

Pastor Paul Monson from St. Augustine Lutheran Church 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, April 16, 2012, at City Hall, 500 W. Big Beaver Rd. Mayor Daniels called the meeting to order at 7:31 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 City of Troy Proclamation: Building Safety Month – May 2012

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 Re-Programming Community Development Block Grant (CDBG) Program Year 2008, 2009, 2010 and 2011 Funds

The Mayor **OPENED** the Public Hearing.

The Mayor **CLOSED** the Public Hearing after receiving no public comment.

Resolution #2012-04-072

Moved by Fleming

Seconded by Slater

WHEREAS, The City Council of the City of Troy, after conclusion of a Public Hearing on this date, April 16, 2012 has determined that program year 2008 unexpended funds of \$29,993.30 from Public Services (Yard Services); program year 2009 unexpended funds of \$50,388.00 from Public Services (Yard Services); program year 2009 unexpended funds of \$67,609.54 from Parks Recreational; program year 2010 unexpended funds of \$52,191.00 from Public Services (Yard Services); program year 2011 unexpended funds of \$61,985.00 from Parks Recreational (total of \$262,166.84) should all be re-programmed to the Flood Drain Improvements Project, Lovington Street from Minnesota to Dequindre in Section 36.

BE IT RESOLVED, That Troy City Council hereby **AUTHORIZES** City Administration to re-program funds from Program Years 2008, 2009, 2010, and 2011 to the Flood Drain Improvement Project, Lovington Street from Minnesota to Dequindre in Section 36. This project will be completed before the end of 2012.

Yes: All-7

No: None

MOTION CARRIED

F. PUBLIC COMMENT:

Jennifer Liu & Kelly Thang	Spoke on behalf of THS BuildOn promoting building schools in developing countries
Kieler, Bryan	Spoke on behalf of Huntington Bank promoting affordable housing and teaching entrepreneur mindset to youth
Byrd, Ashley	Spoke about volunteerism and activism for pro-life organizations
Aulph, Diane	Spoke against Mayor Daniels
Savage, James	Spoke against recall petitions and in support of City Council focusing on upcoming decisions
Vadlamudi, Kumar	Spoke on behalf of Troy Telugu Association promoting HELP, and passing culture on to youth
Neat, Edward,	Spoke about upcoming budget issues.
Wilsher, Cynthia	Spoke about the City Council Meeting cable broadcast times, the Charter Revision Committee, and a community quilting group
Peters, Richard	Spoke about promoting solar power, diversity, and other various topics
Graczyk, Edward	Spoke about public sector unions, pay cuts, and spending.
Kalis, Amy	Spoke about students working on the Rouge River Watershed
Kulesz, John	Spoke about recall efforts and the recruitment of a new City Manager
Schepke, Gordon	Spoke in support of Mayor Daniels
Cherasaro, Nicholas	Defined "bully" and spoke about public comment
Butterbaugh, Ron	Spoke against Mayor Daniels
Watts, Raymond	Spoke in support of Mayor Daniels
Bernardi, Maryann	Spoke about the Charter Revision Committee, public comment, and in support of Mayor Daniels.

G. RESPONSE / REPLY TO PUBLIC COMMENT

The meeting **RECESSED** at 8:43 PM.

The meeting **RECONVENED** at 8:51 PM.

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 – None

a) Mayoral Appointments – None

b) City Council Appointments - None

I-2 Board and Committee Nominations: a) Mayoral Nominations – Brownfield Redevelopment Authority; Civil Service Commission (Act 78); Economic Development Corporation; Local Development Finance Authority (LDFA) b) City Council Nominations – Charter Revision Committee; Employee Retirement System Board of Trustees/Retiree Health Care Benefits Plan & Trust; Personnel Board; Zoning Board of Appeals

a) Mayoral Nominations

Resolution #2012-04-073
 Moved by Daniels
 Seconded by Fleming

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

Brownfield Redevelopment Authority

Appointed by Mayor
 7 Regular Members
 3 Year Term

Nominations to the Brownfield Redevelopment Authority:

Term Expires: 04/30/2015

Theodore Dziurman

Term currently held by: Arthur Nicholas Cotsonika

Term Expires: 04/30/2015

Joseph Vassallo

Term currently held by: Joseph Vassallo

**Unexpired Term Expires:
04/30/2014**

Rosemary Kornacki

Vacant due to Jim Campbell
 Term currently held by: resignation.

**Unexpired Term Expires:
04/30/2014**

Dan Brake

Vacant due to Ramzi Dalloo
 Term currently held by: resignation.

