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 on Monday, November 11, 2013, at City Hall, 500 W. Big Beaver Rd. Mayor Slater called the meeting to order at 7:31 PM.

B. 1. ROLL CALL:

Mayor Dane Slater
Jim Campbell
Wade Fleming
Dave Henderson
Ellen Hodorek
Ed Pennington
Doug Tietz

B. 2. INSTALLATION CEREMONY: 2013-2014 City Council Convenes:

a) Swearing-In of New City Council Members

b) Appointment of Mayor Pro Tem

Rules of Procedure for the City Council addresses the appointment of Mayor Pro Tem as follows:

1. APPOINTMENT OF MAYOR PRO TEM

The selection of Mayor Pro Tem shall rotate annually in the following order: McGinnis, Slater, Fleming, Tietz, Henderson, Campbell.

Council Member Tietz declined the appointment of Mayor Pro Tem.

Resolution #2013-11-169
Moved by Fleming
Seconded by Pennington

RESOLVED, That Troy City Council hereby **APPOINTS** Dave Henderson to serve as Mayor Pro Tem for the City Council of the City of Troy for a term scheduled to expire at 7:30 PM on Monday, November 10, 2014.

Yes: All-7
No: None

MOTION CARRIED

c) Adoption of City Council Rules of Procedure

City Council **TOOK NO ACTION** on this Item.

d) Adoption of Code of Ethics for City Council

Resolution #2013-11-170
Moved by Campbell
Seconded by Fleming

RESOLVED, That Troy City Council hereby **ADOPTS** the Code of Ethics of the City Council of the City of Troy as recorded by the City Clerk in the Minutes of this meeting.

Yes: All-7
No: None

MOTION CARRIED

e) Adoption of Code of Ethics for Boards and Committees

Resolution #2013-11-171
Moved by Fleming
Seconded by Campbell

RESOLVED, That Troy City Council hereby **ADOPTS** the Code of Ethics for Boards and Committees of the City of Troy as recorded by the City Clerk in the Minutes of this meeting.

Yes: All-7
No: None

MOTION CARRIED

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Certificate of Appreciation to Awni Fakhoury

C-2 Presentation by Kiwanis Foundation on Troy Lights of Hope for 2013

C-3 America Recycles Day 2013 Presented to Pam Brady, SOCRRA Representative

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 File Number PUD 10-A – Proposed Revision to Concept Development Plan and Preliminary Development Plan, Northeast Corner of Big Beaver and Kilmer (3088 Kilmer), Section 22, Currently Zoned PUD (Planned Unit Development #10) District

The Mayor **OPENED** the Public Hearing. The Mayor **CLOSED** the Public Hearing after receiving public comment from Kevin Douglass.

Resolution #2013-11-172
Moved by Henderson
Seconded by Fleming

WHEREAS, On June 15, 2009, City Council approved the Preliminary Development Plan for the Kilmer Plaza Planned Unit Development (PUD 10), located on the northeast corner of Big Beaver and Kilmer, located in Section 22; and

WHEREAS, The approximately 2.5 acre BBK mixed-use PUD included approximately 19,000 square feet of retail and fourteen (14) attached residential units; and

WHEREAS, Construction on the retail component of the PUD along the Big Beaver frontage was recently completed; and

WHEREAS, Robertson Brothers Company intends to add two (2) additional residential units within the residential component of the PUD, known as Kilmer Place; and

WHEREAS, The proposed increase in two (2) residential units, improvements to the outdoor elements, and increase in guest parking is in compliance with what was originally approved; and

WHEREAS, The proposed revision to the PUD meets the Standards for Approval set forth in Section 11.03.

BE IT RESOLVED, That Troy City Council hereby **APPROVES** the attached Amendment No. 2 to Kilmer Plaza Planned Unit Development Agreement and the Mayor and City Clerk are hereby **AUTHORIZED TO EXECUTE** Amendment No. 2 to Kilmer Plaza Planned Unit Development Agreement on behalf of the City; a copy shall be **ATTACHED** to the original Minutes of this meeting;

BE IT FURTHER RESOLVED, City Council hereby **APPROVES** the revised Concept Development Plan (CDP) and Preliminary Development Plan (PDP) for Kilmer Plaza Planned Unit Development;

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the **RECORDING** of the executed Kilmer Plaza Planned Unit Development Agreement with the Oakland County Register of Deeds;

BE IT FINALLY RESOLVED, That Troy City Council hereby **AUTHORIZES** the petitioner to seek Final Site Plan Approval.

