

A Regular Meeting of the Troy City Council was held Monday, June 5, 2006, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:32 P.M.

Pastor Paul Lehman of Glen Oaks Alliance Church gave the Invocation and the Pledge of Allegiance to the Flag was given.

ROLL CALL:

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

Vote on Resolution to Excuse Council Members Broomfield and Stine

Resolution #2006-06-231
Moved by Lambert
Seconded by Beltramini

RESOLVED, That the Troy City Council hereby **EXCUSES** the absence of Council Member Broomfield at the Regular City Council Meeting of June 5, 2006 due to illness and the absence of Council Member Stine at the Regular City Council Meeting of June 5, 2006 due to being out of the county.

Yes: All-5
No: None
Absent: Broomfield, Stine

CERTIFICATES OF RECOGNITION:

A-1 Presentations:

- a) On behalf of the City of Troy, Mayor Schilling presented Police Officer Joseph Haddad a proclamation recognizing him as the *2005 Police Officer of the Year*.
- b) On behalf of the City of Troy, Mayor Schilling presented Sherry LeVeque a proclamation recognizing her as the *2005 Non-Sworn Police Department Employee of the Year*.
- c) On behalf of the City of Troy, Mayor Schilling presented Daryl Klinko a proclamation recognizing him as the *2006 Fire Fighter of the Year*.
- d) Members of the Historical Society's Heritage Campaign for expansion of the Troy Museum: Ward Randol, Cheryl Barnard, Fred Rounds, and Don Lavender, presented a check for over \$151,435.84 to the City of Troy.

CARRYOVER ITEMS:

B-1 No Carryover Items**PUBLIC HEARINGS:**

C-1 Commercial Vehicle Appeal Renewal – 6881 Westaway

The Mayor opened the Public Hearing for public comment. The Mayor closed the Public Hearing after receiving comment from the petitioner and from the public.

Resolution #2006-06-232

Moved by Fleming

Seconded by Lambert

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)."; and

WHEREAS, The City Council of the City of Troy has found that the petitioner has demonstrated the presence of the following condition(s), justifying the granting of a variance

- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s).";

THEREFORE, BE IT RESOLVED, That the request from Adrian Eremie, 6881 Westaway, for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a Chevrolet stake truck in a residential district is hereby **APPROVED** for one (1) year.

Yes: All-5
No: None
Absent: Broomfield, Stine

C-2 Rezoning Application (Z 704) – Proposed Dunkin Donuts, South Side of Vanderpool, West of Rochester Road and East of Ellenboro, Section 22 – R-1E to B-2

The Mayor opened the Public Hearing for public comment. The Mayor closed the Public Hearing after receiving comment from the public.

Vote on Resolution to Postpone

Resolution #2006-06-233
Moved by Lambert
Seconded by Howrylak

RESOLVED, That Troy City Council hereby **POSTPONES** Rezoning Application (Z 704) – Proposed Dunkin Donuts, South Side of Vanderpool, West of Rochester Road and East of Ellenboro, Section 22 – R-1E to B-2 until the Regular City Council Meeting scheduled for Monday, June 19, 2006.

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

MOTION CARRIED

The meeting **RECESSED** at 9:12 P.M.

The meeting **RECONVENED** at 9:24 P.M.

POSTPONED ITEMS:

D-1 Adoption of City Ordinance, Chapter 28 – Tree Ordinance and the Landscape Design & Tree Preservation Standards

Resolution
Moved by Beltramini
Seconded by Schilling

RESOLVED, That Chapter 28 – Tree and Plant Ordinance, a copy of which shall be **INCLUDED** in the original Minutes of this meeting, is hereby **ADOPTED**.

Vote on Resolution to Postpone Indefinitely

Resolution #2006-06-234
Moved by Howrylak
Seconded by Lambert

RESOLVED, That Troy City Council hereby **POSTPONES INDEFINITELY** the proposed resolution, for the *Adoption of City Ordinance, Chapter 28 – Tree Ordinance and the Landscape Design & Tree Preservation Standards*, Moved by Broomfield and Seconded by Schilling.

