPROVES and ADOPTS** the Aquatic Center and Sanctuary Lake Golf Course Deficit Elimination Plans presented at this meeting.

Yes:

No:

I-7 Preliminary Site Condominium Approval (Extension) – Oak Forest South Site Condominium, East Side of Willow Grove, South of Square Lake Road, Section 11 – R-1C

Suggested Resolution

Resolution #2011-02-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **APPROVES** the Preliminary Site Condominium Plan (Extension), as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One Family Residential Development) for the development known as Oak Forest South Site Condominium, located on the east side of Willow Grove, south of Square Lake Road, in

Section 11, including 25 units on 10.03 acres within the R-1C zoning district, with the following conditions:

- A. A public meeting will be held with Engineering and surrounding residents to review the final engineering plans before final site condominium plan is submitted to City Council; and
- B. MDEQ approval will be obtained with all necessary assessment and permit documents prior to the final site condominium plan submittal to City Council; and
- C. The Oakland County Water Resources Commissioner shall approve the site condominium plan prior to the final site condominium plan submittal to City Council.

Yes:

No:

J. CONSENT AGENDA:

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

Suggested Resolution

Resolution #2011-02-

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 (J) items, as printed.

Yes:

No:

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

J-2 Approval of City Council Minutes

Suggested Resolution

Resolution #2011-02-

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the Regular City Council Meeting of February 7, 2011 and the Minutes of the Special City Council Meeting of February 7, 2011, as submitted.

J-3 Proposed City of Troy Proclamations:

Suggested Resolution

Resolution #2011-02-

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

- a) January 2011 School Board Recognition Month – Avondale School Board Members
- b) January 2011 School Board Recognition Month – Birmingham School Board Members
- c) January 2011 School Board Recognition Month – Bloomfield Hills School Board Member
- d) January 2011 School Board Recognition Month – Lamphere School Board Members
- e) January 2011 School Board Recognition Month – Royal Oak School Board Members
- f) January 2011 School Board Recognition Month – Troy School Board Members
- g) January 2011 School Board Recognition Month – Warren Consolidated School Board Members

J-4 Standard Purchasing Resolutions

- a) **Standard Purchasing Resolution 8: Best Value Award – Community Planning Services**

Suggested Resolution

Resolution #2011-02-

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide three-year requirements of Community Planning and Related Services for the City of Troy with the option to renew for two (2) additional years to the highest scoring respondent, Carlisle / Wortman Associates, Inc of Ann Arbor, MI, as a result of a best value process, which the Troy City Council determines to be in the public interest, in accordance with the Agreement and Attachment 1 contained herein for SOQ-COT 10-24 opened December 20, 2010, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AWARDS** this contract **CONTINGENT** upon contractor submission of properly executed proposal and contract documents, including insurance certificates and all other specified requirements; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the Agreement for Community Planning and Related Services once acceptable form, to expire March 31, 2014.

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings:

- a) Announcement of Public Hearings to Consider Alternative Energy Personal Property Exemptions Approved by the Michigan NextEnergy Authority for United Solar Ovonic Corp. (1100 W. Maple) and LG Chem Power (1857 Technology)

K-2 Memorandums (Items submitted to City Council that may require consideration at some future point in time):

- a) Discontinued Services – Animal Control Services

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****N. REPORTS**

N-1 Minutes – Boards and Committees:

- a) Liquor Advisory Committee-Final-December 13, 2010
b) Board of Zoning Appeals-Draft-January 18, 2011
c) Board of Zoning Appeals-Final-January 18, 2011
d) Planning Commission Special-Draft-January 25, 2011
e) Planning Commission Special-Final-January 25, 2011
f) Liquor Advisory Committee-Draft-February 7, 2011
-

N-2 Department Reports:

- a) 2010 Year-End Calls for Police Service Report
-

N-3 Letters of Appreciation:

- a) Letter of Appreciation from John V. Gladysz, Price Funeral Home, to Police Chief Mayer Expressing Gratitude for Troy Police Department Support during the funeral service of Margaret Mouch
-

N-4 Proposed Proclamations/Resolutions from Other Organizations:

- a) Sample Resolution in Opposition to Senate Bill 34
-

N-5 MLCC Sunday Sales Reports**N-6 Liquor Hearings****N-7 Discontinue Auction Services****N-8 Early Retirement Incentive Program****N-9 Pothole Maintenance and Response Report**

O. STUDY ITEMS

O-1 No Study Items Presented

P. CLOSED SESSION:

P-1 No Closed Session Requested

Q. ADJOURNMENT

Respectfully submitted,



John Szerlag, City Manager

FUTURE CITY COUNCIL PUBLIC HEARINGS:

SCHEDULED REGULAR CITY COUNCIL MEETINGS:

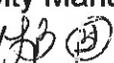
Monday, February 28, 2011	Regular Meeting
Monday, March 7, 2011	Regular Meeting
Monday, March 21, 2011	Regular Meeting
Monday, March 28, 2011	Regular Meeting
Monday, April 4, 2011	Regular Meeting
Monday, April 18, 2011	Regular Meeting
Monday, April 25, 2011 (Budget)	Regular Meeting
Monday, May 2, 2011 (Budget)	Regular Meeting
Monday, May 9, 2011	Regular Meeting
Monday, May 16, 2011	Regular Meeting
Monday, June 6, 2011	Regular Meeting
Monday, June 20, 2011	Regular Meeting



CITY COUNCIL AGENDA ITEM

Date: February 16, 2011

To: The Honorable Mayor and City Council Members

From: John Szerlag, City Manager 
John M. Lamerato, Assistant City Manager/Finance & Administration 
Lori Grigg Bluhm, City Attorney 

Subject: Three Year Budget Calibration Options

You tabled the issue of possible budget modifications to the meeting of February 21, 2011. Based on the resolution that was tabled, the primary emphasis is going to be on trying to find a way to keep the Library from closing. To assist in your deliberations you have the following options:

1. Pass a resolution increasing the millage rate up to one mill for the operation of the Library. This option can only be exercised when the annual millage rate is set with the adoption of the budget. The Library is not funded in the 2012 budget, and therefore Council would need to take immediate action (tonight) in order to keep the library open to the public past April 30, 2011. This would allow for budget preparation and ordinance drafting. However, since the money must be segregated and used only for library purposes, there would need to be amendments to the Library Ordinance (Chapter 9), which should be completed in advance and made effective as of the date of any millage increase.
2. Redefine your core competencies of Police, Fire, and Infrastructure Maintenance to include the Library. This action will mandate further cuts to Police Department Personnel.
3. Use more Fund Balance. Although we have a three year balanced budget, it is predicated on Fund Balance usage every year, since our expenditures are more than our revenues. To accelerate the use of Fund Balance is a short-term fix that mortgages our future and could trigger the State of Michigan assigning a receiver to balance our budgets.
4. Withhold or reduce funding to the Defined Benefit Pension Fund. There are negative consequences if the City does not provide funding in accordance with the actuarial determination which could result in receivership, and could violate the State Constitution. As to Troy's Defined Benefit Plan:



CITY COUNCIL AGENDA ITEM

- a. Troy has a closed system with less than 30% of all full-time employees in the defined benefit plan;
- b. There were many years in recent history when the City of Troy did not make any contribution to the pension fund because there was enough money to meet the annual contribution requirements in the fund from employee contributions and investment income there from;
- c. Many cities have a dedicated millage rate to fund pensions. This is called Act 345, Troy does not utilize such a millage;
- d. Troy has the lowest millage rate in the area.

If you decide to keep the core competencies as currently defined, and close the Library, there are still issues that need to be addressed. These issues are contained in the organizational restructuring review of the City of Troy prepared by the International City Management Association. Items of salience having budgetary impacts follow:

1. The Streets, Drains, and Parks components of Public Works will be unsustainable unless 7 full-time positions are restored. Using a rough cut estimate of .5 million dollars a year in added employee costs, and we need to find 1.5 million dollars for a 3 year budget to restore the 7 positions.
2. The departments of City Clerk, Human Resources and Purchasing are unsustainable because of the cuts being made to them. We are going to engage in cross-training and staff-sharing to provide the highest level of service possible. In order to be effective, these employees need to be located in close physical proximity to each other. This will involve spending money, either in this building or someplace else. An initial capital outlay would be required.
3. Recreation and Community Center programming are now structured to be more self-sufficient without General Fund monies being expended for the Community Center. However, we are going to a very low level of service in this venue. It is unclear, at this time, what the community reaction will be, especially among the tens of thousands who use the Community Center and our recreation program.

Two more things:

1. Every Council meeting we hear from select persons in the audience that the City of Troy's financial challenge could be solved if only the manager and his employees took more cuts in pay and benefits. To this a quotation is provided from the ICMA restructuring report.

"The City's salaries and current benefits are comparable to similarly sized Michigan cities; and measures to contain these costs are leading edge practices (appendix E)." More importantly,



CITY COUNCIL AGENDA ITEM

City Council gave direction to achieve a 10% savings in payroll costs from fiscal year 2009/10, and this has been accomplished for roughly 30% of our employees. City Council has previously accepted the operational definition of payroll costs as the sum of base salary/wage, pension, FICA and workers compensation.

2. Mr. Craig Rapp, Senior Consultant at the International City Management Association, reported that staff is committed to providing excellent services to the citizens, businesses and visitors in Troy. Rapp encouraged community input, to make sure that the community valued these best practices. It could be that the majority of residents just want a place to live that is inexpensive, and quality of services takes a back seat to the millage rate that is being paid for those services. We believe that City Council needs to engage the public to see if this is indeed the case.



CITY COUNCIL ACTION REPORT

February 9, 2011

TO: John Szerlag, City Manager

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

SUBJECT: Agenda Item – 2011 Poverty Exemption Guidelines (changes from previous year)

Background:

MCL 211.7u states: *“The real property of persons who in the opinion of the Supervisor (read Assessor for Cities) and Board of Review by reason of poverty are unable to contribute toward the public charges is exempt from taxation under this act.”*

In order to grant a Poverty Exemption, the Michigan Tax Tribunal (MTT) has ordered that each community develop a set of guidelines to determine whether the applicant qualifies for a one (1) year exemption from property taxes. (The exemption may be re-applied for each year)

The State Tax Commission (STC) has ruled that the Income Guidelines that are used as a portion of the guidelines may not be less than the Federal Poverty Guidelines established each year.

As the guidelines include an Assessed Value limit, a Total Asset limit, and possible changes to the Income Guidelines, Council is presented with updated guidelines each year for approval.

You may recall that in 2001, and prior to the STC order to use the Federal Poverty Guidelines, management had increased the income guidelines previously established by the City Assessor. The STC order to use the Federal guidelines, starting in 2002, placed our guidelines approximately \$5,000 higher than the Federal guidelines, in each category.

In 2002, Management then recommended, and Council approved, leaving our guidelines the same, until the Federal guidelines ‘catch up’. We are now extremely close to the Federal Guidelines, except in the 1 and 2 person category. Staff recommends adopting the Federal Guidelines, at this time.

The total asset limit, which includes the value of the home, has now been reduced to \$200,000 based on the falling average residential value of a home in Troy.

Financial Considerations:

- There were 23 exemptions applied for in 2010 at the March Board of Review. Of these, 18 were granted exemptions totaling \$1,226,960 in Taxable Value (T/V). This amounts to \$11,533.42 in exempted City taxes.

Since 2002, residents have been allowed to apply for Poverty Exemptions at the July and December Boards of Review. Generally a couple would come in July, and none in December.

This year, there were 6 exemptions granted at the July Board (\$338,480 T/V), and 3 at the December Board (\$197,110 T/V). These additional exemptions accounted for exempted Taxable Value of \$535,590, and exempted City taxes of \$5,034,54.

The total loss of City taxes for Poverty Exemptions in 2010 was \$16,567.96.

Legal Considerations:

- The guidelines are required by the MTT and STC. The attached guidelines meet the requirements of these rulings.

Policy Considerations:

- The guidelines are a State mandated requirement. They do not conform to current Council goals.

Options:

- Council must adopt Poverty Guidelines. Council may adopt the guidelines as presented, or modify them

**POVERTY EXEMPTION GUIDELINES
INCOME STANDARDS 2011**

The following are the Poverty thresholds as of 12-31-10 for use in setting poverty exemption guidelines for 2011 assessments:

Number of Persons Residing in Homestead	Poverty Threshold
1 person	10,800
2 persons	14,600
3 persons	18,300
4 persons	22,100
5 persons	25,800
6 persons	29,500
7 persons	33,300
8 persons	37,000
9 persons (or more) add 3,700 for each additional person	

**CITY OF TROY
POVERTY EXEMPTION GUIDELINES – 2011**

MCL 211.7u *The real property of persons who in the judgment of the Supervisor and Board of Review by reason of poverty are unable to contribute toward the public charges is exempt from taxation under this Act.*

The City of Troy's standard for approving an exemption under the statute is based on an individual determination of hardship.

This is an exemption from taxes. If you claim poverty under the statute, you must file your claim with a Poverty Exemption Affidavit. This exemption is good for one year.

- STANDARD #1** Applicants must file a Poverty Exemption Affidavit in order to be considered for any exemption. Documentation such as, Federal/State Income Tax Forms, Homestead Property Tax Credit, W-2 Forms, Deeds or Land Contracts and personal identification is **mandatory**, and must be attached to the Affidavit.
- STANDARD #2** A Poverty Exemption will not be granted if the household income is greater than the Income Standards Guideline.
- STANDARD #3** A Poverty Exemption will not be granted if the Assessed Value of the home exceeds \$94,800.
- STANDARD #4** Applicants total assets cannot exceed \$200,000. This includes the value of your home.

*The Board of Review may require a home audit and inspection, done by the Assessing Department, as part of the exemption process.

* **The income of every person residing at the home must be reported.**

POVERTY EXEMPTION AFFIDAVIT (for 2010 A/V Year)

(Address)

(Sidwell #)

1. Household Income: List all prior year income from:

- a) Wages/Tips _____
- b) Social Security _____
- c) Soc. Sec. for resident minors _____
- d) Pensions _____
- e) Interest/Dividends _____
- f) Unemployment Compensation _____
- g) Sub-Pay _____
- h) Workman's Compensation _____
- i) Aid to Dependent Children _____
- j) Medical Disability Benefits _____
- k) Lottery/Contest/Raffle _____
- l) Annuities _____
- m) Governmental Assistance _____
- n) Insurance/Lawsuit Payouts _____
- o) Alimony/Child Support _____
- p) Rental Income _____

2. Supplemental Assistance: List monthly amount of:

- a) Food Stamps _____
- b) Surplus Food _____
- c) Transportation _____

3. Residence Information:

Is your home paid for? Yes ___ No ___
If No:
What is your mortgage/land contract balance? _____
What is your monthly payment? _____
Who holds your mortgage/land contract? _____
Do you own any other property? Yes ___ No ___
If Yes: Attach a copy of your last tax bill.

4. Employment information:

Are you or your spouse currently employed?
Self: Yes ___ No ___ Spouse: Yes ___ No ___
Are you or your spouse unable to work (disability, etc.) ?
Self: Yes ___ No ___ Spouse: Yes ___ No ___
If Yes: Is this condition permanent?
Self: Yes ___ No ___ Spouse: Yes ___ No ___
Provide medical documentation of the disability.

5. Children/Relatives/Boarders:

How many children, relatives, or non-related boarders share your home? _____

Do any of the above, or anyone outside of your home, contribute Financially to your living expenses? Yes ___ No ___

If Yes: How much: per month _____ year _____

6. Transportation:

Do you own any automobiles? Yes ___ No ___

If Yes: Please provide the following information:

Year & Make	Price to you	Balance	Monthly payment
_____	_____	_____	_____
_____	_____	_____	_____

7. Additional Assets:

Please provide information about any additional assets listed.

Checking Account: Yes ___ No ___ Current Balance _____

Savings Account: Yes ___ No ___ Current Balance _____

I.R.A. Yes ___ No ___ Current Balance _____

Keogh Yes ___ No ___ Current Balance _____

Deferred Comp Yes ___ No ___ Current Balance _____

Annuities Yes ___ No ___ Current Balance _____

Stocks/Bonds/Funds Yes ___ No ___ Current Balance _____

Money Market Yes ___ No ___ Current Balance _____

Treasury Bills Yes ___ No ___ Current Balance _____

Savings Bonds Yes ___ No ___ Current Balance _____

8. Attach copies of the following:

- a) Federal Income Form
- b) State Income Tax Form
- c) Homestead Property Tax Credit form
- d) Property Tax Credit Form
- e) W-2 Forms
- f) Copy of Deed or Land Contract
- g) Identification: Driver's License
- h) A listing of your household living expenses for the prior year. (examples: heat, electric, insurance, etc.)

You must provide proof of income and other records of all residents of the dwelling to be considered for an exemption.

I (We), _____ [print name(s)]
the undersigned, do hereby affirm that the above information is,
to the best of my (our) knowledge, true.

(Signed) Phone Number

(Signed) Phone Number

Subscribed and sworn to me this _____ day of _____, _____.
My commission expires _____
Notary Public _____

APPROVED:	NOT APPROVED:
Assessor: _____	Assessor: _____
Board Chairperson _____	Board Chairperson _____
Board Member _____	Board Member _____
Board Member _____	Board Member _____

Year _____ Assessment _____ Board of Review A/V _____

For a March Board of Review Appeal, please submit by March 15
For a July Board of Review Appeal, please submit by July 18
For a December Board of Review Appeal, please submit by
December 12.



CITY COUNCIL ACTION ITEM

Date February 16, 2011

TO: The Honorable Mayor and City Council Members

FROM: John Szerlag, City Manager
Mark F. Miller, Acting Assistant City Manager/Economic Development Services

SUBJECT: Special Meeting of the Troy City Council, at 6:00 PM on Monday, ~~February~~ March 28, 2011, located at Automation Alley.

Automation Alley has received funding through the SmartZone Local Development Finance Authority (LDFA). In the past two years the LDFA paid \$25,000 for a foundation membership in Automation Alley. The original LDFA Development Plan is in need of an update to clarify how the captured funding will be allocated. Automation Alley is located in the SmartZone and has received funding for the building and operations.

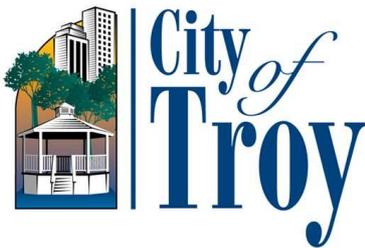
Should City Council support continued allocation of dollars to Automation Alley, an amended Development Plan that would set forth the allocation of the LDFA funds would be presented at a future City Council meeting.

Ken Rodgers, Executive Director of Automation Alley, would appreciate the opportunity to demonstrate the value of Automation Alley as an economic development tool for the City of Troy and our region. City Council will also be able to tour the facility. In addition, Mr. Rodgers will discuss funding needs of Automation Alley which could be funded with SmartZone LDFA funds.

The proposed special meeting is March 28, 2011 from 6:00 PM to 7:00 PM at the Automation Alley located at 2676 Bellingham Drive, Troy, MI 48083, the Board Room.

Dinner will be available for City Council and staff prior to the special meeting.

CC: Ken Rodgers, Automation Alley



AGENDA ITEM

February 14, 2011

TO: John Szerlag, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance & Administration
James A. Nash, Financial Services Director

SUBJECT: Deficit Elimination Plans - Aquatic Center and Sanctuary Lake Golf Course

Background:

- It is a requirement of the State of Michigan that any fund of a municipality reporting negative net assets shall file a Deficit Elimination Plan (DEP) with the Department of Treasury after approval by the local legislative body.
- For the fiscal year ending June 30, 2010 the Aquatic Center and Sanctuary Lake Golf Course funds met this criterion.

Financial Considerations:

- The attached DEP(s) recognizes the cause of these negative net assets and identifies future remedies.
- Please know that these remedies may require the infusion of General Fund monies.

Legal Considerations:

- The governing body of the employer must certify by resolution that any DEP is approved and adopted.

Policy Considerations:

- Adoption will satisfy State of Michigan reporting requirements.

Options:

- Staff recommends that City Council approve the DEP(s).

CITY OF TROY DEFICIT ELIMINATION PLAN

Aquatic Center (AC)

The deficit in net assets of \$388,047 is caused solely by the designation of \$1,718,384 as investment in fixed assets. At the fund level there is a positive fund balance of \$1,330,337 (CAFR, p. 85).

Since the AC's inception the policy of the City has been for revenue to cover operating expenses excluding depreciation, and this goal has essentially been achieved. With an anticipated improvement in Aquatic Center usage and decreasing depreciation charges it is anticipated the deficit will be eliminated in FY 2014-15.

AC Net Assets, June 30, 2010	\$	(388,047)
Budgeted expenditures, FY 10-11		(599,996)
Budgeted revenue, FY 10-11		<u>486,900</u>
Estimated Net Assets, June 30, 2011	\$	(501,143)
Estimated expenditures, FY 11-12		(550,000)
Estimated revenue, FY 11-12		<u>621,000</u>
Estimated Net Assets, June 30, 2012	\$	(430,143)
Estimated expenditures, FY 12-13		(550,000)
Estimated revenue, FY 12-13		<u>691,000</u>
Estimated Net Assets, June 30, 2013	\$	(289,143)
Estimated expenditures, FY 13-14		(540,000)
Estimated revenue, FY 13-14		<u>701,000</u>
Estimated Net Assets, June 30, 2014	\$	(128,143)
Estimated expenditures, FY 14-15		(540,000)
Estimated revenue, FY 14-15		<u>701,000</u>
Estimated Net Assets, June 30, 2015	\$	32,857

CITY OF TROY DEFICIT ELIMINATION PLAN

Sanctuary Lake Golf Course (SLGC)

A number of factors contributed to this deficit, the initial being the delay in opening SLGC. The debt service payment schedule was based upon the course being in full operation prior to July 1, 2004. That not being the case, first year revenue was well below projections while fixed costs remained in place. As a new entity with no net asset reserve available, the revenue shortfall immediately created the deficit situation.

The dismal Michigan economy continued to have a strong local impact on recreational spending.

In its sixth year of operations SLGC experienced a negative change in net assets of \$664,226 compared to \$716,054 last fiscal year. Operating expenses increased slightly; as did revenue.

In July, 2010 all operations of the golf course were turned over to Billy Casper Golf, a private management company with operations in several states. They employ a proprietary marketing program to attract and retain golf customers and deliver profitability. Their experience at other municipal courses has shown significantly improved financial results, and it is expected to continue at SLGC. Nevertheless, it is anticipated that the cumulative deficit elimination will be a multi-year effort, as indicated in the following plan:

SLGC Net Assets, June 30, 2010	\$	(3,601,033)
Budgeted expenditures, FY 10-11		(1,901,902)
Budgeted revenue, FY 10-11		<u>1,001,550</u>
Estimated Net Assets, June 30, 2011	\$	(4,501,385)
Estimated expenditures, FY 11-12		(1,700,000)
Estimated revenue, FY 11-12		<u>2,650,000</u>
Estimated Net Assets, June 30, 2012	\$	(3,551,385)
Estimated expenditures, FY 12-13		(1,750,000)
Estimated revenue, FY 12-13		<u>3,180,000</u>
Estimated Net Assets, June 30, 2013	\$	(2,121,385)
Estimated expenditures, FY 13-14		(2,000,000)
Estimated revenue, FY 13-14		<u>3,350,000</u>
Estimated Net Assets, June 30, 2014	\$	(771,385)
Estimated expenditures, FY 14-15		(2,000,000)

Estimated revenue, FY 14-15		<u>3,350,000</u>
Estimated Net Assets, June 30, 2015	\$	578,615

Under this plan the deficit will be eliminated by June 30, 2015. Please advise if further information is requested.