Yes: All-7
No: None

MOTION CARRIED

E-2 Conditional Rezoning Application – (File Number CR 009) – Proposed Troy Marriott Hotels, West Side of Stephenson Highway, North of 14 Mile (333 Stephenson Highway), Section 35, From O (Office) District to OM (Office Mixed Use) District

The Mayor **OPENED** the Public Hearing. The Mayor **CLOSED** the Public Hearing after receiving public comment from Mary Jo Austin, Kay Vavruska, Sally Wilsher, Cynthia Wilsher, Thomas Norton, Suzanne Ciminelli, James Kaltz, and Randall Kriebel.

Moved by Fleming
Seconded by Henderson

WHEREAS, The City is in receipt of a proposed rezoning request from O Office District to OM Office Mixed Use District.; and

WHEREAS, The applicant voluntarily offered a number of conditions, as described in the Conditional Rezoning Agreement and related attachments, as per Section 16.04 of the City of Troy Zoning Ordinance; and

WHEREAS, The subject property, located on the west side of Stephenson Highway, north of 14 Mile Road, parcel 88-20-35-326-012, being approximately 4.5 acres in size, is described in the following legal description and illustrated on the attached Topographic Survey drawing:

> Land located in the southwest ¼ of Section 35, T-2-N, R-11-E, City of Troy, Oakland County, Michigan, being more particularly described as:
>
> Beginning at a point distant S.88º24’00”E., 664.61 feet and S.88º13’12”E., 1019.84 feet and N.01º57’38”E., 358.88 feet from the southwest corner of above said Section; thence N.88º35’27”W., 351.11 feet; thence N.02º31’48”E., 570.29 feet; thence S.88º02’22”E., 345.43 feet; thence S.01º57’38”W., 566.88 feet to the point of beginning; and

WHEREAS, The conditional rezoning was recommended for approval by the Planning Commission; and

WHEREAS, The proposed rezoning is supported by the Master Plan and advances the general and specific development policies of the Master Plan; and

WHEREAS, The proposed site design mitigates the potential impacts on adjacent properties; and

WHEREAS, The proposed rezoning will facilitate redevelopment of the site.

THEREFORE BE IT RESOLVED, City Council hereby **APPROVES** the O to OM Conditional Rezoning Agreement and related attachments;

BE IT FURTHER RESOLVED, City Council **AUTHORIZES** the Mayor and City Clerk to sign the Conditional Rezoning Agreement on behalf of the City of Troy;

BE IT FINALLY RESOLVED, The City of Troy Zoning District Map is hereby **AMENDED**.

Vote on Resolution to Amend *E-2 Conditional Rezoning Application – (File Number CR 009) – Proposed Troy Marriott Hotels, West Side of Stephenson Highway, North of 14 Mile (333 Stephenson Highway), Section 35, From O (Office) District to OM (Office Mixed Use) District*

Resolution #2013-11-173
Moved by Slater
Seconded by Fleming

RESOLVED, That Troy City Council **AMENDS** Item *E-2 Conditional Rezoning Application – (File Number CR 009) – Proposed Troy Marriott Hotels, West Side of Stephenson Highway, North of 14 Mile (333 Stephenson Highway), Section 35, From O (Office) District to OM (Office Mixed Use) District* to **AMEND** the Conditional Rezoning Agreement to extend the warranty on trees from two (2) years to five (5) years and to include buffer trees for the residents on the north side of the property.

