

Reverend Joseph A. Bevelacqua from Life Christian 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, November 26, 2012, at City Hall, 500 W. Big Beaver Rd. Acting Mayor Slater called the meeting to order at 7:34 PM.

### **B. ROLL CALL:**

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

### **C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:**

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**C-1 Introduction of Brian Kischnick to City Council and Community**

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**C-2 Certificate of Recognition Presented to Michael Culpepper**

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**C-3 University of Michigan – Dearborn iLabs eCities Research Recognizing Troy as a Top Performing Community**

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**C-4 Transit Center Presentation Update**

### **D. CARRYOVER ITEMS:**

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**D-1 No Carryover Items**

### **E. PUBLIC HEARINGS:**

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**E-1 No Public Hearings**

### **F. PUBLIC COMMENT FOR ITEMS ON THE AGENDA:**

Shallal, Joe	I-05 – Spoke on behalf of the Applicant.
Kajma, Linda	I-01 – Spoke to welcome Mayor Slater, new City Manager Brian Kischnick and to thank Mr. Culpepper for his service.
Clark, Glenn	I-01 – Spoke about the process of filling the Mayor.
Brake, Dan	I-01, N-01 – Spoke about the process of filling the Mayor.
Ross, Michael	I-01 – Spoke about the process of filling the Mayor.
Fry, Sana	I-01 – Spoke about the process of filling the Mayor.
Hodorek, Ellen	I-01 – Spoke about the process of filling the Mayor.
Baxi, Manish	I-01 – Spoke about the process of filling the Mayor.

**G. CITY COUNCIL/CITY ADMINISTRATION RESPONSE/REPLY TO PUBLIC COMMENT:****H. POSTPONED ITEMS:**

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**H-1 No Postponed Items****I. REGULAR BUSINESS:**

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**I-1 Appointment of Mayor and Mayor Pro Tem****a) Appointment of Mayor**

Resolution #2012-11-208  
Moved by Campbell  
Seconded by McGinnis

RESOLVED, That Troy City Council hereby **APPOINTS** Dane Slater to serve as Mayor for the City Council of the City of Troy contingent upon City Council's acceptance of the Letter of Resignation.

Yes: Slater, Campbell, Henderson, McGinnis  
No: Fleming, Tietz

**MOTION CARRIED****b) Appointment of Mayor Pro Tem**

Resolution #2012-11-209  
Moved by Campbell  
Seconded by Henderson

RESOLVED, That Troy City Council hereby **APPOINTS** Wade Fleming to serve as Mayor Pro Tem for the City Council of the City of Troy.

Yes: Campbell, Henderson, McGinnis, Slater  
No: Fleming, Tietz

**MOTION CARRIED****c) Acceptance of Letter of Resignation**

Resolution #2012-11-210  
Moved by Slater  
Seconded by Henderson

RESOLVED, That Troy City Council hereby **ACCEPTS** the Letter of Resignation of Dane Slater, which is necessary in order to serve as Mayor.

Yes: Henderson, McGinnis, Campbell, Slater  
 No: Fleming, Tietz

**MOTION CARRIED**

**I-2 Board and Committee Appointments: a) Mayoral Appointments – Downtown Development Authority; b) City Council Appointments – None**

**a) Mayoral Appointments – Downtown Development Authority**

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

**b) City Council Appointments - None**

**I-3 Board and Committee Nominations: a) Mayoral Nominations – None; b) City Council Nominations – None**

**a) Mayoral Nominations – None**

**b) City Council Nominations - None**

**I-4 No Closed Session Requested**

**I-5 Application Regarding SDM and Class C Quota Liquor Licenses – Sakura of Troy, Inc.**

Resolution #2012-11-211  
 Moved by McGinnis  
 Seconded by Fleming

**(a) New Class C Quota License, and new SDM License, Sunday Sales Permits**

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

<b>Liquor License Applicant :</b>	<b>Sakura of Troy, Inc.</b>
<b>Type of License Requested :</b>	<b>New Class C Quota liquor license and new SDM liquor license with new Sunday Sales Permit(PM), new Sunday Sales Permit(AM).</b>
<b>Located at :</b>	<b>3635 Rochester Road, Troy, MI 48098</b>
<b>MLCC Request # :</b>	<b>665656</b>

and

**(b) Agreement**

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

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES**, above all others, an agreement with the liquor license applicant named in the approved resolution above, and hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting. The applicant agrees to return the Class C quota license to the City of Troy if they fail at their endeavor and a restaurant is not operated at 3635 Rochester Road, Troy, Michigan.

