



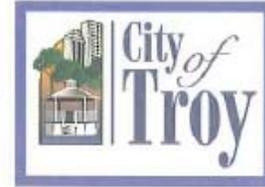
TROY CITY COUNCIL

REGULAR MEETING AGENDA

OCTOBER 3, 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 fluid and cursive.

John Szerlag, City Manager



TROY CITY COUNCIL

VISION STATEMENT AND GOALS

Adopted: Monday, February 7, 2011

VISION:

To honor the legacy of the past and build a strong, vibrant future and be an attractive place to live, work, and grow a business.

GOALS:

Provide a safe, clean, and livable city

- Practice good stewardship of infrastructure
- Maintain high quality professional community oriented police and fire protection
- Conserve resources in an environmentally responsible manner
- Encourage development toward a walkable, livable community

Provide effective and efficient local government

- Demonstrate excellence in community services
- Maintain fiscally sustainable 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

Build a sense of community

- Communicate internally and externally in a timely and accurate manner
- Develop platforms for transparent, deliberative and meaningful community conversations
- Involve all stakeholders in communication and engagement activities
- Encourage volunteerism and new methods for community involvement
- Implement the connectedness of community outlines in the Master Plan 2008

Attract and retain business investment

- Clearly articulate an economic development plan
 - Create an inclusive, entrepreneurial culture internally and externally
 - Clarify, reduce and streamline investment hurdles
 - Consistently enhance the synergy between existing businesses and growing economic sectors
 - Market the advantages of living and working in Troy through partnerships
-



**CITY COUNCIL
AGENDA**

October 3, 2011 – 7:30 PM
 Council Chambers
 City Hall - 500 West Big Beaver
 Troy, Michigan 48084
 (248) 524-3317

INVOCATION: Pastor Dan Lewis – Troy Christian Chapel **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) City Manager’s Presentation of the Performance Dashboard Required by the State of Michigan..... 1

b) I/ACT Presentation – Linda Shears 1

D. CARRYOVER ITEMS: **1**

D-1 No Carryover Items 1

E. PUBLIC HEARINGS: **1**

E-1 Community Development Block Grant (CDBG) 2012 Application and Public Hearing 1

| | | |
|------------------|---|------------------|
| <u>F.</u> | <u>PUBLIC COMMENT:</u> | <u>2</u> |
| <u>G.</u> | <u>RESPONSE / REPLY TO PUBLIC COMMENT</u> | <u>3</u> |
| <u>H.</u> | <u>POSTPONED ITEMS:</u> | <u>3</u> |
| H-1 | No Postponed Items | 3 |
| <u>I.</u> | <u>REGULAR BUSINESS:</u> | <u>3</u> |
| I-1 | Board and Committee Appointments: None Scheduled | 3 |
| I-2 | Board and Committee Nominations: | 3 |
| I-3 | Request for Closed Session – No Closed Session Requested | 13 |
| I-4 | Ordinance Revisions in Accordance with Troy City Council Resolution Requesting Expunging of Boards and Committees | 13 |
| <u>J.</u> | <u>CONSENT AGENDA:</u> | <u>14</u> |
| J-1a | Approval of “J” Items NOT Removed for Discussion | 14 |
| J-1b | Address of “J” Items Removed for Discussion by City Council | 14 |
| J-2 | Approval of City Council Minutes | 14 |
| J-3 | Proposed City of Troy Proclamations: None Submitted | 15 |
| J-4 | Standard Purchasing Resolutions | 15 |
| | a) Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications – Ice Melt Compounds | 15 |
| J-5 | Traffic Committee Recommendations and Minutes – September 21, 2011 | 15 |
| | Item 3: Changing Existing YIELD Sign to STOP Sign – Southbound Milburn at Prescott | 15 |
| | Item 4: Changing Existing YIELD Sign to STOP Sign – Northbound Milburn at Brinston | 15 |

| | | |
|------------------|--|-----------|
| <u>K.</u> | <u>MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:</u> | 15 |
| K-1 | Announcement of Public Hearings: None Submitted | 15 |
| K-2 | Memorandums (Items submitted to City Council that may require consideration at some future point in time): None Submitted | 16 |
| <u>L.</u> | <u>COUNCIL REFERRALS:</u> | 16 |
| L-1 | Council Referrals: | 16 |
| | a) Lifelong Learning Committee as Advanced by Mayor Pro Tem Kerwin | 16 |
| <u>M.</u> | <u>COUNCIL COMMENTS</u> | 17 |
| M-1 | No Council Comments Advanced | 17 |
| <u>N.</u> | <u>REPORTS</u> | 17 |
| N-1 | Minutes – Boards and Committees: | 17 |
| | a) Traffic Committee-Final-June 15, 2011 | 17 |
| | b) Zoning Board of Appeals-Final (Revised)-June 21, 2011 | 17 |
| | c) Zoning Board of Appeals-Final-August 16, 2011 | 17 |
| N-2 | Department Reports: None Submitted | 17 |
| N-3 | Letters of Appreciation: | 17 |
| | a) Letter Appreciation from Jeff Williams to Gary Bowers, Thanking the Planning Department and Ordinance Enforcement Inspectors for Their Quick Response | 17 |
| N-4 | Proposed Proclamations/Resolutions from Other Organizations: None Proposed | 17 |
| N-5 | Notice of Hearing for the Natural Gas Customers of Consumers Energy Company Case No. U-16855 | 17 |
| <u>O.</u> | <u>STUDY ITEMS</u> | 17 |
| O-1 | Economic and Community Development Division Update | 17 |
| O-2 | IMLA/ICMA Report – Troy City Attorney’s Office | 17 |

P. CLOSED SESSION: 17

P-1 No Closed Session Requested 17

Q. ADJOURNMENT 18

FUTURE CITY COUNCIL PUBLIC HEARINGS: 18

SCHEDULED REGULAR CITY COUNCIL MEETINGS: 18

Monday, October 17, 2011 Regular Meeting..... 18
Monday, November 14, 2011 Regular Meeting 18
Monday, November 21, 2011 Regular Meeting 18
Monday, November 28, 2011 Regular Meeting 18
Monday, December 5, 2011 Regular Meeting 18
Monday, December 19, 2011 Regular Meeting 18

SCHEDULED SPECIAL CITY COUNCIL MEETINGS: 18

INVOCATION: Pastor Dan Lewis – Troy Christian Chapel

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 #2011-10-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of _____ at the Regular City Council Meeting of October 3, 2011 due to _____

Yes:

No:

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Certificates of Recognition and Special Presentations

- a) City Manager’s Presentation of the Performance Dashboard Required by the State of Michigan
- b) I/ACT Presentation – Linda Shears

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 Community Development Block Grant (CDBG) 2012 Application and Public Hearing

Suggested Resolution

Resolution #2011-10-

Moved by
Seconded by

WHEREAS, Oakland County is preparing an Annual Action Plan to meet application requirements for the Community Development Block Grant (CDBG) program, and other Community Planning and Development (CPD) programs; and

WHEREAS, Oakland County has requested CDBG-eligible projects from participating communities for inclusion in the Action Plan; and

WHEREAS, The City of Troy has duly advertised and conducted a public hearing on October 3, 2011 for the purpose of receiving public comments regarding the proposed use of PY 2012 Community Development Block Grant funds (CDBG) in the approximate amount of \$143,525.00; and

WHEREAS, The City of Troy found that the following projects meet the federal objectives of the CDBG program and are prioritized by the community as high priority need.

| Account Number | Project Name | Amount |
|----------------|---------------------------------|--------------|
| 172160-732170 | Public Services (Yard Services) | \$ 21,528.00 |
| 172170-730744 | Flood Drain Improvements | \$121,997.00 |

THEREFORE, BE IT RESOLVED, That the City of Troy CDBG application is hereby **AUTHORIZED** to be submitted to Oakland County for inclusion in Oakland County's Annual Action Plan to the U.S. Department of Housing and Urban Development, and that the Mayor is hereby **AUTHORIZED** to execute all documents, agreements, or contracts which result from this application to Oakland County.

Yes:
No:

F. PUBLIC COMMENT:

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

Any person not a member of the City Council may address the Council with recognition of the Chair, after clearly stating the nature of his/her inquiry or comment. *City Council requests that if you do have a question or concern, to bring it to the attention of the appropriate department(s) whenever possible. If you feel that the matter has not been resolved satisfactorily, you are encouraged to bring it to the attention of the City Manager, and if still not resolved satisfactorily, to the Mayor and Council.*

- Petitioners shall be given a fifteen (15) minute presentation time that may be extended with the majority consent of City Council.
- Any member of the public, not a petitioner of an item, shall be allowed to speak for up to five (5) minutes to address any Public Hearing item.
- Any member of the public, not a petitioner of an item, shall be allowed to speak for up to five minutes to address Postponed, Regular Business or Consent Agenda items or any other item as permitted under the Open Meetings Act during the Public Comment portion of the agenda.

- City Council may waive the requirements of this section by a majority of the City Council members.
- City Council may wish to schedule a Special Meeting for Agenda items that are related to topics where there is significant public input anticipated.
- Through a request of the Chair and a majority vote of City Council, public Comment may be limited when there are fifteen (15) or more people signed up to speak either on a Public Hearing item or for the Public Comment period of the agenda.

G. RESPONSE / REPLY TO PUBLIC COMMENT

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

I-1 Board and Committee Appointments: None Scheduled

I-2 Board and Committee Nominations:

a) Mayoral Nominations

Suggested Resolution

Resolution #2011-10-

Moved by

Seconded by

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

Downtown Development Authority

Appointed by Mayor (13-Regular) – 4 Year Term

| | |
|--|-------------------------|
| | Term Expires 09/30/2014 |
| | Term Expires 09/30/2014 |
| | Term Expires 09/30/2014 |

Current Members:

| Last Name | First Name | App Resume Date | Date to Council | Appointment Date | Appointment Expire | Notes | Reappointment? |
|-----------|------------|-----------------|-----------------|------------------|--------------------|-------------|----------------|
| Frankel | Stuart | | 9/10/2007 | 9/10/2007 | 9/30/2011 | In district | |
| Hay | David | 8/13/2007 | 9/10/2007 | 9/10/2007 | 9/30/2011 | In District | |

| | | | | | | | |
|-----------|----------|------------|------------|------------|------------|-------------|------------------------|
| Hodges | Michele | 8/13/2009 | 10/5/2009 | 10/5/2009 | 9/30/2012 | In District | |
| Keisling | Laurence | 10/14/2008 | 11/24/2008 | 11/24/2008 | 9/30/2012 | At large | |
| Kennis | William | 8/15/2006 | 8/28/2006 | 8/28/2006 | 09/30/2010 | | |
| Kiriluk | Alan | 8/25/2004 | 9/22/2008 | 9/22/2008 | 9/30/2012 | In District | |
| Knight | P. Terry | 8/28/2009 | 9/14/2009 | 9/14/2009 | 9/30/2011 | At Large | |
| MacLeish | Daniel | 8/25/2009 | 10/5/2009 | 10/5/2009 | 9/30/2012 | In District | |
| Reschke | Ernest | 9/21/2010 | 8/28/2006 | 8/28/2006 | 09/30/2010 | | Requests Reappointment |
| Schilling | Louise | 8/19/2008 | 9/22/2008 | 9/22/2008 | 9/30/2012 | At large | |
| Schroeder | Douglas | 9/30/2010 | 8/28/2006 | 8/28/2006 | 09/30/2010 | | Requests Reappointment |
| Weiss | Harvey | 8/6/2009 | 10/5/2009 | 10/5/2009 | 9/30/2012 | In district | |
| York | G.Thomas | 9/8/2008 | 9/22/2008 | 9/22/2008 | 9/30/2012 | In district | |

Interested Applicants:

| Last Name | First Name | App Resume Date | App Resume Expire | Date to Council | Notes |
|------------|------------|-----------------|-------------------|-----------------|---|
| Beck | Paul | 10/10/2009 | 10/10/2011 | 10/19/2009 | |
| Campbell | James | 3/9/2011 | 3/9/2013 | 11/19/2007 | |
| Chambers | Barbara | 2/9/2011 | 2/9/2013 | | |
| Gallardo | Rosemary | 3/6/2009 | 3/6/2011 | 03/23/2009 | |
| Knight | Barbara | 7/2/2009 | 7/2/2011 | 8/17/2009 | |
| Sawyer Jr. | Thomas | 12/5/2009 | 12/5/2011 | 12/21/2009 | Municipal Bldg. Authority exp. 01/31/2013 |
| Scott | Bradley | 1/19/2009 | 1/19/2011 | 1/26/2009 | |
| Spillers | Edmund | 2/5/2009 | 2/5/2011 | 2/16/2009 | |
| Swartz | Robert | 7/25/2011 | 7/25/2013 | | |
| Vassallo | Joseph | 3/12/2009 | 3/12/2011 | 3/23/2009 | |

