

Pastor A.C. Phipps from Evanswood Church of God performed 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, December 5, 2011, at City Hall, 500 W. Big Beaver Road. Mayor Daniels called the meeting to order at 7:30 PM.

B. ROLL CALL:

Mayor Janice Daniels
 Jim Campbell
 Wade Fleming
 Dave Henderson
 Maureen McGinnis
 Dane Slater
 Doug Tietz

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Certificates of Recognition and Special Presentations

- a) The Smith Middle School Sylvan Glen Green Team did not appear to receive their Service Commendation.
- b) Tom Darling presented the 2011 Comprehensive Annual Financial Report (CAFR). Randy Dzuibek from Rehman Robson gave a brief explanation of the results of the City of Troy audit.

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 No Public Hearings

F. PUBLIC COMMENT:

Kajma, Linda	Spoke in regards to a comment made by Mayor Daniels.
Touchette, Audrey	Spoke in regards to a comment made by Mayor Daniels.
Fair, Daniel G.,	Spoke about various topics.
Keyt, Ellen	Spoke in regards to a comment made by Mayor Daniels.
Peters, Richard	Spoke in support of the transit facility.
Gross, Joe	Spoke about the condition of the streets and in opposition of the transit facility.
Thilman, Joe	Spoke in regards to a comment made by Mayor Daniels.
Kilgore, Zach	Spoke in regards to a comment made by Mayor Daniels.
Curtis, Skye	Spoke in regards to a comment made by Mayor Daniels.
Lee, Sabrina	Spoke in regards to a comment made by Mayor Daniels.
Dennis, Bridget	Spoke in regards to a comment made by Mayor Daniels.
Breitner, Amanda	Spoke in regards to a comment made by Mayor Daniels.

Webster-Miller, Cheryl	Spoke in regards to a comment made by Mayor Daniels.
Williams, Jeff	Spoke in regards to a comment made by Mayor Daniels.
Taylor, Adam	Spoke in regards to a comment made by Mayor Daniels.
Nelson, Robert	Spoke in regards to a comment made by Mayor Daniels.
Matico, Brian	Spoke in regards to a comment made by Mayor Daniels.
Fry, John	Spoke in regards to a comment made by Mayor Daniels.
Hanner, Joseph	Spoke in regards to a comment made by Mayor Daniels.
Wilsher, Cynthia	Spoke in regards to a comment made by Mayor Daniels.
Tokarski, Elainee	Spoke in regards to a comment made by Mayor Daniels and also commented in support of the transit facility.
Wochoski, Kendall	Spoke in support of the transit facility and spoke in regards to a comment made by Mayor Daniels.
Wisiz, David	Presented a power point presentation and spoke in opposition of the transit facility.
DeBacker, Deborah	Spoke in opposition of the transit facility.
MacLeish, Dan	Spoke in opposition of the transit facility.
Baxi, Minesh	Spoke in opposition of the transit facility.
Monte Verde, Charles	Spoke on behalf of Amtrak in support of the transit facility.
Geiger, M.L.	Expressed that City Council make the best interest of Troy their priority.

The meeting **RECESSED** at 9:31 PM.

The meeting **RECONVENED** at 9:40 PM.

Brogan-Kator, Denise	Spoke in regards to a comment made by Mayor Daniels.
Schirle, Joshua	Spoke about public transit and different community groups.
Schepke, Gordon	Spoke in opposition of the transit facility.
Weber, Amy	Spoke in regards to a comment made by Mayor Daniels.
Lyons-Eddy, Jamie	Read a letter from her son in regards to a comment made by Mayor Daniels.
Fox, Michelle	Spoke in regards to a comment made by Mayor Daniels.
Gosselin, Toby	Spoke in regards to a comment made by Mayor Daniels.
Yagley, Barbara	Spoke in regards to a comment made by Mayor Daniels.
Johnson, Ivan	Spoke in opposition of the transit facility.
Martin, Kathleen	Spoke in support of the transit facility.
Kulesz, John	Spoke in regards to a comment made by Mayor Daniels.
Zerafa, Thomas	Spoke in regards to a comment made by Mayor Daniels.
Graczyk, Ed	Spoke in regards to a comment made by Mayor Daniels and in opposition of the transit facility.
Thompson, Leslie	Spoke in regards to a comment made by Mayor Daniels.
Puscas, Gerald	Spoke in regards to a comment made by Mayor Daniels.
Hodges, Michele	Spoke on behalf of the Troy Chamber of Commerce in regards to the comment made by Mayor Daniels and in support of the transit facility.
Bhatt, Kumar	Spoke in support of the transit facility.
Bondy, Edward	Spoke in regards to a comment made by Mayor Daniels.
Naimy, Mark	Spoke in regards to a comment made by Mayor Daniels.

