

A Regular Meeting of the Troy City Council was held Monday, May 11, 2009, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:30 PM.

Pastor Paul Monson of St. Augustine Evangelical Lutheran Church gave the Invocation and the Pledge of Allegiance to the Flag was given.

**ROLL CALL :**

Mayor Louise E. Schilling  
Cristina Broomfield  
David Eisenbacher  
Wade Fleming  
Mayor Pro Tem Martin Howrylak  
Mary Kerwin

**ABSENT:**

Robin Beltramini – Absent from county

**CERTIFICATES OF RECOGNITION:**

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**A-1 Presentations:**

- a) On behalf of the City of Troy, Mayor Louise Schilling presented a proclamation to Theresa Ancick, Senior Analyst for Oakland County Community Health recognizing May, 2009 as *Mental Health Month*.

**CARRYOVER ITEMS:**

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**B-1 No Carryover Items**

**PUBLIC HEARINGS:**

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**C-1 Adoption of the 2009/2010 Annual Budget**

The Mayor opened the Public Hearing for public comment.  
The Mayor closed the Public Hearing after receiving comment from the following member of the public:

Mary Ann Bernardi

Resolution  
Moved by Eisenbacher  
Seconded by Fleming

WHEREAS, Section 8.3 of the City Charter directs the City Council to adopt a budget for the ensuing year, beginning July 1, 2009;

NOW, THEREFORE, BE IT RESOLVED, That the following listed re-appropriations, operating transfers-in, and operating revenues of the General Operating Fund are anticipated:

Taxes	\$35,908,540
Licenses and Permits	1,579,000
Federal Grants	12,100
State Grants	6,747,500
Contributions - Local	168,630
Charges for Services	7,884,750
Fines and Forfeits	1,071,000
Interest and Rents	1,533,640
Other Revenue	627,500
Operating Transfers - In Re-appropriation	<u>6,516,510</u>

Total \$62,049,170; and

BE IT FURTHER RESOLVED, That the tax rate for the General Operating Fund shall be six and fifty one-hundredths (6.50) mills on the 2009 taxable valuation; and

BE IT FURTHER RESOLVED, In order to meet anticipated expenses, amounts from the following listed budgetary centers shall be appropriated from the General Operating Fund:

Building Inspection	\$ 2,019,290
Council/Executive Administration	3,731,120
Engineering	2,414,420
Finance	3,150,020
Fire	4,451,610
Library /Museum	4,189,200
Other General Government	2,292,290
Police	25,230,580
Parks and Recreation	8,844,530
Streets	<u>5,726,110</u>

Total \$62,049,170; and

BE IT FURTHER RESOLVED, That the following listed re-appropriations and revenues of the Capital Fund are anticipated:

Taxes	\$ 7,882,000
Federal Grants	400,000
State Grants	2,447,740
Charges for Services	242,000
Interest and Rents	407,200
Other Revenue	359,000
Operating Transfer In	5,775,000
Re-appropriation	<u>10,937,460</u>

Total \$28,450,400; and

BE IT FURTHER RESOLVED, That the tax rate for the Capital Fund shall be one and fifty three one-hundredths (1.53) mills on the 2009 taxable valuation; and

BE IT FURTHER RESOLVED, In order to meet anticipated expenses, amounts from the following listed budgetary centers shall be appropriated from the Capital Fund:

Drains	\$1,352,500
Engineering	20,000
Executive Administration	70,000
Fire	583,000
Library	1,560,000
Museum	320,000
Other General Government	2,086,700
Police	790,000
Parks and Recreation	4,303,000
Streets	16,275,200
Public Works	875,000
Operating Transfer Out	<u>215,000</u>
 Total	 <u>\$28,450,400;</u> and

BE IT FURTHER RESOLVED, That the following listed revenues of the Refuse Fund are anticipated:

Taxes	\$ 3,893,330
Charges for Services	4,500
Interest and Rents	40,000
Re-appropriation	<u>150,000</u>
 Total	 <u>\$4,087,830;</u> and