Yes: All-7
No: None

MOTION CARRIED

Vote on Resolution *E-2 Conditional Rezoning Application – (File Number CR 009) – Proposed Troy Marriott Hotels, West Side of Stephenson Highway, North of 14 Mile (333 Stephenson Highway), Section 35, From O (Office) District to OM (Office Mixed Use) District* as Amended

Resolution #2013-11-174
Moved by Slater
Seconded by Fleming

WHEREAS, The City is in receipt of a proposed rezoning request from O Office District to OM Office Mixed Use District.; and

WHEREAS, The applicant voluntarily offered a number of conditions, as described in the Conditional Rezoning Agreement, as amended, and related attachments, as per Section 16.04 of the City of Troy Zoning Ordinance; and

WHEREAS, The subject property, located on the west side of Stephenson Highway, north of 14 Mile Road, parcel 88-20-35-326-012, being approximately 4.5 acres in size, is described in the following legal description and illustrated on the attached Topographic Survey drawing:

> Land located in the southwest ¼ of Section 35, T-2-N, R-11-E, City of Troy, Oakland County, Michigan, being more particularly described as:
>
> Beginning at a point distant S.88º24'00"E., 664.61 feet and S.88º13'12"E., 1019.84 feet and N.01º57'38"E., 358.88 feet from the southwest corner of above said Section; thence N.88º35'27"W., 351.11 feet; thence N.02º31'48"E., 570.29 feet; thence S.88º02'22"E., 345.43 feet; thence S.01º57'38"W., 566.88 feet to the point of beginning; and

WHEREAS, The conditional rezoning was recommended for approval by the Planning Commission; and

WHEREAS, The proposed rezoning is supported by the Master Plan and advances the general and specific development policies of the Master Plan; and

WHEREAS, The proposed site design mitigates the potential impacts on adjacent properties; and

WHEREAS, The proposed rezoning will facilitate redevelopment of the site.

THEREFORE BE IT RESOLVED, City Council hereby **APPROVES** the O to OM Conditional Rezoning Agreement, as amended, and related attachments;

BE IT FURTHER RESOLVED, City Council **AUTHORIZES** the Mayor and City Clerk to sign the Conditional Rezoning Agreement on behalf of the City of Troy;

BE IT FINALLY RESOLVED, The City of Troy Zoning District Map is hereby **AMENDED**.

Yes: All-7
No: None

MOTION CARRIED

The Meeting **RECESSED** at 9:20 PM.

The Meeting **RECONVENED** at 9:30 PM.

F. PUBLIC COMMENT FOR ITEMS ON THE AGENDA:

Weir, John	Spoke on Item I-04 Pure Troy – Snow Maintenance.
Cushing, Jack	Spoke on Item I-04 Pure Troy – Snow Maintenance.
Neeve, Ronald	Spoke on Item I-04 Pure Troy – Snow Maintenance.
Harubin, Geri	Spoke on Item I-04 Pure Troy – Snow Maintenance.

G. CITY COUNCIL/CITY ADMINISTRATION RESPONSE/REPLY TO PUBLIC COMMENT:

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

I-1 Board and Committee Appointments: a) Mayoral Appointments – None; b) City Council Appointments – Parks and Recreation Board

a) Mayoral Appointments: None

b) City Council Appointments:

Resolution #2013-11-175
Moved by Fleming
Seconded by Campbell

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

Parks and Recreation Board
Appointed by Council
7 Regular Members and 1 Troy School Board Member:
Regular Member: 3 Year Term / Troy School Board Member: 1 Year Term

Term Expires: 9/30/2016	**Carolyn Noble**	
	Term currently held by:	Tod Gazetti
Term Expires: 7/31/2014	**David Bluhm**	
	Term currently held by:	Aditya Yelamanchi

Yes: All-7
No: None

MOTION CARRIED

I-2 Board and Committee Nominations: a) Mayoral Nominations – None; b) City Council Nominations – None

a) Mayoral Nominations: None

b) City Council Nominations: None

I-3 Request for Closed Session

Resolution #2013-11-176
Moved by Campbell
Seconded by Fleming

BE IT RESOLVED, That Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL15.268 (e) (h) - *(May, as Personal Representative of Jesus Gillard v. City of Troy, et. al)* (MCL 15.243 (g)), after adjournment of this meeting.