CITY COUNCIL AGENDA ITEM

DATE: February 16, 2011

TO: John Szerlag, City Manager

FROM: Mark F. Miller, Acting Assistant City Manager/Economic Development Services
R. Brent Savidant, Acting Planning Director

SUBJECT: Preliminary Site Condominium Approval (Extension) – Oak Forest South Site Condominium, East side of Willow Grove, South of Square Lake Road, Section 11 – R-1C

Background

City Council approved the Preliminary Site Condominium Plan for Oak Forest South Site Condominium on January 26, 2009. City Council granted a one year extension for Preliminary Site Condominium Approval on January 25, 2010. No changes to the development are proposed. The applicant seeks a one-year extension for Preliminary Site Condominium Approval. During this time, the applicant may submit a Final Site Condominium Plan to City Council for Final Site Condominium Approval.

The applicant is proposing a 25-unit site condominium on a 10.03-acre parcel. The development will utilize the Lot Averaging Option (Section 34.10.00) which provides for up to a 10 percent reduction in lot areas and widths. The Planning Commission recommended a one-year extension at the February 8, 2011 Regular meeting.

Recommendation

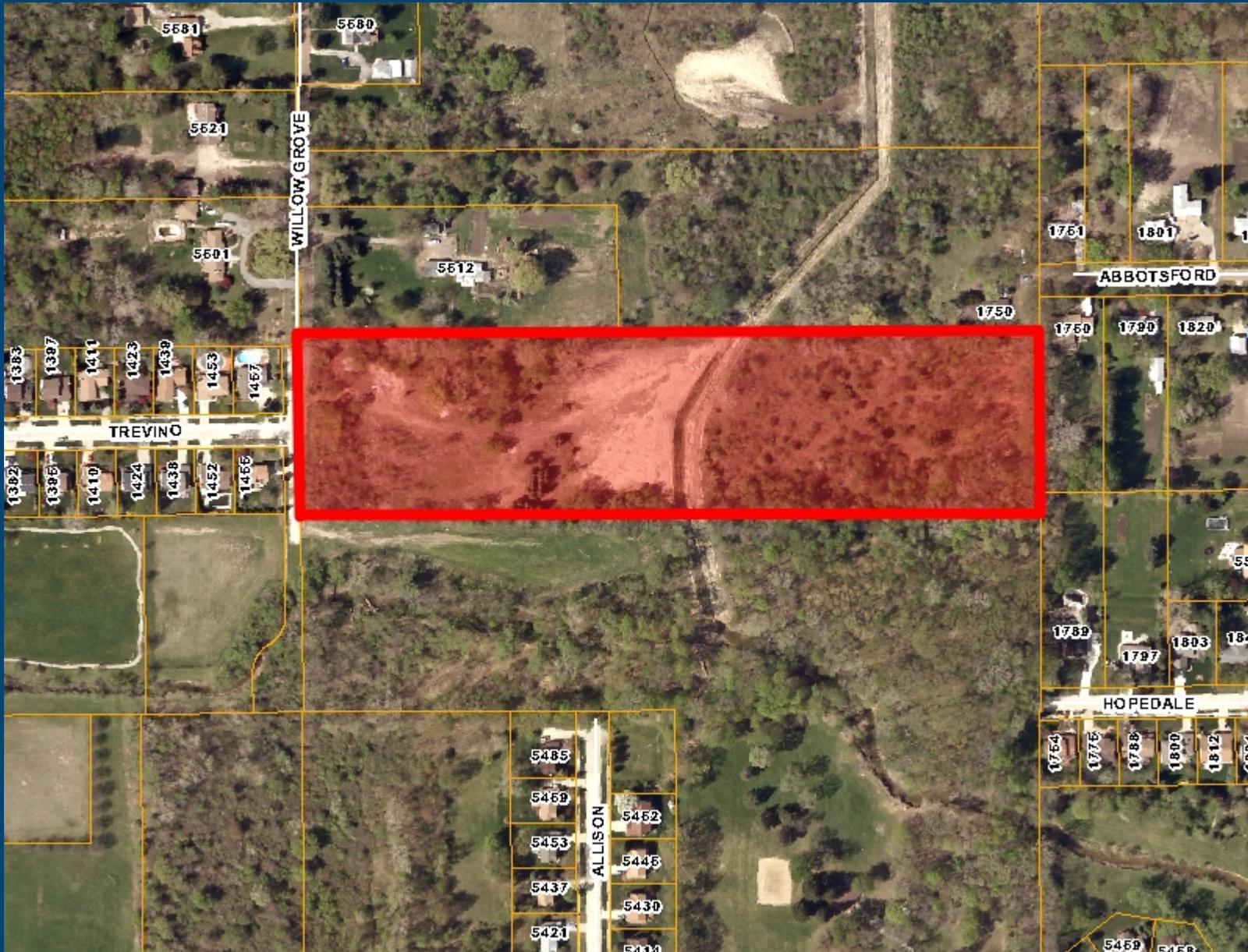
The application meets all relevant regulations, including complying with Zoning Ordinance requirements. City Management recommends approval of Preliminary Site Condominium Plan for Oak Forest South Site Condominium.

Attachments:

1. Maps.
2. Report prepared for Planning Commission dated December 3, 2008.
3. Minutes from January 25, 2010 City Council Regular meeting.
4. Minutes from the February 8, 2011 Planning Commission Regular meeting.

Prepared by RBS/MFM

cc: Applicant
File/Oak Forest South Site Condominium



Legend

-  I-75
- Road Centerline**
 -  Major Road
 -  Industrial Road
 -  Local Road
-  Hydrography Poly
-  Hydrography Arc
-  Parcels
- Aerial Photos - 2008**
 -  Red: Band_1
 -  Green: Band_2
 -  Blue: Band_3

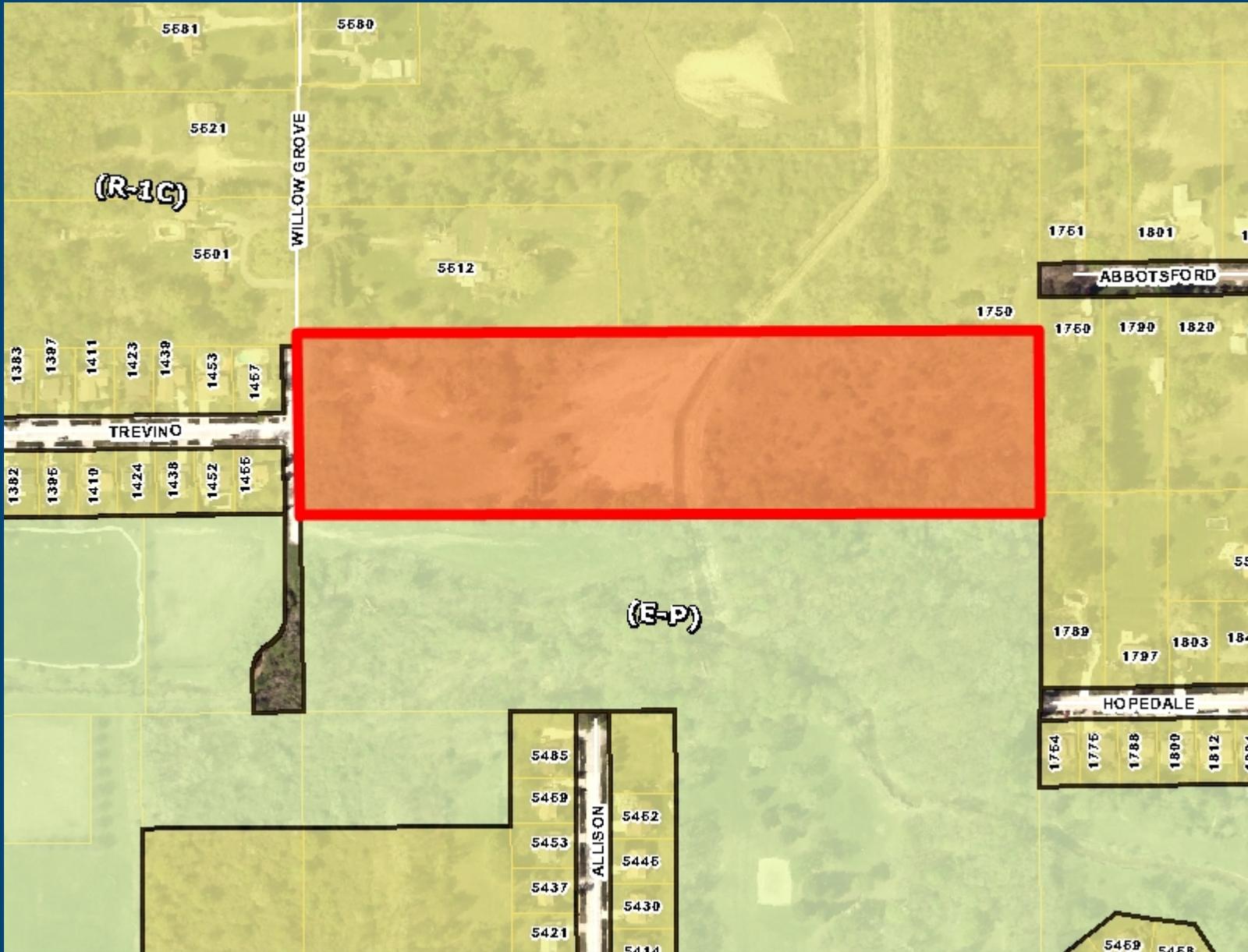
536 0 268 536Feet

Scale 1: 3,218



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.

Printed: 1/12/2010



Legend

-  I-75
- Road Centerline**
 -  Major Road
 -  Industrial Road
 -  Local Road
- Zoning**
 -  (PUD) Planned Unit Development
 -  (B-1) Local Business District
 -  (B-2) Community Business District
 -  (B-3) General Business District
 -  (R-C) Research Center District
 -  (C-F) Community Facilities District
 -  (C-J) Consent Judgment
 -  (E-P) Environmental Protection District
 -  (R-EC) Residential Elder Care
 -  (P-1) Vehicular Parking District
 -  (H-S) Highway Service District
 -  (M-1) Light Industrial District
 -  (O-1) Office Building District
 -  (O-M) Office Mid-Rise District
 -  (OSC) Office Service Commercial District
 -  (CR-1) One Family Residential Cluster District
 -  (R-1A) One Family Residential District
 -  (R-1B) One Family Residential District
 -  (R-1C) One Family Residential District
 -  (R-1D) One Family Residential District
 -  (R-1E) One Family Residential District
 -  (R-1T) One Family Attached Residential District
 -  (R-2) Two Family Residential District
 -  (R-M) Multiple Family Residential Medium Density
 -  (RM-1) Multiple Family Residential District (Low Density)
 -  (RM-2) Multiple Family Residential District (Medium Density)
 -  (RM-3) Multiple Family Residential District (High Density)
-  Hydrography Poly
-  Hydrography Arc
-  Parcels

Aerial Photos - 2008

-  Red: Band_1
-  Green: Band 2

Printed: 1/12/2010

536 0 268 536 Feet

Scale 1: 3,218



DATE: December 3, 2008

TO: The Planning Commission

FROM: Mark F. Miller, Planning Director
R. Brent Savidant, Principal Planner
Ronald Figlan, Planner
Paula Preston Bratto, Planner

SUBJECT: PRELIMINARY SITE CONDOMINIUM REVIEW – Oak Forest
South Site Condominium, east side of Willow Grove, south of
Square Lake Road, Section 11 – R-1C.

GENERAL INFORMATION

Name of Owner / Applicant:

The owner and applicant is Dale Garrett of Ladd's Inc.

Location of subject property:

The property is located on the east side of Willow Grove, south of Square Lake Road, in Section 11.

Size of subject parcel:

The parcel is approximately 10.03 acres in area.

Description of proposed development:

The applicant is proposing a 25-unit site condominium. The applicant proposes a layout with a future road stubbing at the northern property line.

This project received Preliminary Approval from City Council on April 18, 2005, and was granted a one-year extension on June 5, 2006. Preliminary Approval expired on April 18, 2007. Note that the original application included only 23 units.

Current use of subject property:

The property is presently vacant.

Current use of adjacent parcels:

North: Single family residential.
South: Jaycee Park (City of Troy).
East: Single family residential.
West: Single family residential.

Current zoning classification:

The property is currently zoned R-1C One Family Residential.

Zoning classification of adjacent parcels:

North: R-1C One Family Residential.

South: E-P Environmental Protection.

East: R-1C One Family Residential.

West: R-1C One Family Residential.

Master Plan Designation:

The property is designated on the Master Plan as Single Family Residential.

ANALYSIS

Compliance with area and bulk requirements of the R-1C One Family Residential District:

Lot Area: Minimum lot area in the R-1C district is 10,500 square feet. However, the applicant is utilizing the Lot Averaging Option, which permits a 10 percent reduction in lot area to 9,450 square feet with lot sizes averaging 10,500 square feet.

Lot Width: The minimum required lot width is 85 feet. The applicant has utilized the lot averaging option, which permits a 10 percent reduction in lot widths, to 76.5 feet.

Height: 2 stories or 25 feet.

Setbacks: Front: 30 feet.
Side (least one): 10 feet.
Side (total two): 20 feet.
Rear: 40 feet.

Minimum Floor Area: 1,200 square feet.

Maximum Lot Coverage: 30%.

The applicant meets the area and bulk requirements of the R-1C One Family Residential District.

Off-street parking and loading requirements:

The applicant will be required to provide 2 off-street parking spaces per unit.

Environmental provisions, including Tree Preservation Plan:

A Tree Preservation Plan was submitted as part of the application.

Storm water detention:

The applicant is proposing two storm water detention basins. One will serve the 11 units on the east side of the drain, one will serve the 14 units on the west side of the drain.

Natural features and floodplains:

The Natural Features Map indicates there are wetlands, woodlands and a drain on the property. The applicant is required to receive a permit from the MDEQ prior to commencing any construction activity such as dredging, filling, or draining within a regulated wetland.

Subdivision Control Ordinance, Article IV Design Standards

Blocks: The applicant proposes an approximately 1,100-foot road that ends in a cul-de-sac. A stub road is proposed to the north east of unit 20.

Lots: All units meet the minimum area and bulk requirements of the Zoning Ordinance.

Streets: The paved portion of the street will be 28 feet wide, located within a 60-foot wide public right-of-way.

Sidewalks: The applicant is proposing a 5-foot wide sidewalk on both sides of the proposed interior roads and a 5-foot wide sidewalk on the east side of Willow Grove Road. There is an opportunity for a pedestrian connection between the development and Jaycee Park to the south, through the conservation easement located between units 13 and 14.

Utilities: Detention ponds are proposed on each side of the Fetterly Drain.

CITY MANAGEMENT RECOMMENDATION

City Management recommends approval of the Oak Forest South Site Condominium, subject to the following condition:

1. Provide a public pathway connection between the Brookwood Street sidewalk and Jaycee Park, through the conservation easement located between units 13 and 14.

cc: Applicant
File/Oak Forest South Site Condominium

H-5 Preliminary Site Condominium Approval (Extension) – Oak Forest South Site Condominium, East Side of Willow Grove, South of Square Lake Road, Section 11 – R-1C

Resolution #2010-01-024

Moved by Kerwin

Seconded by Fleming

RESOLVED, That Troy City Council hereby **APPROVES** the Preliminary Site Condominium Plan (Extension), as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One Family Residential Development) for the development known as Oak Forest South Site Condominium, located on the east side of Willow Grove, south of Square Lake Road, in Section 11, including 25 units on 10.03 acres within the R-1C zoning district, with the following conditions:

- A. A public meeting will be held with Engineering and surrounding residents to review the final engineering plans before final site condominium plan is submitted to City Council; and
- B. MDEQ approval will be obtained with all necessary assessment and permit documents prior to the final site condominium plan is submitted to City Council; and
- C. The Oakland County Water Resources Commissioner shall approve the site condominium plan prior to the final site condominium plan submittal to City Council.

Yes: Fleming, Howrylak, Kerwin, McGinnis, Slater, Schilling

No: None

Absent: Beltramini

MOTION CARRIED

SITE CONDOMINIUM PRELIMINARY SITE PLAN

5. PRELIMINARY SITE CONDOMINIUM APPROVAL (EXTENSION) – Proposed Oak Forest South Site Condominium, 25 units/lots, South of Square Lake Road, East Side of Willow Grove, Section 11, Zoned R-1C (One Family Residential) District

Chair Hutson and Mr. Ullmann requested to be recused from discussion and action on the item. Chair Hutson stated he is in partnership with the petitioner on another project. Mr. Ullmann indicated he resides in the near proximity of the proposed development.

The petitioner, Dale Garrett of 5877 Livernois, Troy, requested to have the item considered after the arrival of Mr. Strat.

5. PRELIMINARY SITE CONDOMINIUM APPROVAL (EXTENSION) – Proposed Oak Forest South Site Condominium, 25 units/lots, South of Square Lake Road, East Side of Willow Grove, Section 11, Zoned R-1C (One Family Residential) District

Chair Hutson and Mr. Ullmann recused themselves and exited the meeting.

Vice Chair Maxwell chaired the meeting.

Mr. Edmunds disclosed that he resides in the residential subdivision adjoining the proposed development. He indicated he is comfortable discussing and taking action on the item if there are no objections from the Board.

The Board agreed there is no reason to recuse Mr. Edmunds.

Mr. Savidant reviewed the history of the application and renewal request. He provided a brief description of the proposed development and explanation of a site condominium development. Mr. Savidant announced that the Planning Department received correspondence in opposition of the proposed development from Ann Bonelli of 5612 Willow Grove.

Mr. Savidant said it is intent to forward the same Resolution to City Council that it granted on January 25, 2010.

The petitioner, Mr. Garrett, addressed the Board. He indicated nothing has changed on the site plan and offered to answer any questions.

Mr. Tagle asked the petitioner to address the neighbor's concern relating to water discharge and flooding.

Mr. Garrett said the correspondence is from the neighbor who backs up to Units 20 through 25, along the northern border stormwater line. He said all the water from the proposed development would be captured for storage in the pond next to the drain. Mr. Garrett said he would work with the City Engineering Department during the construction phase to assure all water is discharged appropriately with no runoff to adjacent residential. He indicated construction plans would be the next phase for final approval.

Mr. Motzny confirmed that it would be appropriate for the Commission to incorporate in the Planning Commission Resolution the conditions stipulated in the City Council Resolution approved on January 25, 2010.

Vice Chair Maxwell opened the floor to the public.

There was no one present to speak.

Vice Chair Maxwell closed the floor.

Resolution # PC-2011-02-008

Moved by: Schultz
Seconded by: Sanzica

RESOLVED, That the Planning Commission recommends to City Council that the Preliminary Site Plan (Section 34.30.00 Unplatted One-Family Residential Development), as requested for Oak Forest South Site Condominium, including 25 units, located south of Square Lake Road on the east side of Willow Grove, Section 11, within the R-1C (One Family Residential) zoning district, be granted in accordance with Council Resolution #2010-01-024.

Yes: All present (6)
Absent: Vleck

(Note: Messrs. Hutson and Ullmann recused from meeting.)

MOTION CARRIED

BM #4: NAIL IN SOUTHWEST FACE OF 12" COTTONWOOD, LOCATED ON WEST SIDE OF DRAIN ON NORTH PROPERTY LINE OF THE SITE.
ELEVATION: 660.82 N.G.V.D.

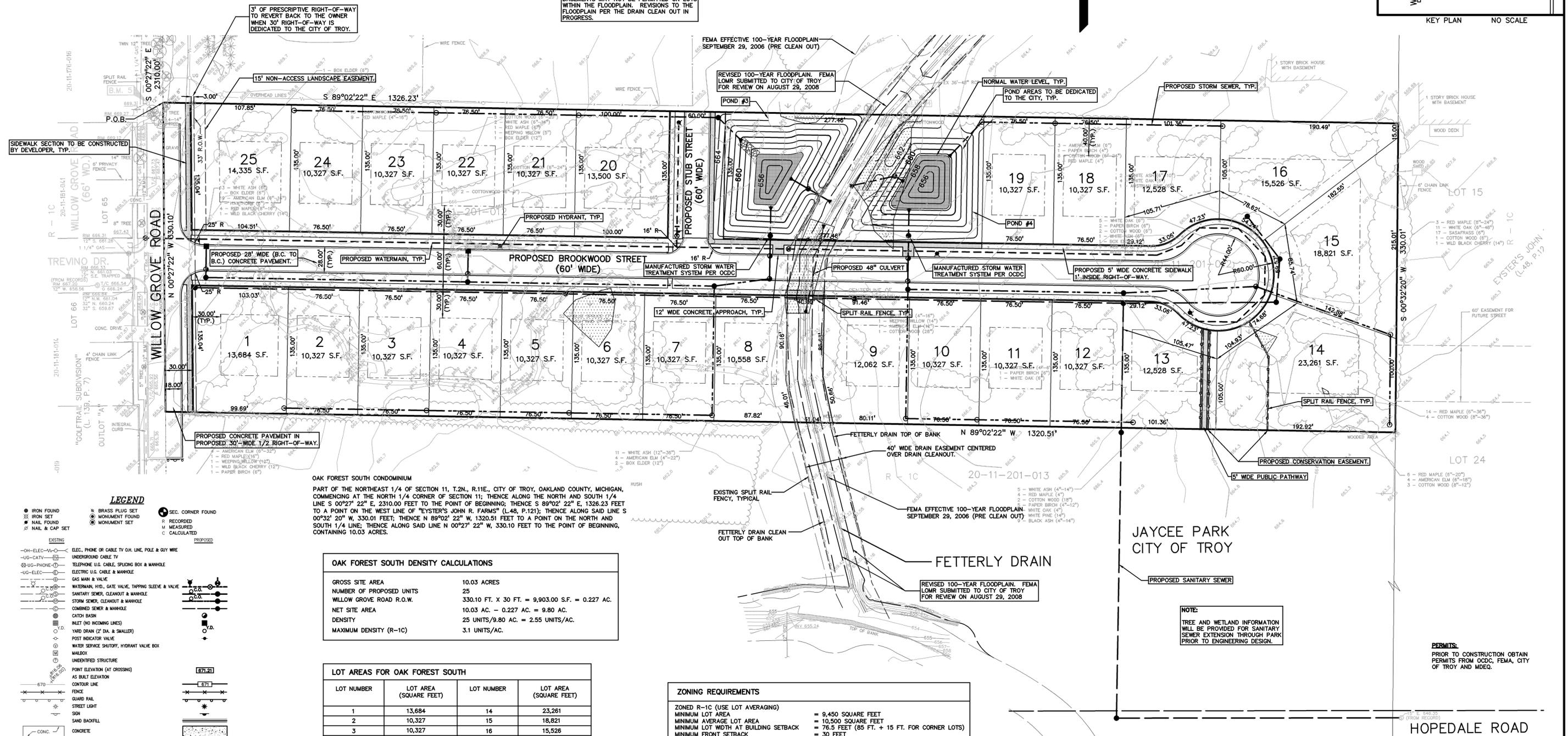
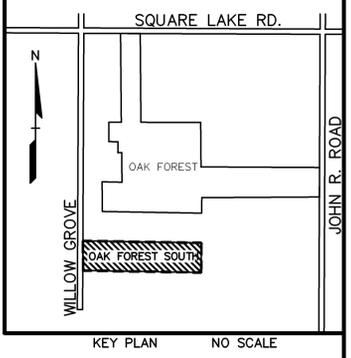
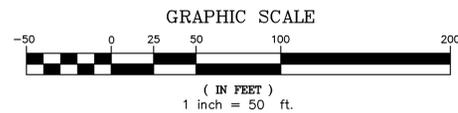
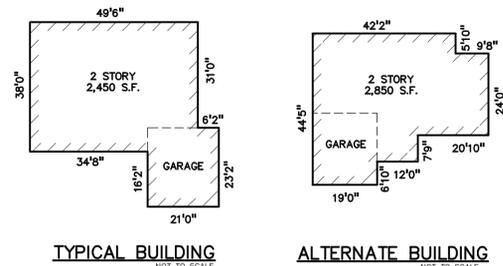
BM #5: ARROW ON HYDRANT AT WEST SIDE OF WILLOW GROVE ROAD APPROXIMATELY 150' NORTH OF TREVINO ROAD
ELEVATION: 671.43

DETENTION BASINS:					
DETENTION BASIN	DRAINAGE SHED AREA (ACRES)	25-YR DETENTION VOLUME REQUIRED* (CUBIC FEET)	25-YR DETENTION VOLUME PROVIDED (CUBIC FEET)	VOLUME REQUIRED FOR PERMANENT WATER LEVEL FOR WATER QUALITY** (CUBIC FEET)	VOLUME PROVIDED FOR PERMANENT WATER LEVEL FOR WATER QUALITY** (CUBIC FEET)
WEST POND	5.05	12,679	12,693	2,933	2,149
EAST POND	3.91	9,817	9,890	2,271	3,413

* - MINIMUM VOLUME FOR DETENTION BASINS PER CITY OF TROY REQUIREMENTS USING "A SIMPLE METHOD FOR RETENTION BASIN DESIGN" TWENTY FIVE (25) YEAR FREQUENCY RAINFALL. DETENTION BASIN DESIGN FOR 25-YR STORM ACCEPTABLE TO OGDG IN ACCORDANCE TO THEIR AUGUST 27, 2008 LETTER.