BE IT FURTHER RESOLVED, That the tax rate for the Refuse Fund shall be seventy-five one-hundredths (.75) mills on the 2009 taxable valuation; and

BE IT FURTHER RESOLVED, That the Refuse Fund shall be appropriated \$4,087,830; and

BE IT FURTHER RESOLVED, That the General Debt Service Fund shall be appropriated \$3,130,060; and

BE IT FURTHER RESOLVED, That there shall be a tax levy of fifty one-hundredths (.50) mills on the 2009 taxable valuation for the General Debt Service Fund; and

BE IT FURTHER RESOLVED, That the 2009/10 budget uses 8.03 of the maximum 8.10 millage rate levy, which was passed by the voters in 2008 with the Charter amendment adding Section 9.16.5 to the City Charter; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **APPROVES** the following budgets as shown in the 2009/10 budget document:

Major Road Fund	\$ 3,313,000
Local Road Fund	\$ 1,772,240
Community Development Block Grant Fund	\$ 158,320
Troy Community Fair Fund	\$ 182,630
Budget Stabilization Fund	\$ 300,000
2000 MTF Debt Fund	\$ 230,220
Proposal A Debt Fund	\$ 807,670
Proposal B Debt Fund	\$ 1,480,490
Proposal C Debt Fund	\$ 770,900
Special Assessment Fund	\$ 2,000,000
Water Supply System	\$15,266,470
Sanitary Sewer Fund	\$11,737,040
Aquatic Center Fund	\$ 630,290
Sylvan Glen Golf Course Fund	\$ 1,067,920
Sanctuary Lake Golf Course Fund	\$ 1,970,300
Building Operations	\$ 1,294,820
Information Technology Fund	\$ 1,729,740
Fleet Maintenance Fund	\$ 4,838,860
Workers' Compensation Fund	\$ 387,000
Compensated Absences Fund	\$ 4,700,000
Unemployment Insurance Fund	\$ 156,000

**Vote on Resolution to Amend Resolution C-1 Adoption of the 2009/2010 Annual Budget**

Resolution #2009-05-142

Moved by Howrylak

Moved by Eisenbacher

RESOLVED, That Troy City Council hereby **AMENDS** resolution C-1 *Adoption of the 2009/2010 Annual Budget* by **STRIKING**, "BE IT FURTHER RESOLVED, That the 2009/10 budget uses 8.03 of the maximum 8.10 millage rate levy, which was passed by the voters in 2008 with the Charter amendment adding Section 9.16.5 to the City Charter; and."

Yes: Broomfield, Eisenbacher, Howrylak

No: Schilling, Fleming, Kerwin

Absent: Beltramini

**MOTION FAILED**

**Vote on Resolution C-1 Adoption of the 2009/2010 Annual Budget**

Resolution #2009-05-143

Moved by Eisenbacher

Seconded by Fleming

WHEREAS, Section 8.3 of the City Charter directs the City Council to adopt a budget for the ensuing year, beginning July 1, 2009;

NOW, THEREFORE, BE IT RESOLVED, That the following listed re-appropriations, operating transfers-in, and operating revenues of the General Operating Fund are anticipated:

Taxes	\$35,908,540
Licenses and Permits	1,579,000
Federal Grants	12,100
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Re-appropriation	

Total \$62,049,170; and

BE IT FURTHER RESOLVED, That the tax rate for the General Operating Fund shall be six and fifty one-hundredths (6.50) mills on the 2009 taxable valuation; and

BE IT FURTHER RESOLVED, In order to meet anticipated expenses, amounts from the following listed budgetary centers shall be appropriated from the General Operating Fund:

Building Inspection	\$ 2,019,290
Council/Executive Administration	3,731,120
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Total \$62,049,170; and

BE IT FURTHER RESOLVED, That the following listed re-appropriations and revenues of the Capital Fund are anticipated:

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BE IT FURTHER RESOLVED, That the tax rate for the Refuse Fund shall be seventy-five one-hundredths (.75) mills on the 2009 taxable valuation; and

