



## CITY COUNCIL AGENDA ITEM

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**Date:** February 25, 2011

**To:** John Szerlag, City Manager

**From:** Mark F. Miller, Assistant City Manager/Economic Development Services  
Steven J. Vandette, City Engineer  
Patricia A. Petitto, Real Estate Consultant, Greenstar & Associates, LLC

**Subject:** Request for Approval of Payment of BG's LLC Relocation Claim  
Rochester Road Improvement Project, Torpey to Barclay, Project No. 99.203.5  
Parcel 30 – Sidwell #88-20-22-277-027

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### Background

As part of the project listed above, City Council previously authorized the acquisition of the property at 3545 Rochester Road from BG's, LLC. Attached is a copy of a Relocation Claim filed by Robert Felhlberg, the owner of BJ's Hair Salon. In compliance with Michigan laws and Federal Regulations a displaced business may receive a fixed payment based on income in lieu of a payment for moving and re-establishment expenses. The amount of the fixed payment is based on the average annual net earnings of the displaced business. The fixed payment may not be less than \$1,000 or more than \$20,000. We have verified that the average annual net earnings for the years 2007 and 2008 were \$19,137.

### Recommendation

City Management recommends that City Council approve the attached Relocation Claim and authorize payment in the amount of \$19,137.

### Fund Availability

Eighty percent of these costs will be reimbursed from Federal funds. Funds for the City of Troy's share are available in the Major Roads Fund.

# RELOCATION CLAIM

## BUSINESS/FARM/NON-PROFIT

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

Claimant's Name: <b>BJ'S HAIR SALON (BG-LLC)</b>			
Claimant's Address: <b>3545 ROCHESTER TROY MICHIGAN 48085</b>			
Acquired Property Address and Phone: <b>3545 ROCHESTER RD TROY MICHIGAN 48083</b>	Replacement Property Address and Phone: <b>4955 ROCHESTER RD. TROY MICHIGAN 48085</b>		
<b>CONTROLLING DATES</b>			
Date of first written offer: <b>JUNE 30 2009</b>	Date of move: <b>NOV-28-2009</b>		
Date of final acquisition payment: <b>9/2/10</b>	Date move verified: <b>1/18/10</b>		
Date of estimated just compensation payment: <b>6/26/09</b>			
Claim must be filed 18 months after date of move, date of final acquisition payment or date of estimated just compensation payment, whichever is later.			
<b>BUSINESS TYPE</b>			
<input type="checkbox"/> Owner <input type="checkbox"/> Tenant <input checked="" type="checkbox"/> Business <input type="checkbox"/> Farm <input type="checkbox"/> Non-Profit <input type="checkbox"/> Landlord <input type="checkbox"/> Government			
<b>RELOCATION PAYMENTS</b>			
Moving Expenses:	\$ _____		
Reestablishment Expenses: (NOT TO EXCEED \$10,000)	\$ _____		
Fixed Payment: (In Lieu of - NOT TO EXCEED \$20,000)	\$ <b>19,137</b>		
<b>AMOUNT DUE:</b>	\$ <b>19,137</b>		
Remarks:			
<b>CLAIMANT'S SIGNATURE</b>			
I/We agree payment will be sent to:			
I/We certify that:			
1. All information submitted is true and correct and applies to the reestablishment of the replacement property. 2. I/We have not submitted any other claim, or received reimbursement from any other source for expenses itemized on this claim. 3. I/We have vacated or will vacate the state acquired property. 4. I/We am/are a legal resident of the United States.			
CLAIMANT'S SIGNATURE: <b>[Signature]</b>	DATE: <b>2/25/11</b>	CLAIMANT'S SIGNATURE:	DATE:
<b>MDOT'S REVIEW AND APPROVAL</b>			
I/We certify that I/we have examined this claim and the substantiating documentation and have found it to conform to the applicable State and Federal Laws and the operating procedures of the Michigan Department of Transportation.			
RECOMMENDED BY: <b>Patricia A. Petitto</b>	DATE: <b>2/25/11</b>	APPROVED BY: <b>[Signature]</b>	DATE: <b>02/25/2011</b>
CONTROL SECTION	JOB NO	PARCEL	NAME

**REQUEST FOR APPROVAL OF PAYMENT OF BG'S, LLC RELOCATION CLAIM  
ROCHESTER ROAD IMPROVEMENT PROJECT, TORPEY TO BARCLAY, PROJECT NO. 99.203.5 &  
PARCEL 30 - SIDWELL #88-20-22-277-027**

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Resolution #2011-

RESOLVED, That as required by Michigan Laws and Federal Regulations, Troy City Council hereby **APPROVES** the Relocation Claim from BG's, LLC pertaining to the City of Troy's acquisition of property at 3545 Rochester Road, and authorizes payment in the amount of \$19,137.