Yes: All-7
No: None

MOTION CARRIED

I-4 Pure Troy – Snow Maintenance *(Introduced by: Brent Savidant, Planning Director)*

Moved by Henderson
Seconded by Campbell

RESOLVED, That Troy City Council hereby **AMENDS** Chapter 34 – Sidewalk and Driveway Approaches, as prepared by City Administration, a copy of which shall be **ATTACHED** to the original Minutes of this meeting;

BE IT FINALLY RESOLVED, The effective date of the amendment is ten (10) days following publication, as per the Troy City Code and Charter.

Vote on Resolution to Amend Item *I-4 Pure Troy – Snow Maintenance* by Substitution

Resolution #2013-11-177
Moved by Henderson
Seconded by Pennington

RESOLVED, That City Council **AMENDS** Item I-*4 Pure Troy – Snow Maintenance* by amending Section 34.11.01 of Chapter 34 – Sidewalk and Driveway Approaches to read as follows:

34.11.01 Sidewalks Exempt From Requirement to Clear

The rear and side yard of a lot or premise shall be exempt from the requirements of Section 34.11 if all the following conditions are met:

(a) The lot or premise is used as a single-family or two-family residence; and,
(b) The lot or premise is addressed on a non-major thoroughfare but has a rear or side yard abutting a major thoroughfare."

Yes: All-7
No: None

MOTION CARRIED

Vote on Resolution to Amend Item *I-4 Pure Troy – Snow Maintenance* by Substitution

Resolution #2013-11-178
Moved by Tietz
Seconded by Hodorek

RESOLVED, That City Council **AMENDS** Item *I-4 Pure Troy – Snow Maintenance* by **STRIKING** "three (3) inches" in Section 34.11.01 of Chapter 34 – Sidewalk and Driveway Approaches, and **SUBSTITUTING** it with "one (1) inch", and **STRIKING** "forty-eight (48) hours" and **SUBSTITUTING** it with "twenty-four (24) hours".

Yes: Fleming, Henderson, Hodorek, Pennington, Tietz
No: Slater, Campbell

MOTION CARRIED

Vote on Resolution as Amended

Resolution #2013-11-179
Moved by Tietz
Seconded by Henderson

RESOLVED, That Troy City Council hereby **AMENDS** Chapter 34 – Sidewalk and Driveway Approaches, as prepared by City Administration and amended by City Council, a copy of which shall be **ATTACHED** to the original Minutes of this meeting;

BE IT FINALLY RESOLVED, The effective date of the amendment is ten (10) days following publication, as per the Troy City Code and Charter.

Yes: Henderson, Hodorek, Pennington, Tietz, Fleming
No: Slater, Campbell

MOTION CARRIED

I-5 Approval of the Annual Salary Increase for the City Manager *(Introduced by: Brian Kischnick, City Manager)*

Resolution #2013-11-180
Moved by Fleming
Seconded by Campbell

RESOLVED, That Troy City Council hereby **APPROVES** the following Salary Increase for the City Manager:

- 1% salary increase effective July 6, 2013
- A reduction of furlough hours from 104 hours per fiscal year to 52 hours per fiscal year

- A $500.00 lump sum payment

Yes: All-7
No: None

MOTION CARRIED

J. CONSENT AGENDA:

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

Resolution #2013-11-181
Moved by Fleming
Seconded by Pennington

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 (J) items, as printed.

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 #2013-11-181-J-2

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

a) City Council Meeting Minutes-Draft – October 21, 2013

J-3 Proposed City of Troy Proclamations:

a) America Recycles Day 2013

J-4 Standard Purchasing Resolutions:

a) Standard Purchasing Resolution 4: State of Michigan MiDeal Program – 4-Ton Falcon Asphalt Recycler and Hot Box Trailer

Resolution #2013-11-181-J-4a

RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase one (1) 4-Ton Falcon Asphalt Recycler & Hot Box Trailer including various options from *Falcon Asphalt Repair Equipment of Midland, MI;* for an estimated total cost of $24,402, at prices contained in quote

#OZ103113-600 and as per the Michigan MiDeal Contract #071B1300079, a copy of which shall be **ATTACHED** to the original Minutes of this meeting;