BE IT FURTHER RESOLVED, That the Refuse Fund shall be appropriated \$4,087,830; and

BE IT FURTHER RESOLVED, That the General Debt Service Fund shall be appropriated \$3,130,060; and

BE IT FURTHER RESOLVED, That there shall be a tax levy of fifty one-hundredths (.50) mills on the 2009 taxable valuation for the General Debt Service Fund; and

BE IT FURTHER RESOLVED, That the 2009/10 budget uses 8.03 of the maximum 8.10 millage rate levy, which was passed by the voters in 2008 with the Charter amendment adding Section 9.16.5 to the City Charter; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **APPROVES** the following budgets as shown in the 2009/10 budget document:

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Local Road Fund	\$ 1,772,240
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Fleet Maintenance Fund	\$ 4,838,860
Workers' Compensation Fund	\$ 387,000
Compensated Absences Fund	\$ 4,700,000
Unemployment Insurance Fund	\$ 156,000

Yes: Broomfield, Eisenbacher, Fleming, Kerwin, Schilling

No: Howrylak

Absent: Beltramini

#### **MOTION CARRIED**

#### **POSTPONED ITEMS:**

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D-1 No Postponed Items

**PUBLIC COMMENT:** Limited to Items Not on the Agenda

#### **REGULAR BUSINESS:**

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E-1 **Appointments to Boards and Committees:** a) Mayoral Appointments: None Scheduled b) City Council Appointments: Personnel Board

(a) Mayoral Appointments – None Scheduled

(b) City Council Appointments

Resolution #2009-05-144

Moved by Howrylak

Seconded by Eisenbacher

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

**Personnel Board**

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

F. (Jack) Witt, III Term Expires 04/30/2012

Yes: Eisenbacher, Fleming, Howrylak, Kerwin, Schilling, Broomfield  
No: None  
Absent: Beltramini

**MOTION CARRIED**

**E-2 Nominations for Appointments to Boards and Committees: (a) Mayoral Nominations: None Scheduled (b) City Council Nominations: Historic District Commission; and Historic District Study Committee**

**(a) Mayoral Nominations – None Scheduled**

**(b) City Council Nominations**

Resolution #2009-05-145  
Moved by Howrylak  
Seconded by Kerwin

RESOLVED, That the 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:

**Historic District Commission**

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

Muriel Rounds Term Expires 05/15/2012

**Historic District Study Committee**

Appointed by Council (7-Regular) Ad Hoc; (2) Historic District Commission; (1) Local Historic Preservation Organization

Leslie Golden Witt Ad Hoc

Yes: Fleming, Howrylak, Kerwin, Schilling, Broomfield, Eisenbacher  
No: None  
Absent: Beltramini

**MOTION CARRIED**

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**E-3 Bid Waiver – Workers’ Compensation Insurance Renewal for Fiscal Year 2009-2010**

Resolution #2009-05-146  
Moved by Eisenbacher  
Seconded by Kerwin

WHEREAS, The Michigan Municipal League has provided Workers’ Compensation Insurance for the City of Troy and the premium charged has been equitable based on the City’s experience; and

WHEREAS, It is desirable to continue the program through the Michigan Municipal League due to the positive experience of participating in the MML program;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and hereby **APPROVES** the net estimated premium cost of \$436,057.00 for Workers’ Compensation Insurance through the MML for the 2009-2010 fiscal year with a resulting final estimated cost to the City of \$344,845.00 after applying a dividend distribution check in the amount of \$91,212.00.

Yes: Howrylak, Kerwin, Schilling, Broomfield, Eisenbacher, Fleming  
No: None  
Absent: Beltramini

**MOTION CARRIED**

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**E-4 Bid Waiver – City-Wide Dedicated Internet Service**

Resolution #2009-05-147  
Moved by Eisenbacher  
Seconded by Fleming

WHEREAS, The City has utilized the services of AT&T (previously known as SBC and Ameritech) for dedicated internet service since 2002 (Resolution #2005-04-149-E8 and #2002-02-053-E6 respectively);

WHEREAS, It has been determined that AT&T has proven T1 reliability when compared to broadband service from cable providers; and

WHEREAS, Informal quotes were taken from dedicated T1 internet service providers and AT&T submitted the lowest price for two bonded T1s with bandwidth of 3MB, which includes a router and managed service of this device;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and hereby **AWARDS** a contract to provide two-year requirements of city-wide dedicated internet service to AT&T at an estimated total cost of \$759.00 per month, with options to renew.

