

A Regular Meeting of the Troy City Council was held Monday, February 20, 2006, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:31 P.M.

Ms. Jan Staton of the The Bahá'í Faith gave the Invocation and the Pledge of Allegiance to the Flag was given.

ROLL CALL:

Mayor Louise E. Schilling
 Robin Beltramini
 Cristina Broomfield
 Wade Fleming
 Martin F. Howrylak
 David A. Lambert
 Jeanne M. Stine

CERTIFICATES OF RECOGNITION:

A-1 Presentations:

- a) On behalf of the City of Troy, Mayor Schilling presented the *Law Day 2005-Outstanding Activity Award* to the City Attorney's office and the *Philo T. Farnsworth Award for Excellence in Community Programming* to the City Attorney's office and Community Affairs in recognition of their achievement of receiving these prestigious awards.
- b) Mayor Schilling presented a *Certificate of Appreciation* on behalf of the City of Troy to retiring City employee Jackie Sherwin-Wright in recognition of her 27 years of service.

CARRYOVER ITEMS:

B-1 No Carryover Items

PUBLIC HEARINGS:

C-1 Approval of Rezoning Application – North Side of Fourteen Mile Road, East of John R, Section 36 – B-2 to M-1 (Z 372-B)

Resolution #2006-02-062
 Moved by Howrylak
 Seconded by Stine

RESOLVED, That the B-2 to M-1 rezoning request, located on the north side of Fourteen Mile Road, east of John R, Section 36, part of parcel 88-20-36-376-049, being 4.25 acres in size, is described in the following legal description and illustrated on the attached Certificate of Survey drawing:

T2N, R11E, SW ¼ of Section 36

Beginning at a point distant N 89°13'40" W, 996.99 ft. as measured (recorded as 996.00 ft.) along the south line of said Section 36 from the South ¼ corner of said Section 36, thence, N 00°45'30" E 60.00 ft. to the Point of Beginning; thence N 89°13'40" W, 673.86

ft. (measured and recorded) along the south line of said Section 36; thence N 00°57'55" E, 275.00 ft.; thence S 89°13'40" E, 672.65 ft. (measured and recorded) to a point on the west line of lot 70 of Robbins Executive Park East No. 5 Subdivision (Liber 146, Pages 11-12, of Oakland County Records); thence S 00°45'30" W, 275.00 ft to the Point of Beginning.

Containing 4.25 ac., more or less, and subject to easements and restrictions of record.

BE IT FINALLY RESOLVED, That the proposed rezoning is hereby **GRANTED**, as recommended by City Management and the Planning Commission.

Yes: All-7

C-2 Approval of Rezoning Application – Proposed Medical Office, East Side of Stephenson Highway, South Side of Maple, West of I-75, Section 35 – R-C to O-M (Z 286-B)

Resolution #2006-02-063

Moved by Fleming

Seconded by Howrylak

RESOLVED, That the R-C to O-M rezoning request, located on the east side of Stephenson Highway, south of Maple, west of I-75 (1420-1450 Stephenson Hwy.), Section 35, part of parcel 88-20-35-126-026, being 11.355 acres in size, is described in the following legal description and illustrated on the attached Certificate of Survey drawing:

T2N, R11E, N 1/2 of Section 35

Lots 12 and 13 of Robbins Executive Park West No. 4 Subdivision (Liber 177, Pages 14-16, of Oakland County Records) more particularly described as: Beginning at the Northwest corner of Lot 12; thence S 89°14'30" E, 1027.24 ft. along the southerly right-of-way line of Maple Rd. (120 ft. wide); thence S 00°38'29" W, 496.09 ft. along the westerly right-of-way of I-75 (300 ft. wide); thence N 89°14'30" W, 378.53 ft.; thence S 01°13'00" W, 58.92 ft.; thence N 89°14'30" W, 476.26 ft.; thence along the Easterly right-of-way line of Stephenson Hwy. (204 ft. wide) northerly 582.26 ft. along the arc of curve to the left (radius 2985.49 ft., central angle of 11°16'36", chord bears N 16°33'12" W, 581.33 ft.) to the Point of Beginning.

Containing 11.355 ac., more or less, and subject to easements and restrictions of record.

BE IT FINALLY RESOLVED, That the proposed rezoning is hereby **GRANTED**, as recommended by City Management and the Planning Commission.