Economic Development Corporation

Appointed by Mayor (9-Regular) – 6 Year Term

Term Expires 04/30/2016

Term Expires 04/30/2017

Current Members:

| Last Name | First Name | App Resume Date | Date to Council | Appointment Date | Appointment Expire | Notes | Reappointment? |
|-----------|------------|-----------------|-----------------|------------------|--------------------|-------|------------------------|
| Bluhm | Kenneth | 10/6/2005 | 3/20/2006 | 3/20/2006 | 4/30/2012 | | |
| Edmunds | Donald | 11/15/2010 | 5/19/2008 | 5/19/2008 | 4/30/2014 | | |
| Hoef | Paul | 3/9/2009 | 3/30/2009 | 3/30/2009 | 4/30/2015 | | |
| Knight | Barbara | 7/2/2009 | 3/30/2009 | 3/30/2009 | 4/30/2015 | | |
| Licari | Leger | 3/10/2009 | 3/30/2009 | 3/30/2009 | 4/30/2015 | | |
| Miller | Mark | | 10/5/2009 | 10/5/2009 | 4/30/2011 | | |
| Parker | Michael | 3/14/2007 | 3/19/2007 | 3/19/2007 | 4/30/2013 | | |
| Salgat | Charles | 3/25/2010 | 4/19/2004 | 4/19/2004 | 4/30/2010 | | Requests Reappointment |
| Sharp | John | 7/15/2011 | 3/30/2009 | 3/30/2009 | 4/30/2015 | | |

Interested Applicants:

| Last Name | First Name | App Resume Date | App Resume Expire | Date to Council | Notes |
|-----------|------------|-----------------|-------------------|-----------------|-------|
| Campbell | James | 3/9/2011 | 3/9/2013 | 11/19/2007 | |
| Gallardo | Rosemary | 3/6/2009 | 3/6/2011 | 3/23/2009 | |
| Gunn | Mark | 4/7/2008 | 4/7/2010 | 4/21/2008 | |
| Spillers | Edmund | 2/5/2009 | 2/5/2011 | 2/16/2009 | |
| Swartz | Robert | 7/25/2011 | 7/25/2013 | | |

Yes:

No:

b) City Council Nominations

Suggested Resolution

Resolution #2011-10-

Moved by

Seconded by

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

Animal Control Appeal Board

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

- _____ Term Expires 09/30/2013
- _____ Term Expires 09/30/2013
- _____ Term Expires 09/30/2013

Current Members:

| Last Name | First Name | App Resume Date | Date to Council | Appointment Date | Appointment Expire | Reappointment? |
|---------------|------------|-----------------|-----------------|------------------|--------------------|------------------------|
| Carolan | Patrick | 9/21/2010 | 8/20/2007 | 8/20/2007 | 9/30/2010 | Requests Reappointment |
| Petrulis | Al | 8/25/2009 | 10/5/2009 | 10/5/2009 | 9/30/2012 | |
| Saeger | Jayne | 8/11/2008 | 9/22/2008 | 9/22/2008 | 9/30/2011 | |
| Viola | Vincent | 8/19/2009 | 10/5/2009 | 10/5/2009 | 9/30/2012 | |
| VACANT | | | | | | |

Interested Applicants:

| Last Name | First Name | App Resume Date | App Resume Expire | Date to Council | Notes |
|--------------------------|------------|-----------------|-------------------|-----------------|-------|
| No Interested Applicants | | | | | |

Charter Revision Committee

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

- _____ Term Expires 04/30/2013
- _____ Term Expires 04/30/2013
- _____ Term Expires 04/30/2014
- _____ Term Expires 04/30/2014

Current Members:

| Last Name | First Name | App Resume Date | Date to Council | Appointment Date | Appointment Expire | Reappointment? |
|------------|------------|-----------------|-----------------|------------------|--------------------|------------------------|
| Bernardi | MaryAnn | 3/31/2009 | 4/6/2009 | 4/6/2009 | 4/30/2012 | |
| Bliss | Daniel | 3/23/2009 | 4/6/2009 | 4/6/2009 | 4/30/2012 | |
| Bloom | Jerry | 4/12/2010 | 3/19/2007 | 3/19/2007 | 4/30/2010 | Requests Reappointment |
| Kanoza | Shirley | 3/25/2010 | 3/19/2007 | 3/19/2007 | 4/30/2010 | Requests Reappointment |
| Solomon | Mark | 3/24/2011 | 3/24/2011 | 3/24/2011 | 4/30/2011 | Requests Reappointment |
| Weisgerber | William | 12/19/2007 | 4/6/2009 | 4/6/2009 | 4/30/2012 | |
| Wilsher | Cynthia | 3/10/2011 | 3/10/2011 | 3/10/2011 | 4/30/2011 | Requests Reappointment |

Interested Applicants:

| Last Name | First Name | App Resume Date | App Resume Expire | Date to Council | Notes |
|-----------|------------|-----------------|-------------------|-----------------|-------|
| Courtney | Kenneth | 3/22/2010 | 3/22/2012 | 4/5/2010 | |
| Howrylak | Frank | 1/5/2009 | 1/5/2011 | 1/26/2009 | |

Election Commission

Appointed by Council – (2-Regular & 1-Charter) - 1-Year Term

Term Expires 01/31/2012

Term Expires 01/31/2012

Current Members:

| Last Name | First Name | App Resume Date | Date to Council | Appointment Date | Appointment Expire | Notes | Reappointment? |
|-----------|------------|-----------------|-----------------|------------------|--------------------|------------|------------------------|
| Anderson | David | 12/16/2009 | 2/2/2009 | 2/2/2009 | 1/31/2010 | Republican | Requests Reappointment |
| Bittner | M. Aileen | | | | Charter | City Clerk | |
| Dewan | Timothy | 12/21/2009 | 1/26/2009 | 1/26/2009 | 1/31/2010 | Democrat | Requests Reappointment |

Interested Applicants:

| Last Name | First Name | App Resume Date | App Resume Expire | Date to Council | Notes |
|--------------|------------|-----------------|-------------------|-----------------|-------|
| Harrell | David | 2/7/2011 | 2/7/2013 | | |
| Ziegenfelder | Peter | 12/14/2010 | 12/14/2012 | | |

Historic District Commission

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

Term Expires 03/01/2013

Term Expires 03/01/2013

Term Expires 03/01/2014

Term Expires 03/01/2014

Current Applicants:

| Last Name | First Name | App Resume Date | Date to Council | Appointment Date | Appointment Expire | Notes | Reappointment? |
|-----------|------------|-----------------|-----------------|------------------|--------------------|--------------------------------------|------------------------|
| Chambers | Barbara | 2/9/2011 | 4/7/2008 | 4/7/2008 | 3/1/2011 | | |
| Jihad | Sabah | 9/13/2005 | 4/7/2008 | 4/7/2008 | 3/1/2011 | Historical Commission Recommendation | |
| Partlan | Anne | 2/24/2011 | 4/7/2008 | 4/7/2008 | 3/1/2014 | Historical Society Recommendation | |
| Rounds | Murial | 7/25/2003 | 5/18/2009 | 5/18/2009 | 5/15/2012 | Historical Society Recommendation | |
| Schuchter | Doris | 5/14/2009 | 5/14/2011 | 6/1/2009 | 5/15/2012 | Historical Society Recommendation | |
| Voigt | W. Kent | 2/10/2010 | 10/1/2007 | 10/1/2007 | 3/1/2010 | | Requests Reappointment |
| Wattles | Brian | 12/5/2008 | 10/16/2007 | 10/16/2007 | 7/31/2010 | | No Response |

Interested Applicants:

| Last Name | First Name | App Resume Date | App Resume Expire | Date to Council | Notes 3 |
|-----------|--------------|-----------------|-------------------|-----------------|---------|
| Doyle | Hugh Stephen | 3/11/2010 | 3/11/2012 | 4/5/2010 | |
| Freliga | Victor | 12/13/2010 | 12/13/2012 | 1/7/2008 | |
| Kuppa | Padma | 8/13/2009 | 8/13/2011 | 10/14/2009 | |
| Marinos | Penny | 3/30/2009 | 3/30/2011 | 3/30/2009 | |

Liquor Advisory Committee

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

Term Expires 09/20/2013

Term Expires 01/31/2014

Term Expires 01/31/2014

Term Expires 07/01/2012

Term Expires 07/01/2012

Current Applicants:

| Last Name | First Name | App Resume Date | Date to Council | Appointment Date | Appointment Expire | Reappointment? |
|------------|------------|-----------------|-----------------|------------------|--------------------|------------------------|
| Ehlert | Max | 12/22/2008 | 2/2/2009 | 2/2/2009 | 1/31/2012 | |
| Godlewski | W. Stan | 12/14/2010 | 1/7/2008 | 1/7/2008 | 1/31/2011 | Requests Reappointment |
| Hall | Patrick | 9/14/2010 | 8/20/2007 | 8/20/2007 | 9/20/2010 | Requests Reappointment |
| Harden | Lauren | 6/29/2010 | 6/29/2012 | 1/4/2010 | 7/1/2010 | Student |
| Kaltsounis | Andrew | 12/1/2009 | 1/4/2010 | 1/4/2010 | 1/31/2013 | Requests Reappointment |
| Lepola | Dane | 6/9/2010 | 6/9/2012 | 9/14/2009 | 7/1/2010 | Student |
| Ogg | David | 12/17/2008 | 2/2/2009 | 2/2/2009 | 1/31/2012 | |
| Payne | Timothy | 12/26/2008 | 2/2/2009 | 2/2/2009 | 1/31/2012 | |
| Scherlinck | Gerard | | | | | |
| Ukraineec | Bohdan | 12/23/2010 | 1/7/2008 | 1/7/2008 | 1/31/2011 | Requests Reappointment |

Interested Applicants:

| Last Name | First Name | App Resume Date | App Resume Expire | Date to Council | Notes |
|-----------|------------|-----------------|-------------------|-----------------|-------|
| Comiskey | Ann | 2/9/2011 | 2/9/2013 | | |
| Gunn | Mark | 04/07/2008 | 4/7/2010 | 04/21/2008 | |

Municipal Building Authority

Appointed by Council – (5-Regular) – 3-Year Term

Term Expires 01/31/2012

Term Expires 01/31/2012

Term Expires 01/31/2014

Current Members:

| Last Name | First Name | App Resume Date | Date to Council | Appointment Date | Appointment Expire | Notes 1 | Reappointment? |
|------------|------------|-----------------|-----------------|------------------|--------------------|----------|------------------------|
| Chaffee | Michael | 1/19/2009 | | | 01/31/2012 | Resigned | |
| Freliga | Victor | 12/13/2010 | 1/7/2008 | 1/7/2008 | 1/31/2011 | | Requests Reappointment |
| Lamerato | John | | | | 1/31/2012 | Retired | |
| Sawyer Jr. | Thomas | 12/5/2009 | 1/4/2010 | 1/4/2010 | 1/31/2013 | | |
| Shier | Frank | 11/30/2007 | | | 01/31/2011 | Deceased | |

Interested Applicants:

| Last Name | First Name | App Resume Date | App Resume Expire | Date to Council | Notes1 |
|--------------------------|------------|-----------------|-------------------|-----------------|--------|
| No Interested Applicants | | | | | |

Parks & Recreation Board

Appointed by Council – (7-Regular) - 3 Year Term; (1-Troy School Board) - 1-Year Term; (1-Troy Daze Committee) - 1-Year Term; (1-Adv. Comm. For Sr. Citizens) - 1-Year Term

- _____ Term Expires 9/30/2014
- _____ Term Expires 9/30/2015

Current Members:

| Last Name | First Name | App Resume Date | Date to Council | Appointment Date | Appointment Expire | Notes 1 | Notes 3 |
|------------|---------------|-----------------|-----------------|------------------|--------------------|-------------------------------------|------------------------|
| Biegler | Jeff | | | | Ordinance | | |
| Fejes | Kathleen | 9/30/2010 | 8/20/2007 | 8/20/2007 | 9/30/2010 | | Requests Reappointment |
| Gazetti | Tod | 9/14/2010 | 10/1/2007 | 10/1/2007 | 9/30/2010 | | Requests Reappointment |
| Hauff | Gary | 7/13/2006 | 9/13/2010 | 9/13/2010 | 7/31/2011 | Troy School Dist. Rep. on P&R Board | |
| Kaltsounis | Orestis Rusty | 9/10/2009 | 10/5/2009 | 10/5/2009 | 9/30/2012 | | |
| Kovacs | Meaghan | 3/25/2008 | 10/6/2008 | 10/6/2008 | 9/30/2011 | | |
| Krent | Thomas | 9/13/2010 | 8/20/2007 | 8/20/2007 | 9/30/2010 | Resigned 4/7/2011 | |

| | | | | | | | |
|----------|---------|-----------|-----------|-----------|------------|---------------------------|--|
| Redpath | Stuart | 8/13/2009 | 10/5/2009 | 10/5/2009 | 9/30/2012 | | |
| Stewart | Jeffrey | 9/30/2009 | 12/7/2009 | 12/7/2009 | 11/30/2012 | Troy Daze Rep. on P&R Bd. | |
| Thompson | JoAnn | 4/21/2010 | 4/21/2012 | 4/20/2009 | 4/30/2010 | Sr. Advisory Comm. Rep | |
| Zikakis | Janice | 8/7/2008 | 9/22/2008 | 9/22/2008 | 9/30/2011 | | |