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

MOTION CARRIED**Vote on Resolution to Appoint a Special Task Force**

Resolution #2006-06-235
Moved by Lambert
Seconded by Fleming

RESOLVED, That Troy City Council hereby **REQUESTS** that a Special Task Force be appointed to review the proposed revisions to the Tree Ordinance and the Landscape Design & Tree Preservation Standards for the City of Troy.

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

MOTION FAILED**CONSENT AGENDA:**

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

Resolution #2006-06-236
Moved by Lambert
Seconded by Beltramini

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Item E-13, which shall be considered after Consent Agenda (E) items, as printed.

Yes: All-5
No: None
Absent: Broomfield, Stine

E-2 Approval of City Council Minutes

Resolution #2006-06-236-E-2

RESOLVED, That the Minutes of the 7:30 PM Regular City Council Meeting of May 15, 2006 be **APPROVED** as submitted.

E-3 City of Troy Proclamations:

Resolution #2006-06-236-E-3

RESOLVED, That the following City of Troy Proclamations be **APPROVED**:

- a) Joseph Haddad – 2005 Police Officer of the Year
- b) Sherry LeVeque – 2005 Non-Sworn Police Department Employee of the Year
- c) Daryl Klinko – 2006 Fire Fighter of the Year

E-4 Standard Purchasing Resolutions**a) Standard Purchasing Resolution 3: Exercise Renewal Option – Uniform Rental Services**

Resolution #2006-06-236-E-4a

WHEREAS, On July 19, 2004, a two-year contract with an option to renew for two additional years for uniform rental services was awarded to Arrow Uniform of Taylor, MI, the highest scoring and lowest priced bidder as a result of a best value process (Resolution #2004-07-375-E6);

WHEREAS, Arrow Uniform has agreed to exercise the two-year option to renew under the same prices, terms and conditions;

THEREFORE, BE IT RESOLVED, That the option to renew the contract is hereby **EXERCISED** with Arrow Uniform to provide uniform rental services under the same prices, terms, and conditions for two years expiring August 31, 2008.

b) Standard Purchasing Resolution 1: Award to Low Bidder – Contract 06-6, New King, Maxwell and Stutz Paving Rehabilitation

Resolution #2006-06-236-E-4b

RESOLVED, That Contract No. 06-6 for New King, Maxwell and Stutz paving rehabilitation, be **AWARDED** to John Carlo, Inc., 45000 River Ridge Road, Clinton Twp., MI 48035 at an estimated total cost of \$283,754.90; 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 such additional work is **AUTHORIZED** in an amount not to exceed 25% of the total project cost.

c) **Standard Purchasing Resolution 1: Award to Low Bidder – Breathing Apparatus Equipment for the Fire Department**

Resolution #2006-06-236-E-4c

RESOLVED, That a contract to furnish four (4) new self-contained breathing apparatus, and ten (10) upgrade kits is hereby **AWARDED** to the sole bidder, Douglass Safety Systems of Rhodes, MI, an authorized distributor of this equipment, at an estimated total cost of \$22,590.00, at unit prices contained on the bid tabulation dated May 10, 2006.

d) **Standard Purchasing Resolution 10: Travel Authorization and Approval to Expend Funds on City Council Member Travel Expenses – Michigan Municipal League Board of Trustees Meetings**

Resolution #2006-06-236-E-4d

RESOLVED, That travel authorization and approval to expend funds is **GRANTED** for travel expenses associated with Council Member Robin Beltramini's attendance of all meetings required as a result of her appointment to the Michigan Municipal League Board of Trustees.

e) **Standard Purchasing Resolution 7: Proprietary Maintenance Service Contract – Motorola Communications**

Resolution #2006-06-236-E-4e

RESOLVED, That a six-month hardware and software maintenance contract for the City of Troy's E911 system is hereby **APPROVED** with Motorola Communications, for proprietary hardware and software at an estimated cost of \$13,565.00 expiring December 31, 2006.