Yes: Kerwin, Schilling, Broomfield, Eisenbacher, Fleming, Howrylak  
No: None  
Absent: Beltramini

**MOTION CARRIED**

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**E-5 Amendment to Chapter 60 – Fees and Bonds Required – Christmas Trees, Sidewalk Sales and Temporary Merchant Business Fees**

Resolution #2009-05-148  
Moved by Kerwin  
Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **ADOPTS** an ordinance amendment to Chapter 60, Fees and Bonds Required of the Troy City Code, Section 60.04, Fee Schedule, Christmas Trees, Sidewalk Sales and Temporary Merchant Businesses (Chapter 61), as prepared by City Administration, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: Schilling, Broomfield, Eisenbacher, Fleming, Howrylak, Kerwin  
No: None  
Absent: Beltramini

**MOTION CARRIED**

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**E-6 Amendment to Chapter 20 of the Troy City Code – Water and Sewer Rates**

Resolution #2009-05-149  
Moved by Eisenbacher  
Seconded by Broomfield

RESOLVED, That Troy City Council hereby **APPROVES** an amendment to Chapter 20 of the Troy City Code (Water and Sewer Rates) which includes the typographical correction as set on the table, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: Broomfield, Eisenbacher, Fleming, Howrylak, Kerwin, Schilling  
No: None  
Absent: Beltramini

**MOTION CARRIED**

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**E-7 Approval of Purchase Agreement and Acceptance of Permanent Public Utility Easement and Grading and Temporary Construction Permit – Rochester Road Improvements, Torpey to Barclay – Project No. 99.203.5 and Wattles Road Improvements, Bristol to Worthington – Project No. 01.106.5 Parcel #50 – Sidwell #88-20-15-478-015 – Comerica Bank**

Resolution #2009-05-150  
Moved by Eisenbacher  
Seconded by Howrylak

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for Public Purposes between Comerica Bank, owners of property having Sidwell #88-20-15-478-015, and the City of Troy, for the acquisition of right-of-way for Rochester Road Improvements, Torpey to Barclay, in the amount of \$356,200.00, plus closings costs; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Real Estate and Development Department to expend the necessary closing costs to complete this purchase according to the agreement; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **ACCEPTS** the Permanent Public Utility Easement in the amount of \$500.00 and the Regrading and Temporary Construction Permit in the amount of \$200.00 from Comerica Bank, owners of property having Sidwell #88-20-15-478-015; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to record the Warranty Deed and Permanent Public Utility Easement with the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: Eisenbacher, Fleming, Howrylak, Kerwin, Schilling, Broomfield  
No: None  
Absent: Beltramini

## MOTION CARRIED

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**E-8 Authorization to Make Unconditioned Offer to Purchase Easement for Rochester Road Improvements, Torpey to Barclay, Project No. 99.203.5 and Request for Authorization to Institute Court Action – JMT Properties, LLC/Alif Corporation**

**(a) Authorization to Make Unconditioned Offer**

Resolution #2009-05-151  
Moved by Howrylak  
Seconded by Eisenbacher

WHEREAS, In order to proceed with the proposed Rochester Road Improvements, between Torpey and Barclay, it is necessary for the City to obtain the needed right-of-way from JMT Properties, LLC/Alif Corporation, owners of property having Sidwell #88-20-22-401-069;

BE IT RESOLVED, That Troy City Council hereby **AUTHORIZES** the Real Estate and Development Department to make an Unconditioned Offer to acquire a Permanent Public Utility Easement for parcel #88-20-22-401-069 in the amount of \$1,100.00.