Yes: All-7

C-3 Affirmation of Michigan NextEnergy Exemption of Alternative Energy Personal Property – United Solar Ovonic Corporation – 1100 W Maple Road

Resolution #2006-02-064

Moved by Stine

Seconded by Broomfield

RESOLVED, That the City Council of the City of Troy **AFFIRMS** the Michigan NextEnergy Exemption of alternative energy Personal Property located at 1100 W. Maple, Troy MI., as certified by the City Assessor, in an amount not to exceed \$78,960.17; a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FURTHER RESOLVED, That the City Clerk of the City of Troy shall **FORWARD** a copy of this Resolution, and attachments to the Michigan NextEnergy Authority at 300 N. Washington Square, Lansing, MI 48913.

Yes: Broomfield, Fleming, Lambert, Stine, Schilling, Beltramini

No: Howrylak

MOTION CARRIED

C-4 Affirmation of Michigan NextEnergy Exemption of Alternative Energy Personal Property – Ovonic Battery Company – 1414 Combermere

Resolution #2006-02-065

Moved by Stine

Seconded by Fleming

RESOLVED, That the City Council of the City of Troy **AFFIRMS** the Michigan NextEnergy Exemption of alternative energy Personal Property located at 1414 Combermere, Troy MI., as certified by the City Assessor; a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FURTHER RESOLVED, That the City Clerk of the City of Troy shall **FORWARD** a copy of this Resolution, and attachments to the Michigan NextEnergy Authority at 300 N. Washington Square, Lansing, MI 48913.

Yes: Fleming, Lambert, Stine, Schilling, Beltramini, Broomfield

No: Howrylak

MOTION CARRIED

C-5 Affirmation of Michigan NextEnergy Exemption of Alternative Energy Personal Property – Compact Power, Inc. – 1857 Technology

Resolution #2006-02-066

Moved by Beltramini

Seconded by Stine

RESOLVED, That the City Council of the City of Troy **AFFIRMS** the Michigan NextEnergy Exemption of alternative energy Personal Property located at 1857 Technology, Troy MI., as certified by the City Assessor; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That the City Clerk of the City of Troy shall **FORWARD** a copy of this Resolution, and attachments to the Michigan NextEnergy Authority at 300 N. Washington Square, Lansing, MI 48913.

Yes: Lambert, Stine, Schilling, Beltramini, Broomfield, Fleming

No: Howrylak

MOTION CARRIED

POSTPONED ITEMS:

D-1 Request to Transfer of Class C-SDM License for Corradi's – 1090 Rochester Road City Administration Requests that this Agenda Item be Postponed to the Regular City Council Meeting Scheduled for Monday, March 6, 2006

Vote on Resolution to Postpone

Resolution #2006-02-067

Moved by Beltramini

Seconded by Stine

RESOLVED, That Troy City Council hereby **POSTPONES** *Request to Transfer Class C-SDM License for Corradi's-1090 Rochester Road* until the Regular City Council Meeting scheduled for Monday, March 6, 2006.

Yes: All-7

(a) New License

Resolution

Moved by Stine

Seconded by Broomfield

RESOLVED, That the request from White Star Entertainment, Inc. to transfer ownership of a 2005 Class C-SDM licensed business with Entertainment Permit and Official Permit (food) at 1090 Rochester, Troy, MI 48083, Oakland County, from MKC, Inc.; be **CONSIDERED FOR APPROVAL**.

(b) Agreement

Resolution

Moved by Stine

Seconded by Broomfield

WHEREAS, The City Council of the City of Troy deems it necessary to enter 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.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy hereby **APPROVES** an agreement with White Star Entertainment, Inc. to transfer ownership of a 2005 Class C-SDM licensed business with Entertainment Permit and Official Permit (food) at 1090 Rochester, Troy, MI 48083, Oakland County, from MKC, Inc.; and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the document, a copy of which shall be ATTACHED to the original Minutes of this meeting.

Proposed Resolution to Amend

Resolution #2006-02-
Moved by Stine
Seconded by Broomfield

RESOLVED, That the Resolution to approve the of Transfer of Class C-SDM License for Corradi's – 1090 Rochester Road be **AMENDED** by **INSERTING** "with dance permit" **AFTER** "Official Permit (food)" in resolutions (a) and (b).

CONSENT AGENDA:

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

Resolution #2006-02-068
Moved by Stine
Seconded by Broomfield

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Item E-2, which shall be considered after Consent Agenda (E) items, as printed.