f) **Standard Purchasing Resolution 8: Best Value Award – Infestation Control Services – Landscaping**

Resolution #2006-06-236-E-4f

RESOLVED, That a three-year contract to provide infestation control services for landscaping, with an option to renew for three (3) additional one-year periods is hereby **AWARDED** to the best value proposal submitted by Owen Tree Service, Inc. of Attica, MI, at unit prices contained in the bid tabulation opened May 12, 2006, with additional services as needed and prices as outlined in their service fee proposal and chemical listing dated May 24, 2006, to commence on the date of award and expire May 31, 2009; and

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

g) **Standard Purchasing Resolution 4: Contract #071B4200234 State of Michigan and Election Systems and Software, Inc. – Central Count Optical Scan Voting System (Model M650) – Sole Source Vendor**

Resolution #2006-06-236-E-4g

RESOLVED, That Troy City Council hereby **APPROVES** the purchase of the Absentee Ballot System (ABS), M-650 tabulator with modem, ballot box and memory device from the sole source vendor, Election Systems and Software, Inc. (ES&S) - 11208 John Galt Blvd., Omaha, Nebraska 68137, at a budgeted cost of \$65,000.00 from FY2006-07 budgeted funds and delivery of equipment to occur on or after July 1, 2006.

E-5 Medi-Go Service Agreement

Resolution #2006-06-236-E-5

RESOLVED, That the request for funding in the amount of \$170,000.00 or the entire municipal community credits (estimated at \$174,581.00) transferred from SMART (whichever is greater) for Troy Medi-Go Plus for fiscal year 2006/2007, and the funding agreement between the City of Troy and Troy Medi-Go Plus commencing July 1, 2006 through June 30, 2007 is hereby **APPROVED** and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the agreement, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-6 Private Agreement for People's State Bank – Project No. 05.931.3

Resolution #2006-06-236-E-6

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Troy Long Lake, L.L.C., is hereby **APPROVED** for the installation of paving, storm sewer, water main and sidewalk on the site and in the adjacent right of way, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-7 State of Michigan Election Equipment Grant Application Authorization

Resolution #2006-06-236-E-7

WHEREAS, The Troy City Council wishes to enter into a grant agreement with the State of Michigan, Michigan Department of State for the purchase of AutoMARK ballot marking devices and related Election Management System (EMS) programming software for use by individuals with disabilities pursuant to the Help America Vote Act (HAVA);

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **AUTHORIZES** the Troy City Clerk to execute the grant application on behalf of the City of Troy, Oakland County, Michigan, on this 22nd day of May 2006.

E-8 Acceptance of Sanitary Sewer Easement Agreement and Water Main Easement Agreement, Troy School District – Sidwell #88-20-23-323-001, Project No. 05.926.3 Baker Middle School Addition

Resolution #2006-06-236-E-8

RESOLVED, That the sanitary sewer easement agreement and the water main easement agreement from Troy School District, owner of property having Sidwell #88-20-23-326-001, are hereby **ACCEPTED**; and

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are **AUTHORIZED TO SIGN** said easement agreements on behalf of the City of Troy; and

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

E-9 Approval of Proposed Quit Claim Deed for Right-of-Way Acquisition and Authorization to Schedule Closing, Consumers Energy Company, Northeast Corner of Coolidge and Wattles – Sidwell #88-20-17-351-029, Project No. 00.109.5 – Wattles East Bound and West Bound Right Turn Lane at Coolidge

Resolution #2006-06-236-E-9

RESOLVED, That the proposed quit claim deed for the acquisition of right-of-way from Consumers Energy Company, for property having Sidwell #88-20-17-351-029, and located at the northeast corner of Coolidge and Wattles, is hereby **APPROVED**; and

BE IT FURTHER RESOLVED, That authorization is hereby **GRANTED** to purchase the property referenced above in the amount of \$17,600.00, plus closing costs.