Yes: Fleming, Howrylak, Kerwin, Schilling, Broomfield, Eisenbacher  
No: None  
Absent: Beltramini

## MOTION CARRIED

### (b) Authorization to Institute Court Action

Resolution #2009-05-152  
Moved by Fleming  
Seconded by Kerwin

WHEREAS, In order to proceed with the proposed Rochester Road Improvements, between Torpey and Barclay, it is necessary for the City to obtain the needed right-of-way from JMT Properties, LLC/Alif Corporation, owners of property having Sidwell #88-20-22-401-069;

BE IT RESOLVED, That Troy City Council hereby **AUTHORIZES** the City Attorney, if necessary, to institute condemnation litigation and to execute and deliver any and all documents and papers, and to expend necessary funds expedient for the prosecution of such proceedings or settlement of such claims on proceedings by and with the express approval of this Council.

Yes: Kerwin, Schilling, Broomfield, Eisenbacher, Fleming  
No: Howrylak  
Absent: Beltramini

## MOTION CARRIED

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### E-9 Update on City Manager Search

Resolution #2009-05-153  
Moved by Broomfield  
Seconded by Fleming

WHEREAS, City Council received proposals from executive search firms to search for the Troy City Manager; and

WHEREAS, At the April 16, 2009, City Council approved Key Activities and Dates schedule requesting key dates that the Council will need to call Special City Council Meetings as part of the City Manager Executive Search process, which has been subsequently revised;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **SCHEDULES** Special City Council Meetings and Closed City Council Meetings as outlined below:

- Monday, June 22, 2009, from 5:00 PM to 7:00 PM in the Council Board Room of Troy City Hall, 500 W. Big Beaver, Troy, MI 48084 for the purpose of meeting in CLOSED Session, as permitted by MCL 15.268 (f) and MCL 15.268 (h) – MCL 15.243 (e) & (k), to review material and deliberate and /or select finalists to be scheduled for interviews;

- Monday, July 6, 2009, from 5:00 PM to 7:00 PM, in the Council Board Room of Troy City Hall, 500 W. Big Beaver, Troy, MI 48084 for the purpose of meeting in CLOSED Session, as permitted by MCL 15.268 (f) and MCL 15.268 (h) – MCL 15.243 (e) & (k) to review material and deliberate and finalize interview questions and protocol;
- Tuesday, July 7, 2009 from 5:30 PM until 7:30 PM, in Room 304 of the Community Center, 3179 Livernois, Troy, MI 48084 for the purpose of conducting a Town Hall Forum where Council, public, employees and news media can meet and greet the finalists;
- Wednesday, July 8, 2009, at 9:00 AM, in the Council Board Room, of Troy City Hall, 500 W. Big Beaver, Troy, MI 48084 for the purpose of conducting public interviews. Each interview will last approximately one hour and fifteen minutes;
- Thursday, July 9, 2009, at 7:00 PM, in the Council Board Room of Troy City Hall, 500 W. Big Beaver, Troy, MI 48084 for the purpose of deliberating and selecting a new City Manager, contingent upon completion of reference and background checks, negotiation of contract and a starting date.

Yes: Kerwin, Schilling, Broomfield, Eisenbacher, Fleming, Howrylak  
No: None  
Absent: Beltramini

**MOTION CARRIED**

**CONSENT AGENDA:**

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

Resolution #2009-05-154  
Moved by Kerwin  
Seconded by Broomfield

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Items F-2 and F-6, which **SHALL BE CONSIDERED** after Consent Agenda (F) items, as printed.