Yes: All-7

E-3 Proposed City of Troy Proclamations: None Proposed

E-4 Standard Purchasing Resolutions

a) Standard Purchasing Resolution 2: Bid Award – Lowest Bidder Meeting Specifications – Contract 06-3 – Ferry Drain Restoration

Resolution #2006-02-068-E-4a

RESOLVED, That a contract to complete the Ferry Drain Restoration is hereby **AWARDED** to the lowest bidder meeting specifications, D & J Lawn & Snow, Inc. of Clinton Twp. at an estimated total cost of \$76,882.25, for completion in the Spring of 2006; and

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon the vendor submission of proper contract and bid documents, including insurance certificates, bonds, and all other specified requirements; and if additional work is required that could not be foreseen, such additional work is **AUTHORIZED** in an amount not to exceed 10% of the total project cost or \$7,688.23.

b) **Standard Purchasing Resolution 4: Oakland County Cooperative Purchasing Agreement – Fleet Vehicles**

Resolution #2006-02-068-E-4b

RESOLVED, That contracts to provide fleet vehicles from Golling Chrysler Jeep, Inc. and Buff Whelan Chevrolet are hereby **APPROVED** through Oakland County Cooperative Purchasing Agreements at an estimated total cost of \$100,956.00.

c) **Standard Purchasing Resolution 4: Macomb County Cooperative Purchasing Agreement – Fleet Vehicles**

Resolution #2006-02-068-E-4c

RESOLVED, That a contract to purchase fleet vehicles from Signature Ford L-M Jeep Eagle is hereby **APPROVED** through a Macomb County Cooperative Purchasing Agreement at an estimated total cost of \$42,353.00.

E-5 Vacate Abandoned Industrial Development District and Rescind Industrial Facilities Exemption Certificate

Resolution #2006-02-068-E-5

WHEREAS, The City Council of the City of Troy had formerly established an Industrial Development District (IDD), and granted an Industrial Facilities Exemption Certificate (IFEC) for Certificate # 98-209-01;

WHEREAS, The project and building have been abandoned and vacated.

BE IT RESOLVED, That the City Council of the City of Troy hereby **VACATES** the Industrial Development District established at 1300 Coolidge (IFEC #98-209-01), located in the City of Troy, County of Oakland, State of Michigan; and

BE IT FURTHER RESOLVED, That the City Council of the City of Troy also **RESCINDS AND REVOKES** the following abandoned and vacated Industrial Facilities Exemption Certificate (IFEC) being Certificate # 98-209-01; and

BE IT FINALLY RESOLVED, That a copy of this resolution shall be **FORWARDED** to the Michigan State Tax Commission by certified mail.

E-6 State of Michigan QVF Digitized Signature Project Grant Application Authorization

Resolution #2006-02-068-E-6

WHEREAS, The Troy City Council wishes to apply to the Secretary of State for a grant to receive federal financial assistance, provided to the State under the provisions of Title II, Section 251, of the Help America Vote Act (HAVA), CFDA 90.401, with the project known as the HAVA Digitized Signature Qualified Voter File (QVF) Refresh Project;

WHEREAS, The HAVA Digitized Signature Qualified Voter File (QVF) Refresh Project upgrade will provide the City Clerk's Office with digitized signatures of all Registered Voters within the City of Troy, as well as QVF system upgrades to be utilized in the Voter Registration and Election Administration functions of the City Clerk's Office;

WHEREAS, The acquisition of the equipment and upgrade of the software is at no cost to the City of Troy.

NOW THEREFORE, BE IT RESOLVED, That the Troy City Clerk is hereby **AUTHORIZED TO SUBMIT** this grant application on behalf of the City of Troy, Oakland County, Michigan, on this 20th day of February, 2006.

E-7 Acceptance of Permanent Easement for Sidewalk – Sidwell #88-20-15-252-044

Resolution #2006-02-068-E-7

RESOLVED, That the permanent easement for sidewalk from the property owner, Velampudi A. Rdii and Jyothirmai Velampudi, having Sidwell #88-20-15-252-044 is hereby **ACCEPTED**; and

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

E-1b Address of "E" Items Removed for Discussion by City Council and/or the Public

E-2 Approval of City Council Minutes

Resolution #2006-02-069

Moved by Lambert

Seconded by Broomfield

RESOLVED, That the Minutes of the 5:30 PM Special City Council Meeting, the 7:30 PM Regular City Council Meeting of February 6, 2006 as submitted and the Regular City Council Meeting of February 15, 2006 be **APPROVED** as corrected.