Interested Applicants:

| Last Name | First Name | App Resume Date | App Resume Expire | Date to Council | Notes |
|-----------|------------|-----------------|-------------------|-----------------|-------|
| Berar | James | 3/25/2010 | 3/25/2012 | 3/19/2007 | |
| Campbell | James | 3/9/2011 | 3/9/2013 | 11/19/2007 | |
| Edmunds | Donald | 11/15/2010 | 11/15/2012 | 1/17/2008 | |
| Khan | Cynthia | 5/8/2009 | 5/8/2011 | 5/18/2009 | |
| Knight | P. Terry | 8/28/2009 | 8/28/2011 | 8/31/2009 | |
| Petrulis | Al | 8/25/2009 | 8/25/2011 | | |
| Scott | Bradley | 1/19/2009 | 1/19/2011 | 1/26/2009 | |
| Viola | Vincent | 8/19/2009 | 8/19/2011 | 9/14/2009 | |

Personnel Board

Appointed by Council – (5-Regular) – 3-Year Term

Term Expires 4/30/2014

Current Members:

| Last Name | First Name | App Resume Date | Date to Council | Appointment Date | Appointment Expire | Reappointment? |
|------------|--------------|-----------------|-----------------|------------------|--------------------|------------------------|
| Baughman | Deborah | 2/22/2011 | 2/28/2011 | 2/28/2011 | 4/30/2014 | Requests Reappointment |
| Comiskey | Ann | 10/11/2009 | 11/9/2009 | 11/9/2009 | 4/30/2011 | |
| Huber | Laurie | 3/11/2009 | 3/30/2009 | 3/30/2009 | 4/30/2012 | |
| Nelson Jr. | Albert | 3/31/2009 | 4/20/2009 | 4/20/2009 | 4/30/2012 | |
| Witt | Francis Jack | 4/20/2009 | 5/11/2009 | 5/11/2009 | 4/30/2012 | |

Interested Applicants:

| Last Name | First Name | App Resume Date | App Resume Expire | Date to Council | Notes |
|-----------|------------|-----------------|-------------------|-----------------|-------|
| Beck | Paul | 10/10/2009 | 1/10/2011 | 10/19/2009 | |
| Doyle | Hugh | 3/11/2010 | 3/11/2012 | 4/5/2010 | |
| Staeger | Gerard | 10/1/2009 | 10/1/2011 | 10/5/2009 | |

Traffic Committee

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

Term Expires 1/31/2014

Term Expires 1/31/2014

Term Expires 1/31/2014

Current Members:

| Last Name | First Name | App Resume Date | Date to Council | Appointment Date | Appointment Expire | Notes | Reappointment? |
|--------------|------------|-----------------|-----------------|------------------|--------------------|----------|------------------------|
| Binkowski | Sarah | 12/17/2008 | 2/2/2009 | 2/2/2009 | 1/31/2013 | | |
| Diefenbaker | John | 12/17/2008 | 2/2/2009 | 2/2/2009 | 1/31/2013 | | |
| Halsey | Lawrence | 1/23/2009 | 2/16/2009 | 2/16/2009 | 1/31/2012 | | |
| Hubbell | Jan | 1/16/2008 | 1/28/2008 | 1/28/2008 | 1/31/2011 | Resigned | |
| Huotari | William | | | | Ordinance | | |
| Kilmer | Richard | 12/23/2010 | 1/7/2008 | 1/7/2008 | 1/31/2011 | | Requests Reappointment |
| Mayer | Gary | | | | Ordinance | | |
| Nelson | William | | | | Ordinance | | |
| Schepke | Gordon | 12/15/2008 | 2/2/2009 | 2/2/2009 | 1/31/2012 | | |
| Ziegenfelder | Peter | 12/14/2010 | 1/7/2008 | 1/7/2008 | 1/31/2011 | | Requests Reappointment |

Interested Applicants:

| Last Name | First Name | App Resume Date | App Resume Expire | Date to Council | Notes |
|-----------|------------|-----------------|-------------------|-----------------|-------|
| Berar | James | 3/25/2010 | 3/25/2012 | 4/5/2010 | |
| Lambert | Dave | 2/19/2011 | 2/16/2013 | 11/19/2007 | |
| Petrulis | Al | 8/25/2009 | 8/25/2011 | 9/14/2009 | |
| Sanzica | Philip | 12/10/2009 | 12/10/2011 | 3/3/2008 | |

Zoning Board of Appeals

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

Term Expires 04/30/2014

Term Expires 04/30/2014

Current Members:

| Last Name | First Name | App Resume Date | Date to Council | Appointment Date | Appointment Expire | Notes | Reappointment? |
|-----------|------------|-----------------|-----------------|------------------|--------------------|-------|----------------|
|-----------|------------|-----------------|-----------------|------------------|--------------------|-------|----------------|

| | | | | | | | |
|----------|----------|------------|-----------|-----------|-----------|--------------|------------------------|
| Bartnik | Michael | 2/18/2009 | 3/30/2009 | 3/30/2009 | 4/30/2012 | | |
| Clark | Glenn | 3/24/2009 | 4/20/2009 | 4/20/2009 | 4/30/2012 | | |
| Courtney | Kenneth | 3/22/2010 | 7/12/2010 | 7/12/2010 | 4/30/2013 | | |
| Fisher | William | 6/16/2010 | 7/12/2010 | 7/12/2010 | 4/30/2013 | | |
| Kneale | A. Allen | 3/9/2011 | 3/9/2011 | 3/9/2011 | 4/30/2011 | | Requests Reappointment |
| Lambert | Dave | 2/19/2011 | 3/3/2008 | 3/3/2008 | 4/30/2011 | | Requests Reappointment |
| Sanzica | Philip | 12/10/2009 | 2/7/2011 | 2/7/2011 | 1/31/2012 | PC Alt. Rep. | |
| Strat | Thomas | 11/24/2008 | 2/7/2011 | 2/7/2011 | 1/31/2012 | PC Rep | |

Interested Applicants:

| Last Name | First Name | App Resume Date | App Resume Expire | Date to Council | Notes |
|------------|------------|-----------------|-------------------|-----------------|-------|
| Howrylak | Frank | 1/5/2009 | 1/5/2011 | 1/26/2009 | |
| Kaltsounis | Orestis | 9/10/2009 | 9/10/2011 | 8/28/2006 | |
| Krent | Thomas | 2/23/2011 | 2/23/2013 | | |

Yes:

No:

I-3 Request for Closed Session – No Closed Session Requested

I-4 Ordinance Revisions in Accordance with Troy City Council Resolution Requesting Expunging of Boards and Committees

a) Resolution to Amend Chapter 9 – Troy Public Library

Suggested Resolution

Resolution #2011-10-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **AMENDS** Chapter 9, Troy Public Library, of the Troy City Code in accordance with the proposal prepared by City Administration, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes:

No:

b) Resolution to Strike Chapter 12 – Historical Commission

Suggested Resolution

Resolution #2011-10-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **STRIKES** in totality Chapter 12, Historical Commission, of the Troy City Code in accordance with the proposal prepared by City Administration, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes:

No:

c) Resolution to Amend Chapter 13 – Historic Preservation

Suggested Resolution

Resolution #2011-10-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **AMENDS** Chapter 13, Historic Preservation, of the Troy City Code in accordance with the proposal prepared by City Administration, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes:

No:

J. CONSENT AGENDA:

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

Suggested Resolution

Resolution #2011-10-

Moved by

Seconded by

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

Yes:

No:

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

J-2 Approval of City Council Minutes

Suggested Resolution

Resolution #2011-10-

RESOLVED, That Troy City Council hereby **APPROVES** the following Minutes as submitted:

- a. Regular City Council Meeting of September 26, 2011

J-3 Proposed City of Troy Proclamations: None Submitted

J-4 Standard Purchasing Resolutions

a) Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications – Ice Melt Compounds

Suggested Resolution

Resolution #2011-10-

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide one (1) year requirements of ice melt compounds with an option to renew for one (1) additional year for the City of Troy and participating MITN (Michigan Intergovernmental Trade Network) Purchasing Cooperative Members to the lowest bidder meeting specifications for both proposals A) and B) - Washington Elevator Co, Inc of Washington, MI, at unit prices contained in the bid tabulation opened September 21, 2011, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with the contract expiring October 31, 2012.

J-5 Traffic Committee Recommendations and Minutes – September 21, 2011

Suggested Resolution

Resolution #2011-10-

Item 3: Changing Existing YIELD Sign to STOP Sign – Southbound Milburn at Prescott

RESOLVED, That the Traffic Committee recommends changing the existing **YIELD** sign on southbound Milburn at Prescott to a **STOP** sign.

Item 4: Changing Existing YIELD Sign to STOP Sign – Northbound Milburn at Brinston

RESOLVED, That the Traffic Committee recommends changing the existing **YIELD** sign on northbound Milburn at Brinston to a **STOP** sign.

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings: None Submitted

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

L. COUNCIL REFERRALS:

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

L-1 Council Referrals:

a) Lifelong Learning Committee as Advanced by Mayor Pro Tem Kerwin

Suggested Resolution

Resolution #2011-10-

Moved by

Seconded by

WHEREAS, Troy Futures/Vision 2020 Lifetime Learning Committee recommended the formation of a committee to achieve a preferred future; and

WHEREAS, The Lifelong Learning Committee would be responsible for determining community lifetime learning needs, coordinating learning opportunity content and communicating opportunities at the Troy Library to people who live and work in Troy; and

WHEREAS, The Lifelong Learning Committee would ensure that the Library's learning opportunities are provided in user-friendly formats compatible with the skills and resources of users and adapt to change as needed; and

WHEREAS, The Lifelong Learning Committee would have wide community representation of key community stakeholders who meet as needed with the Library Director to ensure the realization and utilization of a superior 21st century library; and

WHEREAS, The Lifelong Learning Committee would include representatives from public and private schools within Troy; colleges and institutions of higher education; PTA, PTO and Boosters; Student Councils; Troy Chamber of Commerce; I/ACT; Troy businesses; Troy Library, Recreation, Historic Village, and Nature Center; Friends of the Troy Public Library; Service clubs; and should include ethnic and age diversity and library and non-library cardholders; and

WHEREAS, The Lifelong Learning Committee's responsibilities include those iterated by the Lifetime Learning Task Force and any other responsibilities deemed important by the Library Director, and will be a vital conduit for community input; and

WHEREAS, The Committee should be involved in the strategic planning process and subsequent implementation of the plan, and continue to work with the Library Director afterward to provide stakeholder input and community involvement; and

WHEREAS, The Library Director will report committee recommendations and achievements to Council on a quarterly basis;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **DIRECTS** staff to establish a Lifelong Learning Committee which fulfills the goals described herein.

Yes:

No:

M. COUNCIL COMMENTS

M-1 No Council Comments Advanced

N. REPORTS

N-1 Minutes – Boards and Committees:

- a) Traffic Committee-Final-June 15, 2011
 - b) Zoning Board of Appeals-Final (Revised)-June 21, 2011
 - c) Zoning Board of Appeals-Final-August 16, 2011
-

N-2 Department Reports: None Submitted

N-3 Letters of Appreciation:

- a) Letter Appreciation from Jeff Williams to Gary Bowers, Thanking the Planning Department and Ordinance Enforcement Inspectors for Their Quick Response
-

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

N-5 Notice of Hearing for the Natural Gas Customers of Consumers Energy Company Case No. U-16855

O. STUDY ITEMS

O-1 Economic and Community Development Division Update

O-2 IMLA/ICMA Report – Troy City Attorney’s Office

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, October 17, 2011 Regular Meeting
- Monday, November 14, 2011 Regular Meeting
- Monday, November 21, 2011 Regular Meeting
- Monday, November 28, 2011 Regular Meeting
- Monday, December 5, 2011 Regular Meeting
- Monday, December 19, 2011 Regular Meeting

SCHEDULED SPECIAL CITY COUNCIL MEETINGS:



CITY COUNCIL AGENDA ITEM

Date: September 29, 2011

To: John Szerlag, City Manager

From: Mark F. Miller, Director of Economic & Community Development Services
Cindy Stewart, Community Affairs Director

Subject: Community Development Block Grant (CDBG) 2012 Application and Public Hearing

Background

Oakland County has advised the City of Troy to use \$143,525.00 as our planning estimate for the program year 2012.

The following projects are being recommended for the 2012 CDBG program:

| | |
|--------------------------|-------------------|
| Home Chore Program: | 21,528.00 |
| Flood Drain Improvements | <u>121,997.00</u> |
| Total: | \$143,525.00 |

Federal regulations require Oakland County as an “urban county” grantee to execute an annual Subrecipient Agreement with each participating community. The City will submit the executed Agreement with our application. The recommended resolution authorizes the Mayor to execute the agreement.

Recommendation

It is recommended that Council approve the Community Development Block Grant (CDBG) 2012 application.

Fund Availability

Oakland County will allow participating communities to spend a maximum of 15% of their annual allocation on public services (it was 30% in previous years). There can no longer be an administration cost line from our annual allocation.



CITY COUNCIL ACTION ITEM

Date September 30, 2011

TO: Mayor Schilling and City Council

FROM: John Szerlag, City Manager
Mark F. Miller, Director of Economic and Community Development
Aileen Bittner, City Clerk

SUBJECT: Ordinance Revisions in Accordance with Troy City Council Resolution Requesting Expunging of Boards and Committees

As requested by City Council, City Administration prepared proposed ordinance amendments that would effectively dissolve the Library Advisory Board and also the Historical Commission.