Howrylak, Martin	Spoke about the City Council Rules of Procedure.
Bernardi, Mary	Spoke in opposition of the transit facility and spoke in regards to the comment made by Mayor Daniels.
Tatangelo, Laura	Expressed gratitude to City Council for opening the Library on Saturday's and spoke in regards to the comment made by Mayor Daniels.
Worth, Kym	Spoke in regards to a comment made by Mayor Daniels.
Staeger, Gerard	Spoke in opposition of the transit facility.
Zygmontowicz, Diane	Spoke in support of the transit facility and spoke in regards to a comment made by Mayor Daniels.
DeLora, John	Spoke in support of the transit facility.
Konnors, Michael	Spoke in regards to a comment made by Mayor Daniels.
Hendrickson, Rob	Spoke in regards to a comment made by Mayor Daniels and spoke in support of the transit facility.
Krent, Tom	Spoke in support of the transit facility.
Scharfenkamp, Laura	Spoke in regards to a comment made by Mayor Daniels and spoke about fiscal responsibility.
Cruz, Anthony P.,	Spoke in opposition of the transit facility and in regards to a comment made by Mayor Daniels.
Cowger, William	Spoke in support of the transit facility.

Vote on Resolution to Suspend Rules of Procedure for the City Council, Rule #26 – Continued Agenda Items Not Considered Before 12:00 AM

Resolution #2011-12-276

Moved by Daniels

Seconded by Slater

RESOLVED, That City Council hereby **SUSPENDS** Rules of Procedure for the City Council, Rule #26 - *Continued Agenda Items Not Considered Before 12:00 AM* and **AUTHORIZE** City Council to **EXTEND** the adjournment time to complete the items on the Agenda.

Yes: All-7

No: None

MOTION CARRIED

Haddad, Tony	Spoke in regards to a comment made by Mayor Daniels.
Porter, Lawrence	Spoke in opposition of the transit facility.
DeChellis, Jack	Spoke in regards to a comment made by Mayor Daniels.
Sandy Forest	Spoke in regards to a comment made by Mayor Daniels.
Keyt, Ellen	Spoke in regards to a comment made by Mayor Daniels.
Mueller, Jack	Spoke in regards to a comment made by Mayor Daniels.
Grix, James E.	Spoke in opposition of the transit facility.
Win, Hugh	Spoke in regards to a comment made by Mayor Daniels.
Azat, Omar	Spoke in regards to a comment made by Mayor Daniels.
Cardone, Zack	Spoke in regards to a comment made by Mayor Daniels.
Wixom resident	Spoke in regards to a comment made by Mayor Daniels and spoke

	in opposition of the transit facility.
Cherasaro, Nicholas	Spoke in opposition of the transit facility.
Bolohan, Mark	Spoke in regards to a comment made by Mayor Daniels.

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

Resolution #2011-12-277
 Moved by McGinnis
 Seconded by Fleming

BE IT RESOLVED, That Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL15.268 (e) Pending Litigation – *T.R. Pieprzak v. Troy*.

Yes: All-7
 No: None

MOTION CARRIED

I-4 Application for Transfer of SDD License to Rite Aid of Michigan

Resolution #2011-12-278
 Moved by Fleming
 Seconded by McGinnis

(a) Transfer SDD License

RESOLVED, That Troy City Council hereby **CONSIDERS** for **APPROVAL** a liquor license request as indicated below, and hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Liquor License Applicant :	Rite Aid of Michigan, Inc.
Type of License Requested :	Transfer escrowed SDD License from Perry Drug Stores, Inc; Transfer location from 805 E. Big Beaver, Troy, MI 48084 to 1981 W. South Blvd., Troy, MI 48098, to be held in conjunction with existing SDM license.