Yes: All-7

PUBLIC COMMENT: Limited to Items Not on the Agenda

REGULAR BUSINESS:

F-1 Appointments to Boards and Committees: a) Mayoral Appointments: Brownfield Redevelopment Authority b) City Council Appointments: Advisory Committee for Senior Citizens; Charter Revision Committee; Municipal Building Authority

(a) Mayoral Appointments

Resolution #2006-02-070

Moved by Schilling

Seconded by Lambert

RESOLVED, That the following persons are hereby **APPOINTED BY THE MAYOR** to serve on the Boards and Committees as indicated:

Brownfield Redevelopment Authority

Appointed by Mayor, Council Approval (7) – 3 Year Terms

Al Aceves

Unexpired Term Expires 04/30/08

Yes: All-7

(b) City Council Appointments

Resolution

Moved by Broomfield

Seconded by Howrylak

RESOLVED, That the following persons are hereby **APPOINTED BY THE CITY COUNCIL** to serve on the Boards and Committees as indicated:

Advisory Committee for Senior Citizens

Appointed by Council (9) – 3 Year Terms

Frank Shier

Term Expires 04/30/08

Charter Revision Committee

Appointed by Council (7) – 3 Year Terms

David Eisenbacher & William Weisgerber

Unexpired Term 04/30/06

Vote on Resolution to Separate the Vote for City Council Appointments

Resolution #2006-02-071
 Moved by Broomfield
 Seconded by Beltramini

RESOLVED, That Troy City Council hereby **STIPULATES** that the vote for *City Council Appointments* be separated.

Yes: All-7

Vote on Resolution for Appointment to Advisory Committee for Senior Citizens

Resolution #2006-02-072
 Moved by Broomfield
 Seconded by Howrylak

RESOLVED, That the following person is hereby **APPOINTED BY THE CITY COUNCIL** to serve on the below Board and Committee as indicated:

Advisory Committee for Senior Citizens

Appointed by Council (9) – 3 Year Terms

Frank Shier

Term Expires 04/30/08

Yes: All-7

Roll Call Vote for Nominations to Charter Revision Committee

Resolution #2006-02-073
 Moved by Broomfield
 Seconded by Howrylak

RESOLVED, That the following persons are hereby **NOMINATED** to serve on the Charter Revision Committee for the vacancy with an unexpired term of April 30, 2006:

ROLL CALL VOTE

Nominated by: Broomfield David Eisenbacher
Howrylak
Lambert
Stine
Broomfield
Fleming

Nominated by: Beltramini William Weisgerber
Schilling
Beltramini

David Eisenbacher received the nomination for appointment to serve on the Charter Revision Committee.

Vote on Resolution for Appointment to Charter Revision Committee

Resolution #2006-02-074
Moved by Broomfield
Seconded by Howrylak

RESOLVED, That the following person is hereby **APPOINTED BY THE CITY COUNCIL** to serve on the below Board and Committee as indicated:

Charter Revision Committee

Appointed by Council (7) – 3 Year Terms

David Eisenbacher Unexpired Term 04/30/06

Yes: Lambert, Stine, Schilling, Broomfield, Fleming, Howrylak
No: Beltramini

MOTION CARRIED

Vote on Resolution for Appointment to Municipal Building Authority

Resolution #2006-02-075
Moved by Beltramini
Seconded by Stine

RESOLVED, That the following person is hereby **APPOINTED BY THE CITY COUNCIL** to serve on the below Board and Committee as indicated:

Municipal Building Authority

Appointed by Council (5) – 3 Year Terms

John M. Lamerato (Asst City Manager/Finance & Admin.) Term Expires 01/31/09

Yes: All-7

F-2 Council Rules of Procedure Proposed Amendment

Resolution #2006-02-076
Moved by Broomfield
Seconded by Fleming

RESOLVED, That Troy City Council hereby **AMENDS** Council Rules as recommended by City Administration by amending Rule Number 15.A, Appointments.