Yes: Schilling, Broomfield, Eisenbacher, Fleming, Howrylak, Kerwin  
No: None  
Absent: Beltramini

**MOTION CARRIED**

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**F-3 City of Troy Proclamation:**

Resolution #2009-05-154-F-3

RESOLVED, That Troy City Council hereby **APPROVES** the following City of Troy Proclamation:

- a) Mental Health Month – May, 2009

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**F-4 Standard Purchasing Resolutions**

- a) **Standard Purchasing Resolution 1: Award to Low Bidder – Roof Replacement Engineering Field Office**

Resolution #2009-05-154-F-4a

RESOLVED, That Troy City Council hereby **AWARDS** a contract to replace the roof at the Engineering Field Office located at 3645 Crooks Road to the low total bidder, Signature Design Building Company, LLC of Fowlerville, MI, who will complete the project with a subcontractor, Moore Roofing, for an estimated total cost of \$14,317.00, at unit prices contained in the bid tabulation opened April 7, 2009, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

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

- b) **Standard Purchasing Resolution 1: Award to Low Bidder – Irrigation System Restoration – Crooks Road/Crescent Ridge Subdivision**

Resolution #2009-05-154-F-4b

RESOLVED, That Troy City Council hereby **AWARDS** a contract to furnish all labor, materials and equipment to restore the irrigation system on the west side of Crooks Road along the Crescent Ridge Subdivision to the low bidder, Michigan Automatic Sprinkler, Inc. of Commerce, MI, for an estimated total cost of \$12,913.00, with unit prices provided in the schedule of values submitted at the time of bid submission, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

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

- c) **Standard Purchasing Resolution 1: Award to Low Bidder – Contract 09-7 – Beach, Ring and Technology Pavement Rehabilitation**

Resolution #2009-05-154-F-4c

RESOLVED, That Troy City Council hereby **AWARDS** Contract No. 09-7, Beach, Ring and Technology Road Rehabilitation to Asphalt Specialists, Inc., 1780 E. Highwood, Pontiac, MI 48340 at an estimated total cost of \$298,384.00; and

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon submission of proper contract and bid documents, including bonds, insurance certificates and all specified requirements, and if additional work is required, Troy City Council hereby **AUTHORIZES** such additional work in an amount not to exceed 25% of the total project cost.

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**F-5 Correction to City Council Minutes for Regular Meeting of December 15, 2008**

Resolution #2009-05-154-F-5

RESOLVED, That Troy City Council hereby **APPROVES** the correction of a typographical error made in the Regular Meeting Minutes of the December 15, 2008, City Council by inserting Roll Call.

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**F-7 Rescind Contract – Aggregates, Item 7) Crushed Concrete 3”-6” – Resolution #2009-04-129-F-4a**

Resolution #~~2009-05-154-F-7~~

**Rescinded 4/5/2010 – Resolution #2010-04-081-I-4a**

WHEREAS, On April 6, 2009, one-year contracts to provide Aggregates with an option to renew for one (1) additional year was awarded on an item by item basis to the low bidders: Metropolitan Demolition of Romulus, MI, Item #7, and Bedrock Maintenance Services of Ortonville, MI, Items #1-6 and #8-13 (Resolution #2009-04-129-F-4a); and

WHEREAS, Metropolitan Demolition has not provided the insurance certificate(s) as required after numerous attempts by City management;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **RESCINDS** with prejudice the contract to provide Aggregates under Item 7) Crushed Concrete 3” – 6”, with an option to renew for one (1) additional year from Metropolitan Demolition, and hereby **AUTHORIZES** City staff to utilize the informal three (3) quote process for future purchases of crushed concrete, 3” – 6”.

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**F-8 Assessment of Delinquent Accounts**

Resolution #2009-05-154-F-8

WHEREAS, Section 1.167 of Chapter 5 and Section 6 of Chapter 20 of the Ordinance Code of the City of Troy require that delinquent payments and invoices, as of April 1<sup>st</sup> of each year, shall be reported and the City Council shall certify the same to the City Assessor who shall assess the same on the next annual City Tax Roll, to be collected as provided for collection of City Taxes;

WHEREAS, Section 10.8 of the Troy City Charter provides for the collection of delinquent invoices through property tax collection procedures; and

WHEREAS, A list of individual properties is on file in the Office of the Treasurer and comprises a summation of totals as follows:

General Fund Invoices	
Including Penalties	\$ 19,635.96
Special Assessments	
Including Penalties & Interest	5,284.24
Water & Sewer Accounts	
Including Penalties	<u>787,408.62</u>
Total	\$ 812,328.82

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **AUTHORIZES** the City Assessor to assess these delinquent accounts on the annual City Tax Roll.