Yes: All-6

No: None

**MOTION CARRIED**

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**I-6 Revised Articles of Incorporation – Southeastern Oakland County Resource Recovery Authority**

Resolution #2012-11-212

Moved by McGinnis

Seconded by Fleming

WHEREAS, SOCRRA is a 12 municipal corporation founded in the early 1950's to process refuse, recyclables and yard waste and covers approximately 283,000 residents and 75 square miles; and

WHEREAS, Articles of Incorporation were last amended in 1976 revising the name to SOCRRA, current member communities, statutory required changes, Roberts Rules of Order, stylistic/grammar changes, and headings; and

WHEREAS, SOCRRA is governed by a twelve member Board of Trustees, one member from each the municipalities of Berkley, Beverly Hills, Birmingham, Clawson, Ferndale, Hazel Park, Huntington Woods, Lathrup Village, Oak Park, Pleasant Ridge, Royal Oak, and Troy;

THEREFORE, BE IT RESOLVED, That Troy City Council **APPROVES** the revised Articles of Incorporation, for the Southeastern Oakland County Resource Recovery Authority, as outlined in the memo by Robert Davis and 4 Exhibits; and

THEREFORE, BE IT FINALLY RESOLVED, That amendment changes are **CONTINGENT UPON** the approval of all 12 SOCRRA member communities.

Yes: All-6

No: None

**MOTION CARRIED**

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**J. CONSENT AGENDA:**

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

Resolution #2012-11-213  
Moved by Fleming  
Seconded by McGinnis

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented.

Yes: All-6  
No: None

**MOTION CARRIED**

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

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

Resolution #2012-11-213-J-2

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

- a) Regular City Council Meeting – November 12, 2012
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**J-3 No Proposed City of Troy Proclamations:**

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**J-4 Standard Purchasing Resolutions:**

- a) **Standard Purchasing Resolution 1: Award to Low Bidder – Outdoor Light Maintenance and Repair**

Resolution #2012-11-213-J-4a

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide two (2) year requirements of street, parking lot, and athletic field light maintenance, LED installation and replacement with an option to renew for one additional year to the low total bidder, Harlan Electric Company, of Rochester Hills, MI for all three Proposals - A, B and C at unit prices contained in the bid tabulation opened November 14, 2012, a copy of which shall be attached to the original Minutes of this meeting, the cost of which shall not exceed amounts budgeted.

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

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**J-5 Traffic Committee Recommendations and Minutes – November, 2012**

Resolution #2012-11-213-J-5

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**Item #3 – Request for No Stopping, Standing, Parking – Boulan, Alpine to Dead End**

RESOLVED, That the Traffic Committee recommends that the No Stopping, Standing, Parking signs on Boulan, from Alpine to the Dead End be **REVISED** to the hours of 7:00 a.m. to 4:00 p.m. School Days Only.

**Item #4 – Establish Fire Lanes at 651 Robbins**

RESOLVED, That the Traffic Committee recommends **ESTABLISHING** fire lanes at 651 Robbins.

**Item #5 – Discussion of Rochester/Stephenson No Right/Left Turn on Red**

RESOLVED, That the Traffic Committee **DIRECTS** the Traffic Engineer to conduct a mail poll of the Troy Mobile Home Villas on Stephenson Highway along with surrounding businesses to ascertain if the No Turn on Red signs are still needed.

BE IT FURTHER RESOLVED, That the Traffic Committee **DIRECTS** the Traffic Engineer to conduct a traffic study at northbound Rochester to southbound Stephenson Highway and the double-left cross over from southbound Stephenson Highway to northbound Stephenson Highway to verify current traffic volumes if a majority of the respondents to the mail poll respond in the affirmative.

**Item #7 – Cancellation of the December 2012 Traffic Committee Meeting**

RESOLVED, that the December 2012 Traffic Committee meeting be cancelled.

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**J-6 Acceptance of Scripps Howard Foundation Grant**

Resolution #2012-11-213-J-6

RESOLVED, That Troy City Council hereby **AUTHORIZES** the Troy Fire Department to receive a Scripps Howard Foundation Grant and expend \$1,000 for the purchase of equipment in accordance with the award; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AMENDS** the Fire Department budget to receive the grant funding of \$1,000.

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**J-7 Preliminary Site Plan Review (File Number SP 975) – Site Improvements to Sears Holdings Technical Center, North of Big Beaver, West of Coolidge (2240 Cunningham), Section 19, Currently Zoned BB (Big Beaver) District (Consent Judgment)**

Resolution #2012-11-213-J-7

RESOLVED, That the Troy City Council hereby **APPROVES** the Preliminary Site Plan for the addition of a security fence, including other site improvements, located north of Big Beaver

Road and west of Coolidge Highway (2240 Cunningham), Section 19, as indicated on a Site Plan prepared by Nowak & Fraus Engineers. This site plan revises and updates the exhibits to the Consent Judgment in the Forbes/Frankel Troy Ventures, L.L.C. *et al v. City of Troy* lawsuit, Case Number 70-69246, and reflects the parties' agreement as to the proposed development on the property.