Chapter 9 – Troy Public Library, the establishment, organization, powers and duties of the Library Board would be stricken. Management and Library Staff would assume any duties previously performed by the Board.

Chapter 12 – The entire chapter is proposed to be deleted since these duties would be performed by the Historical Society and/or City Administration.

In Chapter 13 – The proposed amendment reassigns the duties previously performed by the Historical Commission.

Financial Considerations:

- There are no financial considerations associated with this item.

Legal Considerations:

- There are no legal considerations associated with this item.

Approved as to Form and Legality:

Lori Grigg Bluhm, City Attorney

CITY OF TROY
AN ORDINANCE TO AMEND
CHAPTER 9 OF THE CODE
OF THE CITY OF TROY

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as an amendment to Chapter 9, Troy Public Library of the Code of the City of Troy.

Section 2. Amendment

Sections 1, 2, 3, 5, 6 and 7 shall be amended as follows:

1. Establishment. ~~The Public Library shall be established as a separate department of the City to be administered under the direction of the City Manager. A library Advisory Board is hereby established which shall advise the City Council in matters of policy, and the City Manager in matters of administration, with regard to the establishment, development, and operation of the library. Said Board shall consist of five members appointed by the City Council. No member of the Board shall be employed by, or be an official of the City. The members of the Board shall serve for terms of three years. Members of the Board shall serve without compensation.~~
2. Organization of Board. ~~The Library Advisory Board shall organize by electing annually at their first regular meeting in May, a president, vice president, secretary, and such other officers as may be necessary for the proper conduct of the duties of the Board. The Secretary shall notify the Council of the names of all such officers promptly after their appointment. Three members of the Board shall constitute a quorum for the transaction of business. The Board shall conform to all the rules and regulations promulgated by the City Council of the City of Troy that will be applicable to all other Boards and Commissions.~~
3. Powers and Duties. ~~It shall be the duty of the Library Advisory Board to recommend by laws, rules and regulations for the control and governing of the library system for consideration and action by the City Manager. The Board shall recommend a reasonable schedule of fines for the infringement of established rules and regulations, and a schedule of fees for the use of library services and facilities by non-residents of the City for consideration and action by the City Council. The Board, in the name of Tthe City, may accept donations, contributions, and gifts, for either general or specific purposes, provided that all such donations, contributions, or gifts are to which become the property of the City with full rights of disposal. All monetary donations, contributions, and gifts shall be deposited with the City~~

Treasurer in compliance with Section 8.8 of the ~~Chapter~~ **Charter** of the City of Troy. ~~The Board may recommend the purchase of books, periodicals, magazines, library equipment and supplies as deemed necessary and proper. And, further, the Board may recommend contracts, rules, regulations, and conditions affecting relations between the Troy Public Library and other libraries in the area and in the State of Michigan for consideration and action by the City Council.~~

5. Library Building. ~~The City Council shall provide suitable quarters for housing the library and shall provide janitor service and maintenance under the direction of the City Manager. Whenever the construction of a library building or buildings is contemplated it shall be the duty of the City Manager to have detailed plans and specifications prepared for same. Such plans and specifications shall be reviewed by the Library Advisory Board and thereafter submitted to the City Council for approval or rejection with the written recommendation of the Board. The contract or contracts for such construction shall be let by the City Council as provided by Section 12.2 of the City Charter.~~
6. Records. ~~The Library Advisory Board shall keep a complete record of its proceedings and the same shall be a public record. At the end of the fiscal year and at any other times when requested by the Manager or City Council, the Librarian shall prepare a report stating the number of books and periodicals on hand; the number added by purchase or gift during the year; the number recorded lost, missing or worn out; the number of books loaned out, and such other statistics, information and suggestions as he may deem to be of general interest.~~
7. Budget Estimates. ~~Not later than February 15, of each year, the Library Advisory Board shall furnish the City Manager with recommendations regarding proposed library programs for the ensuing fiscal year which the Manager shall review and consider in preparing the library budget to be submitted to the City Council. The budget shall be reviewed by the Board prior to submission to the City Council.~~

Section 3. Repeal

All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 4. Savings

All proceedings pending, and all rights and liabilities existing, acquired or incurred, at the time this Ordinance takes effect, are hereby saved. Such proceedings may be consummated under and according to the ordinance in force at the time such proceedings were commenced. This ordinance shall not be construed to alter,

affect, or abate any pending prosecution, or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed or amended by this ordinance adopting this penal regulation, for offenses committed prior to the effective date of this ordinance; and new prosecutions may be instituted and all prosecutions pending at the effective date of this ordinance may be continued, for offenses committed prior to the effective date of this ordinance, under and in accordance with the provisions of any ordinance in force at the time of the commission of such offense.

Section 5. Severability Clause

Should any word, phrase, sentence, paragraph or section of this Ordinance be held invalid or unconstitutional, the remaining provision of this ordinance shall remain in full force and effect.

Section 6. Effective Date

This Ordinance shall become effective ten (10) days from the date hereof or upon publication, whichever shall later occur.

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a Regular Meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, MI, on the _____ day of _____, _____.

Louise E. Schilling, Mayor

Aileen Bittner, City Clerk

CITY OF TROY
AN ORDINANCE TO DELETE
CHAPTER 12 OF THE CODE
OF THE CITY OF TROY

The City of Troy ordains:

Section 1.

Delete. Chapter 12 of the City of Troy Code of Ordinances is hereby deleted.

Section 2.

1. ~~Establishment. There is hereby established the Historical Commission for the City which shall consist of seven members appointed by the City Council to serve without compensation.~~

~~————(Rev. 10-12-1981)~~

2. ~~Terms of Members. Each member shall be appointed for a term of three (3) years ending on the last day of July of the third year after appointment, or upon the appointment of his successor, whichever is later. Members of the Commission can be removed at the pleasure of the City Council by a majority vote of the members elect. Vacancies occurring other than through the expiration of term shall be filled for the unexpired term by the City Council.~~

3. ~~Organization. The Commission shall elect a Chairman, Vice Chairman, Secretary and such other officers as may be necessary for the proper conduct of its affairs from its membership annually at its first meeting after the last day of July. The Commission shall conform to all the rules and regulations promulgated by the City Council that will be applicable to all other Boards and Commissions.~~

4. ~~Meetings. The Commission shall hold at least one (1) regular public meeting in each quarter on such date and at such time and place as may be established by resolution of the Commission. Special meetings may be called by the Secretary on the written request of the Chairman or any two (2) members of the Commission on at least two (2) days notice. The Commission shall keep a written or printed record of its proceedings which shall be a public record and property of the City and shall adopt its own rules of procedure. Four (4) members shall constitute a quorum for the transaction of business.~~

~~————(Rev. 4-23-1990)~~

5. ~~General Powers and Duties. The powers and duties of the Commission to be exercised and performed in conformity with the City Code and state statutes are as follows:~~

~~————(a)——— The Historical Commission shall be a policy making body and be responsible, with the approval of the City Manager, for the overall operation of the City owned buildings known as the Troy Museum & Historic Village. Such policies and responsibilities shall pertain to additional buildings moved to the Historic Village located at 60 W. Wattles Road.~~

~~_____ In general, it shall be the duty of the Historical Commission to establish policy with regard to the collection, arrangement, cataloguing and preservation of historical material including books, pamphlets, maps, charts, manuscripts, papers, records and archives, paintings, statuary and other objects and materials relating to the history of the City of Troy and the surrounding area; procurement and preservation of narratives of the early residents of such area, the collection of materials of every description relative to the history, longevity, literature, progress or decay of Indian tribes; collection, preparation, and display of objects indicative of the life, customs, dress and resources of the early residents of this area, and to make available from time to time source materials and historical studies relative to and illustrative of the history of the area. The Commission shall have power, with the approval of the City Manager, to collect from the public offices in the City of Troy reproductions of any records, files, documents, books and papers which, in the opinion of the Commission, are of historical value.~~

~~_____ (Rev. 4-23-1990)~~

~~_____ (b) _____ The Commission shall have the power, with the consent of the City Council, to accept donations of money or historical materials (as described in Section (a) (above) for carrying out the historical purposes as provided in this Chapter. Such donations of money or historical materials vest in the City subject to Section 8.8 of the Charter of the City of Troy and in accordance with the deed, devise, bequest or grant of such property. Gifts of money shall be deposited in a special account to be established by the City Treasurer from which disbursements shall be made upon warrant of the Treasurer countersigned by the City Manager as provided in Section 8.9 of the Charter, in accordance with the terms of the instruments making such gifts.~~

~~_____ (Rev. 04-22-1974)~~

~~_____ (c) _____ The Commission shall cooperate with and assist the Michigan Historical Commission in carrying out its powers and duties as established by Act 271 of the Public Acts of 1913 and Act 10 of the Public Acts of 1955.~~

~~_____ (Rev. 04-22-1974)~~

~~_____ (d) _____ The Commission may recommend to the City Manager purchases of historical material including books, pamphlets, maps, charts, manuscripts, papers, copies of domestic and foreign records and archives, paintings, statuary, and other objects and material illustrative of and relating to the history of the City of Troy and the surrounding area; provided only, that all such purchases shall be accomplished in accordance with the Charter of the City of Troy and applicable Ordinances of the City of Troy.~~

~~_____ (Rev. 04-22-1974)~~

~~_____ (e) _____ The Commission may receive any money appropriated to it by the State and shall deposit same with the City Treasurer as provided in Section 8.8 of the City Charter. Such funds shall be disbursed as provided in Section 5(b) of this Chapter. At the beginning of each quarterly period during a fiscal year and more often if required by the City Council, the Manager shall submit to the City Council a current statement of actual income and expenses.~~

~~_____ (Rev. 04-22-1974)~~

~~6. — Staff. The City Manager shall appoint a Museum Director and necessary staff. All employees constituting the Museum staff shall conform and be subject to all rules and regulations governing other employees of the City. All supplies and materials used in the operation of the Historical Museum shall be obtained by the Director through the Purchasing Department in compliance with administrative rules applying to all other City Departments, or in accordance with a legal contract executed by the City for the purpose of providing such supplies and materials.~~

~~———— (Rev. 04-23-1990)~~

~~7. — Annual Report. The Commission shall make and submit to the City Council an annual report of the general activities, operation and condition of the Commission for the preceding year. The Commission shall, from time to time, as the occasion requires, either in the annual report, or at any time deemed necessary by the Committee, advise the City in writing on all matters necessary and proper for and pertaining to the proper operation of the Commission and any of its activities or properties.~~

~~8. — Budget Estimates. Not later than February 15 of each year, the Commission and Director shall furnish the City Manager with recommendations regarding proposed historical programs for the ensuing fiscal year which the Manager shall review and consider in preparation of the Budget to be submitted to the City Council.~~

~~———— (Rev. 04-23-1990)~~

Section 3. Repeal

All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 4. Savings

All proceedings pending, and all rights and liabilities existing, acquired or incurred, at the time this Ordinance takes effect, are hereby saved. Such proceedings may be consummated under and according to the ordinance in force at the time such proceedings were commenced. This ordinance shall not be construed to alter, affect, or abate any pending prosecution, or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed or amended by this ordinance adopting this penal regulation, for offenses committed prior to the effective date of this ordinance; and new prosecutions may be instituted and all prosecutions pending at the effective date of this ordinance may be continued, for offenses committed prior to the effective date of this ordinance, under and in accordance with the provisions of any ordinance in force at the time of the commission of such offense.

Section 5. Severability Clause

Should any word, phrase, sentence, paragraph or section of this Ordinance be held invalid or unconstitutional, the remaining provision of this ordinance shall remain in full force and effect.

Section 6. Effective Date

This Ordinance shall become effective ten (10) days from the date hereof or upon publication, whichever shall later occur.

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a Regular Meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, MI, on the _____ day of _____, _____.

Louise E. Schilling, Mayor

Aileen Bittner, City Clerk

CITY OF TROY
AN ORDINANCE TO AMEND
CHAPTER 13 OF THE CODE
OF THE CITY OF TROY

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as an amendment to Chapter 13, Historic Preservation of the Code of the City of Troy.

Section 2. Amendment

Section 6B, 7A – 7G, 7I, 11, 15B shall be amended as follows:

6. **RULES OF THE COMMISSION**

- B. The Commission should meet at least quarterly, and at the call of the Chair, Secretary, or two (2) members of the Commission, if matters are referred to it by the ~~Director of Building and Zoning~~Planning Director.

7. **PROCEDURES FOR REVIEW OF PLANS**

- A. Application for a building permit to construct, alter, move or demolish any resource in a Historic District shall be made to the ~~Director of Building and Zoning~~Building Official. Plans shall be submitted showing the resource in question and also showing its relation to adjacent resources.
- B. Upon the filing of such application, the ~~Director of Building and Zoning~~Building Official or his or her representative shall immediately notify the ~~Commission~~Planning Director of the receipt of such application and shall transmit it together with accompanying plans and other information to the Commission.
- C. The Commission shall review the plans according to the duties and powers specified herein. In reviewing the plans, the Commission may confer with the applicant for the building permit, and ~~with the Director of Building and Zoning, and with the~~with the Building Official and/or City Planning Director.
- D. The Commission shall approve or disapprove such plans, and, if approved, shall issue a certificate of appropriateness or a notice to proceed, which is to be signed by the Chair or Vice- Chair, attached to the application for a building permit and immediately transmitted

to the ~~Director of Building and Zoning~~Building Official. The Chair shall also stamp all plans submitted to the Commission signifying its approval or disapproval.

