

Father Eric Fedewa from St. Anastasia Catholic 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, June 4, 2012, at City Hall, 500 W. Big Beaver Road. Mayor Daniels called the meeting to order at 7:33 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 Employees' Casual for a Cause Presentation – January and February, 2012 – Cindy Stewart to Present \$755 to Beth Sowulewski, Senior Development Officer – MADD

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 No Public Hearings

F. PUBLIC COMMENT:

Binkowski, Matt	Spoke about Mayor Daniels and the recall efforts.
Butterbaugh, Ron	Spoke about the City of Troy, Mayor Daniels and the recall efforts.
Wilsher, Cynthia	Spoke about the upcoming search for City Manager and of Board and Committee members/applicants.
Peters, Richard	Spoke of free speech, bicycle paths/sidewalks, and other various topics.
Mitchum, Tracey	Spoke requesting City Council initiate a ban on K2.
Savage, James	Spoke in opposition to the recall petitions and also asks City Council to improve sidewalks in Troy.
Kajma, Linda	Spoke about a Board and Committee member.
Grix, James E.	Spoke in opposition of the millage increase for the Refuse Fund and of the Transit Facility.
English, Larry	Thanked City Council Members for their time and service to the community.
Cherasaro, Nicholas	Spoke about the persons supporting the recall efforts.

G. 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 – Zoning Board of Appealsa) Mayoral Appointments - Noneb) City Council AppointmentsZoning Board of AppealsAppointed by Council
7 Regular Members**Tally of City Council Nominee Choices:**

Each City Council Member should indicate two nominees to fill the vacancies on the Zoning Board of Appeals from the following list of individuals placed into nomination at the May 7, 2012 Regular City Council meeting:

NOMINEES:	COUNCIL MEMBERS: Select Two (2) Nominees
Michael W. Bartnik	Daniels, Campbell, Fleming, Henderson, McGinnis, Slater, Tietz
Barbara Chambers	Campbell, McGinnis, Slater
Glenn Clark	Daniels, Fleming, Henderson, Tietz

City Council Appointments

Resolution #2012-06-117

Moved by McGinnis

Seconded by Fleming

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

Term Expires: 04/30/2015**Michael W. Bartnik****Term Expires: 04/30/2015****Glenn Clark**

Yes: Daniels, Fleming, Henderson, Tietz

No: Campbell, McGinnis, Slater

MOTION CARRIED

I-2 Board and Committee Nominations: a) Mayoral Nominations – Local Development Finance Authority (LDFA); b) City Council Nominations – Building Code Board of Appeals, Employee Retirement System Board of Trustees/Retiree Health Care Benefits Plan & Trust, Historic District Commission, Traffic Committee

a) Mayoral Nominations

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

b) City Council Nominations

Resolution #2012-06-118

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:

Building Code Board of Appeals

Appointed by Council

5 Regular Members

5 Year Term

Nominations to the Building Code Board of Appeals:

Term: Per ORDINANCE

Michael Culpepper

(City Manager)

Term currently held by:

John Szerlag

Employee Retirement System Board of Trustees/Retiree Health Care Benefits Plan & Trust

Appointed by Council

7 Regular Members and 2 Ordinance Members

3 Year Term

Nominations to the Employee Retirement System Board of Trustees/Retiree Health Care Benefits Plan & Trust:

Term: Per ORDINANCE

Michael Culpepper

(City Manager)

Term currently held by:

John Szerlag

Historic District Commission

Appointed by Council

7 Regular Members

3 Year Term

Nominations to the Historic District Commission:**Term Expires: 5/15/2015****Doris Schuchter**

Term currently held by: Doris Schuchter

Traffic Committee

Appointed by Council

7 Regular Members

3 Year Term

Nominations to the Traffic Committee:**Term Expires: 01/31/2013****Stevan Popovic**

Term currently held by: Vacancy

Yes: All-7

No: None

MOTION CARRIED**I-3 No Closed Session Requested****I-4 Proposed Amendment to Chapter 13 – Historic Preservation**

Resolution #2012-06-119

Moved by Fleming

Seconded by McGinnis

RESOLVED, That Section 3 of Chapter 13 of the City Code is hereby **AMENDED** to eliminate 4820 Livernois as an historic district. A copy of the ordinance amending Chapter 13 shall be **ATTACHED** to the original Minutes of this meeting and a copy of that ordinance shall be **RECORDED** with the Oakland County Register of Deeds as required by state statute.

