

A Regular Meeting of the Troy City Council was held Monday, February 27, 2006, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:31 P.M.

Nathan Renner of the Troy Seventh Day Adventist Church 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: No Presentations

CARRYOVER ITEMS:

B-1 No Carryover Items

PUBLIC HEARINGS:

C-1 William Beaumont Hospital – City of Royal Oak Hospital Financing Authority Utilizing Tax-Exempt Bonds

Resolution #2006-02-102
 Moved by Stine
 Seconded by Fleming

WHEREAS, The City of Royal Oak Hospital Finance Authority (the “Authority”) proposes to make loans to William Beaumont Hospital (the “Hospital”), to be used, in part, by the Hospital to refinance indebtedness used to finance the construction, renovation and equipping of certain hospital facilities in the City of Troy, Michigan;

WHEREAS, The Authority intends to issue City of Royal Oak Hospital Finance Authority Hospital Revenue Bonds (William Beaumont Hospital Obligated Group) and Hospital Revenue Refunding Bonds (William Beaumont Hospital Obligated Group), in one or more series (collectively, the “Bonds”) on behalf of the Hospital in the aggregate principal amount of not to exceed \$235,000,000 to provide funds with which to make loans to the Hospital;

WHEREAS, The Bonds will be limited obligations of the Authority and will not constitute general obligations or debt of the City of Royal Oak, the City of Troy, the County of Oakland, the State of Michigan or any political subdivision thereof;

WHEREAS, The City Council has held a public hearing after notice was published as provided in, and in satisfaction of the applicable public hearing requirements of, the Internal Revenue Code of 1986, as amended (the "Code");

WHEREAS, A record of public hearing will be maintained with the City Clerk;

WHEREAS, The Authority has requested that this City Council approve the issuance of the Bonds by the Authority;

WHEREAS, The City Council of the City of Troy desires to express its approval of the issuance of the Bonds by the Authority.

IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF TROY, AS FOLLOWS:

1. Solely for the purpose of fulfilling the public approval requirements of the Code, the City Council of the City of Troy hereby **APPROVES** the issuance, sale and delivery of not to exceed \$235,000,000 in aggregate principal amount of the Bonds by the Authority.
2. The City Clerk is hereby **DIRECTED TO PROVIDE** three (3) certified copies of this resolution to the Secretary of the Authority.

Yes: All-7

C-2 Adoption of Brownfield Plan #4 for TCF Bank – 1470 Coolidge – South of Maple, East of Coolidge, Section 32

Resolution #2006-02-103

Moved by Lambert

Seconded by Broomfield

WHEREAS, The Brownfield Redevelopment Authority approved on December 15, 2005 Brownfield Redevelopment Plan #4 submitted by TCF Bank for redevelopment of 1470 Coolidge;

WHEREAS, Superior Environmental has prepared a plan for environmental cleanup of former Harabedian Paving Company for the construction of a TCF Bank branch;

WHEREAS, Troy City Council finds this plan constitutes a public purpose in providing for environmental cleanup of a contaminated site and the alleviation of blight at this particular address.

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council hereby **FINDS** Plan #4 does constitute a public purpose and **APPROVES** the Brownfield Redevelopment Plan to construct a TCF Bank branch on the former Harabedian site at 1470 Coolidge.

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

No: Howrylak

MOTION CARRIED

C-3 Continuation of Public Hearing – Proposed Amendment to the Boundaries of the Downtown District of the Downtown Development Authority (DDA)

Resolution #2006-02-104
Moved by Beltramini
Seconded by Stine

RESOLVED, That the City of Troy City Council hereby **RECOMMENDS** that the Downtown Development Authority (DDA) boundaries remain as they are.

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

MOTION CARRIED

The meeting **RECESSED** at 9:35 PM.

The meeting **RECONVENED** at 9:47 PM.

POSTPONED ITEMS:

D-1 No Postponed Items

CONSENT AGENDA:

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

Resolution #2006-02-105
Moved by Lambert
Seconded by Stine

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented.

Yes: All-7

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

E-2 Approval of City Council Minutes

Resolution #2006-02-105-E-2

RESOLVED, That the Minutes of the 7:30 PM Regular City Council Meeting of February 20, 2006 and the Regular City Council Meeting of February 22, 2006 be **APPROVED** as submitted.

E-3 Proposed City of Troy Proclamations: None Submitted

E-4 Standard Purchasing Resolutions: None Submitted

PUBLIC COMMENT: Limited to Items Not on the Agenda

REGULAR BUSINESS:

F-4 Contract Ratification – American Federation of State, County and Municipal Employees (AFSCME) and City of Troy

Resolution #2006-02-106
Moved by Stine
Seconded by Beltramini

RESOLVED, That a collective bargaining agreement between the City of Troy and AFSCME for the period July 1, 2006 through June 30, 2009 is hereby **RATIFIED** by the City Council of the City of Troy, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the final agreement.

Yes: All-7

F-1 Appointments to Boards and Committees: a) Mayoral Appointments: No Appointments Scheduled; b) City Council Appointments: Cable Advisory Committee and Traffic Committee

(a) Mayoral Appointments – No Appointments Scheduled

(b) City Council Appointments

Resolution
Moved by Broomfield
Seconded by Lambert

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

Cable Advisory Committee

Appointed by Council (7) – 3 Year Terms

Brian Wattles Term Expires 02/28/09

Traffic Committee

Appointed by Council (7) – 3 Year Terms

Lawrence Halsey Term Expires 01/31/09

Vote on Resolution to Separate Vote

Resolution #2006-02-107
Moved by Howrylak
Seconded by Stine

RESOLVED, That Troy City Council hereby **SEPARATES** the Resolution for *(b) City Council Appointments: Cable Advisory Committee and Traffic Committee* for voting purposes.