** - PERMANENT WATER VOLUME FOR WATER QUALITY PER MDEQ STORMWATER GUIDELINES, FIRST FLUSH, 1/2 OF RAINFALL.

NOTE:
BASEMENTS MAY NOT BE PERMITTED ON LOTS WITHIN THE FLOODPLAIN. REVISIONS TO THE FLOODPLAIN PER THE DRAIN CLEAN OUT IN PROGRESS.



OAK FOREST SOUTH CONDOMINIUM
PART OF THE NORTHEAST 1/4 OF SECTION 11, T.2N., R.11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN, COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 11; THENCE ALONG THE NORTH AND SOUTH 1/4 LINE S 00°27'22" E, 2310.00 FEET TO THE POINT OF BEGINNING; THENCE S 89°02'22" E, 1326.23 FEET TO A POINT ON THE WEST LINE OF "EYSTER'S JOHN R. FARMS" (L-48, P.12); THENCE ALONG SAID LINE S 00°27'22" W, 330.10 FEET, THENCE N 89°02'22" W, 1320.51 FEET TO A POINT ON THE NORTH AND SOUTH 1/4 LINE, THENCE ALONG SAID LINE N 00°27'22" W, 330.10 FEET TO THE POINT OF BEGINNING, CONTAINING 10.03 ACRES.

OAK FOREST SOUTH DENSITY CALCULATIONS	
GROSS SITE AREA	10.03 ACRES
NUMBER OF PROPOSED UNITS	25
WILLOW GROVE ROAD R.O.W.	330.10 FT. X 30 FT. = 9,903.00 S.F. = 0.227 AC.
NET SITE AREA	10.03 AC. - 0.227 AC. = 9.80 AC.
DENSITY	25 UNITS/9.80 AC. = 2.55 UNITS/AC.
MAXIMUM DENSITY (R-1C)	3.1 UNITS/AC.

LOT AREAS FOR OAK FOREST SOUTH			
LOT NUMBER	LOT AREA (SQUARE FEET)	LOT NUMBER	LOT AREA (SQUARE FEET)
1	13,684	14	23,261
2	10,327	15	18,821
3	10,327	16	15,526
4	10,327	17	12,528
5	10,327	18	10,327
6	10,327	19	10,327
7	10,327	20	13,500
8	10,558	21	10,327
9	12,062	22	10,327
10	10,327	23	10,327
11	10,327	24	10,327
12	10,327	25	14,335
13	12,528		
TOTAL			301,708
AVERAGE			12,068

ZONING REQUIREMENTS	
ZONED R-1C (USE LOT AVERAGING)	= 9,450 SQUARE FEET
MINIMUM LOT AREA	= 10,500 SQUARE FEET
MINIMUM AVERAGE LOT AREA	= 75.5 FEET (85 FT. + 15 FT. FOR CORNER LOTS)
MINIMUM LOT WIDTH AT BUILDING SETBACK	= 30 FEET
MINIMUM FRONT SETBACK	= 10 FEET WITH COMBINED MINIMUM OF 20 FEET
MINIMUM SIDE SETBACK	= 40 FEET
MINIMUM REAR SETBACK	= 10,327 SQUARE FEET
MINIMUM LOT AREA PROVIDED	= 12,068 SQUARE FEET

CAUTION !!!
THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.

LEGEND

EXISTING: IRON FOUND, IRON SET, NAIL FOUND, NAIL & CAP SET, ELEC. PHONE OR CABLE TV OH. LINE, POLE & GUY WIRE, UNDERGROUND CABLE TV, TELEPHONE U.G. CABLE, SPLITTING BOX & MANHOLE, ELECTRIC U.G. CABLE & MANHOLE, GAS MAIN & VALVE, WATERMAIN, HYD. GATE VALVE, TAPPING SLEEVE & VALVE, SANITARY SEWER, CLEANOUT & MANHOLE, STORM SEWER, CLEANOUT & MANHOLE, COMBINED SEWER & MANHOLE, CATCH BASIN, INLET (NO INCOMING LINES), YARD DRAIN (2" DIA. & SMALLER), POST INDICATOR VALVE, WATER SERVICE SHUTOFF, HYDRANT VALVE BOX, MAILBOX, UNIDENTIFIED STRUCTURE, POINT ELEVATION (AT CROSSING), AS BUILT ELEVATION, CONTOUR LINE, FENCE, GUARD RAIL, STREET LIGHT, SIGN, SAND BACKFILL, CONCRETE, ASPHALT, METAL, TREE LINE.

PROPOSED: BRASS PLUG SET, MONUMENT FOUND, MONUMENT SET, RECORDED, MEASURED, CALCULATED, ELEC. PHONE OR CABLE TV OH. LINE, POLE & GUY WIRE, UNDERGROUND CABLE TV, TELEPHONE U.G. CABLE, SPLITTING BOX & MANHOLE, ELECTRIC U.G. CABLE & MANHOLE, GAS MAIN & VALVE, WATERMAIN, HYD. GATE VALVE, TAPPING SLEEVE & VALVE, SANITARY SEWER, CLEANOUT & MANHOLE, STORM SEWER, CLEANOUT & MANHOLE, COMBINED SEWER & MANHOLE, CATCH BASIN, INLET (NO INCOMING LINES), YARD DRAIN (2" DIA. & SMALLER), POST INDICATOR VALVE, WATER SERVICE SHUTOFF, HYDRANT VALVE BOX, MAILBOX, UNIDENTIFIED STRUCTURE, POINT ELEVATION (AT CROSSING), AS BUILT ELEVATION, CONTOUR LINE, FENCE, GUARD RAIL, STREET LIGHT, SIGN, SAND BACKFILL, CONCRETE, ASPHALT, METAL, TREE LINE.

REFERENCE DRAWINGS

P.E.A. JOB NO. 96012 PLANS
CITY OF TROY WATER MAIN EXTENSION PLAN, SHT. 1 OF 1, JOB NO. 64-35, DATED 7/10/04
CITY OF TROY WATER SECTION MAP 19-3
MCS ENGINEERS SANITARY SEWER & WATER MAIN PLAN, SHT. 6 OF 26, DWG. #S-72-313, DATED AUGUST 1972
ZEMET-HOZAK SANITARY SEWER & WATER MAIN PLANS FOR HOPEDALE RD. AS-BUILT 10-8-76, SHT. 8
MCS ENGINEERS SANITARY SEWER & WATER MAIN PLAN, SHT. 6 OF 26, DWG. #S-72-313, DATED AUGUST 1972
ZEMET-HOZAK SANITARY SEWER & WATER MAIN PLANS FOR HOPEDALE RD. AS-BUILT 10-8-76, SHT. 8
NO INFORMATION AT TIME OF SURVEY
DETROIT EDISON COMPANY SALES MAPS 1-325-404, 1-325-404, 1-328-404, 1-328-402
AMERICAN LOCATION MAP
CONSUMERS POWER CO. DISTRIBUTION MAPS 2N-11E-166 & 2N-11E-168
BUCKEYE PIPELINE STATES THEY HAVE NO FACILITIES IN VICINITY TO CABLEVISION STATES THEY HAVE NO COVERAGE IN VICINITY
ZONE "C" APPLYING TO FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 260180 0002.D.

LADD'S, INC.
5877 LIVERNOIS ROAD, SUITE 103
TROY, MICHIGAN

**SITE CONDOMINIUM PLAN
OAK FOREST SOUTH**
PART OF THE NORTHEAST 1/4 OF SECTION 11
CITY OF TROY, OAKLAND COUNTY, MICHIGAN

PROFESSIONAL ENGINEERING ASSOCIATES
2430 Rochester Ct. Suite 100
Troy, MI 48063-1872
(248) 689-9090

DES. DLB SUR. MAD SCALE 1" = 50' JOB NO. 2000038
DN. JRL P.M. DLB DATE 11-17-04 DWG. NO. SP-1

REVISIONS (Description) Date

1	K.H.B./M.B.	REVISED PER CITY OF TROY PLANNING COMMISSION AND COUNCIL MEETING	2-10-09
2	K.H.B./D.L.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 10-10-08	8-28-08
3	K.H.B./D.L.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 10-10-08	8-28-08
4	K.H.B./D.L.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
5	K.H.B./D.L.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
6	K.H.B./D.L.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
7	K.H.B./D.L.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
8	K.H.B./D.L.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
9	K.H.B./D.L.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
10	K.H.B./D.L.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
11	K.H.B./D.L.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
12	K.H.B./D.L.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
13	K.H.B./D.L.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
14	K.H.B./D.L.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
15	K.H.B./D.L.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
16	K.H.B./D.L.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
17	K.H.B./D.L.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
18	K.H.B./D.L.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
19	K.H.B./D.L.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
20	K.H.B./D.L.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
21	K.H.B./D.L.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
22	K.H.B./D.L.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
23	K.H.B./D.L.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
24	K.H.B./D.L.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08
25	K.H.B./D.L.B.	REVISED PER CITY OF TROY REVIEW COMMENTS 5-6-08	8-22-08

Pastor Stephen Husava of Northfield Hills Baptist Church gave the Invocation. The Pledge of Allegiance to the Flag was given.

A. CALL TO ORDER:

A Regular Meeting of the Troy City Council was held Monday, February 7, 2011, 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
 Wade Fleming
 Martin Howrylak
 Mayor Pro Tem Mary Kerwin
 Maureen McGinnis
 Dane Slater

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Certificates of Recognition and Special Presentations Scheduled

- a) On behalf of the City of Troy, Mayor Schilling presented a proclamation to Ann Comiskey recognizing February 13-19, 2011 as *National Children of Alcoholics Week*.
- b) Oakland County Introductions: Oakland County Clerk Bill Bullard, Jr., and County Commissioners: District 13-Robert Gosselin, District 19-Mike Bosnic, District 20-David W. Potts, District 24-Gary G. McGillivray.

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 Re-Programming Community Development Block Grant (CBDG) Program Year 2008 and Program Year 2009 Funds

The Mayor opened the public hearing.

The Mayor closed the public hearing after receiving no comment from the public.

Resolution #2011-02-015

Moved by Kerwin

Seconded by McGinnis

WHEREAS, After conclusion of a public hearing on this date, February 7, 2011, Troy City Council has determined that the program year 2008 unexpended funds in the amount of \$84,811.00 shall be **RE-PROGRAMMED** from Flood Drain Improvements to Section 36 Park Improvement Project #36-100-035 in the amount of \$53,171.80, and to Administration in the amount of \$31,639.20; and

WHEREAS, After conclusion of a public hearing on this date, February 7, 2011, Troy City Council has determined that program year 2009 unexpended funds of \$115,072.00, shall be **RE-PROGRAMMED** from Flood Drain Improvements to Section 36 Park Improvement Project #36-100-035 in the amount of \$81,505.00 and to Administration in the amount of \$33,567.00;

THEREFORE, BE IT RESOLVED, That the Section 36 Park Improvement Project #36-100-035 **BE ADDED** to the list of CDBG projects for 2008 and 2009.

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

MOTION CARRIED

Vote on Resolution to Suspend Rules of Procedure for the City Council, Rule #6 – Order of Business

Resolution #2011-02-016
Moved by Schilling
Seconded by Kerwin

RESOLVED, That Troy City Council hereby **SUSPENDS** Rules of Procedure for the City Council, Rule #6 *Order of Business* to take action on an item that does not appear on the Agenda.

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

MOTION CARRIED

Vote on Resolution to Reduce Public Comment, Rule #16 – Members of the Public & Visitors

Resolution #2011-02-017
Moved by Schilling
Seconded by Kerwin

RESOLVED, That Troy City Council hereby **REDUCES** Public Comment, Council Rule #16, *Members of the Public & Visitors*, from five minutes to three minutes at the request of the Chair and by majority vote of City Council members elect.

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

MOTION CARRIED

F. PUBLIC COMMENT:

Irv Wengrow: Discussed Troy's budget and library.
Paul Beck: Discussed Troy's budget.
Susan S. Martin: Discussed Troy's budget, library and millage rate.

Sharon MacDonell:	Discussed Troy’s budget, library and millage rate.
Richard Peters:	Discussed Troy’s library and first amendment rights.
Gordon Schepke:	Discussed Troy’s budget and topics related to the library.
Dan Brake:	Discussed Troy’s library.
Kathy Everlove:	Discussed Troy’s library and budget.
M.L. Geiger:	Discussed various topics related to Troy.
John Hennessy:	Discussed Troy’s library and budget.
Gerard Staeger:	Discussed Troy’s library and budget.
James Savage:	Discussed planning and zoning.
Ann Comiskey:	Discussed upcoming <i>Troy Community Coalition</i> events.
Julie Sigler:	Discussed Troy’s library.
Rita-Ray Katrib:	Discussed Troy’s library.
Neil Yashinsky:	Discussed Troy’s library.
Christine Hill:	Discussed various topics related to Troy’s budget.
Janice Daniels	Discussed Agenda Item L-01 <i>Council Referrals</i> .
Linda Kajma:	Discussed Troy’s library and budget.
Thomas Burke:	Discussed Oakland County’s and Troy’s budget, and Agenda Item L-01 <i>Council Referrals</i> .
Deborah DeBacker:	Discussed Troy’s library and budget.
Rosemary Tinetti:	Discussed Troy’s library, budget and millage.
Edward Kempen:	Discussed library petition and Agenda Item L-01 <i>Council Referrals</i> .
Bill Cowger:	Discussed tri-partisan communications among Troy’s citizens.
Ellen Hodorek:	Discussed ICMA report, Troy’s budget and L-01 <i>Council Referrals</i> .
Laura Scharfenkamp:	Discussed Troy’s library and budget.

The meeting **RECESSED** at 9:03 PM.

The meeting **RECONVENED** at 9:13 PM.

G. RESPONSE / REPLY TO PUBLIC COMMENT

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

I-1 Board and Committee Appointments:

a) Mayoral Appointments

Resolution #2011-02-018

Moved by Schilling

Seconded by Howrylak

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

Board of Review

Appointed by Mayor (3-Regular) 3-Year Term

Eileen (Nora) Turner

Term Expires 01/31/2014

Yes: Howrylak, Kerwin, McGinnis, Slater, Schilling, Beltramini, Fleming

No: None

MOTION CARRIED

b) City Council Appointments

Resolution #2011-02-019

Moved by Beltramini

Seconded by Fleming

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

Board of Zoning Appeals

Appointed by Council (7-Regular) 3-Year Term

Thomas Strat Planning Commission Rep.

Term Expires 01/31/2012

Philip Sanzica Planning Commission Alt. Rep.

Term Expires 01/31/2012

Yes: Kerwin, McGinnis, Slater, Schilling, Beltramini, Fleming, Howrylak

No: None

MOTION CARRIED

I-2 Board and Committee Nominations:

a) Mayoral Nominations – None Forwarded

b) City Council Nominations

Resolution #2011-02-020

Moved by Kerwin

Seconded by Howrylak

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

Employee Retirement System Board of Trustees/Retiree Health Care Benefits Plan &

Trust: City Manager and Assistant City Manager/Finance & Administration; (1) City Council Rep; (1) Troy Citizen -City Council Appt.; (3) Trustees-Elected by Retirement System Members; (1) Retiree Member in Defined Benefit Plan – City Council Appt.

3-Year Terms: Appointed Citizen, 3 Member Trustees, Council Trustee

William Need Ex-Officio-DB Retiree Rep. Term Expires 12/31/2013

Yes: McGinnis, Slater, Schilling, Beltramini, Fleming, Howrylak, Kerwin

No: None

MOTION CARRIED**I-3 Request for Closed Session – No Closed Session Requested****I-4 Contract Extension – Auditing Services**

Resolution #2011-02-021

Moved by Beltramini

Seconded by McGinnis

WHEREAS, On April 18, 2005, Troy City Council hereby awarded a three (3) year contract with an option to renew for three (3) additional years to provide Audit Services for years 2005, 2006, and 2007 to The Rehmann Group of Troy, MI for an estimated annual cost of \$63,820.00 {Resolution #2005-04-182};

WHEREAS, On December 17, 2007, Troy City Council exercised the option to renew the contract with The Rehmann Group for an estimated total cost of \$67,568.00 under the same pricing structure, terms and conditions as the original contract to expire December 31, 2010 {Resolution #2007-12-366-F4d};

WHEREAS, The Rehmann Group has agreed to enter into a new three-year contract under the same terms and conditions, at their original bid prices not to exceed \$63,820.00 for the 2011 audit;

WHEREAS, The Rehmann Group has met all expectations during the last six audits and their offer constitutes a 7% reduction from 2010 pricing;

WHEREAS, Staff reductions and retirements will leave only one of the four City Accountants who were employed June 30, 2010, in place at June 30, 2011; and

WHEREAS, The first two and particularly the first year of a new audit firm require a substantial increase of staff time and involvement in completing the annual audit;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **DEEMS** it to be in the City's best interest to hereby **APPROVE** and **EXTEND** the new contract to provide 2011 auditing services for the City of Troy from The Rehmann Group at an all inclusive maximum cost of

\$63,820.00 with adjustments allowed in years 2012 and 2013, as outlined under the original contract to expire December 31, 2013.

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

MOTION CARRIED

I-5 Adoption of Troy City Council Goals and Vision Statement

Vote on Resolution to Amend Agenda Item I-5 Adoption of Troy City Council Goals and Vision Statement

Resolution #2011-02-022
 Moved by Kerwin
 Seconded by Howrylak

RESOLVED, That Troy City Council hereby **AMENDS** the resolution for agenda item I-5 *Adoption of Troy City Council Goals and Vision Statement* as presented with the following revisions:

Vision:

To honor the legacy of the past and build a strong, vibrant future, and ~~become / strives to be / will be / is an attractive / the most~~ be an attractive ~~and competitive~~ place to live, work, and grow a business; and

Provide effective and efficient local government

Demonstrate excellence in community services
 Maintain fiscally sustainable ~~local~~ government
 Attract and support a committed and innovative workforce
 Develop and maintain efficiencies with internal and external partners
 Conduct city business and engage in public policy formation in a clear and transparent manner

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

MOTION CARRIED

Vote on Resolution for Agenda Item I-5 Adoption of Troy City Council Goals and Vision Statement as Amended

Resolution #2011-02-023
 Moved by Kerwin
 Seconded by Beltramini

RESOLVED, That Troy City Council hereby **ADOPTS** the Troy City Council *Goals and Vision Statement* as **AMENDED** and **DIRECTS** City Administration to develop objectives to facilitate Council's goals for Council's consideration at a future date.

Yes: Beltramini, Fleming, Howrylak, Kerwin, McGinnis, Slater, Schilling

No: None

MOTION CARRIED

I-6 Approval of Early Retirement Incentive Program – Classified and Exempt Employees

Resolution #2011-02-024

Moved by Slater

Seconded by Beltramini

WHEREAS, Michigan's continuing rising unemployment and reductions in the taxable value of real estate are adversely affecting the City of Troy's operating revenues;

WHEREAS, Michigan's continuing economic distress has led City management to project significant budget short-falls for fiscal years 2011, 2012, and 2013;

WHEREAS, Economic uncertainty demands that the City of Troy government reduce operational expenses while improving efficiency and effectiveness;

WHEREAS, One recognized means of reducing operational expenses while simultaneously creating opportunities for reorganization and restructuring is to provide a voluntary separation incentive for City employees to retire;

WHEREAS, Approximately 40 Classified and Exempt employees will meet the eligibility criteria for retirement from City employment as of February 28, 2011; and 28 Classified and Exempt employees are within five years of meeting the eligibility criteria for retirement from City Employment as of February 28, 2011; and

WHEREAS, The proposed *Early Retirement Incentive Program* has been reviewed and is recommended by City management as a mechanism to reduce workforce levels, create position vacancies, and provide City management with the opportunity to reduce costs, reorganize and restructure operations;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council hereby **AUTHORIZES** implementation of the following *Early Retirement Incentive Program* to be offered to the Classified and Exempt employees who will be eligible to retire, or are within five years of eligibility, on or before February 28, 2011, provided that the program is economically beneficial to the City of Troy; and

BE IT FURTHER RESOLVED, That the *Early Retirement Incentive Program* **MAY BE** offered during a minimum 48-day window of opportunity, with said incentive being the option of a lump sum payment of \$1,000 for each full year of retirement service as of February 28, 2011 or the conversion from a DC pension plan to a DB pension plan; and

BE IT FURTHER RESOLVED, That funding for the *Early Retirement Incentive Program* **SHALL BE OBTAINED** from funds made available in the Department's budgets, and funding for the

Early Retirement DC to DB Program **SHALL BE** obtained from the funds contained in the members' DC accounts; and

BE IT FURTHER RESOLVED, That employees in the Defined Benefit and Defined Contribution retirement plans desiring to participate in the *Early Retirement Incentive Program* **MUST FILE** written application to retire no less than 30 days in advance of their requested retirement date which shall be no later than June 30, 2011 with the Employees' Retirement System on the appropriate form; and

BE IT FINALLY RESOLVED, That the lump sum Early Retirement Incentive pay **SHALL NOT** be included in the final average compensation (FAC) for employees in the Defined Benefit Plan; with the contributions **TO BE** made to an employee's Defined Contribution Plan or Defined Benefit Plan by the City of Troy and the employee as a result of this lump sum payment.

Yes: Kerwin, McGinnis, Slater, Schilling, Beltramini

No: Fleming, Howrylak

MOTION CARRIED

J. CONSENT AGENDA:

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

Resolution #2011-02-025

Moved by Beltramini

Seconded by McGinnis

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

Yes: Howrylak, Kerwin, McGinnis, Slater, Schilling, Beltramini, Fleming

No: None

MOTION CARRIED

J-2 Approval of City Council Minutes

Resolution #2011-02-025-J-2

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the Regular City Council Meeting of January 24, 2011 and the Minutes of the Special City Council Meeting of January 31, 2011 as submitted.

J-3 City of Troy Proclamation: *National Children of Alcoholics Week – February 13 - 19, 2011*

Resolution #2010-12-025-J-3

RESOLVED, That Troy City Council hereby **APPROVES** the City of Troy proclamation recognizing: *National Children of Alcoholics Week – February 13, - 19, 2011.*

J-4 Standard Purchasing Resolutions

J-5 Renewal of Membership in the Traffic Improvement Association (TIA) of Oakland County

Resolution #2011-02-025-J-5

RESOLVED, That the Troy City Council hereby **GRANTS** approval to pay the renewal of the City of Troy’s membership in the Traffic Improvement Association for the year 2011, in the amount of \$24,400, with the fee to be divided equally between the Traffic Engineering and Police Departments; Funds are available in the 2010-2011 Traffic Engineering’s Membership and Dues Fund and the 2010-2011 Police Department’s Contractual Services General Fund.