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

b) Standard Purchasing Resolution 3: Option to Renew – Liquid Calcium Chloride

Resolution #2013-11-181-J-4b

WHEREAS, On December 3, 2012, Troy City Council approved a one (1) year contract to provide liquid calcium chloride with an option to renew for one (1) additional year to the lowest bidder meeting specifications, Great Lakes Chloride, Inc. {Resolution #2012-12-214-J4a}; and

WHEREAS, After the award of contract, Great Lakes Chloride, Inc. advised the City that a Certificate of Insurance could not be provided for the annual contract aggregate limit as specified; it was in the City's best interest to re-award the contract; and

WHEREAS, On January 14, 2013, Troy City Council approved a one-year contract to provide liquid calcium chloride with an option to renew for one (1) additional year to Liquid Calcium Chloride Sales Inc. {Resolution #2013-01-010-J05}; and

WHEREAS, The City of Troy has determined that Liquid Calcium Chloride Sales, Inc. is successfully providing liquid calcium chloride as specified, and the awarded vendor has agreed to exercise the one (1) year option to renew the contract under the same prices, terms and conditions as their original contract.

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council hereby **DETERMINES** it to be in the City's best interest to exercise the option to renew the contract with Liquid Calcium Chloride Sales Inc, to provide liquid calcium chloride under the same contract prices, terms, and conditions for one (1) year to be ordered on an as needed basis not to exceed budget limitations; contract expiring November 31, 2014;

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon the submission of contract documents, insurance certificates and all other specified documents.

c) Standard Purchasing Resolution 4: MITN Purchasing Cooperative – City of Ann Arbor – Premium Laser Compatible Ink and Toner Cartridges

Resolution #2013-11-181-J-4c

RESOLVED, That Troy City Council hereby **AWARDS** a two (2) year contract for the purchase of premium laser compatible ink and toner cartridges on an as needed basis, with an option to renew for two (2) additional one (1) year periods to the lowest bidder meeting specifications, Preferred Toner Solutions of Canton, MI, through a MITN Cooperative Award hosted by the City of Ann Arbor at unit prices contained in Appendix A, a copy of which shall be **ATTACHED** to the original Minutes of this meeting expiring November 30, 2017;

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

d) Standard Purchasing Resolution 4: State of Minnesota Department of Administration Cooperative Purchasing – Sewer and Pipeline Inspection Equipment

Resolution #2013-11-181-J-4d

RESOLVED, That Troy City Council hereby **AWARDS** a contract to purchase one (1) Envirosight Rovver X Pipeline Inspection Camera System for the Public Works Water & Drains Division from Bell Equipment Company; Envirosight's authorized Michigan Dealer and of Lake Orion, MI, for an estimated total cost of $111,763.69 as per the State of Minnesota Department of Administration Cooperative Purchasing Contract #70575; a copy of which shall be **ATTACHED** to the original Minutes of this meeting;

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

e) Standard Purchasing Resolution 2: Low Bidder Meeting Specifications – LED Lighting Fixtures for Community Center Indoor Pool Area

Resolution #2013-11-181-J-4e

RESOLVED, That Troy City Council hereby **AWARDS** a contract to purchase thirty-one (31) Dialight Model HBGCMP LED lights to the low bidder meeting specification; *Madison Electric Company of Madison Heights, MI* for an estimated total cost of $32,054.00, at prices contained in the bid tabulation dated November 5, 2013, a copy of which shall be **ATTACHED** to the original Minutes of this meeting;

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

f) Standard Purchasing Resolution 3: Exercise Renewal Option – Snow Removal Rental Equipment Including Operators

Resolution #2013-11-181-J-4f

WHEREAS, On November 21, 2011, Troy City Council awarded contracts to provide seasonal requirements of snow removal rental equipment including operators for municipal properties and local roads with an option to renew for one (1) additional season to the following low bidders: Advanced Landscape & Builders Supply Inc, Florence Cement Company, and DiPonio Contracting, all at the hourly rates as contained in the original bid tabulation opened November 1, 2011 (Resolution #2011-11-267-J4a); and

WHEREAS, On September 24, 2012, the one-year renewal option was approved (Resolution #2012-09-187-J4a); and

WHEREAS, The City of Troy has determined Advanced Landscape & Builders Supply, Inc., Florence Cement Company and DiPonio Contracting has successfully provided seasonal requirements of snow removal and rental equipment including operators and all three (3) vendors have agreed to extend their contracts for one (1) additional season under the same prices, terms and conditions as their original contracts.