E-10 Private Agreement for TCF Bank – Project No. 05.944.3

Resolution #2006-06-236-E-10

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and TCF Bank, is hereby **APPROVED** for the installation of paving, storm sewer and sidewalk on the site and in the adjacent right of way, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-11 Approval of Temporary Sales Trailer, Cedar Pines Estates Site Condominium

Resolution #2006-06- 236-E-11

RESOLVED, That the request from Christopher Pratt representing Wake-Pratt Construction Company for the placement of a temporary office trailer on the site of the one of the parcels in the Cedar Pines Estates Site Condominium Development, is hereby **APPROVED** for a six

month period in accordance with Chapter 47, House Trailers and Trailer Courts, Section 6.41(3), of the Code of the City of Troy.

E-12 Approval of Funding Agreement: Boys and Girls Club

Resolution #2006-06-236- E-12

RESOLVED, That the funding agreement between the City of Troy and Boys and Girls Club of Troy for July 1, 2006 through June 30, 2007 is hereby **APPROVED** and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the documents, 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-13 Sale of Rochester Road Remnant Parcel #20-22-426-057, Section 22, All of Lot 42, and Part of Lots 43 and 45 of Supervisors Plat #17 – Removed from the agenda at the request of City Council

PUBLIC COMMENT: Limited to Items Not on the Agenda

REGULAR BUSINESS:

F-4 Revisions to Troy City Code Chapter 18 (City Water Utility)

Resolution #2006-06-237
Moved by Beltramini
Seconded by Lambert

RESOLVED, That Section 12 of Chapter 18 of the Troy City Code be **REVISED** as recommended by City Management, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

MOTION CARRIED

F-5 Amending the Personal Property Tax Abatement for Manufacturing and Headquarter Companies

Resolution #2006-06-238
Moved by Beltramini
Seconded by Fleming

WHEREAS, The City of Troy has the economic objective of (a) increasing employment opportunities, (b) diversifying and stabilizing the industrial base of the community, (c) reducing economic obsolescence of the industrial base, (d) providing homogenous industrial areas, (e)

encouraging industrial expansion, (f) providing for improved public facilities in industrial areas, and (g) encouraging attractive, viable industrial sites, and

WHEREAS, The Industrial Facilities Tax Act (P.A. 1974 No. 198), as amended, empowers cities to establish Industrial Development Districts (IDD) and to grant tax exemptions for certain industrial properties which meet certain criteria established by the Act;

THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that the following criteria are to be met, applied or measured by the City Manager or his designees in the review of areas and locations to be considered for designation as Industrial Development Districts (IDD) by the City Council:

- 1) That the tax exemption shall not apply to real property except those building improvements which are uniquely required to support the personal property to be abated; and
- 2) That the tax exemption shall not apply to leasehold improvements or building improvements except those uniquely required to support personal property to be abated; and
- 3) That said abatement of taxes shall cease at such time as applicant fails to prove by factual evidence that such personal property is being used in compliance with the basic guidelines established above.
- 4) The applicant would document that they are Michigan Economic Growth Authority (MEGA) eligible, would be filling vacant Troy space, or will retain or expand the number of jobs in Troy.

BE IT FINALLY RESOLVED, That the term of abatement for any and all property meeting the aforementioned criteria **SHALL NOT** exceed 12 years, it being the **INTENT OF THE CITY COUNCIL TO APPROVE** various lengths of abatements to the extent provided by laws of the State of Michigan.

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

MOTION CARRIED

F-6 Preliminary Site Condominium Approval – Adams Road Site Condominium, East Side of Adams Road, South of South Boulevard, Section 6 – R-1A

Resolution #2006-06-239
Moved by Beltramini
Seconded by Lambert

RESOLVED, That the preliminary site condominium plan, as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) and Section 34.70.00 (One-Family Cluster Option) for the development of a one-family residential site

condominium known as Adams Road Site Condominium, located on the east side of Adams Road, south of South Boulevard, in Section 6, including 5 home sites, within the R-1A zoning district, being 4.98 acres in size, is hereby **APPROVED**.