J-6 Acceptance of Two Permanent Easements for Public Utilities form Wattles Square Center, LLC - #88-20-100-038 and Atto Construction, Inc. - #88-20-24-100-039

Resolution #2011-02-025-J-6

RESOLVED, That Troy City Council hereby **ACCEPTS** the Permanent Easements for public utilities from Wattles Square Center, LLC, owner of the property having Sidwell #88-20-24-100-038 and Atto Construction Inc., owner of the property having Sidwell #88-20-24-100-039.

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

J-7 Approval to Grant Request from Board of County Road Commissioners of Oakland County to Grant a Highway Easement on City Owned Property, Section 6 – Sidwell #88-20-06-101-001

Resolution #2011-02-025-J-7

RESOLVED, That Troy City Council hereby **GRANTS** the request from the Board of County Road Commissioners of Oakland County to grant a highway easement on City owned property with Sidwell #88-20-06-101-001; and

BE IT FURTHER RESOLVED, That Troy Council hereby **DIRECTS** the Mayor and City Clerk to execute the easement document.

J-8 Mon Jin Lau Annual Fireworks Use Request

Resolution #2011-02-025-J-8

RESOLVED, That Troy City Council hereby **ISSUES** a fireworks permit to Mon Jin Lau, located at 1515 East Maple Rd., for the use of fireworks at its annual Chinese New Year celebration on February 8th, 2011; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **INSTRUCTS** the Troy Fire Department to inspect the fireworks' display site and the fireworks to be used to assure compliance with applicable codes and standards for such a fireworks display.

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

a) **Standard Purchasing Resolution 1: Award to Low Bidder: LED Lighting and Retrofits**

Resolution #2011-02-026

Moved by Beltramini

Seconded by Fleming

RESOLVED, That Troy City Council hereby **AWARDS** a contract to purchase and install LED Lighting and Retrofits on the main City Hall Campus and Police/Fire Training Facility to the low total bidder, Corby Energy Services, Inc of Belleville, MI, for an estimated total cost of \$265,190.00.

BE IT FURTHER RESOLVED, That Troy City Council **ALLOWS** additional lighting purchases from Corby Energy Services through June 30, 2011 for installation at the fire stations not-to-exceed 25% of the total project cost or \$66,290.00 at unit prices contained on the schedule of values and bid tabulation opened 1/24/2011, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

Yes: Kerwin, McGinnis, Slater, Schilling, Beltramini, Fleming, Howrylak

No: None

MOTION CARRIED

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:

L-1 Resolution Submitted by Council Member Howrylak, Perhaps for Discussion Purposes

Resolution
Moved by Howrylak
Seconded by Fleming

WHEREAS, The City of Troy has an additional \$1.7 million in unallocated fund reserves resulting from the 2009-2010 fiscal year's financial performance;

WHEREAS, The City of Troy's Employees Retirement System realized an investment gain of \$14.7 million for the year ending December 31, 2009 that is being amortized and will save the City of Troy significant contributions going forward;

WHEREAS, The City of Troy's Employees Retirement System realized significant investment gains for the year ending December 31, 2010 that will be amortized and will save the City of Troy significant contribution requirements going forward;

WHEREAS, The City of Troy is aiming for and achieving 10-15% labor and benefit cost savings across all employee groups; and

WHEREAS, The City of Troy has operated a free public library for the benefit of all for over forty years and there is a great need in the community for continuation of these services;

THEREFORE, BE IT RESOLVED, That the City Manager is hereby **DIRECTED** to draft an amended and revised multi-year budget that incorporates these cost savings and uses these funding sources to provide for and fund the Troy Public Library; and

BE IT FURTHER RESOLVED, That this amended multi-year budget be brought back to the City Council no later than February 21, 2011.

Vote on Resolution to Table Resolution L-01 Resolution Submitted by Council Member Howrylak, Perhaps for Discussion Purposes

Resolution
Moved by Kerwin
Seconded by Slater

RESOLVED, That Troy City Council hereby **TABLES** agenda item L-01 *Resolution Submitted by Council Member Howrylak, Perhaps for Discussion Purposes*.

Vote on Resolution to Amend Tabled Resolution L-01 Resolution Submitted by Council Member Howrylak, Perhaps for Discussion Purposes by Substitution

Resolution #2011-02-027
Moved by Kerwin
Seconded by Slater

RESOLVED, That Troy City Council hereby **AMENDS BY SUBSTITUTION** the resolution to table agenda item L-01 *Resolution Submitted by Council Member Howrylak, Perhaps for Discussion Purposes* by **STRIKING** it in its entirety and **INSERTING:**

RESOLVED, That Troy City Council hereby **POSTPONES** agenda item L-01 *Resolution Submitted by Council Member Howrylak, Perhaps for Discussion Purposes* until the Monday, February 21, 2011 Regular Meeting.”

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

MOTION CARRIED

Vote Resolution to Table L-01 Resolution Submitted by Council Member Howrylak, Perhaps for Discussion Purposes as Amended by Substitution to Postpone

Resolution #2011-02-028
Moved by Kerwin
Seconded by Slater

RESOLVED, That Troy City Council hereby **POSTPONES** agenda item L-01 *Resolution Submitted by Council Member Howrylak, Perhaps for Discussion Purposes* until the Monday, February 21, 2011 Regular Meeting.

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

MOTION CARRIED

M. COUNCIL COMMENTS

M-1 No Council Comments Advanced

Council Member Beltramini solicited the support of the public to assist the city by removing snow around fire hydrants.

Council Member Howrylak discussed the definition a three year budget and his expectations of updates he would like to see incorporated in the multi-year budget.

Mayor Pro Tem Kerwin requested City Administration to prepare resolutions for the next City Council meeting recognizing seven local elected school board officials.

Vote on Resolution to Suspend Rules of Procedure for the City Council, Rule #6 – Order of Business

Resolution #2011-02-029
Moved by Slater
Seconded by McGinnis

RESOLVED, That Troy City Council hereby **SUSPENDS** Rules of Procedure for the City Council, Rule #6 *Order of Business* to take action on an item that does not appear on the Agenda.

Yes: Schilling, Kerwin, McGinnis, Slater

No: Beltramini, Fleming, Howrylak

MOTION CARRIED

Proposed Resolution to Direct City Administration to Provide Business/Organization Recommendations to Conduct a Community Survey

Resolution

Moved by Slater

Seconded McGinnis

RESOLVED, That Troy City Council hereby **DIRECTS** City Administration to provide City Council with three business or organization recommendations for conducting a statistically significant community survey.

Vote on Resolution to Postpone Proposed Resolution to Direct City Administration to Provide Business/Organization Recommendations to Conduct a Community Survey

Resolution #2011-02-030

Moved by Howrylak

Seconded by Beltramini

RESOLVED, That Troy City Council hereby **POSTPONES** proposed resolution to *Direct City Administration to Provide Business/Organization Recommendations to Conduct a Community Survey* until the Monday, February 21, 2011 Regular City Council meeting.

Yes: Beltramini, Fleming, Howrylak, Kerwin, McGinnis, Slater, Schilling

No: None

MOTION CARRIED

N. REPORTS

N-1 Minutes – Boards and Committees:

- a) Election Commission/Final – September 23, 2010
- b) Downtown Development Authority/Final – December 15, 2010
- c) Board of Zoning Appeals/Final – December 21, 2010
- d) Planning Commission Regular/Draft – January 11, 2011
- e) Planning Commission Regular /Final – January 11, 2011
- f) Retiree Health Care Benefits Plan & Trust/Draft – January 12, 2011
- g) Downtown Development Authority/Draft – January 19, 2011
- h) Election Commission/Draft – January 31, 2011
- i) Election Coordinating Committee/Draft – January 31, 2011

Noted and Filed

N-2 Department Reports:

- a) December 31, 2010 – Quarterly Financial Report
Noted and Filed

N-3 Letters of Appreciation:

- a) Letter from the Eisenhardt Family to Police Department Thanking and Recognizing P.O. Livingston, P.O. Huck, P.O. Brandimore for Assistance in Locating a Missing Child
- b) Letter from Alanda Slusser to Police Department Thanking and Recognizing Lt. Livingston and P.O. Gobler for their Assistance and Professionalism
- c) Letter from Margaret Ann Rendziperis to Carla Vaughan, Director of Senior Services, in Appreciation of the Chef’s Choice Dinner Dance
Noted and Filed

N-4 Proposed Proclamations/Resolutions from Other Organizations:

- a) City of Rochester Resolution: Proposed Eliminate the Requirement that Clerks Send Corrected Voter Identification Cards Due to Changes in District for U.S. Representative, State Senate, State Representative, or County Commission
Noted Filed

N-5 Michigan Public Service Commission – Notice of Hearing for the Gas Customers of the Consumers Energy Company – Case No. U-16485

Noted and Filed

N-6 Troy Youth Assistance – Board of Directors Meeting Minutes – November 18, 2010

Noted and Filed

N-7 MLCC Sunday Sales Reports

Noted and Filed

N-8 Stickney v. City of Troy et al.

Noted and Filed

N-9 ICMA Report: Parks and Recreation Services

Noted and Filed

N-10 Police Department Firearms Exchange

Noted and Filed

N-11 Billy Casper Golf – Guest Comments and Mystery Shop Information

Noted and Filed

O. STUDY ITEMS

O-1 No Study Items Presented

P. CLOSED SESSION:

P-1 No Closed Session Requested

Q. ADJOURNMENT

The meeting **ADJOURNED** at 10:34 PM.

Louise E. Schilling, Mayor

Tonni L. Bartholomew, MMC
City Clerk

A. CALL TO ORDER:

A Special Meeting of the Troy City Council was held Monday, February 7, 2011, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the meeting to order at 10:46 PM.

B. ROLL CALL:

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

C. DISCUSSION ITEMS:

C-1 For the Purpose of Revising the 2011 Budget and Future Year's Budgets Priorities

D. PUBLIC COMMENT:

Irv Wengrow	Encourage Council and community to seek common ground
Rob Carrigan	Asked Council to keep an open mind and suggested Asst Mgr. to present a definitive update
Dan Brake	Distributed handouts and discussed Kempen Lawsuit
James Savage	Suggested cutting unnecessary spending and possible Income Tax
Linda Kajma	Highlighted concerns with Council Member Howrylak
Ellen Hodorek	Voiced concerns and noted community needs to work together
Edna Abraham	Indicated Council has reviewed all possible cuts, it's time to look for revenues

E. ADJOURNMENT

The meeting **ADJOURNED** at 11:55 PM.

Louise E. Schilling, Mayor

Tonni L. Bartholomew, MMC
 City Clerk

**PROCLAMATION
SCHOOL BOARD RECOGNITION MONTH
JANUARY 2011**

WHEREAS, Providing for the education of Michigan's school-aged children is a fundamental duty of state government, as stated in Article VIII, Section 2, of the Michigan Constitution of 1963; and

WHEREAS, The education of our youth is the foundation upon which the economic, social and intellectual capital of our state is built; and

WHEREAS, **School Board Recognition Month** is celebrated in January by 552 local and 57 intermediate school districts in Michigan, as 4,200 elected school board members are honored by their schools and communities for untiring dedication to school governance; and

WHEREAS, Our locally-elected school boards play an important and vital role in developing policies and making tough decisions on complex educational and social issues impacting the entire community; and

WHEREAS, School Board members contribute hundreds of hours each year leading their districts – whether it is by deliberating important decisions about curriculum; adopting policies; hiring top notch personnel and administrators; listening to staff, parent, and student concerns; or recognizing outstanding programs – board members always keep their eyes on the goal of student achievement; and

WHEREAS, As philosopher John Dewey said, "Education is not preparation for life; education is life itself." and our dedicated **Avondale School Board Members – President Cyndi Pettit, Vice President Sid Lockhart, Secretary Stephen Sucher, Treasurer Sean Johnson, and Trustees Kenneth Hedrick, Tammy Muczynski, and Cynthia Tischer** – have invested hundreds of hours on behalf of our children; and

WHEREAS, This year's theme – ***School Boards Lead Strong*** – reflects the efforts of thousands of men and women who voluntarily tackle the enormous job of governing school districts and preserving the core of our democratic nation; and

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Troy does hereby proclaim **January 2011 to be School Board Recognition Month** in the City of Troy and encourages all citizens to express sincere appreciation to the dedicated **Avondale School Board Members** for their work on behalf of children, youth and families.

Signed this 21st day of February 2011.

**PROCLAMATION
SCHOOL BOARD RECOGNITION MONTH
JANUARY 2011**

WHEREAS, Providing for the education of Michigan's school-aged children is a fundamental duty of state government, as stated in Article VIII, Section 2, of the Michigan Constitution of 1963; and

WHEREAS, The education of our youth is the foundation upon which the economic, social and intellectual capital of our state is built; and

WHEREAS, **School Board Recognition Month** is celebrated in January by 552 local and 57 intermediate school districts in Michigan, as 4,200 elected school board members are honored by their schools and communities for untiring dedication to school governance; and

WHEREAS, Our locally-elected school boards play an important and vital role in developing policies and making tough decisions on complex educational and social issues impacting the entire community; and

WHEREAS, School Board members contribute hundreds of hours each year leading their districts – whether it is by deliberating important decisions about curriculum; adopting policies; hiring top notch personnel and administrators; listening to staff, parent, and student concerns; or recognizing outstanding programs – board members always keep their eyes on the goal of student achievement; and

WHEREAS, As philosopher John Dewey said, "Education is not preparation for life; education is life itself." and our dedicated **Birmingham School Board Members – President Lori Soifer, Vice President Susan Hill, Treasurer Christopher Conti, Secretary Michael Fenberg, and Trustees Robert Lawrence, Geri Rinschler, and Steve Scheidt** – have invested hundreds of hours on behalf of our children; and

WHEREAS, This year's theme – ***School Boards Lead Strong*** – reflects the efforts of thousands of men and women who voluntarily tackle the enormous job of governing school districts and preserving the core of our democratic nation; and

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Troy does hereby proclaim **January 2011 to be School Board Recognition Month** in the City of Troy and encourages all citizens to express sincere appreciation to the dedicated **Birmingham School Board Members** for their work on behalf of children, youth and families.

Signed this 21st day of February 2011.

**PROCLAMATION
SCHOOL BOARD RECOGNITION MONTH
JANUARY 2011**

WHEREAS, Providing for the education of Michigan's school-aged children is a fundamental duty of state government, as stated in Article VIII, Section 2, of the Michigan Constitution of 1963; and

WHEREAS, The education of our youth is the foundation upon which the economic, social and intellectual capital of our state is built; and

WHEREAS, **School Board Recognition Month** is celebrated in January by 552 local and 57 intermediate school districts in Michigan, as 4,200 elected school board members are honored by their schools and communities for untiring dedication to school governance; and

WHEREAS, Our locally-elected school boards play an important and vital role in developing policies and making tough decisions on complex educational and social issues impacting the entire community; and

WHEREAS, School Board members contribute hundreds of hours each year leading their districts – whether it is by deliberating important decisions about curriculum; adopting policies; hiring top notch personnel and administrators; listening to staff, parent, and student concerns; or recognizing outstanding programs – board members always keep their eyes on the goal of student achievement; and

WHEREAS, As philosopher John Dewey said, "Education is not preparation for life; education is life itself." and our dedicated **Bloomfield Hills School Board Members – President Ingrid Day, Vice President Ed Ford, Secretary Kate Pettersen, Treasurer Cynthia von Oeyen, and Trustees Jacqueline El-Sayed, Robert Herner, and Mark Bank** – have invested hundreds of hours on behalf of our children; and

WHEREAS, This year's theme – ***School Boards Lead Strong*** – reflects the efforts of thousands of men and women who voluntarily tackle the enormous job of governing school districts and preserving the core of our democratic nation; and

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Troy does hereby proclaim **January 2011 to be School Board Recognition Month** in the City of Troy and encourages all citizens to express sincere appreciation to the dedicated **Bloomfield Hills School Board Members** for their work on behalf of children, youth and families.

Signed this 21st day of February 2011

**PROCLAMATION
SCHOOL BOARD RECOGNITION MONTH
JANUARY 2011**

WHEREAS, Providing for the education of Michigan's school-aged children is a fundamental duty of state government, as stated in Article VIII, Section 2, of the Michigan Constitution of 1963; and

WHEREAS, The education of our youth is the foundation upon which the economic, social and intellectual capital of our state is built; and

WHEREAS, **School Board Recognition Month** is celebrated in January by 552 local and 57 intermediate school districts in Michigan, as 4,200 elected school board members are honored by their schools and communities for untiring dedication to school governance; and

WHEREAS, Our locally-elected school boards play an important and vital role in developing policies and making tough decisions on complex educational and social issues impacting the entire community; and

WHEREAS, School Board members contribute hundreds of hours each year leading their districts – whether it is by deliberating important decisions about curriculum; adopting policies; hiring top notch personnel and administrators; listening to staff, parent, and student concerns; or recognizing outstanding programs – board members always keep their eyes on the goal of student achievement; and

WHEREAS, As philosopher John Dewey said, "Education is not preparation for life; education is life itself." and our dedicated **Lamphere School Board Members – President Brad Lyon, Vice President Robert Borngesser, Secretary Diane Backhus, Treasurer Paul Cavanaugh, and Trustees David Crawford, William Dixon, and Terrie Junkin** – have invested hundreds of hours on behalf of our children; and

WHEREAS, This year's theme – ***School Boards Lead Strong*** – reflects the efforts of thousands of men and women who voluntarily tackle the enormous job of governing school districts and preserving the core of our democratic nation; and

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Troy does hereby proclaim **January 2011 to be School Board Recognition Month** in the City of Troy and encourages all citizens to express sincere appreciation to the dedicated **Lamphere School Board Members** for their work on behalf of children, youth and families.

Signed this 21st day of February 2011.

**PROCLAMATION
SCHOOL BOARD RECOGNITION MONTH
JANUARY 2011**

WHEREAS, Providing for the education of Michigan's school-aged children is a fundamental duty of state government, as stated in Article VIII, Section 2, of the Michigan Constitution of 1963; and

WHEREAS, The education of our youth is the foundation upon which the economic, social and intellectual capital of our state is built; and

WHEREAS, **School Board Recognition Month** is celebrated in January by 552 local and 57 intermediate school districts in Michigan, as 4,200 elected school board members are honored by their schools and communities for untiring dedication to school governance; and

WHEREAS, Our locally-elected school boards play an important and vital role in developing policies and making tough decisions on complex educational and social issues impacting the entire community; and

WHEREAS, School Board members contribute hundreds of hours each year leading their districts – whether it is by deliberating important decisions about curriculum; adopting policies; hiring top notch personnel and administrators; listening to staff, parent, and student concerns; or recognizing outstanding programs – board members always keep their eyes on the goal of student achievement; and

WHEREAS, As philosopher John Dewey said, "Education is not preparation for life; education is life itself." and our dedicated **Royal Oak School Board Members – President Gary Briggs, Vice President Deborah Anderson, Secretary Marty Cardamone, Treasurer Michael Hartman, and Trustees Carrie Beerer, Lisa Bradford, and Jeff Brinker** – have invested hundreds of hours on behalf of our children; and

WHEREAS, This year's theme – ***School Boards Lead Strong*** – reflects the efforts of thousands of men and women who voluntarily tackle the enormous job of governing school districts and preserving the core of our democratic nation; and

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Troy does hereby proclaim **January 2011 to be School Board Recognition Month** in the City of Troy and encourages all citizens to express sincere appreciation to the dedicated **Royal Oak School Board Members** for their work on behalf of children, youth and families.

Signed this 21st day of February 2011.

**PROCLAMATION
SCHOOL BOARD RECOGNITION MONTH
JANUARY 2011**

WHEREAS, Providing for the education of Michigan's school-aged children is a fundamental duty of state government, as stated in Article VIII, Section 2, of the Michigan Constitution of 1963; and

WHEREAS, The education of our youth is the foundation upon which the economic, social and intellectual capital of our state is built; and

WHEREAS, **School Board Recognition Month** is celebrated in January by 552 local and 57 intermediate school districts in Michigan, as 4,200 elected school board members are honored by their schools and communities for untiring dedication to school governance; and

WHEREAS, Our locally-elected school boards play an important and vital role in developing policies and making tough decisions on complex educational and social issues impacting the entire community; and

WHEREAS, School Board members contribute hundreds of hours each year leading their districts – whether it is by deliberating important decisions about curriculum; adopting policies; hiring top-notch personnel and administrators; listening to staff, parent, and student concerns; or recognizing outstanding programs – board members always keep their eyes on the goal of student achievement; and

WHEREAS, As philosopher John Dewey said, "Education is not preparation for life; education is life itself." and our dedicated **Troy School Board Members – President Nancy Philippart, Vice President Ida Edmunds, Secretary Paula Fleming, and Trustees Gary Hauff, M'Liz Malven, Todd Milette and Wendy Underwood –** have invested hundreds of hours on behalf of our children; and

WHEREAS, This year's theme – ***School Boards Lead Strong*** – reflects the efforts of thousands of men and women who voluntarily tackle the enormous job of governing school districts and preserving the core of our democratic nation; and

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Troy does hereby proclaim **January 2011 to be School Board Recognition Month** in the City of Troy and encourages all citizens to express sincere appreciation to our dedicated **Troy School Board Members** for their work on behalf of children, youth and families.

Signed this 21st day of February 2011.

**PROCLAMATION
SCHOOL BOARD RECOGNITION MONTH
JANUARY 2011**

WHEREAS, Providing for the education of Michigan's school-aged children is a fundamental duty of state government, as stated in Article VIII, Section 2, of the Michigan Constitution of 1963; and

WHEREAS, The education of our youth is the foundation upon which the economic, social and intellectual capital of our state is built; and

WHEREAS, **School Board Recognition Month** is celebrated in January by 552 local and 57 intermediate school districts in Michigan, as 4,200 elected school board members are honored by their schools and communities for untiring dedication to school governance; and

WHEREAS, Our locally-elected school boards play an important and vital role in developing policies and making tough decisions on complex educational and social issues impacting the entire community; and

WHEREAS, School Board members contribute hundreds of hours each year leading their districts – whether it is by deliberating important decisions about curriculum; adopting policies; hiring top notch personnel and administrators; listening to staff, parent, and student concerns; or recognizing outstanding programs – board members always keep their eyes on the goal of student achievement; and

WHEREAS, As philosopher John Dewey said, "Education is not preparation for life; education is life itself." and our dedicated **Warren Consolidated School Board Members – President Susan Kattula, Vice President Brian White, Secretary Loretta Crow, Treasurer Clifford Terry, and Trustees Diane Holden, Susan Jozwik, and Elaine Martin** – have invested hundreds of hours on behalf of our children; and

WHEREAS, This year's theme – ***School Boards Lead Strong*** – reflects the efforts of thousands of men and women who voluntarily tackle the enormous job of governing school districts and preserving the core of our democratic nation; and

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Troy does hereby proclaim **January 2011 to be School Board Recognition Month** in the City of Troy and encourages all citizens to express sincere appreciation to the dedicated **Warren Consolidated School Board Members** for their work on behalf of children, youth and families.

Signed this 21st day of February 2011



CITY COUNCIL AGENDA ITEM

February 16, 2011

To: John Szerlag, City Manager

From: Mark F. Miller, Acting Assistant City Manager/Economic Development Services
Susan A. Leirstein, Purchasing Director
R. Brent Savidant, Acting Planning Director

Subject: Standard Purchasing Resolution 8: Best Value Award – Community Planning Services

Background

On December 20, 2010, Statements of Qualifications (SOQ) were received at the City's request from firms interested in providing Community Planning Services for the City of Troy. Two hundred fifty-seven (257) companies were notified via the Michigan Intergovernmental Trade Network (MITN) website with three (3) proposals received. All three firms met the pass/fail criteria and were interviewed.