Yes: All-7
No: None

MOTION CARRIED

Resolution #2012-04-074
Moved by Daniels
Seconded by Slater

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

Civil Service Commission (Act 78)

Appointed by Mayor
3 Regular Members:
1-Council; 1-Police/Fire Rep.; 1-Civil Service
6 Year Term

Nominations to the Civil Service Commission (Act 78):

Term Expires: 04/30/2018

David C. Cannon

(Council Appointed)

Term currently held by: David C. Cannon

Yes: All-7
No: None

MOTION CARRIED

Resolution #2012-04-075
Moved by Daniels
Seconded by Campbell

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

Economic Development Corporation

Appointed by Mayor
9 Regular Members
6 Year Term

Nominations to the Economic Development Corporation:

Term Expires: 04/30/2018

Robert Schwartz

Term currently held by: Kenneth Bluhm

Yes: All-7

No: None

MOTION CARRIED

b) City Council Nominations

Moved by McGinnis
Seconded by Slater

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:

Personnel Board
Appointed by Council
5 Regular Members
3 Year Term

Nominations to the Personnel Board:

Term Expires: 04/30/2015

P. Terry Knight

Term currently held by: Laurie G. Huber

Term Expires: 04/30/2015

Edna Abraham

Term currently held by: Albert Taylor Nelson Jr.

Term Expires: 04/30/2015

Lorraine New

Term currently held by: Francis Jack Witt

Vote on Resolution to Amend Item I-2b City Council Nominations

Resolution #2012-04-076
Moved by Henderson
Seconded by Tietz

RESOLVED, That Troy City Council hereby **AMENDS** Item I-2b City Council Nominations by adding the following name as a nominated person:

Nominations to the Personnel Board:

Term Expires: 04/30/2015

Dan Brake

Term currently held by:

Yes: All-7
No: None

MOTION CARRIED

Vote on Original Resolution Item I-2b City Council Nominations as Amended

Resolution #2012-04-077
 Moved by McGinnis
 Seconded by Slater

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:

Personnel Board

Appointed by Council
 5 Regular Members
 3 Year Term

Nominations to the Personnel Board:**Term Expires: 04/30/2015****P. Terry Knight**

Term currently held by: Laurie G. Huber

Term Expires: 04/30/2015**Edna Abraham**

Term currently held by: Albert Taylor Nelson Jr.

Term Expires: 04/30/2015**Lorraine New**

Term currently held by: Francis Jack Witt

Term Expires: 04/30/2015**Dan Brake**

Yes: All-7
 No: None

MOTION CARRIED**I-3 Request for Closed Session**

Resolution #2012-04-078
 Moved by Slater
 Seconded by Fleming

BE IT RESOLVED, That Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL15.268 (h) (MCL 15.243 (g)) and MCL15.268 (e) Pending Litigation – Margaret Black v City of Troy.

Yes: All-7
 No: None

MOTION CARRIED

J. CONSENT AGENDA:**J-1a Approval of "J" Items NOT Removed for Discussion**

Resolution #2012-04-079
 Moved by Fleming
 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-4a, 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 #2012-04-079-J-2

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

- a) Regular City Council Meeting of April 2, 2012

J-3 Proposed City of Troy Proclamations:

- a) City of Troy Proclamation: Building Safety Month – May 2012

J-4 Standard Purchasing Resolutions:

- b) **Standard Purchasing Resolution 4: Award – Macomb County Cooperative Purchasing Agreement – Fleet Vehicles**

Resolution #2012-04-079-J-4b

RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase two (2) 2012 Ford Fusions and one (1) 2013 Ford Taurus from Varsity Ford of Ann Arbor, MI, through the Macomb County Cooperative Purchasing Agreement for an estimated total cost of \$57,298.00.

- c) **Standard Purchasing Resolution 1: Bid Award – Auction Services**

Resolution #2012-04-079-J-4c

RESOLVED, That Troy City Council hereby **AWARDS** a two-year contract to provide auction services with an option to renew for two (2) additional years for the City of Troy municipal offices, to the low total bidder, Chuck Cryderman & Associates LLC of Armada, MI, with all

auction expenses paid through buyers' premiums as indicated on the attached bid tabulation dated 3/7/2012, with the exception of optional services to inventory items and provide printed inventory reports if necessary, at a cost of \$25.00 per hour; the contract expires April 15, 2014.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT UPON** contractor's submission of properly executed bid and proposal documents, including insurance certificates and all other specified requirements. In addition, other trade publications or online auction websites can be used to market specialty pieces of equipment as long as there is no cost to the City.

BE IT FINALLY RESOLVED, That the Mayor and City Clerk are **AUTHORIZED** to execute an Agreement with Chuck Cryderman & Associates LLC once in acceptable form.

d) Standard Purchasing Resolution 8: Best Value Award – Municipal Testing Services for the 2012-2015 Construction Seasons

Resolution #2012-04-079-J-4d

RESOLVED, That Troy City Council hereby **APPROVES** two (2) three-year contracts for municipal construction testing services with an option to renew for an additional three (3) years to the two (2) highest rated bidders, Professional Service Industries, Inc, (PSI), of Troy, MI; and Testing Engineers and Consultants, Inc (TEC), of Troy, MI; as a result of a best value process expiring March 31, 2015, at unit prices contained in the tabulation opened March 14, 2012, with additional services priced as outlined in their respective rate schedules, copies of which shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That the awards are **CONTINGENT UPON** consultants' submission of properly executed proposal and contract documents, including agreements, insurance certificates and all other specified requirements.

BE IT FINALLY RESOLVED, The Mayor and City Clerk are **AUTHORIZED** to execute the agreements once in acceptable form.