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council hereby determines it to be in the City's best interest to **EXERCISE** the option to extend the contracts to provide snow removal services with Advanced Landscaping & Builders Supply Inc for municipal property; Florence Cement Company and Diponio Contracting for local roads, under the same terms and conditions as originally bid and as per the pricing contained in the original bid tabulation opened November 1, 2011; contract expiring April 30, 2014;

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon contractors' submission of properly executed insurance certificates and all other specified requirements;

BE IT FINALLY RESOLVED, That Troy City Council hereby **AUTHORIZES** City staff to extend the hourly contract rates to other contractors after the awarded vendors have been employed to speed the snow removal process during times of snow emergencies.

g) Standard Purchasing Resolution 3: Exercise Renewal Option – Snow Removal Services Home Chore Program and Public Sidewalks

Resolution #2013-11-181-J-4g

WHEREAS, On November 21, 2011, Troy City Council awarded contracts to provide seasonal requirements of snow removal services for the City's municipal sidewalks, code enforcement tasks, and Home Chore Program with an option to renew for one (1) additional season to the low total bidder, MVP Environmental, LLC of Troy as the primary contractor for all three (3) proposals; and Brantley Development LLC of Westland, as secondary contractor for code enforcement and the Home Chore Program, to be used in the event the primary contractor is unable to provide the services as needed, all at unit prices contained in the bid tabulation opened November 1, 2011 (Resolution #2011-11-267-J4b); and

WHEREAS, On October 8, 2012, the one-year renewal option was approved (Resolution #2012-10-191-J4b); and

WHEREAS, The City of Troy has determined that MVP Environmental LLC, the primary contractor and Brantley Development LLC, the secondary contractor have successfully provided the seasonal requirements of snow removal services for the City's municipal sidewalks, code enforcement tasks, and the Home Chore Program. Both contractors have agreed to extend their contracts for one (1) additional season under the same pricing, terms and conditions as their original contracts.

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council hereby **DETERMINES** it to be in the City's best interest to **EXERCISE** the option to extend the contracts to provide seasonal

requirements of snow removal services with MVP Environmental LLC, as the primary contractor for municipal sidewalks, code enforcement tasks, and Home Chore Program; and Brantley Development LLC, as secondary contractor for code enforcement and the Home Chore Program under the same pricing, terms and conditions contained in the original bid a copy; contract expiring April 30, 2014;

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon contractors' submission of properly executed insurance certificates and all other specified requirements.

J-6 Traffic Committee Recommendations and Minutes – October 16, 2013

Resolution #2013-11-181-J-6

Item #3 – Request for Traffic Control – Ellenboro at Trombley

RESOLVED, That the intersection of Ellenboro and Trombley be **MODIFIED** to All-Way Stop control.

Item #4 – Request for No Parking Zone – Brentwood at Northfield Parkway

RESOLVED, That a No Parking zone be **ESTABLISHED** on the south side of Brentwood, from 15' west of the existing fire hydrant to the intersection at Northfield Parkway.

J-7 Request for Acceptance of Permanent Easements and Warranty Deeds for Bridgewater Estates Site Condominium

Resolution #2013-11-181-J-7

RESOLVED, That City Council hereby **ACCEPTS** two warranty deeds and three permanent easements for water mains, sanitary sewers, and storm sewers from John R Land, LLC, owner of the property having Sidwell #88-20-12-301-001 & 002;

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

J-8 Request for Acceptance of Permanent Easements and Warranty Deeds for Oak Forest Site Condominium

Resolution #2013-11-181-J-8

RESOLVED, That City Council hereby **ACCEPTS** two warranty deeds, six permanent easements and a temporary access easement from Oak Forest, LLC, owner of the property having Sidwell #88-20-11-226-007 and #88-20-11-201-026 & 015;

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

J-9 Request for Acceptance of Two Permanent Easements from Galleria of Troy, LLC

Resolution #2013-11-181-J-9

RESOLVED, That City Council hereby **ACCEPTS** two permanent easements for water mains and sanitary sewers from Galleria of Troy, LLC, owner of the property having Sidwell #88-20-21-326-013;