Yes: Broomfield, Fleming, Lambert
No: Schilling, Beltramini, Howrylak, Stine

MOTION FAILED

F-3 Board and Committee Term Limits**(a) Suggested Reconsidered Resolution**

Resolution #2006-02-077

Moved by Stine

Seconded by Howrylak

RESOLVED, That Resolution #1998-540, Moved by Pallotta and Seconded by Pryor, as it appears below be **RECONSIDERED** by City Council:

RESOLVED, that each member of the following boards, commissions, and committees shall not serve more than three consecutive terms; any portion of a term served shall constitute one full term and this resolution shall apply only to terms starting after January 1, 1999:

Advisory Committee for Persons with Disabilities; Advisory Committee for Senior Citizens; Animal Control Board; Board of Zoning Appeals; CATV Advisory Committee; Charter Revision Committee; Historical Commission; Historic District Commission; Library Board; Liquor Committee; Parks and Recreation Board; Personnel Board; Planning Commission; Retirement System Board of Trustees and Traffic Committee.

Yes: All-6

No: None

Absent: Schilling

MOTION CARRIED

Yes: All-7

Vote on Resolution to Amend #1

Resolution 2006-02-078

Moved by Stine

Seconded by Lambert

RESOLVED, That Resolution 1998-540 be **AMENDED** by **REPLACING** the words "portion of a term served" with the words "service greater than one-half (½) of a term plus one (1) month" after the word "any" in the first (1st) paragraph.

Yes: All-7

Vote on Resolution to Amend #2

Resolution 2006-02-079

Moved by Beltramini

Seconded by Broomfield

RESOLVED, That Resolution 1998-540 be **AMENDED** by **STRIKING** “and” as it appears **BEFORE** “Traffic Committee” and **INSERTING** “Board of Review; Brownfield Redevelopment Authority; Election Commission; Downtown Development Authority; Ethnic Issues Advisory Board; Historic District Study Committee; Troy Daze Advisory Board and Youth Council” **AFTER** “Traffic Committee.”

Yes: Stine, Beltramini, Broomfield

No: Fleming, Howrylak, Lambert, Schilling

MOTION FAILED

Vote on Reconsidered Resolution as Amended

Resolution 2006-02-080

Moved by Pallotta

Seconded by Pryor

RESOLVED, That each member of the following boards, commissions, and committees shall not serve more than three consecutive terms; any service greater than one-half (½) of a term plus one (1) month shall constitute one full term and this resolution shall apply only to terms starting after January 1, 1999:

Advisory Committee for Persons with Disabilities; Advisory Committee for Senior Citizens; Animal Control Board; Board of Zoning Appeals; CATV Advisory Committee; Charter Revision Committee; Historical Commission; Historic District Commission; Library Board; Liquor Committee; Parks and Recreation Board; Personnel Board; Planning Commission; Retirement System Board of Trustees and Traffic Committee.

Yes: Stine, Broomfield

No: Fleming, Howrylak, Lambert, Schilling, Beltramini

MOTION FAILED

F-4 Human Resources Renovation

Resolution #2006-02-081

Moved by Stine

Seconded by Beltramini

RESOLVED, That Troy City Council hereby **AUTHORIZES** City staff to renovate office space for the Human Resources Department, as outlined in Detailed Cost Estimates listed in Appendix C, for an estimated total project cost of \$79,511.00 using in-house personnel, approved contracts, and standard purchasing procedures.

Yes: All-7

F-5 Request for Annual Evaluation – City Attorney – To appear as an agenda item on the Monday, February 27, 2006 Agenda

F-6 Standard Purchasing Resolution 1: Award to Low Bidder – Parking Lot Maintenance

Resolution #2006-02-082

Moved by Lambert

Seconded by Beltramini

RESOLVED, That a contract to complete the Parking Lot Maintenance Program for the City of Troy is hereby **AWARDED** to the low total bidder, Asphalt Specialists, Inc. of Pontiac, MI, for an estimated total cost of \$154,960.00 for Fire Station #2 and \$110,999.00 for Flynn Park, at unit prices contained in the bid tabulation opened January 25, 2006, 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 bonds, insurance certificates and all other specified requirements; and if changes in the quantity of work is required either additive or deductive, such changes are authorized in an amount not to exceed 25% of the total project cost and within budgetary limitations.

Yes: All-7

F-7 Compensation for Interim City Manager

Resolution

Moved by Fleming

Seconded by Stine

RESOLVED, That Mr. John Lamerato, Assistant City Manager/Finance and Administration, is to be **COMPENSATED** an additional \$300.00 dollars per week during the time frame he acts in the capacity of Interim City Manager.

Vote on Resolution to Amend

Resolution #2006-02-083

Moved by Beltramini

Seconded by Fleming

RESOLVED, That the Resolution for *Compensation for Interim City Manager* be **AMENDED** by **STRIKING** "\$300.00" and **INSERTING** "\$350.00", and by **STRIKING** "Interim" and **INSERTING** "Acting."