A committee consisting of Mark Miller, Acting Assistant City Manager/Economic Development Services; R. Brent Savidant, Acting Planning Director; and Charlotte Burckhardt, Principal Planner, Oakland County Planning & Economic Development Services, were the raters for the entire best value process.

After the interviews, a Detailed Pricing Proposal was requested and received from the three firms on January 25, 2011. Based on the scoring criteria for the statement of qualifications, interview, detailed proposal and pricing analysis, the committee recommends awarding the contract to the highest rated respondent, Carlisle/Wortman Associates, Inc. (CWA) of Ann Arbor, Michigan. (see Executive Summary attached) CWA had the lowest hourly rates of the three firms. Additionally, the hourly rates proposed by CWA were lowered from current levels. The hourly rate of the Principal Planner was lowered from \$95 to \$90 per hour; the hourly rate of the Senior Planner was lowered from \$80 to \$75 per hour.

Fund Availability

Contractual Services funds are available in the Planning Department Budget.

Recommendation

City Management recommends awarding a contract to Carlisle/Wortman Associates, Inc. of Ann Arbor, as a result of a best value process to determine the successful Community Planning firm.

The award is contingent upon the recommended bidder's submission of properly executed contract and proposal documents, including insurance certificates and all other specified requirements.

Attachments:

1. Executive Summary, Community Planning Services.
2. Agreement for Community Planning Services.

Approved As To Form and Legality:

Lori Grigg Bluhm, City Attorney

Date



EXECUTIVE SUMMARY

COMMUNITY PLANNING SERVICES

STATISTICS:

- ◆ **Two-hundred fifty-seven (257) firms were notified via the MITN e-procurement website**
- ◆ **Three (3) proposals were received**
- ◆ **All three (3) firms met the pass/fail criteria**
- ◆ **All three (3) firms were interviewed**
- ◆ **Carlisle / Wortman Associates, Inc. received the highest score as a result of a best value process**

The following three (3) firms received the indicated final scores as a result of the SOQ evaluation, interview, detailed proposal and pricing selection criteria.

Firm	SCORE
Carlisle / Wortman Associates, Inc.	195
Birchler Arroyo Associates, Inc.	150
McKenna Associates	119

Attachments:

- ✓ Weighted Final Scoring Including SOQ Evaluation, Interview and Detailed Proposal Scoring
- ✓ Evaluation Process
- ✓ Original Tabulation



WEIGHTED FINAL SCORING
Community Planning Services

Final Score Calculation:

$$\frac{30\% \times \text{SOQ Evaluation Score (Phase 2)} + 40\% \times \text{Interview Score (Phase 3)} + 30\% \times \text{Detailed Proposal Score (Phase 4)}}{100\%} = \text{Final Weighted Score}$$

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 200. **NOTE:** In all sections, vendors are listed in the order of their final score ratings, from highest to lowest.

Phase 2 - Weighted Average Score for SOQ Evaluation: 30%

RATERS	1	2	3	Average	Final Weighted Score (x .30)
Vendors:					
Carlisle / Wortman Associates, Inc.	200	200	195	198	59
Birchler Arroyo Associates, Inc.	80	100	195	125	38
McKenna Associates	85	120	200	135	41

Phase 3 - Weighted Average Score for Interview: 40%

RATERS	1	2	3	Average	Final Weighted Score (x .40)
Vendors:					
Carlisle / Wortman Associates, Inc.	197	200	182	193	77
Birchler Arroyo Associates, Inc.	150	113	154	139	56
McKenna Associates	58	95	134	96	38

Phase 4 - Weighted Average Score for Detailed Proposal A (Price Score):

RATERS	Weighted Criteria - Difference in Costs
	$\{1 - (\text{Proposal Price} - \text{low price}) / \text{low price}\} \times \text{Available Points}$
Vendors:	
Carlisle / Wortman Associates, Inc.	Proposal A: Principal Planner: $\{1 - (91.67 - 89.00) / 89.00\} \times 50 = 49$ Senior Planner $\{1 - (76.67 - 76.67) / 76.67\} \times 50 = 50$ Landscape Architect: $\{1 - (71.67 - 71.67) / 71.67\} \times 50 = 50$ TOTAL: 149
Birchler Arroyo Associates, Inc.	Proposal A: Principal Planner: $\{1 - (89.00 - 89.00) / 89.00\} \times 50 = 50$ Senior Planner $\{1 - (81.00 - 76.67) / 76.67\} \times 50 = 47$ Landscape Architect: $\{1 - (81.00 - 71.67) / 71.67\} \times 50 = 44$ TOTAL: 141
McKenna Associates	Proposal A: Principal Planner: $\{1 - (113.50 - 89.00) / 89.00\} \times 50 = 36$ Senior Planner $\{1 - (87.50 - 76.67) / 76.67\} \times 50 = 43$ Landscape Architect: $\{1 - (108.50 - 71.67) / 71.67\} \times 50 = 24$ TOTAL: 103



Phase 4 - Weighted Average Score for Detailed Proposal B (Project Team):

RATERS	1	2	3	Average
Vendors:				
Carlisle / Wortman Associates, Inc.	50	50	46	49
Birchler Arroyo Associates, Inc.	50	38	43	44
McKenna Associates	20	34	32	29

Phase 4 - Weighted Average Score for Detailed Proposal A & B Totals: 30%

Vendors:	Proposal A	Proposal B	Total Points	Final Weighted Score (x .30)
Carlisle / Wortman Associates, Inc.	149	49	198	59
Birchler Arroyo Associates, Inc.	141	44	185	56
McKenna Associates	103	29	132	40

FINAL SCORE:

VENDORS:	Carlisle / Wortman Associates, Inc.	Birchler Arroyo Associates, Inc.	McKenna Associates
SOQ Evaluation Score	59	38	41
Interview Score	77	56	38
Detailed Proposal Score	59	56	40
FINAL SCORE	195	150	119

**HIGHEST RATED VENDOR - RECOMMENDED AWARD



SELECTION PROCESS

SECTION 4: CRITERIA FOR SELECTION

Community Planning and Related Services

A Committee of three (3) individuals will review the proposals. The City of Troy reserves the right to negotiate a final contract (pending City Council approval) with the most qualified organization based upon a combination of factors including but not limited to the following:

- A. Compliance with qualifications criteria
- B. Completeness of the SOQ
- C. Financial strength of the organization
- D. Correlation of the SOQ submitted to the needs of the City of Troy
- E. Any other factors which may be deemed to be in the City's best interest
- F. Evaluation Process

Phase 1: Minimum Qualifications Evaluation (Pass/Fail)

Organizations will be required to meet minimum established criteria in order to go to the second phase of the process. (Evaluation Sheet Proposal)

Phase 2: Statement of Qualifications Evaluation (30%)

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

Phase 3: Interview Score (40%)

The top rated firms will be invited to participate in an interview. Each Committee member will independently use a weighted score sheet to evaluate the *Interview*; each Committee Member will calculate a weighted score. The scores of the Committee Members will be averaged into one score for each organization for this phase of the process. Those being interviewed may be supplied with further instructions and requests prior to the interview. Persons representing the organization at the interview must be the personnel who will be assigned to this project.

Phase 4: Detailed Proposal (30%)

The separately sealed envelopes containing the detailed proposal pages for each firm will be opened only upon completion of phases 1 – 3 and only after all final evaluation forms / rating sheets have been submitted to the Purchasing Department. Purchasing will compile all scores to determine the highest rated firm.

Phase 5: Final Scoring and Selection – based on scoring from Phase 2, Phase 3 and Phase 4

The organization with the highest final weighted score will be recommended to the Troy City Council for Award. The final weighted score shall be based on:

$$\begin{array}{l} 30\% \times \text{SOQ Evaluation Score} \\ 40\% \times \text{Interview Score} \\ \underline{30\% \times \text{Detailed Proposal Score}} \\ 100\% = \text{Final Weighted Score} \\ \text{Base points} = 200 \end{array}$$

Note:

The City of Troy reserves the right to change the order or eliminate an evaluation phase if deemed in the City's best interest to do so.

Opening Date -- 1/25/11
Date Reviewed -- 1/28/11

PRICE ONLY - COMMUNITY PLANNING SERVICES

FIRM NAME:

Carlisle Wortman	Birchler Arroyo	McKenna
Associates, Inc	Associates, Inc	Associates, Inc

PROPOSAL A: HOURLY RATES-VARIOUS CLASSIFICATIONS			
Services:	HOURLY RATES	HOURLY RATES	HOURLY RATES
Principal Planner	\$ 90.00 (2013-2014)	\$ 89.00	\$97.00- \$130.00
Senior Planner	\$ 75.00 (2013-2014)	\$ 81.00	\$78.00 - \$97.00
Landscape Architect	\$ 70.00 (2013-2014)	\$ 81.00	\$97.00 - \$120.00

PROPOSAL B: PROJECT TEAM AND REIMBURSABLES				
Principal Planner	Name:	Richard Carlisle	Rod Arroyo	John Jackson (or) Amy Chesnut
	Years of Experience:	35	28	21 / 13
	Certifications:			
	ACIP (Y/N)	Y	Y	Y / Y
	PCP (Y/N)	Y	N	N / N
	RLA (Y/N)	N	N	N / N
	LEED ND (Y/N)	N	N	(LEED GA Certified) N / N
Senior Planner	Name:	Zach Branigan or D. Scurto	Jill Bahm	James Breukman
	Years of Experience:	10 / 25	15	12
	Certifications:			
	ACIP (Y/N)	Y / Y	Y	Y
	PCP (Y/N)	N / Y	N	N
	RLA (Y/N)	N / N	N	N
	LEED ND (Y/N)	Y / N	N	N
Landscape Architect	Name:	L. Fortin or S. Elmiger	Mike Franklin	Courtney Piotrowski (or) Stacey Tobar
	Years of Experience:	25 / 15	15	20 / 17
	Certifications:			
	ACIP (Y/N)	N / Y	N	N / N
	PCP (Y/N)	N / N	N	N / N
	RLA (Y/N)	Y / N	Y	Y / Y
	LEED ND (Y/N)	N / N	Y	(LEED GA & AP Certified) N / N
FEE SCHEDULE ATTACHED Labeled:		Rate Schedule	Schedule of Professional Fees	Professional Fee Schedule

ATTEST:

 Paul Evans

 Diane Fisher

 Julie Hamilton

 Susan Leirstein CPPO CPPB
 Purchasing Director

Opening Date -- 12/20/10
 Date Reviewed -- 1/28/11

CITY OF TROY
 TABULATION
 COMMUNITY PLANNING AND RELATED SERVICES

ORGANIZATION NAME: ^{sl}

Birchler Arroyo	Carlisle/Wortman	McKenna	
Associates, Inc.	Associates, Inc.	Associates	

PROPOSAL: COMMUNITY PLANNING AND RELATED SERVICES

FOUR (4) COPIES	(Yes or No)	Y	Y	Y	
QUESTIONNAIRE:	(Yes or No)	Y	Y	Y	
INSURANCE:	Can Meet	XX	XX	XX	
	Cannot Meet				
	Signed Y or N				

PRICING:					
<i>SEPARATELY IN SEALED ENVELOPE</i>		Y	Y	Y	
Y or N					

PAYMENT TERMS:		Monthly Invoice Net 30 Days	Negotiable	Net 30 Days	
EXCEPTIONS:		Blank	None	No Exceptions	
		Indemnification			
		Language chngs			
ACKNOWLEDGEMENT:	Y or N	Y	Y	Y	
THREE FORMS:	Y or N				
Non-Collusion		Y	Y	Y	
Legal Status		Y	Y	Y	
Indemnification Clause		Y	Y	Y	
ADDENDUM #1:	Y or N	Y	Y	Y	

NO BIDS:
Wade Trim Associates, Inc.
ROWE Professional Services Company
LSL Planning Inc

ATTEST:
 Paul Evans
 Irene Newman
 Julie Hamilton

 Susan Leirstein CPPO CPPB
 Purchasing Director

**CITY OF TROY
AGREEMENT FOR COMMUNITY PLANNING
AND RELATED SERVICES**

CONSULTING SERVICES

THIS AGREEMENT is entered into between the CITY OF TROY, 500 W. Big Beaver Road, Troy, Michigan 48084, hereinafter referred to as the CITY, and Carlisle/Wortman Associates, Inc, 605 South Main Street, Suite 1, Ann Arbor, Michigan 48104, hereinafter referred to as CONSULTANT.

WITNESSETH:

RECITALS

- A. WHEREAS, CITY finds it necessary to utilize the services of CONSULTANT to assist the CITY on an as needed bases to aide staff with regard to periodic zoning and planning investigations and reports, review of development projects and / or consultation with City staff regarding planning and development programs and policies.

Now, therefore, in consideration of the covenants and agreements contained herein, CITY and CONTRACTOR agree as follows:

- 1. SCOPE.** During the term of the Agreement, CONSULTANT shall provide services as defined in CITY'S Statement of Qualifications (SOQ-COT 10-24), Addendum 1, and CONSULTANT'S response to Statement of Qualifications. All three documents are incorporated and made a part of this Agreement to the extent that their terms do not conflict with the terms herein. The CONSULTANT shall furnish all labor, materials, and equipment necessary and perform all of the work as set forth in the Proposal and this Agreement in strict accordance with the scope of services and other documents which

have been made a part of this contract in the manner, time, and place as therein set forth. The required services are generally described as follows:

A. Keep regular office hours in the Planning Department. Presently one day per week but may vary, as determined by the City.

B. Meet with prospective applicant(s) and/or their consultant team to discuss potential project(s). Discuss viability of the proposed project(s). Viability issues will include, but not be limited to, Zoning Ordinance compliance, site constraints, access, Master Plan designation, compatibility of land uses, density, urban design and site plan layout.

C. Review and prepare reports on development applications, including but not limited to site plans, special use applications, Planned Unit Development applications, rezoning applications, subdivision applications and site condominium applications. Review and findings shall be based on the City's Zoning Ordinance, Master Plan, and other ordinances and standards that may apply.

D. Conduct field reconnaissance and verification regarding various aspects of site plan approval including, but not limited to, adjacent activities and existing conditions.

E. Attend Planning Commission, City Council and other meetings, on an as needed basis to present summary reports and answer questions as requested by the Planning Department.

F. Conduct research and analysis on an as needed basis as requested by the City administration for various issues including but not limited to planning and zoning.

G. Assist the City administration in developing reports and supporting presentation graphics for, but not limited to, the Planning Commission, City Council and Zoning Board of Appeals.

H. Assist the City administration in interpreting and applying the standards contained within the City's Zoning Ordinance and other ordinances related to land use.

I. Assist the Planning Department in day to day tasks, including but not limited to processing applications, assisting residents and applicants at the counter, assisting residents and applicants on the telephone, and other tasks assigned by the Planning Director.

J. Additional related community planning and zoning services such as economic development, recreation planning or landscape architecture as assigned by City administration.

K. Provide expertise in areas of sustainability, low impact development techniques, and L.E.E.D.

L. Periodically the CONSULTANT may be requested by the CITY to perform a project which is beyond the scope of a minor investigation. If necessary, the CITY may request the CONSULTANT to provide a cost estimate for services which may be provided on a cost not-to-exceed or lump sum basis.

Project assignments will be on an as-needed basis. Not each project submitted to the CITY for review and approval will necessarily require any or all of the professional services of the CONSULTANT. The CITY reserves the right to perform work in-house or to assign specific projects on a separate competitive or negotiated basis to the selected CONSULTANT or to other CONSULTANTS currently working on existing City projects.

To assist the CONSULTANT, the CITY will provide the CONSULTANT with an electronic copy of the Zoning Ordinance, Master Plan and other ordinances and documents necessary to perform the assigned task(s).

2. COMPENSATION. CONSULTANT shall be paid by CITY for services render at the hourly rates stated in Attachment 1 of this Agreement.

3. PERSONNEL ASSIGNED TO CITY ACCOUNT During the term of the Agreement, CONSULTANT shall provide qualified personnel to the CITY on an as needed basis. The personnel assigned to the CITY will be the individuals listed in the CONSULTANTS proposal and shall consist of a Principal Planner, Senior Planner, Landscape Architect or equivalent classification. During the course of this agreement, if a personnel change is required, the CONSULTANT will provide the CITY with all resumes, copies of certifications, registrations, qualifications, degrees, or any additional information to establish the proposed individual meets the CITY'S minimum qualifications. The CITY shall have the right to accept or reject any personnel assigned to the CITY'S account.

4. TERM OF AGREEMENT. This contract shall commence on the date of execution of this Agreement and terminate March 31, 2014. The Agreement may be renewed for an additional two-year period based upon mutual consent of both parties within 90 days of contract expiration and upon approval of City Council.

5. SUB-CONTRACTORS. No portion of the Proposal may be sub-contracted without the prior written approval of the City.

6. CONTRACT TERMINATION. The CITY reserves the right to terminate the contract without penalty upon 7 days written notice due to poor performance or for any reason deemed to be in its best interest. The CITY'S designated representative will be solely responsible for determining acceptable performance levels. His/her decision will be deemed in the City of Troy's best interest and will be final.

7. TERMINATION FOR CONVENIENCE. The CITY may cancel the contract for its convenience, in whole or in part, by giving the consultant written notice 30-days prior to the date of cancellation. If the CITY chooses to cancel this contract in part, the charges payable under this contract shall be equitably adjusted to reflect those services that are canceled.

8. INSURANCE. Consultant shall carry general liability insurance, automobile liability insurance, professional liability insurance and workers compensation for any actions, claims, liability or damages caused to others arising out of the performance of this Agreement in the amounts approved by City. The insurance shall name the City of Troy, its elected and appointed officials, employees and volunteers, as additional insured and shall contain the following cancellation notice:

“Should any of the above described policies be cancelled before the expiration date thereof, the issuing insurer will mail 30 days written notice to the certificate holder.”

A certificate of insurance demonstrating the required insurance coverage shall be provided to City’s Risk Manager immediately upon execution of this Agreement. Cancellation or lapse of the insurance shall be considered a material breach of this Contract, and the Agreement shall become null and void unless CONSULTANT immediately provides proof of renewal of continuous coverage to City’s Risk Manager. All of CONSULTANT’S insurance carriers shall be licensed and admitted to do business in the State of Michigan and acceptable to CITY. An updated certificate of insurance shall be provided to the City’s Risk Manager each year at the time of policy renewal.

9. INDEMNIFICATION.

A. Indemnification except for professional liability: To the fullest extent permitted by law, the CONSULTANT agrees to defend, pay on behalf of, indemnify, and hold harmless the City of Troy, its elected and appointed officials, employees and volunteers and others working on behalf of the City of Troy against any and all claims, demands, suits, or loss, including all costs connected therewith, and for any damages which may be asserted, claimed or recovered against or from the City of Troy, its elected and appointed officials, employees, volunteers or others working on behalf of the City of Troy, by reason of personal injury, including bodily injury or death and/or property damage, including loss of use thereof, which arises out of or is in any way connected or associated with this contract/agreement.

B. Indemnification for Professional Liability:

1. The Consultant expressly agrees to indemnify and hold the CITY harmless against all losses and liabilities arising out of personal injury, bodily injury or property damages to the extent of any negligent act, grossly negligent act, error or omission of the CONSULTANT or anyone acting on the CONSULTANT'S behalf, in connection with, or incidental to, the contract or work to be performed, except that the CONSULTANT shall not be responsible to indemnify the CITY for any losses or damages to the extent that same are caused by or result from the gross negligence of the CITY or any other person or entity.

2. To the extent of the CONSULTANT'S actual degree of fault, the CONSULTANT'S obligation to indemnify and hold the CITY harmless shall include:

- a) The obligation to defend the CITY from any such suit, action or proceeding, and;
- b) The obligation to pay any and all judgments which may be recovered in any such suit, action or proceeding and/or any reasonable expenses including, but not limited to costs, attorney fees and settlement expenses which may be incurred, but only to the extent that such judgments and expenses are attributable to the CONSULTANT'S actual fault.

For the purpose of the indemnifications clauses set out above, "CITY" shall mean City of Troy, its elected and appointed officials, employees and volunteers working on behalf of the CITY; losses and liabilities shall mean loss, cost, expense, damage, liability or claims, whether groundless or not; personal injury shall mean false arrest, erroneous service of civil papers, false imprisonment, malicious prosecution, assault and battery, libel, slander, defamation of character, discrimination, mental anguish, wrongful entry or eviction, violation of property, or deprivation of any rights, privileges or immunities secured by the constitution and laws of the United States of America or the State of Michigan, for which the CONSULTANT may be held liable to its injured party in an action-at-law or a suit in equity or other proceedings for redress; bodily injury shall mean death, bodily injury, sickness or disease and mental injury which may be sustained or claimed by any person or persons; and property damage shall mean the damage and destruction of any property including the loss of use thereof.

10. SETTLEMENT OF CLAIMS. The CONSULTANT agrees that it will not settle or resolve any claim or action against the CONSULTANT based upon its acts which includes, or may include, a claim or count against the CITY or its employees without obtaining a full and complete release in favor of the CITY with respect to any and all claims or counts against the CITY except those based upon the gross negligence or willful or wanton misconduct of the CITY or its employees.

11. NO POWER OF ASSIGNMENT. The CONSULTANT shall have no authority, power to assign, sublet, or transfer any rights, privileges, or interest under this Agreement without prior written consent from the CITY.

12. INDEPENDENT CONTRACTOR. The CONSULTANT acknowledges that he/she is an independent contractor with no authority to bind the CITY to any contracts or agreements, written or oral.

13. ARBITRATION. The CONSULTANT and the CITY may agree to arbitrate any disputes with respect to the application of this indemnification clause.

14. NOTICE: All written notices to be given under this Agreement shall be mailed by first class mail to the other party at its last known address.

15. GOVERNING LAW AND JURISDICTION: This Agreement is made in and shall be governed by the laws of the State of Michigan. Any lawsuits under this Agreement shall be filed in the Oakland County Circuit Court, Michigan.

16. HEADINGS. Pronouns and relative words herein used shall be read interchangeably in the masculine, feminine or neuter, singular or plural as the respective case may be.

17. **ENTIRE AGREEMENT.** The foregoing constitutes the entire Agreement between the parties and may be modified only by a written instrument signed by both parties.

18. **AUTHORITY TO EXECUTE:** By execution of this Agreement, the respective parties acknowledge that each has executed this Agreement with full and complete authority to do so.

IN WITNESS WHEREOF, the City and Consultant have executed this Agreement on this _____ day of April 2011.

WITNESSES:

Richard K. Carlisle, AICP, PCP

R. Donald Wortman, RLA, AICP, PCP

CITY OF TROY

BY: _____
Mayor Louise E. Schilling

John Szerlag, City Manager

RESOLUTION NUMBER: _____

APPROVED AS TO FORM AND LEGALITY:

BY: _____

Lori Grigg Bluhm, City Attorney

ATTEST: _____

Tonni Bartholomew, City Clerk

Proposed Hourly Rate Schedule:

Personnel	Time Avail. Average Annual %	Rate		
		2011	2012	2013-2014
Principal Planner (R. Carlisle, Principal)	10 -15	\$90	\$90	\$95
Senior Planner (Z. Branigan, Associate)	50 - 60	\$75	\$75	\$80
Senior Planner (D. Scurto, Associate)	10	\$75	\$75	\$80
Landscape Architect (L. Fortin, Landscape Architect)	25	\$70	\$70	\$75
Landscape Architect (S. Elmiger, Environmental Planner)	25	\$70	\$70	\$75
Graphics (GIS) Technician	25	\$50	\$50	\$50
Support Staff	25	\$50	\$50	\$50

1. All rates for calendar year although contract begins April 1, 2011 and ends March 31, 2014.

**Rate Schedule
Troy Consultation**

Personnel	Hourly Rate			
	2011	2012	2013	2014
Principal	\$90	\$90	\$95	\$95
Senior Associate	\$80	\$80	\$90	\$90
Associate	\$75	\$75	\$80	\$80
Community Planner / Environmental Planner / Landscape Architect	\$70	\$70	\$75	\$75
Graphics (GIS) Technician	\$50	\$50	\$50	\$50
Support Staff	\$50	\$50	\$50	\$50

Schedule Effective: 4-1-2011 through 3-31-2014



CITY COUNCIL ANNOUNCEMENT OF PUBLIC HEARING

February 9, 2011

TO: John Szerlag, City Manager

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

SUBJECT: Announcement of Public Hearing – Michigan Next Energy Exemptions

Background:

- The Michigan Next Energy Authority (MNEA) has certified the two (2) subject companies as Alternative Energy Technology Businesses. MNEA has approved Personal Property Exemptions for these companies, subject to verification of the Personal Property by the local Assessor, and subject to City Council approval. Staff requests this Public Hearing be held on March 21, 2011.