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

J-10 Extension of Contract – Community Planning Services

Resolution #2013-11-181-J-10

WHEREAS, On February 21, 2011, Troy City Council awarded a three (3) year contract to provide requirements of Community Planning and Related Services for the City of Troy to the best value bidder, Carlisle, Wortman and Associates, Inc. of Ann Arbor, MI, with the option to renew for two (2) additional years; contract expiring on March 31, 2014. {Resolution #2011-02-045}; and

WHEREAS The City of Troy has determined that Carlisle, Wortman and Associates, Inc. has successfully provided Community Planning and Related Services to the City as per all terms and conditions of the existing contract; and

WHEREAS, Carlisle, Wortman and Associates, Inc. has offered to renew and also extend their contract renewal for five (5) years under the same terms and conditions as the 2011 contract.

THEREFORE, BE IT RESOLVED, That Troy City Council hereby determines it to be in the City's best interest to **APPROVE** a contract for five (5) years upon mutual consent of both parties with *Carlisle, Wortman and Associates, Inc. of Ann Arbor, MI,* for Community Planning Services, under the same terms and conditions as originally bid, the Agreement Extension and the *revised* Attachment 1; copies of which shall be **ATTACHED** to the original minutes of this meeting; contract to expire March 31, 2019;

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon the submission of contract documents and all other specified requirements;

BE IT FINALLY RESOLVED, That Troy City council herby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the documents on behalf of the City of Troy.

J-11 2014 City Council Meeting Schedule

Resolution #2013-11-181-J-11

RESOLVED, That Troy City Council **SHALL HOLD** Regular Meetings in 2014 according to the following schedule at 7:30 PM:

Monday,	January	13	&	27
Monday,	February	3	&	10
Monday,	March	3	&	17
Monday,	April	7	&	14
Monday,	May	12	&	19
Monday,	June	2	&	16
Monday,	July	7	&	21
Monday,	August	11	&	25
Monday,	September	8	&	22
Monday,	October	6	&	20
Monday,	November	10	&	24
Monday,	December	1	&	15

BE IT FURTHER RESOLVED, That Troy City Council **SHALL HOLD** Special Study Sessions for the purpose of budget discussions in 2014 according to the following schedule at 7:30 PM:

Monday,	April	21
Wednesday,	April	23

BE IT FURTHER RESOLVED, That Troy City Council **SHALL HOLD** Regular Liquor Violation Hearing Meetings in 2014 according to the following schedule at 7:30 PM:

Wednesday,	February	5
Wednesday,	February	19

BE IT FINALLY RESOLVED, That Troy City Council **MAY SCHEDULE** other Special Meetings as needed.

J-12 Sole Source: Expand Azteca Systems, Inc. Cityworks Licensing

Resolution #2013-11-181-J-12

WHEREAS, The City has utilized Cityworks software since 2010 for asset management, work orders, inspections, service requests and inventory management; and

WHEREAS, The City has consumed all available full function licenses and wishes to develop applications to expand use and improve efficiencies; and

WHEREAS, Cityworks offers an Enterprise License Agreement (ELA) which allows for unlimited users, an Advanced Work Order Application Programming Interface (API) as well as other modules the City could utilize.

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** and **AUTHORIZES** the purchase of ELA – Server AMS STANDARD Tier 3A which includes the Work Order API Advanced module from the sole source provider of the proprietary software, Azteca Systems, Inc. of Sandy, Utah, as detailed in Attachment C, a copy of which shall be

ATTACHED to the original Minutes of this meeting, for an estimated increase in annual maintenance from $47,855 to $52,000 in 2014, $60,000 in 2015 and $68,000 in 2016 and subsequent years.

J-5 Authorization to Request Reimbursement – MDEQ SAW Grant

City Council **TOOK NO ACTION** on this Item.