- E. If the Commission disapproves of such plans, it shall state its reasons for doing so and shall transmit a record of such action and reasons therefore in writing to the ~~Director of Building and Zoning~~Building Official and to the applicant. The Commission shall advise what it thinks is proper if it disapproves of the plans submitted. The applicant, if he or she so desires, may make modifications to the plans and shall have the right to resubmit the application at any time after so doing.

If the requested permit is denied by the Commission, the ~~Director of Building and Zoning~~Building Official shall disapprove the application.

- F. The failure of the Commission to approve, conditionally approve or disapprove of such plans within sixty (60) days from the date of application for the building permit, unless otherwise mutually agreed upon by the applicant and the Commission, shall be deemed to constitute approval and the ~~Director of Building and Zoning~~City Planning Director shall proceed to process the application without regard to a certificate of appropriateness or notice to proceed from the Commission.

- G. After a building permit is granted, the ~~Director of Building and Zoning~~Building Official or his or her representative shall inspect the construction or alteration in accordance with the procedures established by the Building Department of the City of Troy.

- I. If the Commission grants a permit for demolition, it may notify the ~~Troy Historical Commission~~City Manager so that ~~that body~~City Administration may consult with the owner about obtaining anything of historical significance from the property.

11. YARD VARIANCES

Due to peculiar conditions of design and construction in Historic Districts, where structures were often built close to the lot lines, it is in the public interest to retain the District's appearance by making variances to normal yard requirements. Where it is deemed that such variances will not adversely affect neighboring properties, the Commission may recommend to the ~~Board of Zoning Appeals~~Zoning Board of Appeals that such variance to standard yard requirements be granted.

15. **ENFORCEMENT; VIOLATIONS**

- B. The enforcement of this ordinance shall be the responsibility of this Historic District Commission, in conjunction with the ~~Director of Building and Zoning Planning Director of the city~~. A person, individual, partnership, firm, corporation, organization, institution or agency of government that violates this act is responsible for committing a Municipal Civil Infraction subject to the provisions of Chapter 100 of the Code for the City of Troy. Each day a violation continues is a separate Municipal Civil Infraction Violation. Sanctions for violation shall include a fine of not more than \$500, costs, damages and injunctive orders as authorized by Chapter 100.

Section 3. Repeal

All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 4. Savings

All proceedings pending, and all rights and liabilities existing, acquired or incurred, at the time this Ordinance takes effect, are hereby saved. Such proceedings may be consummated under and according to the ordinance in force at the time such proceedings were commenced. This ordinance shall not be construed to alter, affect, or abate any pending prosecution, or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed or amended by this ordinance adopting this penal regulation, for offenses committed prior to the effective date of this ordinance; and new prosecutions may be instituted and all prosecutions pending at the effective date of this ordinance may be continued, for offenses committed prior to the effective date of this ordinance, under and in accordance with the provisions of any ordinance in force at the time of the commission of such offense.

Section 5. Severability Clause

Should any word, phrase, sentence, paragraph or section of this Ordinance be held invalid or unconstitutional, the remaining provision of this ordinance shall remain in full force and effect.

Section 6. Effective Date

This Ordinance shall become effective ten (10) days from the date hereof or upon publication, whichever shall later occur.

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a Regular Meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, MI, on the _____ day of _____, _____.

Louise E. Schilling, Mayor

Aileen Bittner, City Clerk

Pastor Jack Mannschreck from Big Beaver United Methodist 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, September 26, 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

- a) Turner Berg Introduced The Art Institute of Michigan to Troy

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 No Public Hearings

F. PUBLIC COMMENT:

| | |
|--------------------|--|
| Walters, Roger | Spoke about request to close of Boyd Street. |
| Clark , Nathan | Spoke about request to close of Boyd Street. |
| Peters, Richard | Spoke about various topics. |
| Reinhardt , Marvin | Spoke about various topics. |
| Yashinsky, Neil | Spoke about his candidacy for City Council. |

G. RESPONSE / REPLY TO PUBLIC COMMENT

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

I-1 Board and Committee Appointments: None Scheduled

I-2 Board and Committee Nominations: None Scheduled

I-3 Request for Closed Session – No Closed Session Requested

I-4 Waiver of Bids for Purchase of Vindicator Fire Nozzles

Resolution #2011-09-213

Moved by Kerwin

Seconded by McGinnis

WHEREAS, First Strike Technologies, Inc. of Kansas, Illinois is the sole manufacturer and distributor for the Vindicator line of fire nozzles; and

WHEREAS, Vindicator nozzles have been field tested at the City's fire stations and found to improve firefighter safety, use less water, and limit water damage;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and authorizes the purchase of twenty-four (24) Vindicator Heavy Attack Nozzles from the sole manufacturer and distributor, First Strike Technologies, Inc. of Kansas, Illinois, for an estimated total cost of \$20,499.00.

Yes: All-7

No: None

MOTION CARRIED

I-5 Designation of Voting Delegates at the Annual Meeting of the Michigan Municipal League

Resolution #2011-09-214

Moved by Beltramini

Seconded by Slater

RESOLVED, That Troy City Council hereby **DESIGNATES** Maureen McGinnis as Principal Official Representative (Official Voting Delegate) and hereby **DESIGNATES** Mary Kerwin as the Alternate Official Representative (Official Alternate Voting Delegate) to cast the vote of the City of Troy at the Annual Business Meeting of the Michigan Municipal League to be held October 4 through October 7, 2011 in Grand Rapids, Michigan.

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

No: Howrylak

MOTION CARRIED

I-6 Proposed Troy Public Library Budget for Fiscal Years Ending 2012-2014

Moved by Kerwin
Seconded by Beltramini

RESOLVED, That Troy City Council hereby **APPROVES** the Troy Public Library's annual budget for fiscal year July 1, 2011 through June 30, 2012, as recommended by City Management, which amends the City of Troy's 2011-12 budget, as shown on Attachment 1; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the Troy Public Library's three-year budget from July 1, 2012 through June 30, 2014, as recommended by City Management, which amends the City of Troy's three-year budget, as shown on Attachment 2.

Vote on Resolution to Postpone I-6 Proposed Troy Public Library Budget for Fiscal Years 2012-2014

Resolution #2011-09-215
Support by Howrylak
Seconded by Fleming

RESOLVED, That City Council hereby **POSTPONES** *Item I-6 Proposed Troy Public Library Budget for Fiscal Years 2012-2014* until the October 17, 2011 Regular City Council Meeting.

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

MOTION FAILED**Vote on Resolution to Approve I-6 Proposed Troy Public Library Budget for Fiscal Years Ending 2012-2014**

Resolution #2011-09-216
Moved by Kerwin
Seconded by Beltramini

RESOLVED, That Troy City Council hereby **APPROVES** the Troy Public Library's annual budget for fiscal year July 1, 2011 through June 30, 2012, as recommended by City Management, which amends the City of Troy's 2011-12 budget, as shown on Attachment 1; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the Troy Public Library's three-year budget from July 1, 2012 through June 30, 2014, as recommended by City Management, which amends the City of Troy's three-year budget, as shown on Attachment 2.

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

MOTION CARRIED

I-7 Ordinance Revisions in Accordance with Troy City Council Resolutions to Dissolve Boards and Committees

Resolution #2011-09-217

Moved by Kerwin

Seconded by Beltramini

RESOLVED, That Troy City Council hereby **AMENDS** Chapter 27, Parks and Recreation Board, of the Troy City Code in accordance with the proposal prepared by City Management. A copy of this ordinance shall be **ATTACHED** to the original Minutes of this meeting.

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

No: Howrylak

MOTION CARRIED**J. CONSENT AGENDA:**

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

Resolution #2011-09-218

Moved by McGinnis

Seconded by Slater

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented with the exception of Item(s) J-5, which **SHALL BE CONSIDERED** after Consent Agenda (I) items, as printed.

Yes: All-7

No: None

MOTION

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

J-2 Approval of City Council Minutes

Resolution #2011-09-218-J-2

RESOLVED, That Troy City Council hereby **APPROVES** the following Minutes as submitted:

a) Regular City Council Meeting of September 12, 2011

J-3 Proposed City of Troy Proclamations: None Submitted

J-4 Standard Purchasing Resolutions**a) Standard Purchasing Resolution 1: Award to Low Bidder – Tee Shirts**

Resolution #2011-09-218-J-4a

RESOLVED, That Troy City Council hereby **AWARDS** a one (1) year contract to furnish various Tee Shirts for the Recreation Department with an option to renew for one (1) additional year to the low total bidder, ITA Printing of Butler, PA for an estimated total cost of \$28,124.00, at unit prices contained in the bid tabulation opened September 7, 2011, a copy of which shall be **ATTACHED** to the original Minutes of this meeting with the contract expiring September 30, 2012.

J-6 Request for Recognition as a Nonprofit Organization Status from Robert Ginther – South Oakland Chapter of Warthogs Motorcycle Club

Resolution #2011-09-218-J-6

RESOLVED, That Troy City Council hereby **APPROVES** the request from South Oakland Chapter of Warthogs Motorcycle Club, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license as recommended by City Management.

J-7 Request for Approval of Relocation Claim – John R Road Improvement Project, Square Lake to South Boulevard, Project No. 02.204.5 – Parcel 44 – Sidwell #88-20-02-230-011

Resolution #2011-09-218-J-7

RESOLVED, That as required by Michigan Laws and Federal Regulations, the City Council of the City of Troy hereby **APPROVES** the Relocation Claim from Elizabeth Strichick, pertaining to the City of Troy's acquisition of her property at 6695 John R, having Sidwell #88-20-02-230-011, and **AUTHORIZES** payment in the amount of \$1,850.

J-5 Sustainable Development Checklist

Resolution #2011-09-219

Moved by Schilling

Seconded by Slater

WHEREAS, The City of Troy Zoning Ordinance included a Sustainable Design Option, which is intended to promote environmentally sustainable and energy efficient design and development practices for the construction of new and the rehabilitation of existing buildings and sites within the City; and

WHEREAS, Section 12.01 of the City of Troy Zoning Ordinance established the requirement of a separate Sustainable Development Checklist; and

WHEREAS, The Planning Commission developed the Sustainable Development Checklist and recommended approval of the document at the September 13, 2011 Regular meeting.

THEREFORE BE IT RESOLVED, The Sustainable Development Checklist is hereby **APPROVED**.

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

No: Howrylak

MOTION CARRIED

The meeting **RECESSED** at 9:02 PM.

The meeting **RECONVENED** at 9:09 PM.

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

Resolution #2011-09-220

Moved by Kerwin

Seconded by Beltramini

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, Beltramini, Fleming, Kerwin, McGinnis, Slater

No: Howrylak

MOTION CARRIED

Motion to Direct Management to Bring Forward Resolutions to Dissolve the Library Advisory Board and the Troy Historical Commission and to Amend City Ordinances Chapter 9 – Library Advisory Board and Chapter 13 – Historic District Commission

Resolution#2011-09-221

Moved by Kerwin

Seconded by McGinnis

RESOLVED, That City Council **DIRECTS** Management to prepare resolutions to dissolve the Library Advisory Board and Troy Historical Commission; and to amend City Ordinance Chapter 9 – Library Advisory Board, Chapter 12 – Historical Commission, and Chapter 13 – Historic Preservation.

Yes: Beltramini, Kerwin, McGinnis, Slater, Schilling

No: Fleming, Howrylak

MOTION CARRIED

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:**K-1 Announcement of Public Hearings:**

- a) Announcement of Public Hearing for October 3, 2011 – Community Development Block Grant (CDBG) 2012 Application
- b) Announcement of Public Hearing for October 17, 2011 – Industrial Development District (IDD) and Industrial Facilities Exemption Certificate (IFEC) for Dialogue Marketing at 300 E. Big Beaver

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

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

L-1 Council Referrals: None Submitted**M. COUNCIL COMMENTS****M-1 No Council Comments Advanced**

Council Member Fleming discussed the process of addressing citizen complaints.

Mayor Schilling announced the Fire Department Open House on Sunday, October 9, 2011.

Mayor Pro Tem Kerwin requests City Management provide an update on the ICMA implements.

Council Member Beltramini requests City Management prepare a resolution returning snow plowing back to 24 hour protocol contingent upon RCOC funding.

Council Member Fleming thanked Zion Community Church, North Woodward Community Foundation and all of the Troy Family Daze volunteers for the success of Troy Family Daze Festival

Mayor Pro Tem Kerwin shared information from a SEMCOG webinar highlighting traits of effective leadership and noted that the City of Troy exhibits these traits.