Yes: All-7

No: None

MOTION CARRIED**I-5 Appointment of SOCRRA Representative and Alternate**

Resolution #2012-06-120

Moved by McGinnis

Seconded by Fleming

RESOLVED, That Troy City Council hereby **DESIGNATES** Tim Richnak as the SOCRRA Representative and Monica Irelan as the Alternate SOCRRA Representative with terms expiring on June 30, 2013.

Yes: All-7
No: None

MOTION CARRIED

I-6 Approval of Contract for Executive Search Firm for City Manager

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

I-7 Deficit Elimination Plans – Aquatic Center and Sanctuary Lake Golf Course

Resolution #2012-06-121
Moved by McGinnis
Seconded by Daniels

RESOLVED, That Troy City Council hereby **APPROVES and ADOPTS** the Aquatic Center and Sanctuary Lake Golf Course Deficit Elimination Plans presented at this meeting.

Yes: All-7
No: None

MOTION CARRIED

J. CONSENT AGENDA:

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

Resolution #2012-06-122
Moved by Fleming
Seconded by McGinnis

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented with the exception of Item(s) J-6, 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 #2012-06-122-J-2

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the Regular City Council Meeting of May 14, 2012, as submitted.

J-3 Proposed City of Troy Proclamations: None Proposed

J-4 Standard Purchasing Resolutions:

a) Standard Purchasing Resolution 3: Exercise Renewal Option – Pool Maintenance and Repair Services

Resolution #2012-06-122-J-4a

WHEREAS, On June 21, 2010, Troy City Council awarded a two (2) year contract to furnish pool maintenance and repair services for both the indoor and outdoor pools at the Troy Family Aquatic Center and Community Center to the sole bidder, B & B Pools & Spas of Livonia, effective July 1, 2010 through June 30, 2012, with two (2) one-year options to renew (Resolution #2010-06-142-I-4b); and

WHEREAS, B & B Pools and Spas has offered to renew their contract for one (1) additional year under the same pricing structure, terms and conditions as the 2010 contract;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES AND APPROVES** the first one-year option to renew the contract with B & B Pools and Spas for pool maintenance and repair services at prices contained in the bid tabulation opened June 3, 2010, under the same terms and conditions as the 2010 contract to expire June 30, 2013.

b) Standard Purchasing Resolution 1: Award to Low Bidder – Overhead Door Maintenance and Repair

Resolution #2012-06-122-J-4b

RESOLVED, That Troy City Council hereby **AWARDS** a contract to furnish all necessary materials, labor and equipment to provide three-year requirements of repairs and general maintenance of overhead doors at various City Facilities to the low total bidder, Michigan Independent Door Company of Troy, Michigan, at unit prices contained in the bid tabulation opened May 17, 2012, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, to expire May 31, 2015.

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

J-5 Postage Cost for Mailing New Voter Identification Cards

Resolution #2012-06-122-J-5

RESOLVED, That Troy City Council hereby **AUTHORIZES** the City Clerk to expend necessary funds in excess of \$10,000 to mail new voter identification cards to all registered voters in the City of Troy, pursuant to MCL 168.499(3).

J-7 Request for Acceptance of a Water Main Easement from White Chapel Memorial Association, Sidwell #88-20-16-301-011

Resolution #2012-06-122-J-7

RESOLVED, That Troy City Council hereby **ACCEPTS** the water main easement from White Chapel Memorial Association owners of the property having Sidwell #88-20-16-301-011 and **AUTHORIZES** compensation in the amount of \$500.00; and

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

J-8 Request for Acceptance of Two Warranty Deeds and Three Easements, Briggs Park Condominiums, APR Development, LLC – Section 14

Resolution #2012-06-122-J-8

RESOLVED, That City Council hereby **ACCEPTS** two Warranty Deeds for right-of-way and five easements for sanitary sewer, emergency ingress/egress and public utilities, and water main from property owner APR Development, LLC, having Sidwell #88-20-14-301-032, 004, 005, 006, 007, 008, 009, 028 & 029; and

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

Vote on Resolution to Separate Item J-6 Traffic Committee Recommendations and Minutes – May 16, 2012

Resolution #2012-06-123

Moved by Daniels

Seconded by Slater

RESOLVED, That City Council **SEPARATE** Item *J-6 Traffic Committee Recommendations and Minutes – May 16, 2012*.