Yes: Schilling, Beltramini, Broomfield, Fleming, Stine

No: Howrylak, Lambert

MOTION CARRIED**Vote on Resolution as Amended**

Resolution #2006-02-084
Moved by Fleming
Seconded by Stine

RESOLVED, That Mr. John Lamerato, Assistant City Manager/Finance and Administration, is to be **COMPENSATED** an additional \$350.00 dollars per week during the time frame he acts in the capacity of Acting City Manager.

Yes: Beltramini, Broomfield, Fleming, Lambert, Stine, Schilling
No: Howrylak

MOTION CARRIED

F-8 Troy v. Premium Construction, L.L.C. – Section 36 Park

Resolution #2006-02-085
Moved by Stine
Seconded by Beltramini

RESOLVED, That the Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL 15.268(e) (*Troy v. Premium Construction*) and MCL 15.268(h) (*MCL 15.243*).

Yes: All-7

F-9 2005-2006 Budget Amendment No. 2

Resolution #2006-02-086
Moved by Beltramini
Seconded by Stine

RESOLVED, That 2005-06 Budget Amendment No. 2 be **APPROVED** as submitted, a copy of which is to be **ATTACHED** to the original Minutes of this meeting.

Yes: Howrylak, Lambert, Stine, Schilling, Beltramini, Broomfield
No: Fleming

MOTION CARRIED

Vote on Resolution to Suspend Council Rules

Resolution #2006-02-087
Moved by Schilling
Seconded by Lambert

RESOLVED, That Troy City Council hereby **SUSPENDS** *Rules of Procedure for the City Council, Rule #6 Order of Business, Article 15-I. Council Comments* and **AUTHORIZE** City Council to discuss and take action on an item that does not appear on the agenda.

Yes: All-7

Vote on Resolution to Schedule Special Joint Meeting

Resolution #2006-02-088

Moved by Schilling

Seconded by Beltramini

RESOLVED, That Troy City Council hereby **SCHEDULES** a Special Joint Meeting with the Troy Daze Advisory Committee on Tuesday, February 28, 2006 at 7:30 PM at the Troy Community Center – 3179 Livernois for the purpose of discussing the *Troy Daze Festival*.

Yes: All-7

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings:

- a) Zoning Ordinance Text Amendment (ZOTA 218) – Article 10.30.03, Permit Child Care Centers by Special Use Approval in the R-1A through R-1E Zoning Districts – March 6, 2006
- b) Zoning Ordinance Text Amendment (ZOTA 214) – Article IV and X, Group Child Care Homes in the R-1A through R-1E Districts – March 6, 2006

Noted and Filed

G-2 Green Memorandums:

- a) Tentative Agreements with the Following Collective Bargaining Units:
 - 1) Troy Command Officers Association (TCOA)
 - 2) Troy Fire Staff Officers Association (TFSOA)
 - 3) AFSCME (Public Works/Parks and Recreation/Engineering Employees)

Noted and Filed

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

H-1 No Council Referrals Advanced**COUNCIL COMMENTS:**

I-1 No Council Comments Advanced**REPORTS:**

J-1 Minutes – Boards and Committees:

- a) Civil Service Commission (Act 78)/Final – August 10, 2004
- b) Local Development Finance Authority/Final – May 9, 2005
- c) Civil Service Commission (Act 78)/Final – October 17, 2005
- d) Cable Advisory Committee/Final – October 20, 2005
- e) Historic Commission/Final – October 25, 2005
- f) Historic District Commission/Final – November 15, 2005

- g) Building Code Board of Appeals/Final – December 7, 2005
- h) Ethnic Issues Advisory Board/Final – January 3, 2006
- i) Advisory Committee for Persons with Disabilities/Draft – January 4, 2006
- j) Advisory Committee for Persons with Disabilities/Final – January 4, 2006
- k) Building Code Board of Appeals/Final – January 4, 2006
- l) Advisory Committee for Senior Citizens/Final – January 5, 2006
- m) Planning Commission/Draft – January 10, 2006
- n) Planning Commission/Final – January 10, 2006
- o) Employees' Retirement System Board of Trustees/Final – January 11, 2006
- p) Cable Advisory Committee/Draft – January 19, 2006
- q) Planning Commission Special/Study/Draft – January 24, 2006
- r) Planning Commission Special/Study/Final – January 24, 2006
- s) Building Code Board of Appeals/Draft – February 1, 2006
- t) Advisory Committee for Senior Citizens/Draft – February 2, 2006
- u) Planning Commission Special/Study/Draft – February 7, 2006
- v) Civil Service Commission (Act 78)/Draft – February 13, 2006