Financial Considerations:

- The financial considerations cannot be determined at this time.

Legal Considerations:

- A Public Hearing must occur within sixty (60) days of receipt of the MNEA resolution(s). Receipt of the completed application occurred on January 24, 2011.

Policy Considerations:

- There are no policy considerations at this time.

Options:

- A Public Hearing must occur within sixty (60) days of receipt of the MNEA resolution(s).

CITY OF TROY
PUBLIC HEARING

A Public Hearing will be held by and before the City Council of the City of Troy at City Hall, 500 W. Big Beaver, Troy, Michigan on Monday, March 21, 2011 at 7:30 P.M. to consider Alternative Energy Personal Property Exemptions approved by the Michigan NextEnergy Authority for the following two (2) locations in the City of Troy:

T2N, R11E, of Section 28
1100 W Maple, Troy, Michigan

United Solar Ovonic Corp.

T2N, R11E, of Section 35
1857 Technology, Troy, Michigan

LG Chem Power.

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

Tonni Bartholomew, MMC
City Clerk

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

MACOMB INTERMEDIATE SCHOOLS
44001 GARFIELD
CLINTON TWP MI 48038-1100

UNITED SOLAR OVONIC CORP
1100 W MAPLE
TROY MI 48084-5352

LG CHEM POWER
1857 TECHNOLOGY DRIVE
TROY MI 48083

DAVE HEIBER
OAKLAND COUNTY EQUALIZATION
250 ELIZABETH LAKE #1000W
PONTIAC MI 48231

PATRICK DOHANY
OAKLAND CO PUBL TRANSPORT'N
1200 N TELEGRAPH 49W
PONTIAC MI 48231-0049

OAKLAND INTERMEDIATE SCHOOLS
2111 PONTIAC LAKE RD
WATERFORD MI 48328

OAKLAND COMMUNITY COLLEGE
GEORGE A BEE ADMIN CNTR
2480 OPDYKE
BLOOMFIELD HILLS MI 48304-2266

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

WARREN CONSOLIDATED SCHOOLS
31300 ANITA
WARREN MI 48093-1697

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INTEGRITY * RESPECT * LAWS AND THE CONSTITUTION * ACCOUNTABILITY * PROBLEM SOLVING * PROFESSIONALISM

MEMORANDUM

DATE: February 21, 2011

TO: John Szerlag, City Manager

FROM: Gary G. Mayer, Chief of Police
Chuck Pappas, Lieutenant, Troy Police Department

RE: Discontinued Services – Animal Control Services

BACKGROUND: In response to the current budget challenges as articulated in Option I and the commensurate reductions in Police Department staffing, Animal Control was a service identified for elimination in the future. At one time we had three full time Animal Control Officers (ACO). For efficiency we had transitioned the ACO position into a blended Animal Control/Police Service Aide position that offered more multipurpose use of personnel. Due to employee attrition and budget constraints not allowing personnel replacement we had reduced the level of service on March 25, 2010. Our on-going staff reductions in conjunction with the Oakland County Animal Control Division obtaining funding to expand its Animal Control service make it timely to take advantage of this program now and transfer all of the remaining Animal Control services we currently provide to Oakland County.

ANALYSIS: With a current countywide field staff of six full time and three part time Animal Control Deputized Officers and a shelter staff, Oakland County will provide services for the City of Troy. The Oakland County Animal Control Officers will be responding to routine calls and performing mandated animal control services between 9:00 am and 5:00 pm Monday through Friday. The County is indicating that emergency calls that put the public at risk involving animals will be responded to after hours by an on-call Animal Control Officer.

The Oakland County Animal Control Division will assign one full time officer and one part time officer per 175,000 population. Based upon this data they will assign one full time officer and one part time officer from South Boulevard to Eight Mile Road and between Dequindre to Adams.

The Troy Police Department has traditionally provided a very high level of Animal Control services. Although the transition to the County represents an opportunity to address staffing and budget challenges, this transition will result in a noticeable reduction in service over the past. It is a transition, and as such we will work with the County and Troy residents to ensure it is managed well.

Below is a list of services provided by the Oakland County Animal Control Division:

Oakland County Animal Control Services will respond to the following:

- Respond and investigate animal bites on any animal that may carry rabies.
- Respond 24/7 to calls that put the public at risk involving animals.
- Sell, process, and record licensing of dogs.
- Impoundment, care for, and attempt to reunite stray dogs.
- Annual dog census.
- Investigations of reported animal cruelty.
- Support and administration for shelter operations and enforcement.
- Enforce the Dangerous Dog Act, including any vicious animals.
- Investigate and enforce multiple animal control law violations to include: wolf/dog breeding, ban on large carnivores, dog fighting, and suspected rabies cases.
- Sick and injured animals with potential of rabies causing hazard to the public.
- Any wild animal in residence living area, and public hazard to the community.
- Animals running at large, other than cats.
- Found animals, other than cats that must be dropped off at the county facility.
- Welfare checks on animals left in vehicles. (cruelty)
- Respond to assist police where animals are involved. (arrest, drug raids)

Oakland County Animal Control Services will not respond to the following:

- Pick up stray and or nuisance cats, provide cat impoundment, or return to owner.
- Noise/barking dog complaints.
- Number of dogs allowed in residence.
- Disturbance of birds and bird nest.
- Permits for domestic livestock or dangerous animals.
- Coyote complaints (DNR matter)
- Geese problems (DNR matter)
- Pick up injured wildlife and transport to wildlife or sanctuary.
- Annually inspect kennel facilities, unless claim of cruelty.
- Pet shop inspections, unless cruelty.
- Tethering, unless claim of cruelty.
- Feeding waterfowl.
- Hunting and trapping of animal violations, unless cruelty.
- Delivery of rabies specimens to Lansing for testing.
- Provide shelter quarantine of attack animals.
- Euthanasia of sick and ill-tempered animals for residents.
- All animal give-ups must be taken to the county facility. (cost incurred to resident)

Action Items:

The Police Department will implement a public education effort to notify citizens of this change through the media, the Police Department and City websites, as well as through Facebook and our Weekly Crime Alerts. When fully implemented, citizens that contact our Dispatch Center with animal control issues will be directed to Oakland County Animal Control Services.

City Administration will present action items at subsequent council meetings Including:
Ordinance amendments.
Interlocal agreement with Oakland County.
Revision and amendment of our current contract with the City of Clawson.

Conclusion: As a result of reduced staffing because of budget cuts, we will transition the personnel that previously supplied this service into other vacant positions of similar job classification. The animal control equipment and vehicles will be sold as soon as practical following city policy. Funds required for personnel costs, vehicles, equipment, and animal care center services & disposal in the remaining fiscal year will not be used and have been eliminated from future budgets. As soon as the details are completed, the Oakland County Animal Control Division will provide for animal control services, including dog licensing, for the City of Troy.

A regular meeting of the Liquor Advisory Committee was held on Monday, December 13, 2010 in the Lower Level Conference Room of Troy City Hall, 500 West Big Beaver Road. Chairman Max K. Ehlert called the meeting to order at 7:03 p.m.

ROLL CALL:

PRESENT: Max K. Ehlert, Chairman
W. Stan Godlewski
Patrick C. Hall
Andrew Kaltsounis
David S. Ogg
Bohdan L. Ukraineec

ABSENT: Timothy P. Payne

ALSO PRESENT: Officer James Feld
Susan Lancaster, Assistant City Attorney
Lauren Harden, student representative
Dane Lepola, student representative
Pat Gladysz

Resolution to Excuse Committee Member Payne

Resolution #LC2010-12-035
Moved by Hall
Seconded by Kaltsounis

RESOLVED, That the absence of Committee member Payne at the Liquor Advisory Committee meeting of December 13, 2010 be **EXCUSED**.

Yes: 6
No: 0
Absent: Payne

Resolution to Approve Minutes of November 8, 2010 Meeting

Resolution #LC2010-12-036
Moved by Hall
Seconded by Ukraineec

RESOLVED, That the Minutes of the November 8, 2010 meeting of the Liquor Advisory Committee be **APPROVED**.

Yes: 6
No: 0
Absent: Payne

Agenda Items

1. **Picano Restaurant, Inc.** requests New SDM License to be held in conjunction with 2010 Class C Licensed Business with Dance Permit, located at 3775 Rochester, Troy, MI 48084, Oakland County. {MLCC Req. #564371}.

Present to answer questions from the Committee were attorney Jerry Watson and owner Domenico Picano.

Mr. Picano has owned the restaurant for 26 years and has had two decoy violations during that time. He employs a certified TIPS trainer and regular training is conducted. They are requesting an SDM license for off-premise consumption of alcoholic beverage by their patrons.

Resolution #LC2010-12-037
Moved by Godlewski
Seconded by Hall

RESOLVED, That the Liquor Advisory Committee recommends that the request of Picano Restaurant, Inc. for a New SDM License to be held in conjunction with 2010 Class C Licensed Business with Dance Permit, located at 3775 Rochester, Troy, MI 48084, Oakland County be **APPROVED**.

Yes: 6
No: 0
Absent: Payne

2. **The City of Troy Parks and Recreation** is requesting the Liquor Advisory Committee recommend a quota Class C liquor license for alcohol service for Community Center events be approved. The City intends to hold the license in escrow until a new vendor for catering services is selected. Upon execution of an agreement with the vendor, the City would transfer the license to the vendor. No alcohol will be served until the license is transferred to the vendor. If approved, the City will issue a request for

proposal that will ensure all bidders for catering services the availability of the license for the vendor. The selection of the vendor will be made based upon the vendor having no violations of the Michigan Liquor Control Commission or the Troy City ordinance. The serving of alcohol will be limited to attendees of Community Center events. Strict adherence to local and state laws and standards will be required.

Present to answer questions from the Committee were Carol Anderson, Parks & Recreation Director, and Scott Mercer, Community Center Manager.

Ms. Anderson explained to the Committee that the City is requesting the Class C license to be held in escrow until a new vendor for catering services is selected. When an agreement is reached with a vendor, the license would be transferred from the City of Troy to the vendor. At that time, the vendor would be required to appear before the Liquor Advisory Committee to request their approval of the license transfer. The Police Department will perform their usual criminal background check.

Ms. Anderson stated that other cities in Michigan have a similar arrangement and they have benefitted from the additional scheduled events at their community centers. This would be an alternative source of revenue for the City.

Members of the Committee posed questions to Ms. Anderson and Mr. Mercer. When it was explained that the approved vendor would be the only vendor allowed to offer both food and beverage services to potential customers, Mr. Ogg expressed concern that the City would potentially lose business if someone wanted to bring in their own caterer with liquor. Mr. Kaltsounis expressed concern that the City would be allowing liquor in a multi-use facility that offers swimming and dance classes for children. Ms. Anderson explained that the vendor would be responsible to monitor consumption and ensure that patrons of the event keep the alcohol in the banquet room. There are doors in the facility that can be closed to separate the banquet area from the recreation area. Community Center staff members are assigned to events and would potentially be available to monitor the hallways.

Assistant City Attorney Ms. Lancaster stated that the Agreement would be drafted to include language that the vendor would be responsible to monitor alcohol consumption and no service to minors. The vendor would assume the liability associated with availability of alcoholic beverages at functions.

Resolution #LC2010-12-038

Moved by Ukrainec

Seconded by Hall

RESOLVED, That the Liquor Advisory Committee recommends that the request of

the City of Troy Parks and Recreation for quota Class C liquor license for alcohol service for Community Center events be **APPROVED**.

Yes: Ehlert, Godlewski, Hall, Ukrainec
No: Kaltsounis, Ogg
Absent: Payne

Officer Feld advised the Committee on the following:

Sunday Morning Alcohol Sales

Ms. Lancaster advised the Committee about the new law regarding Sunday alcohol sales. The MLCC will begin to issue permits on December 16, 2010 at a cost of \$160. Establishments do not have to appear before this Committee for approval.

The Neiman Marcus Group, Inc.

They are requesting a new Direct Connection-1 permit to allow them to sell liquor during their normal store hours.

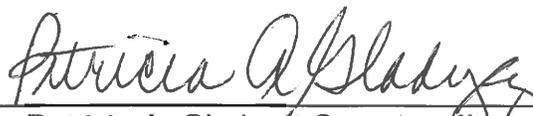
Smokers Express

They are filing an appeal with the MLCC.

The meeting adjourned at 8:10 p.m.



Max K. Ehlert, Chairman



Patricia A. Gladysz, Secretary II

The Board of Zoning Appeals meeting was called to order by Chair Lambert at 7:30 p.m. on January 18, 2011, in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Michael Bartnik
Kenneth Courtney
Donald L. Edmunds
David Lambert

Absent:

Glenn Clark
William Fisher
A. Allen Kneale

Also Present:

Paul Evans, Zoning and Compliance Specialist
Christopher Forsyth, Assistant City Attorney
Kathy L. Czarnecki, Recording Secretary

Resolution # BZA 2011-01- (withdrawn)

Moved by Courtney
Seconded by Lambert

MOVED, To excuse Members Clark, Fisher and Kneale from attendance at tonight's meeting.

Discussion on the motion on the floor.

After a brief discussion on the policy to excuse absent members, it was the consensus of the Board to discuss the matter under Miscellaneous Business, Agenda item 7.

Mr. Courtney withdrew the motion on the floor.

2. APPROVAL OF MINUTES

Resolution # BZA 2011-01-001

Moved by Courtney
Seconded by Edmunds

MOVED, To approve the December 21, 2010 Regular meeting minutes as presented.

Yes: All present (4)
Absent: Clark, Fisher, Kneale

MOTION CARRIED

Chair Lambert announced the petitioners for Agenda items 4A and 4B have requested to postpone the items to the February 15, 2011 meeting in order for the items to be heard before a full Board.

At the request of Chair Lambert that anyone in the audience identify their presence to speak on either Agenda item, it was acknowledged that no one was present for the Public Hearings scheduled.

3. POSTPONED ITEM

- A. **VARIANCE REQUEST, CAMELIA SANDULACHE, 405 E. MAPLE** – In order to enlarge the existing building proposed to be used as a dental office: 1) A 16 foot variance from the required 20 foot side yard (east yard) setback, 2) An 11 foot variance from the required 30 foot yard front yard (west yard) setback, and 3) A 10 foot variance from the requirement that the proposed handicapped ramp be set back 20 feet from the west property line.

ORDINANCE SECTIONS: 1) and 2) 30.20.01, 3) 41.45.00

Chair Lambert informed the petitioner that a minimum of four votes, all those present, are required for approval. He asked if the petitioner would like to postpone the item until such time that a full Board was present.

Paul Sugameli of Sugameli & Sugameli, P.L.C., 2833 Crooks Road, Troy, was present to represent the petitioner. Mr. Sugameli said the petitioner would like to proceed with the matter due to financial issues.

Mr. Courtney expressed the petitioner might want to reconsider. Mr. Courtney said that although he maintains an open mind on the matter, his position at the January meeting was not favorable.

Mr. Sugameli requested some time to address the matter with the petitioner, and asked for confirmation from the Board that all members received and reviewed the revised proposal submitted. All Board members indicated they had.

Resolution # BZA 2011-01-002

Moved by Bartnik

Seconded by Edmunds

MOVED, To change the order of Agenda items and to advance to Agenda items 4A and 4B.

Yes: All present (4)

Absent: Clark, Fisher, Kneale

MOTION CARRIED

4. HEARING OF CASES

- A. VARIANCE REQUEST, DAN IVANOVIC CONSTRUCTION, 5188 SERENA DRIVE
– In order to enlarge the attached garage, a 5 foot variance to the required 40 foot front yard setback.

SECTION 30.10.01

- B. VARIANCE REQUEST, LOUIS PAULL, 1396 COUNTRY DRIVE – In order to construct an uncovered patio structure, an 8 foot variance from the required 30 foot setback adjacent to Pine Way Road.

SECTIONS: 30.10.02 and 41.45.00

Note: There were no representatives present for either Agenda item.

Resolution # BZA 2011-01-003

Moved by Courtney
Seconded by Edmunds

MOVED, To postpone Agenda items 4A and 4B to the February 15, 2011 Regular meeting, at the request of the petitioners.

Yes: All present (4)
Absent: Clark, Fisher, Kneale

MOTION CARRIED

Resolution # BZA 2011-01-004

Moved by Courtney
Seconded by Bartnik

MOVED, To change the order of Agenda items and advance to Agenda item 7A.

Yes: All present (4)
Absent: Clark, Fisher, Kneale

MOTION CARRIED

7. MISCELLANEOUS BUSINESS

A. POLICY ON EXCUSING ABSENT MEMBERS

Mr. Courtney said the policy should be discussed with the full Board, or at least more than four members present. He stated the policy has no relation to the postponed Agenda items this evening because of a lack of a full Board.

Mr. Bartnik said that after further review of the policy, he agrees that motions to excuse absent members are not necessary. He stated that tonight’s meeting is a prime example how a lack of a full Board affects petitioners and their property rights.

Mr. Edmunds asked the Assistant City Attorney if the City Charter requires absent members to be excused.

Mr. Forsyth replied there are Charter provisions for excusing City Council members only. He said neither the City Charter nor the Zoning Enabling Act requires this Board to excuse members.

Discussion on:

- Motion not necessary to act on policy.
- Obligation to notify Planning Department of absences.
- Alternate methods to address excused absences.
- Authentication of absences.

Resolution # BZA 2011-01-005

Moved by Bartnik
Seconded Edmunds

MOVED, To instruct Staff to remove from future Agendas motions to excuse or not excuse absent members.

Yes: Bartnik, Edmunds, Lambert
No: Courtney
Absent: Clark, Fisher, Kneale

MOTION CARRIED



3. POSTPONED ITEM (continued from page 2)

A. **VARIANCE REQUEST, CAMELIA SANDULACHE, 405 E. MAPLE** – In order to enlarge the existing building proposed to be used as a dental office: 1) A 16 foot variance from the required 20 foot side yard (east yard) setback, 2) An 11 foot variance from the required 30 foot yard front yard (west yard) setback, and 3) A 10 foot variance from the requirement that the proposed handicapped ramp be set back 20 feet from the west property line.

ORDINANCE SECTIONS: 1) and 2) 30.20.01, 3) 41.45.00

Mr. Sugameli stated his appreciation for the Board’s candor and honesty on the matter. He asked on behalf of the petitioner for the Board’s consideration to postpone the matter to the February meeting.

Resolution # BZA 2011-01-006

Moved by Courtney
Seconded Bartnik

MOVED, To postpone the item to February 15, 2011 Regular meeting.

Yes: All present (4)
Absent: Clark, Fisher, Kneale

MOTION CARRIED

5. COMMUNICATIONS

Mr. Evans announced the City’s Draft Zoning Ordinance is posted on the website. He indicated to date that no public hearings are scheduled.

Mr. Edmunds said it was a privilege to serve on the Board as Planning Commission representative. He announced that with the expected appointment by City Council, Thomas Strat would be the Planning Commission representative at the next meeting.

Mr. Forsyth said it is being proposed to appoint two alternate members at large for the Board, and eliminate the appointment of a Planning Commission Alternate BZA Representative.

Everyone thanked Mr. Edmunds for his commitment to the Board and planning perspective on matters.

6. PUBLIC COMMENT

There was no one present who wished to speak.

8. ADJOURNMENT

The Board of Zoning Appeals meeting adjourned at 7:55 p.m.

Respectfully submitted,

David Lambert, Chair

Kathy L. Czarnecki, Recording Secretary

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The Board of Zoning Appeals meeting was called to order by Chair Lambert at 7:30 p.m. on January 18, 2011, in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Michael Bartnik
Kenneth Courtney
Donald L. Edmunds
David Lambert

Absent:

Glenn Clark
William Fisher
A. Allen Kneale

Also Present:

Paul Evans, Zoning and Compliance Specialist
Christopher Forsyth, Assistant City Attorney
Kathy L. Czarnecki, Recording Secretary

Resolution # BZA 2011-01- (withdrawn)

Moved by Courtney
Seconded by Lambert

MOVED, To excuse Members Clark, Fisher and Kneale from attendance at tonight's meeting.

Discussion on the motion on the floor.

After a brief discussion on the policy to excuse absent members, it was the consensus of the Board to discuss the matter under Miscellaneous Business, Agenda item 7.

Mr. Courtney withdrew the motion on the floor.

2. APPROVAL OF MINUTES

Resolution # BZA 2011-01-001

Moved by Courtney
Seconded by Edmunds

MOVED, To approve the December 21, 2010 Regular meeting minutes as presented.

Yes: All present (4)
Absent: Clark, Fisher, Kneale

MOTION CARRIED

Chair Lambert announced the petitioners for Agenda items 4A and 4B have requested to postpone the items to the February 15, 2011 meeting in order for the items to be heard before a full Board.

At the request of Chair Lambert that anyone in the audience identify their presence to speak on either Agenda item, it was acknowledged that no one was present for the Public Hearings scheduled.

3. POSTPONED ITEM

- A. **VARIANCE REQUEST, CAMELIA SANDULACHE, 405 E. MAPLE** – In order to enlarge the existing building proposed to be used as a dental office: 1) A 16 foot variance from the required 20 foot side yard (east yard) setback, 2) An 11 foot variance from the required 30 foot yard front yard (west yard) setback, and 3) A 10 foot variance from the requirement that the proposed handicapped ramp be set back 20 feet from the west property line.

ORDINANCE SECTIONS: 1) and 2) 30.20.01, 3) 41.45.00

Chair Lambert informed the petitioner that a minimum of four votes, all those present, are required for approval. He asked if the petitioner would like to postpone the item until such time that a full Board was present.

Paul Sugameli of Sugameli & Sugameli, P.L.C., 2833 Crooks Road, Troy, was present to represent the petitioner. Mr. Sugameli said the petitioner would like to proceed with the matter due to financial issues.

Mr. Courtney expressed the petitioner might want to reconsider. Mr. Courtney said that although he maintains an open mind on the matter, his position at the January meeting was not favorable.

Mr. Sugameli requested some time to address the matter with the petitioner, and asked for confirmation from the Board that all members received and reviewed the revised proposal submitted. All Board members indicated they had.

Resolution # BZA 2011-01-002

Moved by Bartnik

Seconded by Edmunds

MOVED, To change the order of Agenda items and to advance to Agenda items 4A and 4B.

Yes: All present (4)

Absent: Clark, Fisher, Kneale

MOTION CARRIED

4. HEARING OF CASES

- A. VARIANCE REQUEST, DAN IVANOVIC CONSTRUCTION, 5188 SERENA DRIVE
– In order to enlarge the attached garage, a 5 foot variance to the required 40 foot front yard setback.

SECTION 30.10.01

- B. VARIANCE REQUEST, LOUIS PAULL, 1396 COUNTRY DRIVE – In order to construct an uncovered patio structure, an 8 foot variance from the required 30 foot setback adjacent to Pine Way Road.

SECTIONS: 30.10.02 and 41.45.00

Note: There were no representatives present for either Agenda item.