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings:

a) November 25, 2013 – Announcement of Public Hearing for Industrial Development District (IDD) and Industrial Facilities Exemption Certificate (IFEC) for Magna US Holding Inc. at 750 Tower

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

L. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:

Wilsher, Cynthia	Spoke about City Master Plan and Boards and Committees.
Yousif, Sarmad	Spoke about Smoking Lounges.
Zayto, Fadi	Spoke about Smoking Lounges.
Savage, James	Spoke about Veterans Day in honor of Lt. Anderson of Mason, MI.
Werpetinski, Jim	Welcomed returning and new Council Members.
Campbell, Loraine	Spoke of original Troy Township Commission.

M. COUNCIL REFERRALS:

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

M-1 No Council Referrals Advanced

N. COUNCIL COMMENTS:

N-1 No Council Comments Advanced

Council Member Pennington spoke honoring all veterans.

Mayor Pro Tem Henderson spoke about “Movember” to raise awareness of Men's health issues, including prostate cancer, and associated charities.

Council Member Fleming mentioned the recent loss of significant members of the community, Stu Redpath, and Joel and Dale Garrett, who recently passed away.

Mayor Slater also mentioned the loss of Mike Lukich, owner of Lukich's Restaurant, who recently passed away.

O. REPORTS:

O-1 Minutes – Boards and Committees:

a) Parks and Recreation Advisory Board-Final – February 21, 2013
b) Local Development Finance Authority-Final – April 22, 2013
c) Zoning Board of Appeals-Final – September 17, 2013
d) Traffic Committee-Final – September 18, 2013
e) Planning Commission-Draft – October 8, 2013
f) Planning Commission-Final – October 8, 2013
g) Zoning Board of Appeals-Draft – October 15, 2013

Noted and Filed

O-2 Department Reports:

a) 2013 Year-To-Date Calls for Police Service
b) Building Department Activity Report – October, 2013

Noted and Filed

O-3 Letters of Appreciation:

a) To Chief Mayer From Jeffrey Frost, Special Agent in Charge, US Secret Service Regarding Police Department Assistance with a Diplomatic Visit to Troy

Noted and Filed

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

Noted and Filed

The Meeting **RECESSED** at 10:58 PM.

The Meeting **RECONVENED** at 11:05.

P. STUDY ITEMS:

P-1 Retirement and Retiree Health Care Plans

City Manager Kischnick opened the discussion by talking about the success of Troy. He pointed out that the City has moved from DB to DC, is well funded and is taking steps to continue funding each year.

Mayor Slater pointed out that copies of these presentations are available on the City website.

City Manager turned the discussion over to Tom Darling, Director of Finance. Mr. Darling presented a PowerPoint presentation that detailed the retirement and retiree health care plans.

Mr. Darling emphasized that this presentation is a success story of Troy.

Mr. Darling introduced Actuarial Consultants Kenneth Alberts and Jeff Tebeau from Gabriel, Roeder, Smith & Company.

Mr. Alberts and Mr. Tebeau offered a PowerPoint presentation titled "Actuary 101 and Troy ERS 12/31/2012 Valuation Results".

Mr. Darling discussed a presentation on comparisons between the City of Troy and other municipalities in the area.

Vote on Resolution to Suspend Rules of Procedure for the City Council, Rule #27 – Continued Agenda Items Not Considered Before 12:00 AM

Resolution #2013-11-182
Moved by Henderson
Seconded by Fleming

RESOLVED, That City Council hereby **SUSPENDS** Rules of Procedure for the City Council, Rule #27 - *Continued Agenda Items Not Considered Before 12:00 AM* and **AUTHORIZE** City Council to **EXTEND** the adjournment time to Tuesday, November 12, 2013, 12:45 AM.

Yes: All-7
No: None

MOTION CARRIED

The discussion regarding Troy's success story with retirement and retiree health care plans continued. Council Members discussed the Employee Retirement System and professional investment consultants. Council Member Henderson reported that the ERS is getting close to approving a plan to hire a consultant.

The Meeting **RECESSED** at 12:11 AM.

The Meeting **RECONVENED** at 12:13 AM.

Q. CLOSED SESSION:

Q-1 Closed Session

R. ADJOURNMENT:

The Meeting **ADJOURNED** at 12:40 AM.

Mayor Dane Slater

M. Aileen Bittner, CMC
City Clerk