Yes: All-7

No: None

MOTION CARRIED

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

Moved by Fleming

Seconded by Henderson

RESOLVED, That Troy City Council hereby **SUSPENDS** Rules of Procedure for the City Council, Rule #6 *Order of Business* to hear public comment on Item *J-6 Traffic Committee Recommendations and Minutes – May 16, 2012 - Item #3 – Reconsideration – Remove No Parking Restrictions – Hickory, Plum to Kirkton.*

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

Resolution #2012-06-124
 Moved by Fleming
 Seconded by Henderson

RESOLVED, That Troy City Council hereby **AMENDS** the Resolution to Suspend Rules of Procedure for the City Council, Rule #6 *Order of Business* to hear public comment, limited to 5 minutes, from anyone who wishes to speak on Item *J-6 Traffic Committee Recommendations and Minutes – May 16, 2012 - Item #3 – Reconsideration – Remove No Parking Restrictions – Hickory, Plum to Kirkton.*

Yes: All-7
 No: None

MOTION CARRIED

Vote on Resolution to Suspend Rules of Procedure for the City Council, Rule #6 – Order of Business J-6 Traffic Committee Recommendations and Minutes – May 16, 2012 as AMENDED

Resolution #2012-06-125
 Moved by Fleming
 Seconded by Henderson

RESOLVED, That Troy City Council hereby **SUSPENDS** Rules of Procedure for the City Council, Rule #6 *Order of Business* to hear public comment, limited to 5 minutes, from anyone who wishes to speak on Item *J-6 Traffic Committee Recommendations and Minutes – May 16, 2012 - Item #3 – Reconsideration – Remove No Parking Restrictions – Hickory, Plum to Kirkton, as amended.*

Yes: All-7
 No: None

MOTION CARRIED

J-6 Traffic Committee Recommendations and Minutes – May 16, 2012

Myke, James	Spoke in opposition of Item #3.
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Resolution #2012-06-126
 Moved by Daniels
 Supported by Fleming

Item #3 – Reconsideration – Remove No Parking Restrictions – Hickory, Plum to Kirkton

RESOLVED, That the “No Parking” zone on the south side of Hickory, between Plum and Kirkton, be **REMOVED**.

Yes: McGinnis, Fleming

No: Slater, Tietz, Daniels, Campbell, Henderson

MOTION FAILED

J-6 Traffic Committee Recommendations and Minutes – May 16, 2012

Resolution #2012-06-127

Moved by Slater

Supported by McGinnis

Item #4 – Request to Establish No Parking Zone – Gloucester at Saint Alan Church

RESOLVED, That a “NO PARKING, TOW AWAY” zone be **ESTABLISHED** on the south side of Gloucester, from the driveway to the Saint Alan Church parking lot to a point 15 feet west.

Item #5 – Request to Extend No Parking Zone – Brooklawn Court

RESOLVED, That the existing “No Parking” zone be **EXTENDED** to encompass the entire Brooklawn Court cul-de-sac, ending at a point near the northeasterly edge of the driveway to 1080 Brooklawn Court.

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 No Council Referrals Advanced

M. COUNCIL COMMENTS

M-1 No Council Comments Advanced

Council Member McGinnis announced that on June 19, 2012, the OverDrive's Digital Bookmobile community outreach vehicle will be at the Troy Public Library to promote downloadable eBooks, audiobooks, music, and video. The 74-foot, 18-wheel tractor-trailer will be parked in the Library's north parking lot from 12 Noon until 6:00 PM.

Council Member Slater supports the resolution presented on the table for a ban on K2/Spice and requests that the City Attorney draft language to bring back at a future City Council meeting. The City Attorney explained challenges with three current pending laws (e.g., Senate Bill 789) in Michigan Legislature regarding this subject and provided Judge Hartig's website www.nospicetroyclawson.org for more information. Council Member Fleming indicated he would like to include "Bath Salts" in the resolution and would like to explore options at the local level for restricting or banning K2/Spice/Bath Salts. Council Member Henderson supports efforts at the local level. Chief Mayer indicated that the police department is taking an active role to encourage community involvement and voluntary compliance.