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

Resolution #2011-09-222

Moved by Kerwin

Seconded by Beltramini

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: All-7
 No: None

MOTION CARRIED

Vote on Resolution to Reinstate the 24 hour Snow Removal Protocol

Resolution #2011-09-223
 Moved by Kerwin
 Seconded by Beltramini

RESOLVED, That the Troy City Council hereby **REINSTATES** the 24 hour snow removal protocol for the entire roadway network in the City of Troy, all major and local streets following the stoppage of a 4-inch snowfall and that this policy is contingent upon an agreement executed between the City of Troy and the Road Commission of Oakland County, whereby the Road Commission provides the City of Troy \$250,000 for its share of plowing county major roads.

Yes: All-7
 No: None

MOTION CARRIED

N. REPORTS

N-1 Minutes – Boards and Committees:

- a) Zoning Board of Appeals-Final-August 16, 2011
 - b) Planning Commission Special/Study/Draft-August 23, 2011
 - c) Planning Commission Special/Study/Final-August 23, 2011
 - d) Liquor Advisory Committee-Draft-September 12, 2011
- Noted and Filed

N-2 Department Reports: None Submitted

N-3 Letters of Appreciation: None Submitted

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

O. STUDY ITEMS

O-1 No Study Items Presented

P. CLOSED SESSION:

P-1 No Closed Session Requested

Q. ADJOURNMENT

The meeting **ADJOURNED** at 9:53 PM.

Mayor Louise E. Schilling

M. Aileen Bittner, CMC
City Clerk



CITY COUNCIL ACTION REPORT

September 27, 2011

TO: John Szerlag, City Manager

FROM: Susan A. Leirstein, Purchasing Director
Timothy L. Richnak, Public Works Director

SUBJECT: Standard Purchasing Resolution 2: Award To Low Bidder Meeting Specifications–
Ice Melt Compounds

Background

On September 21, 2011, bids were received and opened to provide one (1) year requirements of ice melt compounds with an option to renew for one (1) additional year for the City of Troy and participating MITN Purchasing Cooperative Members. 186 vendors were notified of the bid opportunity via the MITN website. Eight (8) bids were received, as well as one (1) statement of no bid. John Deere Landscapes submitted an alternate bid that was disqualified for not providing formulation specifications on the three-way blend as specified.

Recommendation

City management and the Parks and Recreation department recommend awarding a one-year contract to provide ice melt compounds with an option to renew for one additional year to Washington Elevator Co, Inc, the lowest bidder meeting specifications by proposal, for an estimated total annual cost for Troy of \$16,400.00 at unit prices contained in the bid tabulation opened September 21, 2011.

| PROPOSAL | COMPANY | ESTIMATED COST |
|---|---------------------------------------|----------------|
| A: Ice Melt Compound – Three Way Blend | Washington Elevator Co, Washington MI | \$12,500.00 |
| B: Screened Rock Salt | Washington Elevator Co, Washington MI | \$ 3,900.00 |

ESTIMATED TOTAL ANNUAL COST: \$16,400.00

Fund Availability

Funds are available in the operating budgets of the Parks and Recreation General Maintenance accounts, Fire Station Operating Supplies, and Streets - Sidewalk Maintenance Snow Control accounts.

Prepared by: Kurt Bovensiep, Field Supervisor

G:\Bid Award 10-11 New Format\ Award Standard Purchasing Resolution 2 - IceMeltCompoundsITB-COT11-18.doc

| VENDOR NAME: | | Washington Elevator Co, Inc | Mains Pebble Place, Inc. | Madalyn's Contracting LLC | Jemni Inc. |
|---|---|-----------------------------|--|---------------------------|-------------------------|
| PROPOSAL A: | | | | | |
| EST QTY (BAGS) | DESCRIPTION | PRICE/EA BAG | PRICE/EA BAG | PRICE/EA BAG | PRICE/EA BAG |
| 7,450 Bags (372,500 lbs) | SIDEWALK ICE MELTING COMPOUND, Three-Way Blend | \$ 6.25 | \$ 7.59 | \$ 7.60 | \$ 7.61 |
| Quoting On: | | Ice Byter | Mighty Melt Green | Dragon Melt | Green Scapes Ice Melt |
| Manufactured By: | | Washington Elevator | Cleveland Charcoal | Hersch's Wholesale | Scotwood |
| 50# Bags/50 bags per Pallet | | 49 Bags/Pallet | 49 Bags/Pallet | 56 Bags/Pallet | 50 Bags/Pallet |
| PROPOSAL B: | | | | | |
| EST QTY (BAGS) | DESCRIPTION | PRICE/EA BAG | PRICE/EA BAG | PRICE/EA BAG | PRICE/EA BAG |
| 4,900 Bags (245,000 lbs) | SCREENED ROCK SALT 50# bags in accordance with specifications | \$ 3.90 | \$ 3.99 | \$ 4.90 | No Bid |
| 50# Bags/50 bags per Pallet | | 49 Bags/Pallet | 49 Bags/Pallet | 49 Bags/Pallet | No Bid |
| Delivery will be within | | 2 Days | 1-2 Days | 5 Days | 2 Days |
| CONTACT INFORMATION | | 8-12 Sat | | | |
| Hrs of Oper | | 8AM-5PM M-F | 8AM - 5PM | 8AM-6PM | 8AM-5PM |
| Phone # | | (586) 255-3395 | (810) 560-7147 | (248) 414-9438 | (319) 721-9660 |
| THREE-WAY FORMULA: | | | | | |
| Calcium Chloride not < 9% | | 9% | 9% | 9% | 0% |
| Magnesium Chloride not < 3% | | 3% | 4% | 3% | 2% - 4% |
| Sodium Chloride not > 88% | | 88% | 87% | 88% | 96% - 98% |
| Pattern Indicator: | | Blue | Green | Green | Green |
| Organic anti-caking agent: | | Blank | Yes | N/A | N/A |
| EXTENSION OF AWARD TO MITN PURCHASING COOP:Y/N | | Y | Y | N | Y |
| Minimum Order (Initial) | | Blank | Blank | N/A | 50 Bags |
| (Add'l) # of pallets | | 1 | 1 | N/A | 1 |
| PAYMENT TERMS | | 30 Days | Net 30 | Net 30 / Zero | Net 30 |
| WARRANTY | | Blank | As Recommended | Manufactures | N/A |
| DELIVERY | | Within 2 Days | 1-2 Days | Via Truck / Moffit | FOB Destination per bid |
| EXCEPTIONS | | Blank | This is our Deicing Material that we bag | Blank | Blank |
| ACKNOWLEDGEMENT Signed: Y or N | | Y | Y | Y | Y |
| ALL OR NONE AWARD | | N | N | Y | N |

DISQUALIFIED

John Deere Landscape - (Alt Bid) Robo Melt product @ \$5.98/bag, unable to verify product mix for three-way blend - (proprietary formula)

NO BID:

American Rock Salt Co, LLC

BOLDFACE TYPE DENOTES LOWEST ACCEPTABLE BIDDER

ATTEST:

Kurt Bovensiep
 Diane Fisher
 Julie Hamilton

Susan Leirstein CPPO, CPPB
 Purchasing Director

| | | | | | |
|---|---|---|-------------------------------------|---|--|
| VENDOR NAME: | | John Deere | E & R | Dart Seasonal | |
| | | Landscapes | Industrial Sales | Products Inc. | |
| PROPOSAL A: | | | | | |
| EST | DESCRIPTION | PRICE/EA BAG | PRICE/EA BAG | PRICE/EA BAG | |
| 7,450 Bags (372,500 lbs) | SIDEWALK ICE MELTING COMPOUND, Three-Way Blend | \$ 8.01 | \$ 8.55 | \$ 11.48 | |
| | Quoting On: | Lightning Fast | Scotwood Industrial Strength | Blue Heat Snow & Ice Melter | |
| | Manufactured By: | E C Grow | Scotwood | Dart Seasonal | |
| | 50# Bags/50 bags per Pallet | 49 Bags/Pallet | 50 Bags/Pallet | 56 Bags/ Pallet | |
| PROPOSAL B: | | | | | |
| EST | DESCRIPTION | PRICE/EA BAG | PRICE/EA BAG | PRICE/EA BAG | |
| 4,900 Bags (245,000 lbs) | SCREENED ROCK SALT 50# bags in accordance with specifications | \$ 4.20 | No Bid | \$ 7.49 | |
| | 50# Bags/50 bags per Pallet | Ice Patrol 49 Bags/Pallet | No Bid | 49 Bags/Pallet | |
| | Delivery will be within | 7-10 ARO | 7 Days | 5-7 Days | |
| | CONTACT INFORMATION | 8AM-Noon Sat 7AM-4PM M-F (248) 588-2990 | Hrs of Oper 7AM-5PM M-F Blank | Phone # 8:30AM-5PM (845) 222-6222 | |
| THREE-WAY FORMULA: | Calcium Chloride not < 9% | 9% | Blank | 10% | |
| | Magnesium Chloride not < 3% | 3% | Blank | 5% | |
| | Sodium Chloride not > 88% | 88% | Blank | 85% | |
| | Pattern Indicator: | Dyed Blue | Blank | Blank | |
| | Organic anti-caking agent: | AMC Speed Enhancing Liquid Sprayable | Blank | Blank | |
| EXTENSION OF AWARD TO MITN PURCHASING COOP:Y/N | | Y | Y | Y | |
| | Minimum Order (Initial) | 49 Bags | 50 Bags | Blank | |
| | (Add'l) # of pallets | 1 | 1 | 1 | |
| PAYMENT TERMS | | Net 30 | Net 30 Days | Net 30 | |
| WARRANTY | | N/A | N/A | Blank | |
| DELIVERY | | 7-10 Days ARO | 7 Days | 3-7 days | |
| EXCEPTIONS | | All Corresponding Label / MSDS Are Enclosed | Blank | Blank | |
| ACKNOWLEDGEMENT Signed: Y or N | | Y | Y | Y | |
| ALL OR NONE AWARD | | N | N | Y | |

PROPOSAL - Furnish one-year requirements of Ice Melt Compounds with an Option to Renew for One (1) Additional Year for the City of Troy and participating MITN Purchasing Cooperative Members



CITY COUNCIL AGENDA ITEM

Date: September 26, 2011

To: John Szerlag, City Manager

From: Mark F. Miller, Director of Economic & Community Development
Steven J. Vandette, City Engineer
William J. Huotari, Deputy City Engineer/Traffic Engineer

Subject: Traffic Committee Recommendations and Minutes
September 21, 2011

Background & Recommendations

The Traffic Committee considered these items at the September 21, 2011 meeting and made the following recommendations (minutes attached):

- Recommend changing existing YIELD sign to STOP sign at Prescott at Milburn. **(Item 3)**
- Recommend changing existing YIELD sign to STOP sign at Brinston at Milburn. **(Item 4)**
- Tabled request for upgrading intersection to 4-Way STOP control at Barclay at Holly at the direction of the Traffic Committee until such a time that a speed study has been completed and the results are presented at a future Traffic Committee meeting. **(Item 5)**
- Tabled request for Wattles Road, Coolidge to Livernois speed limit change at the direction of the City Attorney and Police Chief until further investigation can be completed. **(Item 6)**
- Tabled request for Wattles Road, Adams to Beach speed limit change at the direction of the City Attorney and Police Chief until further investigation can be completed. **(Item 7)**
- Tabled request for Wattles Road, Beach to Coolidge speed limit change at the direction of the City Attorney and Police Chief until further investigation can be completed. **(Item 8)**

A regular meeting of the Troy Traffic Committee was held Wednesday, September 21, 2011 in the Lower Level Conference Room at Troy City Hall. Pete Ziegenfelder called the meeting to order at 7:30 p.m.

1. Roll Call

PRESENT: Sarah Binkowski
John Diefenbaker
Ted Halsey
Richard Kilmer
Gordon Schepke
Pete Ziegenfelder

ABSENT: Jan Hubbell

Also present: Bill Huotari, Deputy City Engineer/Traffic Engineer
Lt. Robert Redmond, Troy Police Dept.

And: Chester Maciejewski, 2118 Prescott
Janice Daniels, 5413 Breeze Hill Place
Cindy Keiser, 692 Barclay
Loraine Whitfield, 691 Barclay
Karen Farrington, 2142 Prescott
Nigel Farrington, 2142 Prescott
Frank Daley, 2206 W. Wattles
Ron Boitkus, 120 W. Wattles
Forrest Dunkel, 2134 W. Wattles
Frank Howrylak, 3035 Newport Ct.
Ray Watts, 133 MacLynn Dr.

2. Minutes – June 15, 2011

RESOLUTION # 2011-09-11

Moved by Binkowski
Seconded by Schepke

To approve the June 15, 2011 minutes as printed.

YES: All-6
NO: None
ABSENT: 1 (Hubbell)
MOTION CARRIED

REGULAR BUSINESS

3. Change YIELD sign to STOP sign at Prescott at Milburn

Sherwin DeLeon of 2130 Prescott requested that the existing Yield sign on Milburn at Prescott be changed to a Stop sign. The posted speed limit on both streets is 25 mph. Milburn is considered the local road. Average Daily Traffic (ADT) on Prescott exceeds 1,000 while Milburn has an ADT of approximately 400. There has been one (1) crash recorded in the past three (3) years. The homes in the northwest and northeast quadrants of the intersection create a sight distance obstruction.

Chester Maciejewski, 2118 Prescott, has lived at this address prior to the existing Yield sign being placed (2005). He states that most drivers do not yield at the existing sign and has seen close calls. He would prefer a Stop sign rather than the Yield sign.