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

MOTION CARRIED

F-7 Extension of Preliminary Site Condominium Approval – Oak Forest South Site Condominium, East Side of Willow Grove, South of Square Lake Road, Section 11 – R-1C

Resolution #2006-06-240
Moved by Lambert
Seconded by Fleming

RESOLVED, That a one-year extension to April 18, 2007 of the preliminary site condominium approval be **GRANTED** for Oak Forest Site Condominium located on the east side of Willow Grove and south of Square Lake Road in Section 11.

Yes: All-5
No: None
Absent: Broomfield, Stine

F-8 Extension of Preliminary Site Condominium Approval – Oak Forest Site Condominium, South Side of Square Lake Road between Willow Grove and John R Road, Section 11 – R-1C

Resolution #2006-06-241
Moved by Lambert
Seconded by Fleming

RESOLVED, That a one-year extension to April 18, 2007 of the preliminary site condominium approval be **GRANTED** for Oak Forest Site Condominium located on the south side of Square Lake Road between Willow Grove and John R Road in Section 11.

Yes: All-5
No: None
Absent: Broomfield, Stine

F-1 **Appointments to Boards and Committees: a) Mayoral Appointments: No Appointments Scheduled b) City Council Appointments: Youth Council c) Personnel Board Appointment Rescission**

(a) Mayoral Appointments – No Appointments Scheduled

(b) City Council Appointments

Resolution #2006-06-242

Moved by Lambert

Seconded by Beltramini

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

Youth Council

Appointed by Council (13) – 1 Year Term

<u>Alexandra Bozimowski</u>	Term Expires 06-01-07 (Student)
<u>Andrew Corey</u>	Term Expires 06-01-07 (Student)
<u>Maxine D'Amico</u>	Term Expires 06-01-07 (Student)
<u>Rishi Joshi</u>	Term Expires 06-01-07 (Student)
<u>Jessica Kraft</u>	Term Expires 06-01-07 (Student)
<u>Joseph Niemiec</u>	Term Expires 06-01-07 (Student)
<u>Anupama Prasad</u>	Term Expires 06-01-07 (Student)
<u>Kristin Randall</u>	Term Expires 06-01-07 (Student)
<u>Neill Shaw</u>	Term Expires 06-01-07 (Student)
<u>Katie Thoenes</u>	Term Expires 06-01-07 (Student)
<u>Nicole Vitale</u>	Term Expires 06-01-07 (Student)
<u>Karen Wullaert</u>	Term Expires 06-01-07 (Student)
<u>Alex Gabriel</u>	Term Expires 06-01-07 (Student)

Yes: All-5
 No: None
 Absent: Broomfield, Stine

(c) Rescission of Personnel Board Appointment

Resolution #2006-06-243
 Moved by Lambert
 Seconded by Howrylak

RESOLVED, That Resolution #2006-05-226, Moved by Broomfield and Seconded by Lambert, as it appears below be **RESCINDED** by City Council:

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

Personnel Board

Appointed by Council (5) – 3 Year Terms

Glenn Clark Term Expires 04/30/09

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

MOTION CARRIED

Yes: All-5
 No: None
 Absent: Broomfield, Stine

F-2 Appointment of Representative and Alternate – Southeastern Oakland County Resource Recovery Authority (SOCRRA)

Resolution #2006-06-244
 Moved by Howrylak
 Seconded by Beltramini

RESOLVED, That Brian P. Murphy be **DESIGNATED** as the SOCRRA Representative and Timothy L. Richnak be **DESIGNATED** as the Alternate SOCRRA Representative with terms expiring on June 30, 2007.