Yes: All-7

Vote on City Council Appointment to the Traffic Committee

Resolution #2006-02-108
Moved by Broomfield
Seconded by Lambert

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

Traffic Committee

Appointed by Council (7) – 3 Year Terms

Lawrence Halsey

Term Expires 01/31/09

Yes: All-7

Vote on Resolution to Postpone City Council Appointment to the Cable Advisory Committee

Resolution #2006-02-109
Moved by Howrylak
Seconded by Lambert

RESOLVED, That Troy City Council hereby **POSTPONES** the appointment to the Cable Advisory Committee until the Regular City Council meeting scheduled for Monday, March 6, 2006.

Yes: All-7

F-2 Contract Ratification – Troy Command Officers Association (TCOA) and City of Troy

Resolution #2006-02-110
Moved by Beltramini
Seconded by Fleming

RESOLVED, That a collective bargaining agreement between the City of Troy and TCOA for the period July 1, 2005 through June 30, 2008 is hereby **RATIFIED** by the City Council of the

City of Troy, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the final agreement.

Yes: All-7

F-3 Contract Ratification – Troy Fire Staff Officers Association (TFSOA) and City of Troy

Resolution #2006-02-111
Moved by Lambert
Seconded by Stine

RESOLVED, That a collective bargaining agreement between the City of Troy and TFSOA for the period July 1, 2006 through June 30, 2009 is hereby **RATIFIED** by the City Council of the City of Troy, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the final agreement.

Yes: All-7

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings:

- a) Rezoning Request – East Side of Livernois, South of Wattles, Section 22 – R-1C to C-F (Z-713) – March 20, 2006

Noted and Filed

Vote on Resolution to Suspend Rules of Procedure for the City Council, Rule #6 – Order of Business, Article 15 I.

Resolution #2006-02-112
Moved by Howrylak
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 Set a Date Certain for the Continuation of Public Hearings for Zoning Ordinance Text Amendments: ZOTA 218 and ZOTA 214

Resolution #2006-02-113
Moved by Schilling
Seconded by Broomfield

RESOLVED, That Troy City Council hereby **SETS A DATE CERTAIN** for the continuation of Public Hearings for Zoning Ordinance Text Amendment (ZOTA 218) – Article 10.30.03, Permit

Child Care Centers by a Special Use Approval in the R-1A through R-1E Zoning Districts and Zoning Ordinance Text Amendment (ZOTA 214) – Article IV and X, Group Child Care Homes in the R-1A through R-1E Districts **TO THE REGULAR CITY COUNCIL MEETING SCHEDULED FOR MONDAY, MARCH 20, 2006**; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **DIRECTS** City Staff to **REPUBLISH** the *Notice of Public Hearing* in the official newspaper of record and **RENOUNCE** those members of the public that previously received notice by first class mail.

Yes: All-7

Vote on Resolution to Suspend Rules of Procedure for the City Council, Rule #6 – Order of Business, Article 15 I.

Resolution #2006-02-114
Moved by Beltramini
Seconded by Stine

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 Rescind Resolution #2006-02-084

Resolution #2006-02-115
Moved by Beltramini
Seconded by Lambert

RESOLVED, That Resolution #2006-02-084, Moved by Fleming and Seconded by Stine, as it appears below be **RESCINDED** by City Council:

*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

Yes: All-7

Vote on Resolution for Compensation for Acting City Manager

Resolution #2006-02-116
Moved by Beltramini
Seconded by Stine

RESOLVED, That Troy City Council hereby **AUTHORIZES** payment in the amount of \$5,000.00 be allocated to the Deferred Compensation Pension Program of Mr. John M. Lamerato, Assistant City Manager/Finance and Administration as compensation for the duration he serves as Acting City Manager.

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

MOTION CARRIED

G-2 Green Memorandums: No Memorandums Submitted

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: None Submitted

J-2 Department Reports: None Submitted

J-3 Letters of Appreciation: None Submitted

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

J-5 Calendar
Noted and Filed

J-6 Correspondence from Troy Chamber of Commerce President Michele Hodges Regarding Continuation of the Public Hearing on Excluding the Proposed Monarch Development from the DDA Boundaries
Noted and Filed

J-7 Papadelis v. City of Troy
Noted and Filed

STUDY ITEMS:

K-1 No Study Items Submitted

PUBLIC COMMENT: Address of "K" Items

CLOSED SESSION:

L-1 Closed Session:

Resolution #2006-02-117
Moved by Stine
Seconded by Howrylak

BE IT RESOLVED, That the City of Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL 15.268 (e) and (h) and MCL 15.243, Pending Litigation: (1) Papadelis v. City of Troy and (2) Fehribach v. City of Troy, and as permitted by MCL 15.268 (a), Performance Evaluation of City Attorney, Lori Grigg Bluhm.

Yes: All-7

The meeting **RECESSED** at 10:17 P.M.

The meeting **RECONVENED** at 10:25 P.M.

The meeting **ADJOURNED** at 11:50 P.M.

Louise E. Schilling, Mayor

Barbara A. Holmes, Deputy City Clerk