Council Member Fleming spoke about the encouraging data contained in N-2a Building Department Activity Report – April, 2012.

Council Member Slater requested a status update on the Transit Facility.

Mayor Daniels spoke about drive-thru banking in the Big Beaver corridor. She also spoke about a letter from Planning Commission Chair, Mr. Maxwell, who provided an opinion on the comments of another Planning Commission Member.

N. REPORTS

N-1 Minutes – Boards and Committees:

- a) Employees' Retirement System Board of Trustees-Final-July 13, 2011
- b) Employees' Retirement System Board of Trustees-Final-August 10, 2011
- c) Employees' Retirement System Board of Trustees-Final-September 14, 2011
- d) Employees' Retirement System Board of Trustees-Final-October 12, 2011
- e) Employees' Retirement System Board of Trustees-Final-November 9, 2011
- f) Employees' Retirement System Board of Trustees-Final-December 14, 2011
- g) Employees' Retirement System Board of Trustees-Final-February 16, 2012
- h) Employees' Retirement System Board of Trustees-Final-March 14, 2012
- i) Liquor Advisory Committee-Final-April 9, 2012
- j) Employees' Retirement System Board of Trustees-Final-April 11, 2012
- k) Zoning Board of Appeals-Final-April 17, 2012
- l) Traffic Committee-Final-April 18, 2012
- m) Planning Commission-Special/Study-Final-April 24, 2012
- n) Planning Commission-Draft-May 8, 2012
- o) Planning Commission-Final-May 8, 2012
- p) Employees' Retirement System Board of Trustees-Draft-May 9, 2012
- q) Liquor Advisory Committee-Draft-May 14, 2012

Noted and Filed

N-2 Department Reports:

- a) Building Department Activity Report – April, 2012
Noted and Filed

N-3 Letters of Appreciation: None Submitted

Noted and Filed

N-4 Proposed Proclamations/Resolutions from Other Organizations:

- a) City of Southfield Resolution in Support of Full Replacement Funding for Revenue Loss Resulting from Elimination of the Personal Property Tax in the State of Michigan
Noted and Filed

N-5 SAFEbuilt Client Survey Results

Noted and Filed

N-6 Application Regarding New SDM License for Kamel Management, Inc. (Troy Smokers)

Noted and Filed

The Meeting **RECESSED** at 9:10 PM.

The Meeting **RECONVENED** at 9:18 PM.

O. STUDY ITEMS

O-1 Discussion Regarding Approval of Contract for Executive Search Firm for City Manager**Resolution for Approval of Contract for Executive Search Firm for City Manager**

Resolution #2012-06-128
Moved by Slater
Seconded by Fleming

WHEREAS, On Monday, May 14, 2012, Troy City Council received proposals from executive search firms to fill the vacancy of City Manager; and

WHEREAS, On May 14, 2012, Troy City Council approved the evaluation form for the purpose of rating the executive search firm proposals, and to conduct interviews if necessary, and follow the standard request for proposal evaluation process in making the selection of an executive search firm (Resolution #2012-05-112); and

WHEREAS, The scores of all City Council members have been averaged into one score for each consultant for this phase of the process, the results of which are detailed in Attachment K, and indicate the overall highest score was achieved by The Mercer Group with a total weighted score of 72.114 out of ninety (90) possible points; and

WHEREAS, The City Attorney has drafted a contract for executive search services with the highest rated firm, The Mercer Group;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **ENGAGES** the services of The Mercer Group to complete the executive recruitment process to fill the position of City Manager by September 15, 2012, in accordance with their proposal dated May 13, 2012, for an estimated cost not-to-exceed \$19,500.00, plus travel costs for finalists.

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the final contract for Executive Search Services with The Mercer Group, 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

P. CLOSED SESSION:

P-1 No Closed Session

Q. ADJOURNMENT

The Meeting **ADJOURNED** at 9:50 PM.

Mayor Janice Daniels

M. Aileen Bittner, CMC
City Clerk