J-5 Robert and Michelle Riddle v City of Troy

Resolution #2012-04-079-J-5

NOW THEREFORE, BE IT RESOLVED, That the Troy City Council hereby **ACCEPTS** the Plaintiff's confidential settlement offer, which was presented on April 3, 2012 in a Closed Session, and **DIRECTS** the City Attorney to take the actions necessary to facilitate the settlement with our insurance carrier.

J-4 Standard Purchasing Resolutions:

a) Standard Purchasing Resolution 3: Exercise Renewal Option – Quarterly Newsletter – Troy Today

Resolution #2012-04-080
Moved by Henderson

Seconded by McGinnis

WHEREAS, On July 12, 2010, Troy City Council approved a one-year contract to provide printing services for the Troy Today, Quarterly Newsletter with two, one (1) year options to renew to Grand Blanc Printing Co, Inc of Grand Blanc, MI, the vendor with the lowest bid and highest weighted final score, as a result of a best value process (Resolution # 2010-07-157-I-4a); and

WHEREAS, On July 11, 2011, Troy City Council exercised and approved the first one-year option to renew the contract for the 2011/2012 printing and distribution of the Troy Today, Quarterly Newsletter with Grand Blanc Printing Co, Inc of Grand Blanc, MI (Resolution #2011-07-165-J4f); and

WHEREAS, Grand Blanc Printing Co, Inc has offered to exercise the second one-year option to renew the contract for the printing of the 2012/2013 Troy Today under the same pricing structure, terms and conditions;

NOW THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES AND APPROVES** the second one-year option to renew the contract for the 2012/2013 printing and distribution of the Troy Today, Quarterly Newsletter with Grand Blanc Printing Co, Inc of Grand Blanc, MI, for an estimated total cost of \$39,008.00, at unit prices as originally bid on May 24, 2010, plus the actual cost of bulk rate postage and additional charges if needed not to exceed 10% of the original contract amount or \$3,900.00, with all other contract requirements the same to expire April 30, 2013.

Yes: All-7

No: None

MOTION CARRIED

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings: None Submitted

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

L. COUNCIL REFERRALS:

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

L-1 Mayor Daniels Advanced Mayor for a Day Essay Contest

M. COUNCIL COMMENTS

M-1 No Council Comments Advanced

Council Member Slater proposed to schedule a Study Session to discuss an Interim City Manager.

Mayor Pro Tem McGinnis announced that on Saturday, April 21, 2012 and Sunday, April 22, 2012, Barnes & Noble (on John R) will be holding a Troy Public Library Reading Celebration and Book Fair. For every sale made during the weekend at the Troy store with a special book fair voucher, Barnes & Noble will contribute a percentage to the Troy Public Library. More information at www.troylibrary.info.

Mayor Daniels announced a National Youth Hockey Association tournament to be held in April 2013. A preliminary strategy meeting will be held at on Friday, April 20, 2012 at 4:30 PM. For more information, please contact Mayor Daniels or Mark Miller, Director of Economic & Community Development.

N. REPORTS

N-1 Minutes – Boards and Committees:

- a) Liquor Advisory Committee-Final-March 12, 2012
 - b) Planning Commission-Special/Study-Draft-March 27, 2012
 - c) Planning Commission-Special-Draft-March 27, 2012
 - d) Planning Commission-Special/Study-Final-March 27, 2012
 - e) Planning Commission-Special-Final-March 27, 2012
 - f) Election Commission-Final-March 29, 2012
- Noted and Filed
-

N-2 Department Reports:

- a) City Employees' Short-Term Disability (STD), Long-Term Disability (LTD), Life, and Accidental Death and Dismemberment (AD&D) Insurance Coverage
- Noted and Filed
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N-3 Letters of Appreciation:

- a) Letter of Appreciation to Chief Mayer from Special Agent Jeffrey Frost, United States Secret Service, Thanking Lieutenant Gordon, Sergeant Harden and the Troy Police Department for Assistance
- Noted and Filed
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N-4 Proposed Proclamations/Resolutions from Other Organizations: None Proposed

Noted and Filed

N-5 2012 First Quarter Litigation Report

Noted and Filed

N-6 M. Amelia (Neal) Jermano v City of Troy et. al.

Noted and Filed

N-7 T.R. Pieprzak Company v City of Troy

Noted and Filed

N-8 US Secret Service – National Computer Forensic Institute (NCFI)

Noted and Filed

N-9 Responses to Budget Issues

- a) City Manager’s Memorandum Explaining General Fund Balance
- b) City Assessor’s Memorandum Summarizing In-House vs Outsourcing the Assessing Department

Noted and Filed

O. STUDY ITEMS

O-1 No Study Items

P. CLOSED SESSION:

P-1 Closed Session

Q. ADJOURNMENT

The Meeting **RECESSED** at 9:58 PM.

The Meeting **RECONVENED** at 10:22 PM.

The Meeting **ADJOURNED** at 10:27 PM.

Mayor Janice Daniels

M. Aileen Bittner, CMC
City Clerk