Located at :	1981 W. South Blvd., Troy, MI 48098
MLCC Request # :	625424

and

(b) Agreement

WHEREAS, The Troy City Council deems it necessary to enter into agreements with applicants for liquor licenses for the purpose of providing civil remedies to the City of Troy in the event licensees fail to adhere to Troy Codes and Ordinances;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** an agreement with the liquor license applicant named in the approved resolution above, and hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7
No: None

MOTION CARRIED

I-5 City of Troy Investment Policy and Establishment of Investment Accounts

Resolution #2011-12-279
Moved by McGinnis
Seconded by Slater

RESOLVED, That Troy City Council hereby **APPROVES** the *Investment Policy and Establishment of Investment Accounts* as outlined in the memorandum and revised from Interim Director of Finance and Administrative Services, Tom Darling dated November 22, 2011; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7
No: None

MOTION CARRIED

I-6 Resolution Recommending That the State of Michigan Require Michigan Municipalities to Adopt the City of Troy's Template for Transparency in Government

Moved by Fleming
Seconded by Slater

WHEREAS, The City believes an open government facilitates communication and collaboration, both internally with employees and externally with residents and the businesses, leading to a more responsive, efficient government; and

WHEREAS, The State of Michigan has declared on its website that government transparency and fiscal accountability are defining principles of Michigan state government; and

WHEREAS, The State of Michigan strives to meet a high standard for financial transparency online; and

WHEREAS, Other Michigan communities can help support the State of Michigan goal of financial transparency by creating local government transparency sites;

THEREFORE, BE IT RESOLVED, That Troy City Council **ENCOURAGES** other Michigan communities to support a similar template for Transparency in Government; and

BE IT FURTHER RESOLVED, That Troy City Council **REQUESTS** that the State of Michigan mandate a similar Transparency in Government template to be used by all Michigan communities to ensure a more responsive, efficient government, as well as create a data base so as to make a comprehensive analysis.

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to forward a copy of this resolution to Governor Rick Snyder, Secretary of State Ruth Johnson, Senator John Pappageorge, and State Representative Marty Knollenberg.

Vote on Resolution to Amend Item I-6 Resolution Recommending That the State of Michigan Require Michigan Municipalities to Adopt the City of Troy's Template for Transparency in Government by Substitution

Resolution #2011-12-280

Moved by Tietz

Seconded by Fleming

RESOLVED, That City Council **AMENDS** *Item I-6 Resolution Recommending That the State of Michigan Require Michigan Municipalities to Adopt the City of Troy's Template for Transparency in Government* to **STRIKE** the word "comprehensive" and **SUBSTITUTE** it with "comparative" in the "BE IT FURTHER RESOLVED" paragraph so that it reads as follows:

*BE IT FURTHER RESOLVED, That Troy City Council **REQUESTS** that the State of Michigan mandate a similar Transparency in Government template to be used by all Michigan communities to ensure a more responsive, efficient government, as well as create a data base so as to make a comparative analysis.*

All-7

None

MOTION CARRIED

Vote on Resolution as Amended by Substitution

Resolution #2011-12-281

Moved by Tietz

Seconded by Fleming

WHEREAS, The City believes an open government facilitates communication and collaboration, both internally with employees and externally with residents and the businesses, leading to a more responsive, efficient government; and

WHEREAS, The State of Michigan has declared on its website that government transparency and fiscal accountability are defining principles of Michigan state government; and

WHEREAS, The State of Michigan strives to meet a high standard for financial transparency online; and

WHEREAS, Other Michigan communities can help support the State of Michigan goal of financial transparency by creating local government transparency sites;

THEREFORE, BE IT RESOLVED, That Troy City Council **ENCOURAGES** other Michigan communities to support a similar template for Transparency in Government; and

BE IT FURTHER RESOLVED, That Troy City Council **REQUESTS** that the State of Michigan mandate a similar Transparency in Government template to be used by all Michigan communities to ensure a more responsive, efficient government, as well as create a data base so as to make a comparative analysis.

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to forward a copy of this resolution to Governor Rick Snyder, Secretary of State Ruth Johnson, Senator John Pappageorge, and State Representative Marty Knollenberg.