Karen Farrington, 2142 Prescott, has lived at this address for 4 ½ years. Drivers do not stop at the Yield sign. Ms. Farrington provided pictures of her mailbox damaged by two vehicles sliding through the intersection last January. A police report was filed on January 6, 2011 (#11-567). The side of the street with the Yield sign (southbound) is posted No Parking, but several cars park there illegally. This is a frequent occurrence and exacerbates the issues at the intersection. Troy Police will review the parking issue and provide enforcement.

Discussion ensued among Traffic Committee members, Traffic Engineer, Lt. Redmond and residents and centered around lack of compliance with Yield signs in general and concerns about illegal parking near the intersection. Police reiterated that they will add the area to their list and provide enforcement.

RESOLUTION # 2011-09-12

Moved by Schepke
Seconded by Halsey

Recommend that the existing YIELD sign be changed to a STOP sign on southbound Milburn at Prescott.

YES: All-6
NO: None
ABSENT: 1 (Hubbell)
MOTION CARRIED

4. Change YIELD sign to STOP sign at Brinston at Milburn

Traffic Engineering requested that the existing Yield sign on Milburn at Brinston be changed to a Stop sign. The posted speed limit on both streets is 25 mph. Milburn is considered the local road. Average Daily Traffic (ADT) on Brinston exceeds 1,000 while Milburn has an

ADT of approximately 400. There has been one (1) crash recorded in the past five (5) years. The trees and landscaping in the southeast quadrant of the intersection create a sight distance obstruction.

No one wished to address the committee on this item as Brinston is one block north of Prescott and has very similar issues.

Richard Kilmer asked that Troy Police provide enforcement of signs once installed and review parking concerns.

RESOLUTION # 2011-09-13

Moved by Halsey

Seconded by Binkowski

Recommend that the existing YIELD sign be changed to a STOP sign on northbound Milburn at Brinston.

YES: All-6

NO: None

ABSENT: 1 (Hubbell)

MOTION CARRIED

5. Request for 4-Way STOP Control at Barclay at Holly

Cindy Kaiser of 692 Barclay requested that the intersection of Barclay at Holly be modified to 4-way Stop control. There are currently Stop signs posted on the Holly Drive approaches to the intersection. The posted speed limit on both streets is 25 mph. Holly Drive is considered the local road. Average Daily Traffic (ADT) on Barclay is 580 with Holly Drive at 359. There has been one (1) crash recorded in the past five (5) years. The trees and fence in the southwest quadrant of the intersection creates a sight distance obstruction and is justification for the existing Stop signs on Holly.

Cindy Kaiser, 692 Barclay, was present representing multiple neighbors and their concerns. Her primary concern is cut through traffic and speeds traveling on Barclay. She recognizes that Stop signs do not control speeds, but may address or diminish cut through traffic. Her opinion is that parking on the south side of Barclay near Holly creates a sight distance issue. She said that most residents that live near this intersection have a tendency to stop or slow down on Barclay even without a sign as most have had close calls in the past.

Loraine Whitfield, 691 Barclay, discussed the need for a Stop sign due to the number of children in the area. Barclay is a convenient cut through road with no Stop signs for its entire length. She feels that it may be younger drivers avoiding traffic on Rochester and/or going to and from home that are driving too fast and Stop signs would be effective in at least forcing them to stop at the intersection.

Janice Daniels, 5413 Breeze Hill Place, asked if establishing No Parking zones would help. Discussion ensued as to the fact that the north side of Barclay is already posted as No Parking due to fire hydrants. It was not recommended to post both sides of the road as No Parking, which could create a hardship for residents living in the area with minimal benefits in most instances.

Ted Halsey added that it sounded like a speed issue. Lt. Redmond confirmed that they have had the radar trailer on Barclay in the past and provided select enforcement in this area.

Gordon Schepke added that multiple Stop signs (i.e. one at Barclay and one at Randall) could provide a deterrent to cut through traffic.

Discussion ensued among Traffic Committee members, Traffic Engineer, Lt. Redmond and residents and centered on what a Stop sign can and can't do and/or is perceived to do. Stop signs do not control speed. Pedestrians still need to be observant at Stop signs and not assume that a vehicle will stop just because a sign is posted.

The Traffic Committee requested that a speed study be performed. Residents asked that the speed study include a Friday and Saturday as these seem to be the highest volume/speed days.

RESOLUTION # 2011-09-14

Moved by Kilmer
Seconded by Schepke

Recommend that Traffic Engineering perform a speed study on Barclay, between Randall and Holly and that the request for 4-Way Stop control be tabled pending the results of the speed study and further discussion.

YES: All-6
NO: None
ABSENT: 1 (Hubbell)
MOTION CARRIED

6. Wattles Road, Coolidge to Livernois Speed Limit Changes

This item was postponed to a later date. City Administration removed the item from the agenda in order for further research at the direction of the City Attorney and Police Chief.

7. Wattles Road, Adams to Beach Speed Limit Changes

This item was postponed to a later date. City Administration removed the item from the agenda in order for further research at the direction of the City Attorney and Police Chief.

8. Wattles Road, Beach to Coolidge Speed Limit Changes

This item was postponed to a later date. City Administration removed the item from the agenda in order for further research at the direction of the City Attorney and Police Chief.

9. Public Comment

Ron Boitkis, 120 W. Wattles, commented on the proposed speed limit changes. He lives near the museum and is concerned that a higher speed limit would create a public safety hazard for events at the museum. He stated that with the privatization of the museum that they will be holding more events to raise funds. Many children cross Wattles Road at Ruthland to go to the museum. Traffic does not drive 40 mph currently and will only drive faster if the speed limit is raised. There are no sidewalks on the north side of Wattles so pedestrians and bikers use the road and/or shoulder. Children crossing Wattles from the museum wait in his driveway for traffic to clear before crossing. Gravel trains traveling eastbound are driving too fast to make the light at Livernois. He lives at the end of the taper from the intersection on westbound Wattles and observes aggressive drivers using the taper to try and pass other vehicles traveling in the same direction. He feels that the speed limit should be lowered to 35 mph from the current 40 mph rather than being raised to 45 mph.

Forrest Dunkel, 2134 Wattles, agreed with the engineering studies as he believes that most drivers exceed the posted speed limit on most all roads. He believes that if you increase the speed limit drivers will just drive faster. He asked if there is any gain to the City by changing the speed limits.

Frank Daley, 2206 W. Wattles, stated that Wattles is a residential area and over 70% of the residents in the Beach to Coolidge section are over 65 years old. He has had issues getting in and out of his driveway due to the high rates of speed of passing vehicles. He reported that there was a crash on Wattles just the other night. He requested that Troy Police Department sit at Estates Drive once a week to enforce the current speed limit. He stated that this is not like Coolidge where there are few driveways connecting directly to the major road. He is also concerned about lower property values if the speed limit were increased. Mr. Daley stated that there are no other residential areas in Oakland or Macomb County that he is aware of that are posted at 45 mph. Mr. Daley called on September 22, 2011 to add that a lot of children (30-40 per day) cross Wattles Road at Estates to go the back way to Schroeder Elementary to get to the swim club and tennis courts.

Gordon Schepke, stated that speed limits should be set for all conditions as this is Michigan and we do get rain and snow for many months of the year. He also stated that there are many animals that cross Wattles Road.

Janice Daniels, 5314 Breeze Hill Place, stated that she walks on Wattles Road and it has a unique character. She said that it is dangerous at the current posted speed and that a ticket should cost enough to discourage speeding. She would like to see the pro's vs. con's of raising the speed limit. She feels that there is no reason to raise the speed limit. She also

requested that all members of the Traffic Committee as well as City Council walk Wattles Road to observe the conditions.

Richard Kilmer does not think that the speed limit should be raised. He stated that 17 Mile (Wattles) is a bad road and the speed limit should stay the way it is.

10. Other Business

Mr. Schepke reported that the EVA between Paragon and Hedgewood is being used as a cut through. The temporary measures that were placed have been moved or fallen over and is not prohibiting vehicles from using this as a cut through. Traffic Engineering has referred this to DPW for action.

11. Adjourn

The meeting adjourned at 8:37 p.m.

Pete Ziegenfelder, Chairperson

Bill Huotari, Recording Secretary

K:\aaa Traffic Committee\2011\September 21\Minutes_09212011_DRAFT.doc

Council Referral from Mayor Pro Tem Kerwin

As printed on page 27 of the Troy Futures/Vision 2020 document, the Lifetime Learning Committee recommended a series of suggested actions to achieve a preferred future which included the formation of a committee responsible for:

- Determining community lifetime learning needs
- Coordinating learning opportunity content
- Communicating opportunities at the library to people who live and work in Troy
- Ensuring that the learning opportunities are provided in user-friendly formats compatible with the skills and resources of users
- Evaluating and measuring the success of efforts
- Adapting to change as needed
- Promoting the importance of staff development
- Developing the professional skills of staff

The Lifetime Learning Committee recommended that the committee have wide community representation.

In an effort to streamline committees to make them more effective and representative, Council should consider the formation of a Lifelong Learning Committee of key community stakeholders who meet as needed with the Library Director to ensure the realization and utilization of a superior 21st century library. The Director should report committee recommendations and achievements to Council on a quarterly basis.

The Lifelong Learning Committee's responsibilities include those iterated by the Lifetime Learning Task Force and any other responsibilities deemed important by the Library Director, and will be a vital conduit for community input.

The committee will be involved in the strategic planning process and subsequent implementation of the plan, and continue to work with the Director afterward to provide stakeholder input and community involvement.

It is recommended that the Library Director contact the following organizations for community representatives:

- Public school districts within Troy
- Private and Home School organizations
- Colleges and Institutions of Higher Education
- PTA, PTO and Boosters
- Student Council and Student Congress
- Troy Chamber of Commerce
- I/ACT
- Troy Businesses
- Troy Library, Recreation, Historic Village, and Nature Center
- Friends of the Troy Public Library
- Service clubs
- The committee should include ethnic and age diversity and library and non-library cardholders

TRAFFIC COMMITTEE MINUTES – JUNE 15, 2011**FINAL**

A regular meeting of the Troy Traffic Committee was held Wednesday, June 15, 2011 in the Lower Level Conference Room at Troy City Hall. Pete Ziegenfelder called the meeting to order at 7:30 p.m.

1. Roll Call

PRESENT: Sarah Binkowski
Ted Halsey
Richard Kilmer
Pete Ziegenfelder

ABSENT: John Diefenbaker
Jan Hubbell
Gordon Schepke

Also present: Bill Huotari, Deputy City Engineer/Traffic Engineer
Lt. David Livingston, Troy Police Dept.

And: Suzie Wanstreet, 1141 Provincial
Nicole Gearty, 1066 Salma
Lou Wassel, 1221 Rothwell

2. Minutes – March 16, 2011**RESOLUTION # 2011-06-09**

Moved by Kilmer
Seconded by Halsey

To approve the March 16, 2011 minutes as printed.

YES: All-4
NO: None
ABSENT: 3 (Diefenbaker, Hubbell, Schepke)

MOTION CARRIED

REGULAR BUSINESS**3. Install STOP sign on Eastbound Rothwell at Provincial**

Susie Wanstreet, 1141 Provincial, opposes the installation of a Stop sign on Provincial. Concerns stated are relative to speeding on Rothwell by residents living in the area. Lou Wassel, 1221 Rothwell, reiterated support for no changes at the intersection as well as concerns about speeding on Rothwell. Specifically during the a.m. and p.m. peak hours.

Install STOP sign on Eastbound Rothwell at Provincial (continued)

Lt. Livingston offered to place the radar trailer on site and to provide select enforcement of the area.

Discussion ensued among Traffic Committee members, Traffic Engineer, Lt. Livingston and residents. Residents were informed that they could come back to Traffic Committee if issue persists.

RESOLUTION # 2011-06-10

Moved by Halsey
Seconded by Binkowski

Recommend no changes at the intersection of Rothwell at Provincial.

YES: All-4
NO: None
ABSENT: 3 (Diefenbaker, Hubbell, Schepke)

MOTION CARRIED

4. **Public Comment**

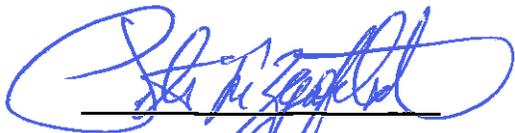
No one wished to address the committee.

5. **Other Business**

Mr. Halsey observed that the Stop sign on the southeast corner of Hartland at Talbot or Kilmer is obstructed by a tree. The Traffic Engineer will investigate and resolve the issue.

6. **Adjourn**

The meeting adjourned at 8:03 p.m.



Pete Ziegenfelder, Chairperson

Bill Huotari, Recording Secretary

The Zoning Board of Appeals meeting was called to order by Chair Lambert at 7:30 p.m. on June 21, 2011, in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Michael Bartnik
 Kenneth Courtney
 Thomas Strat
 Allen Kneale
 William Fisher
 David Lambert

Also Present:

Paul Evans, Zoning and Compliance Specialist
 Allan Motzny, Assistant City Attorney

Absent:

Glenn Clark

2. APPROVAL OF MINUTES – May 17, 2011 Study Session and Regular Meeting

Moved by Lambert
 Seconded by Bartnik

RESOLVED, To postpone approval of the May 17, 2011 meeting minutes to July 19, 2011 to allow proposed corrections to be presented to the Board.