Noted and Filed

J-2 Department Reports:

- a) Building Department – Permits Issued During the Month of January 2006
- b) Parks and Recreation Department – Aquatic Center Fee Recommendations for 2006
- c) Engineering Department – Federal Aid Funding for Major Roads – FY 2009
- d) Real Estate and Development Department – Monarch Project
- e) City of Troy Monthly Financial Report – January 31, 2006
- f) Information Technology – Automated Visitor Information System (AVIS) Methodology

Noted and Filed

J-3 Letters of Appreciation:

- a) Letter of Appreciation to the Department of Public Works from Lloyd Lewis Regarding the Excellent Service and Response Time
- b) Letter of Thanks to Captain Murphy from Barbara Cenko, TVS Communication Solutions, for the Opportunity to Ride Along with Officer Clark
- c) Letter of Appreciation to Troy City Council from Bloomfield Hills Board of Education

Noted and Filed

J-4 Proposed Proclamations/Resolutions from Other Organizations:

- a) State of Michigan Notice of Hearing for Gas Customers of Consumers Energy Company – Case No. U-14716

Noted and Filed

J-5 Calendar

Noted and Filed

J-6 State of Michigan Department of Transportation Report Regarding the Environmental Assessment for Improvements to the I-75 Interchange

Noted and Filed

J-7 Memo from City Attorney Regarding Recently Adopted Macomb County Code of Ethics

Noted and Filed

STUDY ITEMS:

K-1 No Study Items Submitted

PUBLIC COMMENT: Address of “K” Items

CLOSED SESSION:

L-1 Closed Session

Resolution #2006-02-089
Moved by Broomfield
Seconded by Fleming

BE IT RESOLVED, That the City of Troy City Council **SHALL MEET** in Closed Session, as permitted by State Statute MCL 15.268 (e) and MCL 15.268 (h): Troy v. Premium Construction, L.L.C. (Section 36 Park) [Refer to Regular Business Item F-8]; COBASYS v. City of Troy; and Gerback v. Troy – Settlement Proposal.

Yes: Stine, Schilling, Beltramini, Broomfield, Fleming, Lambert
No: Howrylak

MOTION CARRIED

The meeting **RECESSED** at 9:48 P.M.

The meeting **RECONVENED** at 11:20 P.M.

Vote on Resolution to Suspend Council Rules

Resolution #2006-02-090
Moved by Beltramini
Seconded by Broomfield

RESOLVED, That Troy City Council hereby **SUSPENDS** *Rules of Procedure for the City Council, Rule #6 Order of Business, Article 15-1. Council Comments* and **AUTHORIZE** City Council to discuss and take action on items that do not appear on the agenda.

Yes: Schilling, Beltramini, Broomfield, Fleming, Stine
No: Howrylak, Lambert

MOTION CARRIED

Vote on Resolution to Schedule a Special Meeting

Resolution #2006-02-091
Moved by Beltramini
Seconded by Stine

RESOLVED, That Troy City Council hereby **SCHEDULES** a Special Meeting on Thursday, February 23, 2006 at 5:30 P.M. in the City Council Chambers for the purpose of discussing *Troy v. Premium Construction, L.L.C (Section 36-Park)*.

Yes: Beltramini, Broomfield, Fleming, Lambert, Stine, Schilling
No: Howrylak

MOTION CARRIED

Vote on Resolution to Rescind Abated Tax Obligation for COBASYS/Texaco Ovonix

Resolution #2006-02-092
Moved by Stine
Seconded by Fleming

RESOLVED, That Troy City Council hereby **RESCINDS** COBASYS/Texaco Ovonix's obligation to pay estimated abated taxes in the amount of \$175,005.63 for the Tax Years 2003 through 2008 as it appears in Resolution #2004-10-532.

Yes: Broomfield, Fleming, Stine, Schilling, Beltramini
No: Howrylak, Lambert

MOTION CARRIED

The meeting **ADJOURNED** at 11:29 P.M.

Louise E. Schilling, Mayor

Barbara A. Holmes, Deputy City Clerk