Yes: All-7
No: None

MOTION CARRIED

J. CONSENT AGENDA:

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

Resolution #2011-12-282
Moved by Fleming
Seconded by McGinnis

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented with revised *Item J-02a Regular City Council Meeting of November 28, 2011*.

Yes: All-7
No: None

MOTION CARRIED

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

J-2 Approval of City Council Minutes

Resolution #2011-12-282-J-2a

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

- a. Regular City Council Meeting of November 28, 2011 - Revised

J-3 Proposed City of Troy Proclamations: None Submitted

J-4 Standard Purchasing Resolutions: None Submitted

J-5 Request to Abandon a Portion of an Existing Water Main Easement and Acceptance of a Permanent Water Main Easement – Sidwell #88-20-10-351-018, Sunset Plaza Shopping Center, LLC

Resolution #2011-12-282-J-5

WHEREAS, The City of Troy has received a request from Sunset Plaza Shopping Center, LLC, owner of the property having Sidwell #88-20-10-351-018, to abandon a portion of a permanent water main easement as recorded in Liber 15191, Pages 262 with Oakland County Register of Deeds; and

WHEREAS, The City of Troy has received in its place a permanent easement for water main from the property owner of Sidwell #88-20-10-351-018, Sunset Plaza Shopping Center, LLC;

THEREFORE, BE IT RESOLVED, That the portion of the permanent water main easement as recorded in Liber 15191, Page 262 is hereby **ABANDONED**, and that City Council **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** a Quit Claim deed to the property owners Sunset Plaza Shopping Center, LLC for that portion of the abandoned water main easement; and

BE IT FURTHER RESOLVED, That the permanent easement for water main from Sunset Plaza Shopping Center, LLC, owners of the property having Sidwell #88-20-10-351-018 is hereby **ACCEPTED**; and

BE IT FINALLY RESOLVED, That the City Clerk shall **RECORD** both the Quit Claim Deed and permanent easement with the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-6 Request for Acceptance of Two Warranty Deeds, Three Easements and Declaration of a Non-Access Greenbelt Easement from CP Ventures Limited Partnership, Sidwell #88-20-14-226-026, 027, 028, 029, 030 and 046

Resolution #2011-12-282-J-6

RESOLVED, That Troy City Council hereby **ACCEPTS** two warranty deeds for a detention pond and road right-of-way, three easements for water mains, sanitary sewers and storm, and the

declaration of a non-access greenbelt easement from CP Ventures Limited Partnership, owners of the properties having Sidwell #88-20-14-226-026, 027, 028, 029, 030 and 046; and

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

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings: None Submitted

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

L. COUNCIL REFERRALS:

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

L-1 Council Referrals:

- a) Mayor Daniels Submitted a PowerPoint Presentation by David Wisz
- b) Mayor Daniels Submitted Proposed Amendments to the City Council Rules of Procedure

Vote on Resolution to Postpone *Item O-1 City Council Rules of Procedure* to the January 9, 2012 Regular City Council Meeting

Resolution #2011-12-283
 Moved by Slater
 Seconded by Tietz

RESOLVED, That *Item O-1 City Council Rules of Procedure* be **POSTPONED** until the January 9, 2012 Regular City Council Meeting.

Yes: All-7
 No: None

MOTION CARRIED

M. COUNCIL COMMENTS

M-1 No Council Comments Advanced

N. REPORTS

N-1 Minutes – Boards and Committees:

- a) Parks and Recreation Advisory Board-Final – September 15, 2011
 Noted and Filed

N-2 Department Reports: None Submitted

Noted and Filed

N-3 Letters of Appreciation: None Submitted
Noted and Filed

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

O. STUDY ITEMS

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- O-1** City Council Rules of Procedure – Postponed to January 9, 2012 Regular City Council Meeting
- a) 2010-2011 City Council Rules of Procedure
 - b) City Council Rules of Procedure with Tracked Changes Proposed by Mayor Daniels

The meeting **RECESSED** at 1:07 AM.

The meeting **RECONVENED** at 1:12 AM.

P. CLOSED SESSION:

P-1 T.R. Pieprzak v. Troy

Q. ADJOURNMENT

The meeting **ADJOURNED** at 1:25 AM.

Mayor Janice Daniels

M. Aileen Bittner, CMC
City Clerk