BE IT FURTHER RESOLVED, That the Troy City Council also **APPROVES** a Sixth Order Amending Consent Judgment to facilitate the development as proposed, and **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the document which incorporates the updated and revised Preliminary Site Plan, after all other necessary parties have executed it. A copy of the executed document shall be **ATTACHED** to the original Minutes of this meeting.

## K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

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**K-1 Announcement of Public Hearings: None Submitted**

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**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:

Walters, Roger	Spoke about parking issues on Boyd Street.
Neate, Ed	Spoke about racial concerns with political campaign materials.
Peters, Richard	Spoke about process to appoint City Council Member.
Savage, James	Spoke about political climate in Troy.
Werpetinski, Jim	Spoke about political climate in Troy.

The Meeting **RECESSED** at 8:52 PM.

The Meeting **RECONVENED** at 9:03 PM

## M. COUNCIL REFERRALS:

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

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**M-1 No Council Referrals**

## N. COUNCIL COMMENTS:

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**N-1 No Council Comments Advanced**

Council Member McGinnis announced the following community activities:

- 11/26/2012-12/2/2012 – Shop at any Barnes & Noble Store, nationwide or online, and mention the Troy Public Library's Voucher Number, Barnes & Noble will donate a percentage of the sales to the Troy Public Library. Vouchers are available at the Troy Public Library, online at [www.troylibrary.info](http://www.troylibrary.info), or you can call 248-524-3534 for additional information.

- On Saturday, December 1, 2012 from 9 AM – 9 PM, the Troy Public Library will be hosting a Holiday Bookfair at the Barnes & Noble Troy location on John R/Fourteen Mile Rd. Stop by to participate in children’s crafts, face painting, listen to live music by Troy High School Bands, or do some holiday shopping. Purchases will support the Troy Public Library.
- The Troy Historical Village will be hosting an Old Fashioned Christmas Celebration on Saturday, December 1, 2012 from 1 PM – 3 PM. The event is sponsored by Genisys Credit Union. The cost is \$5.00 for adults, \$3.00 for seniors, \$3.00 for ages 6-12 years, and children under 6 are free.
- 18<sup>th</sup> Annual Troy Police & Troy VFW Post #4037 Holiday Food and Gift Drive held in conjunction with Troy People Concerned and the Troy School District. Non-perishable food donations may be dropped off at the Troy VFW Post. Monetary donations will be used for perishable food purchases. Checks should be made payable to “Troy VFW Post #4037” and you may contact Officer Bill Malik at (248) 680-7223 for more information.

Council Member McGinnis expressed that derogatory and/or disparaging public comment will be removed from re-broadcast of the City Council meetings.

Council Member Henderson announced that the Parks & Recreation survey has been released and is available at [www.troyrecplan.com/site](http://www.troyrecplan.com/site).

## O. REPORTS:

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

- a) Traffic Committee-Final-October 17, 2012
  - b) Planning Commission Special/Study-Draft-October 23, 2012
  - c) Planning Commission Special/Study-Final-October 23, 2012
  - d) Building Code Board of Appeals-Draft-November 7, 2012
- Noted and Filed

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### O-2 Department Reports:

- a) SOCRRA Quarterly Report – October, 2012
  - b) Troy Transit Center Status Report – November 2012
  - c) City of Troy Incentive Plan for Volunteer Firefighters – 32<sup>nd</sup> Annual Actuarial Valuation Report – December 31, 2011
  - d) City of Troy Employees Retirement System – 48<sup>th</sup> Annual Actuarial Valuation – December 31, 2011
- Noted and Filed

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### O-3 Letters of Appreciation:

- a) Letter of Appreciation to Chief Gary Mayer from Shareen M. Lynch, Assistant Prosecuting Attorney Regarding the Assistance of Detective Kristine Shuler
- Noted and Filed

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

Noted and Filed

- O-5** Troy Recognized for Environmental Leadership  
Noted and Filed

**P. STUDY ITEMS:**

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- P-1** No Study Session Requested

**Q. CLOSED SESSION:**

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- Q-1** No Closed Session Requested

**R. ADJOURNMENT:**

The Meeting **ADJOURNED** at 9:14 PM.

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Mayor Dane Slater

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M. Aileen Bittner, CMC  
City Clerk