Yes: All-5
 No: None
 Absent: Broomfield, Stine

F-3 Amendment #2 – Concrete Pavement Repair Program

Resolution #2006-06-245

Moved by Beltramini

Seconded by Fleming

WHEREAS, On July 11, 2005, contracts to complete the City of Troy's concrete pavement repair program were amended to the low bidders: Major Cement Company – Proposal A, Hard Rock Concrete, Inc. – Proposal B, and Six S, Inc. – Proposal C, in an amount not to exceed \$750,000.00, \$500,000.00, and \$500,000.00 respectively, for completion by June 30, 2006, at unit prices contained in the bid tabulation opened December 10, 2004 (Resolution #2005-07-325-E11); and

WHEREAS, It is recommended that the contracts be amended to allow for additional concrete replacement for work to be completed by June 30, 2006, on Major Roads – Proposal A and Local Roads – Proposal B;

THEREFORE, BE IT RESOLVED, That the contracts are hereby **AMENDED** to provide additional concrete pavement repair for two of the low bidders: Major Cement Company – Proposal A and Hard Rock Concrete, Inc. – Proposal B, not to exceed \$1,250,000.00, and \$750,000.00, respectively for completion of work by June 30, 2006, at the same unit prices, terms and conditions as the original contract.

Yes: All-5

No: None

Absent: Broomfield, Stine

F-9 Rescind Award and Re-Award for Barn Repair

Resolution #2006-06-246

Moved by Beltramini

Seconded by Howrylak

WHEREAS, On January 9, 2006, a contract to repair the small barn at the Troy Farm was awarded to David L. Ingraham of St. Johns, MI, who submitted the lowest informal quotation at an estimated cost of \$24,600.00, plus a 10% contingency (Resolution #2006-01-010);

WHEREAS, David L. Ingraham has withdrawn from the project; and

WHEREAS, On May 10, 2006, a subsequent quote was received from Akins Construction, Inc. to stabilize the small barn at the Troy Farm, but not replace the roof;

THEREFORE, BE IT RESOLVED, That the contract be **RESCINDED** with prejudice from David L. Ingraham of St. Johns, MI and **RE-AWARDED** to Akins Construction, Inc. of Sterling Heights, MI for an estimated cost of \$14,950.00, plus a 10% contingency; and

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

Yes: All-5
No: None
Absent: Broomfield, Stine

F-10 Approval of Fee Revisions

Resolution
Moved by Beltramini
Seconded by Schilling

a) Revisions to Soil Erosion and Sedimentation Control Fees, Section I of the City of Troy Development Standards

RESOLVED, That revisions to subsection I1(p), Soil Erosion and Sedimentation Control Fees, of the City of Troy Development Standards are hereby **ADOPTED** (effective July 1, 2006) as recommended by City Management, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

b) Revisions to Chapter 60 – Increase in Board of Zoning Appeals Application Fee

RESOLVED, That Section 60.03 of Chapter 60 of the Troy City Code, be **REVISED** to include fees for the Board of Zoning Appeals applications in accordance with the proposal prepared by City Management, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

c) Fee Increases – Museum

RESOLVED, That the attached proposed changes in the fee structure for facility rentals at the Troy Historical Museum are hereby **APPROVED**.

Vote on Resolution to Separate Vote

Resolution #2006-06-247
Moved by Howrylak
Seconded by Fleming

RESOLVED, That Troy City Council hereby **REQUESTS** that Resolutions: a) Revisions to Soil Erosion and Sedimentation Control Fees, Section I of the City of Troy Development Standards; b) Revisions to Chapter 60 – Increase in Board of Zoning Appeals Application Fee; and c) Fee Increases – Museum **BE SEPARATED** for voting purposes.

Yes: All-5
No: None
Absent: Broomfield, Stine

a) **Vote on Revisions to Soil Erosion and Sedimentation Control Fees, Section I of the City of Troy Development Standards**

Resolution #2006-06-248

Moved by Beltramini

Seconded by Schilling

RESOLVED, That revisions to subsection I1(p), Soil Erosion and Sedimentation Control Fees, of the City of Troy Development Standards are hereby **ADOPTED** (effective July 1, 2006) as recommended by City Management, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: Lambert, Schilling, Beltramini

No: Fleming, Howrylak

Absent: Broomfield, Stine

MOTION CARRIED

b) **Revisions to Chapter 60 – Increase in Board of Zoning Appeals Application Fee**

Resolution

Moved by Beltramini

Seconded by Schilling

RESOLVED, That Section 60.03 of Chapter 60 of the Troy City Code be **REVISED** to include fees for the Board of Zoning Appeals applications in accordance with the proposal prepared by City Management, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Vote on Resolution to Amend

Resolution #2006-06-249

Moved by Howrylak

Seconded by Fleming

RESOLVED, That Troy City Council hereby **AMENDS** the resolution for *Revisions to Chapter 60 – Increase in Board of Zoning Appeals Application Fee* by **STRIKING** "\$250.00" and **INSERTING** "\$150.00."