Resolution # BZA 2011-01-003

Moved by Courtney
Seconded by Edmunds

MOVED, To postpone Agenda items 4A and 4B to the February 15, 2011 Regular meeting, at the request of the petitioners.

Yes: All present (4)
Absent: Clark, Fisher, Kneale

MOTION CARRIED

Resolution # BZA 2011-01-004

Moved by Courtney
Seconded by Bartnik

MOVED, To change the order of Agenda items and advance to Agenda item 7A.

Yes: All present (4)
Absent: Clark, Fisher, Kneale

MOTION CARRIED

7. MISCELLANEOUS BUSINESS

A. POLICY ON EXCUSING ABSENT MEMBERS

Mr. Courtney said the policy should be discussed with the full Board, or at least more than four members present. He stated the policy has no relation to the postponed Agenda items this evening because of a lack of a full Board.

Mr. Bartnik said that after further review of the policy, he agrees that motions to excuse absent members are not necessary. He stated that tonight’s meeting is a prime example how a lack of a full Board affects petitioners and their property rights.

Mr. Edmunds asked the Assistant City Attorney if the City Charter requires absent members to be excused.

Mr. Forsyth replied there are Charter provisions for excusing City Council members only. He said neither the City Charter nor the Zoning Enabling Act requires this Board to excuse members.

Discussion on:

- Motion not necessary to act on policy.
- Obligation to notify Planning Department of absences.
- Alternate methods to address excused absences.
- Authentication of absences.

Resolution # BZA 2011-01-005

Moved by Bartnik

Seconded Edmunds

MOVED, To instruct Staff to remove from future Agendas motions to excuse or not excuse absent members.

Yes: Bartnik, Edmunds, Lambert

No: Courtney

Absent: Clark, Fisher, Kneale

MOTION CARRIED



3. POSTPONED ITEM (continued from page 2)

A. **VARIANCE REQUEST, CAMELIA SANDULACHE, 405 E. MAPLE** – In order to enlarge the existing building proposed to be used as a dental office: 1) A 16 foot variance from the required 20 foot side yard (east yard) setback, 2) An 11 foot variance from the required 30 foot yard front yard (west yard) setback, and 3) A 10 foot variance from the requirement that the proposed handicapped ramp be set back 20 feet from the west property line.

ORDINANCE SECTIONS: 1) and 2) 30.20.01, 3) 41.45.00

Mr. Sugameli stated his appreciation for the Board’s candor and honesty on the matter. He asked on behalf of the petitioner for the Board’s consideration to postpone the matter to the February meeting.

Resolution # BZA 2011-01-006

Moved by Courtney
Seconded Bartnik

MOVED, To postpone the item to February 15, 2011 Regular meeting.

Yes: All present (4)
Absent: Clark, Fisher, Kneale

MOTION CARRIED

5. COMMUNICATIONS

Mr. Evans announced the City’s Draft Zoning Ordinance is posted on the website. He indicated to date that no public hearings are scheduled.

Mr. Edmunds said it was a privilege to serve on the Board as Planning Commission representative. He announced that with the expected appointment by City Council, Thomas Strat would be the Planning Commission representative at the next meeting.

Mr. Forsyth said it is being proposed to appoint two alternate members at large for the Board, and eliminate the appointment of a Planning Commission Alternate BZA Representative.

Everyone thanked Mr. Edmunds for his commitment to the Board and planning perspective on matters.

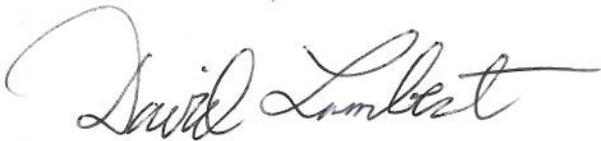
6. PUBLIC COMMENT

There was no one present who wished to speak.

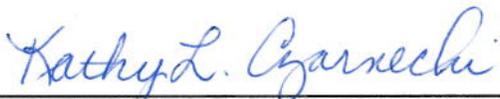
8. ADJOURNMENT

The Board of Zoning Appeals meeting adjourned at 7:55 p.m.

Respectfully submitted,



David Lambert, Chair



Kathy L. Ozarnecki, Recording Secretary

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chair Hutson at 7:30 p.m. on January 25, 2011 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:

Donald Edmunds
Michael W. Hutson
Mark Maxwell
Philip Sanzica
Robert M. Schultz
Thomas Strat
John J. Tagle
Lon M. Ullmann
Mark J. Vleck (arrived at 7:35 p.m.)

Also Present:

R. Brent Savidant, Acting Planning Director
Allan Motzny, Assistant City Attorney
Zachary Branigan, Carlisle/Wortman Associates, Inc.

2. APPROVAL OF AGENDA

Resolution # PC-2010-01-003

Moved by: Schultz
Seconded by: Edmunds

RESOLVED, To approve the Agenda as prepared.

Yes: All (8)
Absent: Vleck (arrived at 7:35 p.m.)

MOTION CARRIED

3. APPROVAL OF MINUTES

Resolution # PC-2011-01-004

Moved by: Sanzica
Seconded by: Tagle

RESOLVED, To approve the minutes of the January 11, 2011 Regular meeting as prepared.

Yes: All (8)
Absent: Vleck (arrived at 7:35 p.m.)

MOTION CARRIED

4. PUBLIC COMMENT

There was no one present who wished to speak.

5. BOARD OF ZONING APPEALS (BZA) REPORT

Mr. Edmunds presented the BZA report. He stated that only four of the 7-member BZA were present at the January 18, 2011 BZA meeting. All three items were postponed at the request of the applicants, to provide each applicant the opportunity to be heard by a full board.

6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT

Mr. Savidant stated that the DDA adopted the Big Beaver Design Standards at the December DDA meeting. Hard copies of the adopted document were distributed to the Planning Commission.

Mr. Branigan summarized the document with the Planning Commission. General discussion followed.

7. PLANNING AND ZONING REPORT

Mr. Savidant presented the report. He indicated that representatives of the St. Joseph Chaldean Church are revising the site plan based on public comment from the January 11, 2011 Regular meeting. They intend to go before the BZA for required variances at the March meeting. General discussion followed.

STUDY ITEMS

8. DRAFT CITY OF TROY ZONING ORDINANCE (File Number ZOTA 236)

Mr. Savidant briefly summarized the types of revisions made to the document. The Planning Commission discussed a number of specific issues:

Group Day Care Homes:

The Planning Commission reached consensus on not permitting Group Day Care Homes in residential zoning districts

Adult Foster Care Homes:

The Planning Commission reached consensus on permitting Adult Foster Care Homes by Special Use Approval, with conditions, in residential zoning districts

Expiration of Preliminary Site Plan Approval and Final Site Plan Approval:

The Planning Commission reached consensus on extending the length of time before approvals expire (to three years) and providing the Zoning Administrator with the authority to extend approvals administratively if no changes are proposed to the site plan.

Neighborhood Node Form Based Code:

Mr. Branigan described how Neighborhood Node provisions protect adjacent single family neighborhoods

Use Variance Procedures:

The Planning Commission discussed the proposed use variance procedures

There was other general discussion about the draft Zoning Ordinance.

OTHER BUSINESS9. PUBLIC COMMENTS – Items on Current Agenda

There was no one present who wished to speak.

10. PLANNING COMMISSION COMMENTS

There was general Planning Commission discussion.

ADJOURN

The Special/Study Meeting of the Planning Commission adjourned at 10:00 p.m.

Respectfully submitted,

Michael W. Hutson, Chair

R. Brent Savidant, Acting Planning Director

G:\Planning Commission Minutes\2011 PC Minutes\Draft\01-25-11 Special Study Meeting_Draft.doc

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chair Hutson at 7:30 p.m. on January 25, 2011 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:

Donald Edmunds
Michael W. Hutson
Mark Maxwell
Philip Sanzica
Robert M. Schultz
Thomas Strat
John J. Tagle
Lon M. Ullmann
Mark J. Vleck (arrived at 7:35 p.m.)

Also Present:

R. Brent Savidant, Acting Planning Director
Allan Motzny, Assistant City Attorney
Zachary Branigan, Carlisle/Wortman Associates, Inc.

2. APPROVAL OF AGENDA

Resolution # PC-2010-01-003

Moved by: Schultz
Seconded by: Edmunds

RESOLVED, To approve the Agenda as prepared.

Yes: All (8)
Absent: Vleck (arrived at 7:35 p.m.)

MOTION CARRIED

3. APPROVAL OF MINUTES

Resolution # PC-2011-01-004

Moved by: Sanzica
Seconded by: Tagle

RESOLVED, To approve the minutes of the January 11, 2011 Regular meeting as prepared.

Yes: All (8)
Absent: Vleck (arrived at 7:35 p.m.)

MOTION CARRIED

4. PUBLIC COMMENT

There was no one present who wished to speak.

5. BOARD OF ZONING APPEALS (BZA) REPORT

Mr. Edmunds presented the BZA report. He stated that only four of the 7-member BZA were present at the January 18, 2011 BZA meeting. All three items were postponed at the request of the applicants, to provide each applicant the opportunity to be heard by a full board.

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STUDY ITEMS

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The Planning Commission reached consensus on extending the length of time before approvals expire (to three years) and providing the Zoning Administrator with the authority to extend approvals administratively if no changes are proposed to the site plan.

Neighborhood Node Form Based Code:

Mr. Branigan described how Neighborhood Node provisions protect adjacent single family neighborhoods

Use Variance Procedures:

The Planning Commission discussed the proposed use variance procedures

There was other general discussion about the draft Zoning Ordinance.

OTHER BUSINESS9. PUBLIC COMMENTS – Items on Current Agenda

There was no one present who wished to speak.

10. PLANNING COMMISSION COMMENTS

There was general Planning Commission discussion.

ADJOURN

The Special/Study Meeting of the Planning Commission adjourned at 10:00 p.m.

Respectfully submitted,



Michael W. Hutson, Chair



R. Brent Savidant, Acting Planning Director

A regular meeting of the Liquor Advisory Committee was held on Monday, February 7, 2011 in the Lower Level Conference Room of Troy City Hall, 500 West Big Beaver Road. Chairman Max K. Ehlert called the meeting to order at 7:04 p.m.

ROLL CALL:

PRESENT: Max K. Ehlert, Chairman
W. Stan Godlewski
Andrew Kaltsounis
David S. Ogg
Timothy P. Payne
Bohdan L. Ukraineec

ABSENT: Patrick C. Hall

ALSO PRESENT: Officer James Feld
Susan Lancaster, Assistant City Attorney
Lauren Harden, student representative
Dane Lepola, student representative
Pat Gladysz

Resolution to Excuse Committee Member Hall

Resolution #LC2011-02-001
Moved by Ukraineec
Seconded by Payne

RESOLVED, That the absence of Committee member Hall at the Liquor Advisory Committee meeting of February 7, 2011 be **EXCUSED**.

Yes: 6
No: 0
Absent: Hall

Resolution to Approve Minutes of December 13, 2010 Meeting

Resolution #LC2011-02-002
Moved by Ukraineec
Seconded by Payne

RESOLVED, That the Minutes of the December 13, 2010 meeting of the Liquor Advisory Committee be **APPROVED**.

Yes: 6
No: 0
Absent: Hall

Agenda Items

1. **JJWM, LLC** requests to transfer ownership of 2010 Class C Licensed Business, located at 5D 1933 W. Maple, Troy, MI 48084, Oakland County, from Café Sushi, LLC and requests New Official Permit (Food) {MLCC Req. 573485}.

Present to answer questions from the Committee were attorney Kelly Allen, and business partners Jing Yu and Jian Yu. Two other business partners, Wei Yu and Wensheng Zhou, were not present at the meeting.

Ms. Allen explained that the four partners have vast experience in the restaurant business and have entered into an agreement with the current owners to purchase the business.

Ms. Allen explained that one of the partners, Jian Yu, disclosed two convictions in his criminal history. In 1994 at the age of 18, he was convicted of a misdemeanor for malicious destruction of property. In 1995 at the age of 19, he was convicted of a misdemeanor for possession of marijuana. Since 1995, he has had no arrests. Ms. Allen informed the Committee that the MLCC generally considers the previous seven years in an applicant's criminal history.

Another of the partners, Jing Yu, disclosed a criminal conviction but nothing was located during Ms. Allen's search. Officer Feld reported also that nothing was located and it is possible that this event may have occurred when Mr. Yu was a juvenile.

The partners will retain the current menu and staff. They plan to employ a general manager and 15-18 additional people. All employees will be TIPS/TAMS trained.

Officer Feld reported that the previous owners had sales to minor violations in 2005 and 2008. Also, the Fire Department needs to make a reinspection.

Resolution #LC2011-02-003

Moved by Ukraine

Seconded by Payne

RESOLVED, That the Liquor Advisory Committee recommends that the request of JJWM, LLC to transfer ownership of 2010 Class C Licensed Business, located at 5D 1933 W. Maple, Troy, MI 48084, Oakland County, from Café Sushi, LLC and

request for New Official Permit (Food) be **APPROVED** with the stipulation that all four business partners participate in the TIPS/TAMS training.

Yes: 6
No: 0
Absent: Hall

2. **The Neiman Marcus Group, Inc.** (a Delaware Corporation) requests a new Direct Connection-1 to be held in conjunction with 2010 Class C and SDM Licensed Business with Official Permit (Food), located at 2705 West Big Beaver, Troy, Michigan 48084, Oakland County {MLCC Req. #178061}.

Present to answer questions from the Committee was Darlene Anderson, Operations Manager of the Neiman Marcus Troy location.

Ms. Anderson explained that this “Direct Connection-1” is a requirement of the MLCC. This permit allows customers to walk through the retail store to get into the cafe where alcohol is served.

Resolution #LC2011-02-004
Moved by Godlewski
Seconded by Kaltsounis

RESOLVED, That the Liquor Advisory Committee recommends that the request of The Neiman Marcus Group, Inc. (a Delaware Corporation) for a new Direct Connection-1 to be held in conjunction with 2010 Class C and SDM Licensed Business with Official Permit (Food), located at 2705 West Big Beaver, Troy, Michigan 48084, Oakland County be **APPROVED**.

Yes: 6
No: 0
Absent: Hall

Officer Feld advised the Committee on the following:

Mr. Pizza, Inc.

This is a transfer of ownership and should appear on next month’s Agenda.

Hotel Management Advisors-Troy, LLC

This is a transfer of ownership and should appear on next month’s Agenda.

The meeting adjourned at 7:45 p.m.

Max K. Ehlert, Chairman

Patricia A. Gladysz, Secretary II



CITY COUNCIL AGENDA ITEM

Date: January 31, 2011

To: John Szerlag, City Manager

From: Gary G. Mayer, Chief of Police
Wendell Moore, Research & Technology Administrator

Subject: 2010 Year End Calls for Police Service Report

Background

Each quarter the police department publishes a year-to-date report comparing current year calls for service with calls for police service from the previous year. In addition, at the end of the year the department provides a 10-year history of criminal occurrences. The report's format complies with the National Incident Based Reporting System (NIBRS).

2010 Group A Crime decreased 3.7% (123 incidents) from the 2009 level. Within the group, the following categories show notable variations:

- Breaking and Entering: Increased 25.9% (60 incidents)
- Destruction/Damage to Property/Vandalism: Increased 24.8% (76 incidents)
- Larceny/Theft Offenses: Decreased 15.2% (238 incidents)
- Motor Vehicle Theft: Increased 31.3% (26 incidents)
- Sex Offenses, Forcible: Decreased 39.4% (13 incidents)

2010 Group B Crime decreased 8.1% (93 incidents).

Total incidents of crime (Groups A & B combined) decreased by 4.9% (216 incidents).

Clearance rates, the percentage of offenses for which a perpetrator has been prosecuted, or positively identified but not prosecuted, continue to be high:

- 32.2% of reported Group A Crime
- 81.4% of reported Group B Crime
- 45.5% of all reported crime has been cleared

Total Arrests decreased 4.7% (125 arrests)

- Group A Crime Arrests: Decreased 11.0% (133 arrests)
- Group B Crime Arrests: Decreased 10.4% (107 arrests)
- Group C Arrests (all other arrests): Increased 28.2% (115 arrests)



CITY COUNCIL AGENDA ITEM

Group C (non-criminal) calls for police service remained relatively the same showing a slight decrease of 0.2% (75 incidents). Notable variations within Group C include the following:

- Alarms increased 8.1% (258 alarms)

Total crimes and non-criminal calls for police service remained relatively the same showing a slight decrease of 0.9% overall (326 crimes/calls for police service):

- Traffic crashes comprise 9.6% of the 2010 calls for service total
- Response to alarms made up 9.8% of the 2010 call total
- Larceny/Theft is the most frequently occurring crime in the City of Troy constituting 3.8% of the calls for service total and 31.3% of all criminal offenses in 2010.

Total traffic citations issued decreased 5.0% (636 citations):

- Hazardous traffic citations issued increased 1.0% (90 citations)
- Non-hazardous citations decreased 41.2% (505 citations)
- License/title/registration citations decreased 2.3% (55 citations)
- Parking citations decreased 33.0% (166 citations)

Distracted Driving totals issued to date: 192 warnings and 11 citations

- 4 citation and 246 warnings issued for handheld devices
- 6 citations and 12 warnings issued for texting
- 1 citation and 30 warnings issued for other actions

Second and third quarter statistics involving crimes of Destruction/Damage/Vandalism reflected notable increases from the first quarter statistics. During the summer months the City experienced a trend where buildings and residences were being damaged by spray painting. Concentrated extra patrols, increased investigative efforts by the Juvenile Unit to identify suspects, as well as an active effort in the media seeking the public's assistance in identifying those responsible were some of the tactics utilized to address this problem. The notable increase in this category has since subsided, which is reflected in a downward trend from a third quarter increase of 42.7% to a year end increase of 24.8%. As in other patterned crime, a spree of damage to property type incidents such as was experienced are often perpetrated by the same individuals or group. When those individuals are either caught or stop engaging in that behavior because of a perception that the likelihood of being caught is high, they often stop committing these crimes. Another factor in the increase in this classification may involve incidents where another crime was in fact intended by the perpetrator, such as a larceny from an auto or a car theft, however there was not sufficient evidence to classify the incident as such. An example would be where a car window is smashed out and there is no evidence the perpetrator was trying to steal anything from inside it, nothing is actually missing, or there is no additional damage to the steering column. Due to crime-class definitions, these incidents are classified as damage to property crimes rather than thefts/larcenies.

Larceny/Theft Offenses continue to trend down. Larceny/Theft offenses include larcenies from autos/larceny of auto parts, all other non-auto related larcenies, and retail frauds.



CITY COUNCIL AGENDA ITEM

As noted in the third quarter statistics, the City experienced a notable increase in Larcenies from Autos over several weeks near the end of the reporting period. Thieves were targeting in-dash GPS systems. Patrol officers worked with investigators and gathered information that led to the identification and arrest of several suspects. Over 400 stolen GPS systems were recovered. The investigation determined the stolen systems were not only being sold locally, but across state lines, and some even slated for sale out of the country. The ability to pursue an investigation of this magnitude was made possible in part by the technology available to our investigators, intelligence gathering capabilities of the Criminal Intelligence Unit, and surveillance conducted by members of Troy's Special Investigation Unit. Without these resources, these arrests would not have been possible. Retail Fraud decreased 18% (492 incidents in 2010, which is a decrease of 114 incidents from 2009). Retail Frauds are incidents generally reported to the police by Loss Prevention Departments in the retail community. It is possible that the decrease in incidents may reflect a decrease in Loss Prevention Department staffing and a corresponding drop in reporting, rather than an actual decrease in retail crime.

Incidents of Forcible Sex Offenses reflect a significant decrease (-39.4%) from 2009. Statistically, the vast majority of reported sex offenses in Troy involve some type of a personal relationship between the suspect and the victim. Such incidents might involve questions over consent; incidents where consent was given, however one of the actors was a minor; or issues involving accusations of molestation. Forcible rapes involving a stranger are rare in Troy.

Officers continue to focus on crash causing violations, which are reflected in the hazardous traffic citation category. Despite lower staffing levels, as well as the use of Traffic Safety Unit personnel to staff special events and other details that impact the community in order to avoid overtime costs, this category of enforcement remained consistent with past efforts. This reinforces a traffic enforcement philosophy that focuses on preventing crashes, rather than simply enforcement for the sake of enforcement. The decrease in parking violations reflects a loss of two positions that in addition to animal control and other support functions, was responsible for a significant amount of parking enforcement.

In regard to Distracted Driving, the statistics reflect a period from July of 2009 when the ordinance took effect through the end of the year. During that period Traffic Safety Officers concentrated on issuing warnings rather than citations in conjunction with efforts aimed at educating the motoring public on these new laws. While officers are now able to issue citations rather than only warnings, there is no expectation that there will be significant increases in this particular enforcement category.

Ten Year Trends:

The Ten Year Calls for Police Service report also complies with the National Incident Based Reporting System (NIBRS).



CITY COUNCIL AGENDA ITEM

Group A Crime is at its lowest level of the last ten years. Given the economic downturn and corresponding challenges that have impacted Southeast Michigan, the fact that serious crime continues to remain low in Troy is a positive indicator. Group A Crime has decreased 20.8% or 837 crimes since 2001. 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. These are typically reflected in the annual "Safest City" rankings where Troy has ranked as the safest city in Michigan 9 of the last 13 ranking periods, including the current one. In other than 2009, when it ranked 38th overall, Troy has ranked among to top 25 safest cities in the United States with populations over 75,000 since 1998.

- Motor Vehicle Theft offenses have decreased 45.8% (92 incidents) from the 2001 level
- Larceny/Theft offenses have decreased 22.4% (384 incidents) from the 2001 level
- Other categories, while showing small annual increases and decreases over the ten year period, have remained relatively the same

Group B Crime (non-serious crime) has also decreased since 2001, down 1945 crimes or 64.8%.

Reportable injury and property damage traffic crashes have generally trended down over the last ten year period, with a few years showing slight increases over the year before. There were 2600 reportable crashes in 2010, as compared to 3600 in 2001. When private property crashes are added to the totals, the same general downward trend occurs, with a total crash total of 4973 in 2001, and 3367 in 2010.

These statistics reflect a significant and long term accomplishment in the area of public safety. They reinforce a long standing commitment on the part of the Police Department, City Management, and City Council to the safety and security of this community. In addition to targeting crime and traffic safety issues, this commitment has traditionally included efforts aimed at prevention and education, especially in the areas of substance abuse; efforts that can directly impact crime and the overall quality of life in a community. The Police Department values the resources the community has consistently made available in these efforts, and strongly believes this partnership has been critical in achieving the above results. The Police Department stands ready to work with the community as it positions itself to meet the challenges of the future, especially in the realm of public safety. The Police Department believes public safety will remain a key element as Troy maximizes its efforts to retain as well as attract businesses, residents, and visitors going forward.