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**F-9 2009 Edward Byrne Justice Assistance Grant**

Resolution #2009-05-154-F-9

RESOLVED, That Troy City Council hereby **ACCEPTS** the 2009 Department of Justice Byrne Grant and hereby **APPROVES** the interlocal agreement with Oakland County; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Troy Police Department to receive items needed and approved under the grant guidelines.

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**F-1b Address of “F” Items Removed for Discussion by City Council and/or the Public**

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**F-2 Approval of City Council Minutes**

Resolution #2009-05-155

Moved by Howrylak

Seconded by Broomfield

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the 7:30 PM Regular City Council Meeting of April 20, 2009 as corrected; the Minutes of the 7:30 PM Special City Council Meeting of April 27, 2009 as submitted; and the Minutes of the 7:30 PM Special City Council Meeting of May 4, 2009 as submitted.

Yes: Broomfield, Eisenbacher, Fleming, Howrylak, Kerwin , Schilling

No: None

Absent: Beltramini

**MOTION CARRIED**

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**F-6 Allocation of 2008 and 2009 Tri-Party Funds – Cost Participation Agreement for 2009 Concrete Program**

Resolution #2009-05-156

Moved by Eisenbacher

Seconded by Fleming

RESOLVED, That Troy City Council hereby **APPROVES** the Cost Participation Agreement between the City of Troy and the Board of Road Commissioners for Oakland County for the 2009 Concrete Program at an estimated cost to the City of Troy of \$198,392.00, and hereby **AUTHORIZES** the Mayor and City Clerk to execute the agreement, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: Eisenbacher, Fleming, Howrylak, Kerwin, Schilling, Broomfield

No: None

Absent: Beltramini

## MOTION CARRIED

## MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

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### G-1 Announcement of Public Hearings:

- a) Rezoning Application – Harlan Shopping Plaza, North Side of Wattles, West of John R, Section 14 – B-1 to B-3 (File Number Z-736) – May 18, 2009  
Noted and Filed
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### G-2 Memorandums: None Submitted

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## COUNCIL REFERRALS: Items Advanced to the City Manager by Individual City Council Members for Placement on the Agenda

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### H-1 No Council Referrals Advanced

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## COUNCIL COMMENTS:

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### I-1 Council Comments

Council Member Kerwin indicated that it seems the Michigan Municipal League (MML) has been taking a different aspect of the prosperity issues in their discussions. She continued by referencing an article from the most recent MML publication entitled *Diversity as an Asset and Positioning Ourselves for Twenty-first Century Communities*. She then quoted the following from the article: “Those communities that promote, seek, welcome and integrate people of all religions, ethnicities, national origins and races will be seen as the right kind of place for this key demographic as well as for global businesses.” She added that coincidentally she also attended Detroit Interfaith Group’s 5<sup>th</sup> Annual National Day of Prayer – Lift Every Voice which included a number of different ways to pray from our community.

Council Member Broomfield added that the Michigan Municipal League publication also included a well written article by Council Member Beltramini.

Mayor Schilling reported that she, Council Member Kerwin, Council Member Eisenbacher, Acting City Manager John Szerlag, Assistant City Manager/Economic Development Services Brian Murphy and City Attorney Lori Bluhm were at Compact Power, Inc. (CPI) today in regard to the development of the lithium-ion battery development program for General Motors Chevy Volt. She added that Governor Jennifer Granholm and US Secretary of Labor, Hilda Solis also

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attended and noted that they both had positive things to say about the City of Troy. The Mayor invited the Secretary of Labor to come back to visit *Automation Alley* and see for herself how the abutting counties are working together. She added that they also discussed how the talented unemployed people are currently being retrained in new careers.