Yes: Howrylak, Lambert Fleming

No: Schilling, Beltramini

Absent: Broomfield, Stine

MOTION CARRIED

Vote on Resolution as Amended

Resolution #2006-06-250
Moved by Beltramini
Seconded by Schilling

RESOLVED, That Section 60.03 of Chapter 60 of the Troy City Code be **REVISED** to include fees for the Board of Zoning Appeals applications in accordance with the proposal prepared by City Management and as amended by City Council, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-5
No: None
Absent: Broomfield, Stine

c) Fee Increases – Museum

Resolution #2006-06-251
Moved by Beltramini
Seconded by Schilling

RESOLVED, That the attached proposed changes in the fee structure for facility rentals at the Troy Historical Museum are hereby **APPROVED**.

Yes: All-5
No: None
Absent: Broomfield, Stine

Vote on Resolution to Suspend Rules of Procedure for the City Council, Rule #26 – Continued Agenda Items Not Considered Before 12:00 AM

Resolution #2006-06-252
Moved by Lambert
Seconded by Schilling

RESOLVED, That City Council **SUSPEND** Rules of Procedure for the City Council, Rule #26 - *Continued Agenda Items Not Considered Before 12:00 AM* and **AUTHORIZE** City Council to **EXTEND** the adjournment time to 12:15 AM.

Yes: All-5
No: None
Absent: Broomfield, Stine

F-11 Scheduling of Special Meetings– Interview of Applicants for Employment for Position of City Manager

Resolution
Moved by Fleming
Seconded by Beltramini

RESOLVED, That a Special Meeting of City Council is hereby **SCHEDULED** for the purpose of interviewing applicants for employment for the position of City Manager on Sunday, June 11th at 2:00 P.M. in the Council Board Room.

Vote on Resolution to Amend

Resolution #2006-06-253
Moved by Schilling
Seconded by Beltramini

RESOLVED, That Troy City Council hereby **AMENDS** the Resolution for the *Scheduling of Special Meetings – Interview of Applicants for Employment for Position of City Manager* by **INSERTING** “and deliberation and decision” **AFTER** “City Manager.”

Yes: All-5
No: None
Absent: Broomfield, Stine

Vote on Resolution as Amended

Resolution #2006-06-254
Moved by Fleming
Seconded by Beltramini

RESOLVED, That a Special Meeting of City Council is hereby **SCHEDULED** for the purpose of interviewing applicants for employment for the position of City Manager and deliberation and decision on Sunday, June 11th at 2:00 P.M. in the Council Board Room.

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

MOTION CARRIED

F-12 Policy Adoption – Display of Signs on City Hall Site for Community Events

Resolution #2006-06-255
Moved by Beltramini
Seconded by Lambert

RESOLVED, That the policy for the installation of signs announcing community events on City Hall property be **ADOPTED** in accordance with the proposal prepared by City Management, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-5
No: None
Absent: Broomfield, Stine

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings:

- a) Rezoning Application (Z 718) – Proposed Curves, East Side of Livernois, between Maple and Kirts, Section 28 – O-1 to B-3 – June 19, 2006
 - b) Rezoning Application (Z 717) – Proposed Medical/General Office Building, Northwest Corner of Lovell and Rochester Road, Section 3 – R-1C to O-1 – June 19, 2006
Noted and Filed
-

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

Vote on Resolution to Suspend Rules of Procedure for the City Council, Rule #26 – Continued Agenda Items Not Considered Before 12:00 AM

Resolution #2006-06-256
Moved by Lambert
Seconded by Beltramini

RESOLVED, That City Council **SUSPEND** Rules of Procedure for the City Council, Rule #26 - *Continued Agenda Items Not Considered Before 12:00 AM* and **AUTHORIZE** City Council to **EXTEND** the adjournment time to 12:25 AM.