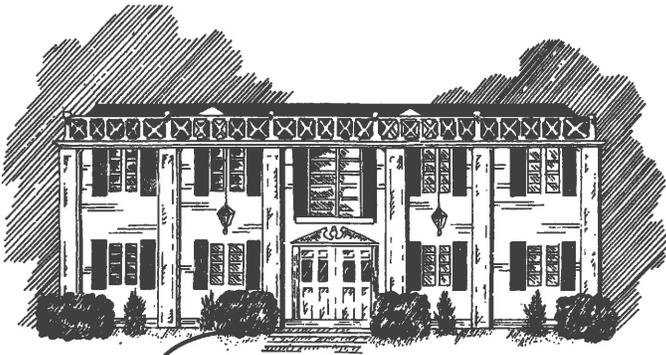
Troy Police Department

Annual 2010/2009 Comparison - Incident Based Reporting

Group A Crime Categories	INCIDENTS			OFFENSES			ARRESTS			CLEARANCES	
	Annual	Percent	Change	Annual	Percent	Change	Annual	Percent	Change	Annual	
	2010	2009		2010	2009		2010	2009		2010	Percent
Arson	1	3	-66.7%	1	3	-66.7%	0	0	NC	0	0.0%
Assault Offenses	592	603	-1.8%	716	712	0.6%	147	147	NC	207	28.9%
Bribery	0	0	NC	0	1	-	0	0	NC	0	0.0%
Breaking and Entering	292	232	25.9%	294	237	24.1%	16	31	-48.4%	23	7.8%
Counterfeiting/Forgery	27	26	3.8%	28	27	3.7%	5	9	-44.4%	5	17.9%
Destruction/Damage/Vandalism	382	306	24.8%	409	333	22.8%	11	10	10.0%	21	5.1%
Drug/Narcotic Offenses	196	186	5.4%	308	317	-2.8%	209	217	-3.7%	285	92.5%
Embezzlement	43	50	-14.0%	45	53	-15.1%	27	39	-30.8%	17	37.8%
Extortion/Blackmail	3	0	+	4	0	+	2	0	+	1	25.0%
Fraud Offenses	148	167	-11.4%	161	180	-10.6%	52	31	67.7%	51	31.7%
Gambling Offenses	0	0	NC	1	0	+	0	0	NC	1	100.0%
Homicide Offenses	1	0	+	1	0	+	1	0	+	1	100.0%
Kidnapping/Abduction	0	2	-	0	5	-	0	0	NC	0	0.0%
Larceny/Theft Offenses	1,328	1,566	-15.2%	1,362	1,604	-15.1%	566	684	-17.3%	471	34.6%
Motor Vehicle Theft	109	83	31.3%	111	87	27.6%	3	6	-50.0%	7	6.3%
Pornography/Obscene Material	1	1	NC	1	1	NC	0	0	NC	0	0.0%
Prostitution Offenses	2	5	-60.0%	3	6	-50.0%	4	5	-20.0%	3	100.0%
Robbery	9	13	-30.8%	9	13	-30.8%	7	6	16.7%	5	55.6%
Sex Offenses, Forcible	20	33	-39.4%	20	34	-41.2%	1	2	-50.0%	5	25.0%
Sex Offenses, Nonforcible	0	0	NC	0	0	NC	0	0	NC	0	0.0%
Stolen Property Offenses	12	10	20.0%	16	19	-15.8%	11	12	-8.3%	10	62.5%
Weapon Law Violations	13	16	-18.8%	18	19	-5.3%	13	9	44.4%	16	88.9%
Group A Total	3,179	3,302	-3.7%	3,508	3,651	-3.9%	1,075	1,208	-11.0%	1,129	32.2%
Group B Crime Categories											
Bad Checks	52	54	-3.7%	52	56	-7.1%	18	20	-10.0%	13	25.0%
Curfew/Loitering/Vagrancy	1	2	-50.0%	1	3	-66.7%	1	0	+	1	100.0%
Disorderly Conduct	68	87	-21.8%	77	110	-30.0%	14	11	27.3%	23	29.9%
Driving Under the Influence	374	377	-0.8%	435	442	-1.6%	377	383	-1.6%	428	98.4%
Drunkenness	0	1	-	0	2	-	0	0	NC	0	0.0%
Family Offenses, Nonviolent	10	11	-9.1%	10	11	-9.1%	0	1	-	0	0.0%
Liquor Law Violations	46	44	4.5%	107	101	5.9%	95	112	-15.2%	99	92.5%
Peeping Tom	3	1	200.0%	3	1	200.0%	0	0	NC	0	0.0%
Runaway (Under 18)	25	12	108.3%	25	12	108.3%	0	0	NC	0	0.0%
Trespass of Real Property	17	17	NC	22	18	22.2%	8	5	60.0%	8	36.4%
All Other	462	545	-15.2%	572	648	-11.7%	409	497	-17.7%	489	85.5%
Group B Total	1,058	1,151	-8.1%	1,304	1,404	-7.1%	922	1,029	-10.4%	1,061	81.4%
Group A and B Total	4,237	4,453	-4.9%	4,812	5,055	-4.8%	1,997	2,237	-10.7%	2,190	45.5%
Above data includes both completed and attempted offenses.											

National Incident Based Reporting System 10 Year Incident Trend

Group A Crime Categories	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Arson	19	10	5	3	3	7	4	5	3	1
Assault Offenses	657	614	617	691	625	643	615	573	603	592
Bribery	0	0	0	0	0	0	0	1	0	0
Breaking and Entering	314	344	292	239	276	313	277	308	232	292
Counterfeiting/Forgery	69	99	109	113	107	71	37	42	26	27
Destruction/Damage/Vandalism	505	482	558	443	364	437	378	361	306	382
Drug/Narcotic Offenses	155	127	106	174	159	198	214	205	186	196
Embezzlement	115	100	82	91	79	83	80	86	50	43
Extortion/Blackmail	0	1	0	0	1	0	1	1	0	3
Fraud Offenses	201	192	167	163	110	177	204	190	167	148
Gambling Offenses	0	0	0	0	0	0	1	0	0	0
Homicide Offenses	0	2	1	0	1	2	1	1	0	1
Kidnapping/Abduction	1	1	0	1	0	0	0	0	2	0
Larceny/Theft Offenses	1,712	1,507	1,563	1,564	1,572	1,536	1,451	1,387	1,566	1,328
Motor Vehicle Theft	201	120	158	112	127	143	166	162	83	109
Pornography/Obscene Material	1	1	2	1	1	2	0	1	1	1
Prostitution Offenses	1	1	1	10	1	5	1	5	5	2
Robbery	18	21	27	20	19	26	20	15	14	9
Sex Offenses, Forcible	18	27	35	30	25	25	30	29	33	20
Sex Offenses, Nonforcible	0	1	0	0	0	0	0	0	0	0
Stolen Property Offenses	6	8	11	14	7	18	13	12	9	12
Weapon Law Violations	23	12	10	14	12	14	13	9	16	13
Group A Total	4,016	3,670	3,744	3,683	3,489	3,700	3,506	3,393	3,302	3,179
Group B Crime Categories										
Bad Checks	55	15	17	11	5	30	43	48	54	52
Curfew/Loitering/Vagrancy	8	6	1	1	0	0	1	0	2	1
Disorderly Conduct	527	431	386	256	243	250	192	107	87	68
Driving Under the Influence	476	455	322	447	446	366	471	377	377	374
Drunkenness	1	4	4	3	23	5	1	1	1	0
Family Offenses, Nonviolent	17	15	10	24	14	17	17	22	13	10
Liquor Law Violations	86	70	60	71	74	89	101	82	44	46
Peeping Tom	0	4	1	3	2	7	2	1	1	3
Runaway (Under 18)	32	31	24	38	28	14	20	16	12	25
Trespass of Real Property	9	31	13	10	22	21	8	15	17	17
All Other	1,792	1,572	1,542	1,348	1,260	964	662	464	545	462
Group B Total	3,003	2,634	2,380	2,212	2,117	1,763	1,518	1,133	1,153	1,058
Group A and B Total	7,019	6,304	6,124	5,895	5,606	5,463	5,024	4,526	4,455	4,237
Data includes both completed and attempted offenses.										
Group C Miscellaneous Total	35,796	33,325	32,385	32,871	34,464	33,513	35,422	33,722	30,790	30,715
Group E Fire Total	140	69	77	58	64	27	99	153	101	66
Grand Totals	42,955	39,698	38,586	38,824	40,134	39,003	40,545	38,401	35,346	35,018
Reportable Traffic Crashes										
Personal Injury	882	753	722	716	656	551	615	581	477	316
Property Damage	2,737	2,474	2,700	2,638	2,824	2,494	2,704	2,534	2,192	2,279
Fatal	9	7	2	10	6	4	5	7	3	5
Total Reportable	3,628	3,234	3,424	3,364	3,486	3,049	3,324	3,122	2,672	2,600
Private Property Crashes	1,345	1,317	1,137	1,133	1,130	1,032	1,012	948	800	767
Crashes Grand Total	4,973	4,551	4,561	4,497	4,616	4,081	4,336	4,070	3,472	3,367
Traffic Citations										
Hazardous	13,250	11,621	12,356	11,538	11,869	8,903	9,765	9,127	8,633	8,723
Non-hazardous	805	1,490	1,153	1,596	1,513	622	677	624	1,226	721
License, Title, Registration	3,356	3,537	2,676	3,476	3,865	2,965	2,416	2,378	2,438	2,383
Parking	1,717	1,120	886	798	1,195	772	793	470	503	337
Traffic Citations Total	19,128	17,768	17,071	17,408	18,442	13,262	13,651	12,599	12,800	12,164



WILLIAM H. PRICE
1931 - 2010

JOHN V. GLADYSZ
Advisor, Director
& Manager

NICOLE A. SATTERFIELD
Advisor & Director

PRICE FUNERAL HOME

ESTABLISHED 1956

3725 ROCHESTER ROAD • TROY, MI 48083-5244 • (248) 689-0700 • FAX (248) 689-8244
www.pricefuneralhome.net • pfhtroymichigan@sbcglobal.net

January 25, 2011

Chief Gary G. Mayer
Troy Police Department
500 West Big Beaver Road
Troy, Michigan 48084

Dear Chief Mayer:

The owners and staff of Price Funeral Home would like to express our gratitude for the support received from the Troy Police Department on January 18, 2011 during the funeral service of Margaret Mouch.

The assistance we received during the funeral procession was greatly appreciated. The family also expressed their gratitude for the services your officers provided.

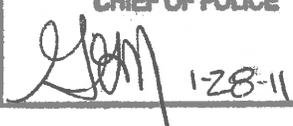
Please extend our appreciation to Officer Peter Dungjen, Officer Kirk Linton, and Officer Frank Shuler.

Sincerely,


John V. Gladysz
General Manager

OFFICER DUNGJEN
OFFICER LINTON
OFFICER SHULER
THANKS FOR YOUR EFFORTS ON
THIS DAY

CITY MANAGER
DIVISION COMMANDERS
FILES

RECEIVED
CHIEF OF POLICE
 1-28-11

Sample Resolution in Opposition to Senate Bill 34

WHEREAS, Senate Bill 34 proposes to eliminate all personal property taxes (“these taxes”) in the State of Michigan; and

WHEREAS, Senate Bill 34 establishes no revenue offset; and

WHEREAS, Revenue generated from these taxes in the City of Troy (“Troy”) accounts for \$ _____ in Fiscal Year 2010-11; and

WHEREAS, Troy relies on these taxes to provide essential and other services; and

WHEREAS, Troy, as a Michigan Home Rule City is mandated to provide essential services such as Police and Fire services; and

WHEREAS, The state-wide downturn has resulted in a loss \$ _____ in Troy’s taxable value in just the last two fiscal years; and

WHEREAS, It is estimated that taxable value will further decline by __% in FY 2011-12; and

WHEREAS, Troy’s State Shared Revenue has declined \$ _____ since State of Michigan FY 2001, creating a cumulative loss in State Shared Revenue of \$ _____; and

WHEREAS, Troy has reduced its full-time staff by __% (from __ to __) since FY 2004-05 which includes __% in Police Department personnel and __% in Fire Staff Officers; and

WHEREAS, Budget planning for FY 2011-12 is well underway and is based on estimated revenues that include these taxes.

NOW, THEREFORE, BE IT RESOLVED That the Troy City Council urges the State Legislature to oppose Senate Bill 34 and any other potential reduction in municipal revenue from the State which does not immediately provide for a revenue offset.

BE IT FURTHER RESOLVED, That this Resolution be transmitted to the State Senator John Pappageorge, Senate Finance Committee Chair, Senator Jack Brandenburg, State Representative Marty Knollenberg, the Oakland County Board of Commissioners and the Michigan Municipal League.



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
LIQUOR CONTROL COMMISSION
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH
ANDREW S. LEVIN, ACTING DIRECTOR

NIDA R. SAMONA
CHAIRPERSON

Dear Licensee:

Enclosed is a permit authorizing to sell spirits, mixed spirit drink and/or beer and wine on Sunday. Display this permit next to your liquor license.

Your request for this authorization was approved.

YOU ARE WARNED THAT ANY FALSE STATEMENTS YOU MAY HAVE MADE WILL INVALIDATE THE AUTHORIZATION ISSUED TO YOU BY THE LIQUOR CONTROL COMMISSION.

THIS PERMIT MUST BE RENEWED PRIOR TO MAY 1ST EACH YEAR BY PAYMENT OF THE STATUTORY FEE.

jm

enc.

cc: Local Governmental Unit

DELEG is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

Michigan Department Of Energy, Labor & Economic Growth
REQUEST INFO. REPORT

Request ID : 578094 Unit : 2 Request Status : P
Attention :
Business ID : 201794 Bus. Status : Active Licensee : C.J. MAHONEY'S OF TROY, LLC
Licensee Status : ACTIVE Role : LLC DBA : C.J. MAHONEY'S OF TROY
Addr1 :
Addr2 : 2511 LIVERNOIS
Addr3 :
City : TROY State : MI Zip : 48084
LGU Name : TROY CITY File No. : D - 72120 County : OAKLAND

Year	License	Permits
2010	CLASSC	SUNDAY SALES (PM), DANC-ENT, OD-SERV

Trans. Type	Completion Type	Description
PEND		NEW SUNDAY SALES PERMIT A.M.

JAN 14 2011

THE LICENSEE'S APPLICATION FOR A PERMIT TO SELL ALCOHOLIC LIQUOR BETWEEN 7 A.M. AND NOON ON SUNDAYS, AS CURRENTLY LICENSED BY THE LIQUOR CONTROL COMMISSION, IS APPROVED PURSUANT TO PUBLIC ACT 213 OF 2010, MCL 436.2111-2115.

THIS PERMIT IS SUBJECT TO REVOCATION BY OPERATION OF LAW OR OTHERWISE IF THE COMMISSION RECEIVES NOTICE FROM A COUNTY, CITY, VILLAGE, TOWNSHIP, OR THE LOCAL GOVERNMENTAL UNIT, THAT IT PROHIBITS OR OTHERWISE OBJECTS TO THE SALE OF SPIRITS, MIXED SPIRIT DRINK OR BEER AND WINE BETWEEN THE HOURS OF 7:00 A.M. AND 12:00 NOON ON SUNDAYS. IF NOTICE AND SUPPORTING DOCUMENTATION IS RECEIVED BY THE COMMISSION A SHOW CAUSE HEARING WILL BE SCHEDULED BEFORE THE COMMISSION UNDER ADMINISTRATIVE RULE 436.1925(1) TO DETERMINE IF THE PERMIT MUST BE REVOKED.

sm/cmf

REQUEST INFO. REPORT

Request ID : 577793 Unit : 1 Request Status : P
 Attention :
 Business ID : 205874 Bus. Status : Active Licensee : M & M TROY INC.
 Licensee Status : ACTIVE Role : CRP DBA : CLARK
 Addr1 :
 Addr2 : 1634 JOHN R
 Addr3 :
 City : TROY State : MI Zip : 48083
 LGU Name : TROY CITY File No. : D - 73142 County : OAKLAND

Year	License	Permits
------	---------	---------

2010	SDM	GAS PUMPS
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Trans. Type	Completion Type	Description
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PEND		NEW SUNDAY SALES PERMIT A.M.
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JAN 14 2011

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sm/cmf

REQUEST INFO. REPORT

Request ID : 577780 Unit : 2 Request Status : P
 Attention : VIOLATION PENDING #143307
 Business ID : 222963 Bus. Status : Active Licensee : RAMCHIN, INC.
 Licensee Status : ACTIVE Role : CRP DEA : THE HILLS CITY GRILLE
 Addr1 :
 Addr2 : 2940 ROCHESTER
 Addr3 :
 City : TROY State : MI Zip : 48083
 LGU Name : TROY CITY File No. : D - 73072 County : OAKLAND

Year	License	Permits
2010	CLASSC	SUNDAY SALES (PM), OFFICIAL PERMIT(FOOD)
2010	SDM	

Trans. Type	Completion Type	Description
PEND		NEW SUNDAY SALES PERMIT A.M.

JAN 14 2011

THE LICENSEE'S APPLICATION FOR A PERMIT TO SELL ALCOHOLIC LIQUOR BETWEEN 7 A.M. AND NOON ON SUNDAYS, AS CURRENTLY LICENSED BY THE LIQUOR CONTROL COMMISSION, IS APPROVED PURSUANT TO PUBLIC ACT 213 OF 2010, MCL 436.2111-2115.

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sm/cmf

Michigan Department Of Energy, Labor & Economic Growth
REQUEST INFO. REPORT

Request ID : 577758 Unit : 1 Request Status : P
Attention :
Business ID : 220265 Bus. Status : Active Licensee : KHER ENTERPRISES, INC.
Licensee Status : ACTIVE Role : CRP DBA : TROY CHEESE AND WINE MARKET
Addr1 : 2558-
Addr2 : 2560 E MAPLE
Addr3 :
City : TROY State : MI Zip : 48083
LGU Name : TROY CITY File No. : D - 73087 County : OAKLAND

Year	License	Permits
2010	SDD	SUNDAY SALES (PM)
2010	SDM	

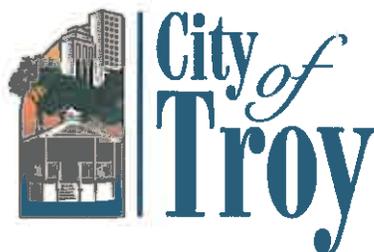
Trans. Type	Completion Type	Description
PEND		NEW SUNDAY SALES PERMIT A.M.

JAN 19 2011

THE LICENSEE'S APPLICATION FOR A PERMIT TO SELL ALCOHOLIC LIQUOR BETWEEN 7 A.M. AND NOON ON SUNDAYS, AS CURRENTLY LICENSED BY THE LIQUOR CONTROL COMMISSION, IS APPROVED PURSUANT TO PUBLIC ACT 213 OF 2010, MCL 436.2111-2115.

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SM/slm



MEMORANDUM

TO: Members of the Troy City Council
 FROM: John Szerlag, City Manager
 Lori Grigg Bluhm, City Attorney
 Gary Mayer, Police Chief
 DATE: February 15, 2011
 SUBJECT: Liquor Hearings

Traditionally, the Troy City Council has scheduled due process hearings in February and March for all liquor licensees who violate the liquor laws during the previous year. For 2010, there were 11 Troy establishments that were cited with one liquor license violation this past year and each establishment has indicated that they stipulate to the violation. These include the following *On Premises Licensees*:

Camp Ticonderoga- licensed since 1996 with no previous violations
Embassy Suites- licensed since 2007, previous violation in 2008
Lebanese Grill (Yara)- licensed since 2000- previous violation in 2009
Mr. B's- licensed since 1989 with no previous violations
Picano's- Since 1999, previous violations in 2001, 2003
Red Robin Restaurant- licensed since 2004 with previous violation in 2007

Under Michigan law (MCL 436.1501) and Troy's Ordinance (Chapter 101, Sections 10 – 12), City Council has the right to object to the otherwise automatic renewal of liquor licenses for On-Premises licensees. Prior to any such objection, the licensee should be afforded with a due process hearing, with resolutions required on or before March 31 of each year.

Additionally, the following *Off Premises Licensees* were also cited:

Aldi Inc .- licensed in 2004, with a previous violation in 2008
CVS- 4963 John R. Road- licensed since 1999, previous violations in 2000, 2007, 2008
Kroger- 1237 N. Coolidge- licensed since 2007 with no previous violations
Macy's- 2750 W. Big Beaver Rd.- licensed since 2004, previous violation in 2007
Rite Aid- 2971 W. Maple Rd.- Sale to Minor- licensed since 1966- violations in 2001, 2008

Under Michigan law (MCL 436.1501) and Troy's Ordinance (Chapter 101, Sections 10- 12), City Council also has the ability to hold due process hearings for liquor license violations. However, the Michigan Liquor Control Commission will not take any adverse action against the Off Premises liquor licensee unless there are three violations in each calendar year.

Due to limited City resources and in light of the previous history of each of the cited licensees, City Administration recommends that Council forego the due process hearings for 2010 violations. Absent contrary action or direction by City Council, no hearings will be scheduled and each establishment will be sent a letter from the Troy Police Department indicating the severity of the violation and instructed to update their TIPS/TAMS certification. Please let us know if you have any questions concerning the above.



CITY COUNCIL REPORT

February 15, 2011

To: John Szerlag, City Manager

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

Subject: Discontinue Auction Services

Background

The full-time Associate Buyer retired in August 2010 and further reductions in the department are planned for the 2011/12 fiscal year. As a result of current budget challenges, the positions will be vacated creating an opportunity to reorganize the current workload to meet future demands.

Analysis

The Purchasing staff has historically disposed of surplus property for all user departments. In 2004, City Council authorized staff to post auction items on the Michigan Intergovernmental Trade Network website, www.mitn.info, for sale as the items are deactivated from service with final auction reporting presented to City Council on a monthly basis.

As a result of reduced staffing, Purchasing must re-evaluate the need to continue providing auction services and re-align its resources to better serve the community. Since 2005, sale of surplus property less fleet vehicles has generated revenue on average of \$21,000.00 per year; it costs the City approximately \$37,000.00 in staff time to administer this program.

Conclusion

Whenever any City property is no longer needed for corporate or public purposes, the same may be offered for sale through the services of an auctioneer, who holds an open contract through the State of Michigan, which is currently provided by Chuck Cryderman and Associates. Property with a value in excess of \$1,000.00, most often out-of-service fleet vehicles, will continue to be disposed of by the Public Works – Fleet Division.

N-



Date: February 14, 2011

TO: The Honorable Mayor and City Council Members

FROM: John Szerlag, City Manager
John M. Lamerato, Assistant City Manager/Finance and Administration
Peggy Sears, Human Resources Director

SUBJECT: Early Retirement Incentive Program

On Monday, February 7, 2011, City Council approved the offering of an Early Retirement Incentive Program (ERIP) to Classified and Exempt employees. The plan design and criteria are consistent with that which was approved by City Council and offered to the TFSA recently.

As stated in the Resolution, in order for the program to be implemented it must be economically beneficial to the City. The approach that is taken to determine whether the program provides a cost savings to the City is as follows: The cost of the program is determined by the cash incentive amount paid to the employees, plus the actuarially determined cost of the program amortized over a five year period, plus the cost to replace an employee (if replaced). Cost savings will include the salary and benefits that will no longer be paid to that employee (savings realized by not filling the position), any savings realized by delaying the filling of a position, and filling a position at a lower rate of pay and with the reduced level of benefits. If the net cost of the program does not exceed the net savings, the program will be implemented.

If the net cost exceeds the net savings, the program will only be available for those individual employees for whom it is cost effective. In other words, if the cost of providing the ERIP to a specific employee does not exceed the savings realized by that employee retiring (using the methodology referenced above), that employee may take the incentive.

Please advise if additional information is required.

N-8



CITY COUNCIL AGENDA ITEM

Date: January 16, 2011

To: John Szerlag, City Manager

From: Mark F. Miller, Acting Assistant City Manager/Economic Development Services
Timothy Richnak, Public Works Director

Subject: Pothole Maintenance and Response Report

Background

Pothole season has arrived and hazardous conditions have arisen. In following the direction of City Council, city staff will be working to have the Road Commission of Oakland County (RCOC) respond to the roads under their jurisdiction.

Historically, the City of Troy Public Works Department and the Road Commission of Oakland County would provide pothole maintenance and response to their respective jurisdictions. The City of Troy also would respond to calls from the City of Troy Police Department during off- hours in situations where vehicle damage would occur and in the absence of a RCOC timely response.

Report

Moving forward under the financial and staffing restrictions being placed on the City of Troy Public Works Department, response changes have been implemented.

The City of Troy Police Department will be provided a small supply of barricades to be placed along the road edge of RCOC roads alerting traffic to a hazard. Communication between the Police Department and the RCOC will be advanced to a level of contact necessary to provide an adequate response to the road condition by the county.

John R. Road



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