Yes: All present (6)

Absent: Clark

MOTION PASSED

3. HEARING OF CASES

A. VARIANCE REQUEST, MINAL GADA AND ASHISH MANEK, 4820 LIVERNOIS -

In order to split the subject parcel into 3 separate parcels, a 15 foot variance to the required 100 foot lot width requirement for 2 of the proposed parcels, Section 30.10.02

Motion to Postpone Variance Request from Minal Gada and Ashish Manek, 4820 Livernois

Moved by Courtney
 Seconded by Fisher

RESOLVED, That the City of Troy Zoning Board of Appeals hereby POSTPONES to the July 19, 2011, Regular Meeting the Variance Request from Minal Gada and Ashish Manek, 4820 Livernois.

Yes: Courtney, Fisher, Kneale, Lambert, Bartnik
No: None
Abstain: Strat
Absent: Clark

MOTION PASSED

4. HEARING OF CASES

- A. VARIANCE REQUEST, TOM KASZUBSKI, EXECUTIVE DIRECTOR, NORTH WOODWARD COMMUNITY FOUNDATION, 3668 LIVERNOIS - In order to conduct an outdoor special event (Troy Family Daze Festival): 1) A variance from the requirement that hours of operation end no later than 8:00 pm on Thursday and Sunday, and no later than 10:00 pm on Friday and Saturday, and 2) a variance from the 4 consecutive day maximum duration for any one event. Applicant proposes to end daily events 1 hour beyond the required times. The proposed event is to last for 8 days (4 day festival plus 4 days devoted to setup and tear down), Section 7.13(I)

Mr. Bartnik advised the Board of a professional relationship he had with Mr. Kaszubski and asked the Board if they believed it to be a conflict of interest. Mr. Bartnik believes there is no conflict of interest. None of the Board members believed there is a conflict of interest.

Chair Lambert OPENED the Public Hearing.

No one spoke.

Chair Lambert CLOSED the Public Hearing.

Motion to GRANT the variance as requested.

Moved by Bartnik
Seconded by Strat

RESOLVED, That the City of Troy Zoning Board of Appeals hereby GRANTS the variance for Tom Kaszubski, Executive Director, North Woodward Community Foundation, 3668 Livernois.

Yes: All Present (6)
Absent: Clark

MOTION PASSED

- B. VARIANCE REQUEST, RICHARD ADAMS, 926 NORWICH DRIVE – In order to construct an addition to the existing carport, a 2.5 foot variance to the required 25 foot front yard setback, Section 4.06 C.

Chair Lambert OPENED the Public Hearing.

No one spoke.

Chair Lambert CLOSED the Public Hearing.

Motion to Grant variance as requested.

Moved by Strat
Seconded by Courtney

RESOLVED, That the City of Troy Zoning Board of Appeals hereby GRANTS the variance for Richard Adams, 926 Norwich Drive.

Yes: All Present (6)
Absent: Clark

MOTION PASSED

5. COMMUNICATIONS

Mr. Evans advised the Board that at the June 28, 2011 Planning Commission Special/Study Session there will be a “Stormwater 101” Presentation by Kelly Sanzica, Director of the Wayne Count Department of the Environment. All Board Members and public are invited to attend.

6. PUBLIC COMMENT – No one was present to speak.

7. MISCELLANEOUS BUSINESS

The Board discussed revising their Rules of Procedure. The Board has received some Member comments and some proposed amendments. The Board agreed to further analyze this information and continue discussion at the next regular meeting.

Mr. Strat advised the Board that the Planning Commission was working on Sustainable Development Options.

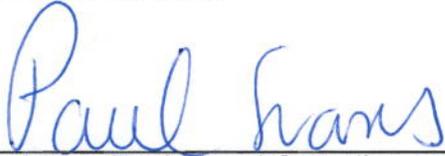
8. ADJOURNMENT

The Zoning Board of Appeals meeting ADJOURNED at 8:30 p.m.

Respectfully submitted,



David Lambert, Chair



Paul Evans, Zoning and Compliance Specialist

G:\BZA\Minutes\2011\Final\2011 06 21 ZBA Minutes_Final Revised.doc

The Zoning Board of Appeals meeting was called to order by Chair Lambert at 7:30 p.m. on August 16, 2011, in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Michael Bartnik
Kenneth Courtney
Thomas Strat
Allen Kneale
William Fisher
David Lambert
Glenn Clark

Also Present:

Paul Evans, Zoning and Compliance Specialist
Susan Lancaster, Assistant City Attorney

2. APPROVAL OF MINUTES – July 19, 2011

Moved by Courtney
Seconded by Fisher

RESOLVED, to approve the July 19, 2011 meeting minutes with corrections as presented tonight.

Yes: All present

MOTION PASSED

3. POSTPONED ITEMS

- A. VARIANCE REQUEST, JEFF GLASER, OUR CREDIT UNION, 6693 ROCHESTER – A variance from the requirement that a 6 foot high obscuring wall be provided adjacent to the residentially zoned property north of the subject location.

SECTION: 39.10.01

Moved by Bartnik
Seconded by Courtney

RESOLVED to grant the request, subject to installation of a 4 foot high opaque wall or evergreen/cedar plantings along a portion of the north property line between a point even with the front of the building and a point even with the northeast corner of the paved parking area.

Yes: All present

MOTION PASSED

B. VARIANCE REQUEST, MINAL GADA AND ASHISH MANEK, 4820 LIVERNOIS

In order to split the subject parcel into 3 separate parcels, a 15 foot variance to the required 100 foot lot width requirement for 2 of the proposed parcels.

SECTION: 30.10.02

Citing a conflict of interest, Board Member Strat recused himself and left the room.

Moved by Clark
Seconded by Bartnik

RESOLVED, to postpone the request to the regularly scheduled November 15, 2011 ZBA meeting.

YES: All present (6)
RECUSED: Strat

MOTION PASSED

Board Member Strat returned to the room.

C. VARIANCE REQUEST, AIDA AND SARMAH HERMIZ, 6763 DONALDSON

ROAD – In order to construct a 2965 square foot garage addition to the existing house, a 1685 square foot variance to the requirement that the area of an attached accessory building (garage) shall not exceed 75 percent of the ground floor footprint of the living area of the dwelling. 75 percent of the ground floor footprint of the living area is 1952 square feet.

SECTION: 7.03 (B) (b)

Moved by Bartnik
Seconded by Strat

RESOLVED, to grant a 1026 square foot variance.

YES: All present

MOTION PASSED

4. HEARING OF CASES

A. **VARIANCE REQUEST, ANGELINA AND BESNIK GOJKA, 2420 W. SQUARE LAKE ROAD** – In order to allow 10 adult foster care residents, a 27 square foot variance to the requirement that the land parcel be at least 40,000 square feet in area. Adult foster care small group homes are required to have at least 4,000 square feet of lot area per adult, excluding employees and/or caregivers. The subject property measures 39,973 square feet.

SECTION: 6.02 (B) (2)

Moved by Bartnik
Seconded by Kneale

RESOLVED, to grant the request.

YES: All present

MOTION PASSED

5. COMMUNICATIONS - There were no communications.

6. PUBLIC COMMENT - No one was present to speak.

7. MISCELLANEOUS BUSINESS

Draft Rules of Procedure:

Moved by Courtney
Seconded by Kneale

RESOLVED to approve the revised Rules of Procedure subject to the modifications discussed tonight.

YES: All present

MOTION PASSED

City Attorney comments on variance standards:

There was general agreement that the comments were acceptable for public distribution. Mr. Evans indicated he would integrate them into the ZBA Application.

8. ADJOURNMENT – The Zoning Board of Appeals meeting ADJOURNED at 10:05 p.m.

Respectfully submitted,



David Lambert, Chair



Paul Evans, Zoning and Compliance Specialist

Beth L Tashnick

From: Mark F Miller
Sent: Monday, September 26, 2011 4:28 PM
To: Beth L Tashnick
Cc: Brent Savidant
Subject: future city council meeting

Beth

Please forward to City Council, the letter of accommodation for the Planning Department and the Ordinance Enforcement Inspectors and staff.

From: WingsVette1@aol.com [mailto:WingsVette1@aol.com]
Sent: Monday, September 26, 2011 12:03 PM
To: Gary L Bowers
Cc: Paul M Evans; Cynthia A Stewart
Subject: Re: Trash/Cans at Curb During Improper Hours

Gary,

My thanks to you and the City of Troy staff who responded to my e-mail request for assistance. Not only do I appreciate the fact that you recognized my e-mail as a valid concern, but, the speed with which you took appropriate action is remarkable.

The resident did comply and removed the "mountain of trash" the same day as you contacted them. So far, so good.

Again, thanks for timely action and for taking the time to communicate the results.

Jeff Williams

**STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION**

**NOTICE OF HEARING
FOR THE NATURAL GAS CUSTOMERS OF
CONSUMERS ENERGY COMPANY
CASE NO. U-16855**

- Consumers Energy Company is requesting approval from the Michigan Public Service Commission to increase its rates for the distribution of natural gas and for other relief.
- The information below describes how a person may participate in this case.
- You may call or write Consumers Energy Company, One Energy Plaza, Jackson, Michigan 49201, (800) 477-5050 for a free copy of its application. Any person may review the documents at the offices of Consumers Energy Company.
- A public hearing will be held:

DATE/TIME: October 11, 2011, at 10:00 a.m.
This hearing will be a prehearing conference to set future hearing dates and decide other procedural matters.

BEFORE: Administrative Law Judge Mark E. Cummins

LOCATION: Michigan Public Service Commission
6545 Mercantile Way, Suite 7
Lansing, Michigan

The Mercantile Way building sustained flood damage and remains closed until further notice. Please consult the Michigan Public Service Commission website at: www.michigan.gov/mpsc for updates on hearing locations or call 517.241.6060.

PARTICIPATION: Any interested person may attend and participate. The hearing site is accessible, including handicapped parking. Persons needing any accommodation to participate should contact the Commission's Executive Secretary at (517) 241-6160 in advance to request mobility, visual, hearing or other assistance.

The Michigan Public Service Commission (Commission) will hold a public hearing to consider the September 2, 2011 application of Consumers Energy Company (Consumers Energy), which seeks approval to increase its rates for the distribution of natural gas and for other relief. Consumers Energy requests the Commission to: authorize the company to adjust its retail natural gas rates to provide additional revenue of \$49.3 million annually above current rates based on a projected 12-month test year ending December 31, 2012; authorize the company to adjust its existing retail natural gas rates to produce a rate of return on common equity of not

less than 10.70%; approve its proposed modifications to the revenue decoupling mechanism; approve its proposals for an Uncollectible Expense True-Up Mechanism; approve its proposals for pension and other post-employment benefit reconciliation mechanisms; grant requested accounting authorizations; and approve its requested modifications to its rates, rules, and regulations.

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: michigan.gov/mpscedockets. Requirements and instructions for filing can be found in the User Manual on the E-Dockets help page. Documents may also be submitted, in Word or PDF format, as an attachment to an email sent to: mpscedockets@michigan.gov. If you require assistance prior to e-filing, contact Commission staff at (517) 241-6180 or by email at: mpscedockets@michigan.gov.

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by October 4, 2011. (Interested persons may elect to file using the traditional paper format.) The proof of service shall indicate service upon Consumers Energy's Legal Department - MPSC Regulatory Group, One Energy Plaza, Jackson, Michigan 49201.

Any person wishing to make a statement of position without becoming a party to the case may participate by filing an appearance. To file an appearance, the individual must attend the hearing and advise the presiding administrative law judge of his/her wish to make a statement of position. All information submitted to the Commission in this matter will become public information: available on the Michigan Public Service Commission's website, and subject to disclosure.

Requests for adjournment must be made pursuant to the Commission's Rules of Practice and Procedure R 460.17315 and R 460.17335. Requests for further information on adjournment should be directed to (517) 241-6060.

A copy of Consumers Energy's application may be reviewed on the Commission's website at: michigan.gov/mpscedockets, and at the office of Consumers Energy Company, One Energy Plaza, Jackson, MI. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 241-6180.

Jurisdiction is pursuant to 1909 PA 300, as amended, MCL 462.2 et seq.; 1919 PA 419, as amended, MCL 460.54 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1982 PA 304, as amended, MCL 460.6h et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; and the Commission's Rules of Practice and Procedure, as amended, 1999 AC, R 460.17101 et seq.

[Details of the proposals are contained in the application and filing materials.]

[CONSUMERS ENERGY HAS REQUESTED THE INCREASES AND OTHER PROPOSALS DESCRIBED IN THIS NOTICE. THE MICHIGAN PUBLIC SERVICE COMMISSION MAY GRANT OR DENY THE REQUESTED INCREASES AND OTHER PROPOSALS, IN WHOLE OR IN PART, AND MAY GRANT LESSER OR GREATER INCREASES THAN THOSE REQUESTED AND MAY AUTHORIZE A LESSER OR GREATER RATE FOR ANY CLASS OF SERVICE THAN THAT REQUESTED.]

September 12, 2011

Page 2

U-16855