Mayor Schilling reminded the public that the *Police Memorial Ceremony* is scheduled for Friday, May 15<sup>th</sup> at 10:00 AM in front of the Troy Police Department.

## REPORTS:

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### J-1 Minutes – Boards and Committees:

- a) Brownfield Redevelopment Authority/Special/Final – March 20, 2008
- b) Brownfield Redevelopment Authority/Special/Final – March 31, 2008
- c) Brownfield Redevelopment Authority/Final – October 21, 2008
- d) Joint Local Development Finance Authority/Final – November 17, 2008
- e) Troy Daze Committee/Final – January 27, 2009
- f) Board of Zoning Appeals/Final – March 17, 2009
- g) Building Code Board of Appeals/Final – April 1, 2009
- h) Planning Commission Special/Study/Draft – April 7, 2009
- i) Planning Commission Special/Study/Final – April 7, 2009
- j) Planning Commission/Draft – April 14, 2009
- k) Planning Commission/Final – April 14, 2009
- l) Special Joint Birmingham Planning Board/Troy Planning Commission – April 16, 2009
- m) Board of Zoning Appeals/Draft – April 21, 2009
- n) Troy Daze Committee/Draft – April 28, 2009

Noted and Filed

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### J-2 Department Reports:

- a) City of Troy Quarterly Financial Report – March 31, 2009
- b) Assessing Department – 2009 Assessment Roll and Board of Review Report

Noted and Filed

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### J-3 Letters of Appreciation:

- a) Letter of Thanks to Troy Police Chief from Novi Police Chief, David Molloy Regarding Assistance Received from Captain Colleen Mott
- b) Letter of Thanks to Troy Police Chief from Southfield Police Chief, Dr. Joseph E. Thomas, Jr. Regarding Assistance with Arrest
- c) Message to Chief Mayer from Price Funeral Home Expressing Gratitude for Assistance Received from Sgt. Dan Daniel
- d) Letter of Appreciation to Chief Mayer from Erik Mott Regarding Internship in the Police Department and Special Thanks to Wendell Moore and Officers Mouch, Huck, Warzecka, and Whiteside
- e) Letter of Thanks to Police Department from Eugene Sherizen, Owner of Mini Storage of Troy Regarding Outstanding Police Patrol

Noted and Filed

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### J-4 Proposed Proclamations/Resolutions from Other Organizations:

- a) Oakland County Board of Commissioners Resolution #09094 – May, 2009 as Mental Health Month in Oakland County

Noted and Filed

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**J-5 Communication from the State of Michigan Public Service Commission Regarding Notice of Hearing for the Electric Customers of The Detroit Edison Company – Case No. U-15417-R**

Noted and Filed

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**J-6 Communication Regarding the Brownfield Redevelopment Authority – Mid Town Square Brownfield Plan-Local Site Remediation Revolving Fund**

Noted and Filed

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**J-7 Communication from Michigan Liquor Control Commission Licensing Division Regarding Granite City – 699 West Big Beaver Road**

Noted and Filed

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**J-8 Communication from Library Director Cathy Russ and Museum Manager Loraine Campbell Regarding Civil War Camp for Eighth Graders**

Noted and Filed

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**J-9 Communication from Library Director Cathy Russ Announcing the Grand Opening of Library Café – *Cup and Chaucer***

Noted and Filed

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**J-10 Communication from Planning Director Mark Miller Regarding Stakeholder Interviews – Comprehensive Zoning Ordinance Rewrite (File Number: ZOTA 236)**

Noted and Filed

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**J-11 Communication from City Attorney Lori Grigg Bluhm and City Clerk Tonni Bartholomew Regarding Charter Revision Referrals**

Noted and Filed

**STUDY ITEMS:**

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**K-1 No Study Items Submitted**

**PUBLIC COMMENT: Address of “K” Items**

**CLOSED SESSION:**

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**L-1 No Closed Session Requested**

**ADJOURNMENT**

The meeting **ADJOURNED** at 8:52 PM.

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Louise E. Schilling, Mayor

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Tonni L. Bartholomew, MMC  
City Clerk