Yes: All-5
No: None
Absent: Broomfield, Stine

REPORTS:

J-1 Minutes – Boards and Committees:

- a) Joint Local Development Finance Authority – Troy Subcommittee/Final – January 30, 2006
- b) Liquor Advisory Committee/Final – April 10, 2006
- c) Employees' Retirement System Board of Trustees/Final – April 12, 2006
- d) Library Advisory Board/Final – April 13, 2006
- e) Troy Daze Advisory/Festival Committee/Draft – April 25, 2006
- f) Troy Youth Council/Draft – April 26, 2006
- g) Troy Youth Council/Final – April 26, 2006
- h) Joint Local Development Finance Authority – Troy Subcommittee/Final – January 30, 2006
- i) Liquor Advisory Committee/Final – April 10, 2006
- j) Employees' Retirement System Board of Trustees/Final – April 12, 2006
- k) Library Advisory Board/Final – April 13, 2006
- l) Troy Daze Advisory/Festival Committee/Draft – April 25, 2006
- m) Troy Youth Council/Draft – April 26, 2006
- n) Troy Youth Council/Final – April 26, 2006
- o) Planning Commission Special/Study/Draft – May 2, 2006
- p) Planning Commission Special/Study/Final – May 2, 2006
- q) Joint Local Development Finance Authority – Troy Subcommittee/Draft – May 8, 2006
- r) Planning Commission/Draft – May 9, 2006
- s) Planning Commission/Final – May 9, 2006
- t) Employees' Retirement System Board of Trustees/Draft – May 10, 2006
- u) Troy Youth Council/Draft – May 24, 2006

Noted and Filed

J-2 Department Reports:

- a) City of Troy Monthly Financial Report – April 30, 2006

Noted and Filed

J-3 Letters of Appreciation:

- a) Letter to Tonni Bartholomew from the Planning Commission In Appreciation of the Special Efforts on Election Night
- b) Letter of Thanks to Lt. Scherlinck and Sgt. Kowalski from Kim Streich Regarding the Support and Traffic Assistance During the March of Dimes WalkAmerica

Noted and Filed

J-4 Proposed Proclamations/Resolutions from Other Organizations:

- a) Resolution from the City of Royal Oak – Reconstruction of I-75
- b) Resolution from the City of Ferndale – Consideration of Constitutional Amendment Regarding Transit Funding
- c) Resolution from the City of Ferndale – June, 2006 – Gay Pride Month

Noted and Filed

J-5 Calendar

Noted and Filed

J-6 Communication from Michigan Municipal League Regarding the Proposed Changes to Local Cable Franchising

Noted and Filed

J-7 Communication from City Engineer Steven Vandette Regarding Request to Amend Chapter 42, Flood Plain Management

Noted and Filed

J-8 Communication from Parks and Recreation Director Carol Anderson Regarding Fee Waiver Policy for Military Personnel on Leave

Noted and Filed

J-9 Communication from Assistant City Manager/Services Brian Murphy Regarding Request to Enter into Agreement to Place a Cell Tower at Station 6

Noted and Filed

J-10 Communication from the City Engineer Steven Vandette Regarding Engineering Department Focus/Sustainable Stormwater Management

Noted and Filed

STUDY ITEMS:

K-1 Disposal/Sale of Excess Property

PUBLIC COMMENT: Address of "K" Items

CLOSED SESSION:

L-1 Closed Session: No Closed Session Requested

The meeting **ADJOURNED** on Tuesday, June 6, 2006 at 12:21 A.M.

Louise E. Schilling, Mayor

Tonni L. Bartholomew, City Clerk